



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TU AIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

Dé Céadaoin, 5 Deireadh Fómhair 2011.

[illegible]

SEANAD ÉIREANN

*Dé Céadaoin, 5 Deireadh Fómhair 2011.
Wednesday, 5 October 2011.*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

Paidir.

Prayer.

Business of Seanad

An Cathaoirleach: I have received notice from Senator Fidelma Healy Eames that, on the motion for the Adjournment of the House today, she proposes to raise the following matter:

The need for the Minister for Education and Skills to establish the reason an unemployed person, details supplied, is not funded to do a part-time MBA at NUIG under the Spring-board initiative.

I have also received notice from Senator Thomas Byrne of the following matter:

The need for the Minister for Health to outline his response to the news that 53 people were waiting on trolleys yesterday in Our Lady of Lourdes Hospital, Drogheda, that some patients had spent five days on trolleys and whether he will order an independent review of the reconfiguration of hospital services in the north east.

I have also received notice from Senator Martin Conway of the following matter:

The need for the Minister for Foreign Affairs to consider increasing the amount of money provided to overseas development aid projects which will promote and assist the improvement of quality of life for people with disabilities.

I have also received notice from Senator Mary White of the following matter:

The need for the Minister for Social Protection to expedite funding for relocation for the households flooded by the winter flooding of 2009.

I have also received notice from Senator Brian Ó Domhnaill of the following matter:

The need for the Minister for Agriculture, Marine and Food to clarify the future of the fur-farming sector in Ireland.

I regard the matters raised by the Senators as suitable for discussion on the Adjournment. I have selected the matters raised by Senators Healy Eames, Byrne, Conway and White and they will be taken at the conclusion of business. Senator Ó Domhnaill may give notice on another day of the matter he wishes to raise.

Order of Business

Senator Maurice Cummins: The Order of Business is No. 13, Private Members' Business and No. 1, statements on communications, energy and natural resources. No. 13, motion No. 7, shall commence at the conclusion of the Order of Business and conclude no later than 1.45 p.m. No. 1, statements on communications, energy and natural resources shall commence at 3 p.m. and conclude no later than 5 p.m., with contributions of spokespersons not to exceed ten minutes, and followed by questions from the floor, to be taken through the Chair.

Senator Darragh O'Brien: I will begin with some good news, namely, that I have found out where the Minister for Health, Deputy James Reilly, has been over the past few weeks. I note that on Monday he opened, apparently, a new unit in Connolly Memorial Hospital in Blanchardstown, a unit which was opened 18 months ago and which has been up and running since then. There is no question this was just a media stunt and that the reason he was in Blanchardstown and in the hospital on Monday was to promote the Fine Gael candidate for Dublin West. The Minister for Health should be knuckling down to the work he said he would do at a time of ongoing crisis when there are more patients on trolleys than ever before in the history of the State. In that regard, my colleague, Senator Thomas Byrne, has submitted an Adjournment matter on the Lourdes hospital.

Can the Leader tell me why the Minister for Health felt it necessary to open a unit 18 months after it got up and running? The unit was opened previously by our late colleague, Brian Lenihan. Did this opening occur at the request of the Minister or Department or was it at the request of the hospital?

With that in mind, I intend to move an amendment to the Order of Business. I wish to ask and insist that the Minister for Health attend the House today. I am aware he is due to attend the House on 27 October, but if he can find time for cheap publicity stunts to try and fool the people of Dublin West that he is opening a unit that has already been open for 18 months, he can surely to God find time to attend the House. I was informed by the Government Chief Whip yesterday that the Minister is a very busy man and will try and fit us into his schedule. He is obviously not that busy when he has time for these stunts. In view of this I move amendment No. 1: "That the Minister for Health attend the House to tell us why he felt it necessary to waste Government time and his time to fool the people of Dublin West by reopening a unit that has already been open for 18 months."

I have raised the matter of Aviva Insurance in the House previously. What contacts have the Taoiseach and the Minister with responsibility for jobs had with Aviva? I note from reports last night that we are now being told that over 1,000 jobs could be lost from Aviva. The Taoiseach said, and I agree, that it is a matter of great anxiety and concern to those who work in Aviva. He went on to say: "It is only right and proper that I do not comment on this until such a time as the company arrives at its conclusions, having carried out its analysis". The Government has the opportunity now, while the company is carrying out its analysis, to ensure the jobs are retained. There is no point in the Taoiseach and the Government deciding to wait until the company has carried out its analysis, followed by 1,000 or 2,000 jobs being lost and then crying crocodile tears about it. What has the Taoiseach done and what contacts has he made with the company? Has the Minister for Enterprise, Jobs and Innovation, Deputy Bruton, met with Aviva executives to see what are their concerns with regard to retaining the full 2,000 staff in Ireland? What is the Government doing about the situation?

Senator Ivana Bacik: I seek a debate on two human rights issues. The first concerns a matter raised by Senator Zappone yesterday, namely, the UN periodic review which takes place in Geneva tomorrow. All colleagues have been invited to attend at Buswell's Hotel tomorrow

morning, from 8 a.m. to 11 a.m., for a live screening of the hearing at which the Minister for Justice and Equality will be questioned on Ireland's human rights record. I support Senator Zappone's call for the Minister to attend the House following the hearing in Geneva to address us on Ireland's human rights record. We had a good preview of this last week with the address by Maurice Manning, but it would be very useful to hear directly from the Minister with regard to the follow-up to the UN periodic review.

The Minister should also take the opportunity to address us on the proposed merger between the Irish Human Rights Commission and the Equality Authority. There is very little information available on how that merger is to take effect. We are concerned that the merger should have the effect of strengthening human rights and equality protection across the country and need to hear from the Minister on this.

I also seek a debate, or cross-party motion if possible, on a human rights issue concerning an individual. A prominent psychoanalyst from Syria who trained in Paris, Dr. Rafah Nashed, was critical of the regime in Syria and was arrested in Damascus Airport on 10 September when boarding a plane for Paris where her daughter was about to give birth. Dr. Nashed is in her 60s and is currently being held in solitary confinement. She suffers from a heart condition and her health continues to deteriorate.

An international petition has been launched to appeal to the Syrian authorities for her immediate release. I will speak to the leaders of the Opposition and Independent Members to try and get support in this House for a cross-party motion calling for her release on human rights grounds. The petition has been signed by many prominent people, including Colin Firth, the Vice President of the European Parliament and a former South American president. There is a wide range of support for her cause. It is a significant human rights issue and there is great concern among psychoanalytic and psychology professionals worldwide and among academics and doctors. We could play a small part here by calling on the Syrian authorities to release Dr. Rafah Nashed. I urge the leaders of other groups in this House to sign a cross-party motion.

Senator Fiach Mac Conghail: I congratulate the House on the public launch at noon today of the Seanad consultation committee. I commend all here. My mother says self-praise is no praise, but it is important that we are seen to celebrate some of the reform we promised our constituencies. I know I was not elected, but I know from my community that it is important that we continue to engage with civil society and citizens with regard to the business of the Seanad. In that context, I was impressed and pleased that for two recent debates — the debate on human rights and the debate on the arts — while we had an empty media gallery, we had a full Visitors Gallery. It behoves all of us to ensure the Visitors Gallery continues to be full. The cynicism of the media will change once it realises we have the authority and influence to try and open up Seanad Éireann to visitors and the community.

Who, following Dr. Maurice Manning, will be the next significant civil leader to address the Seanad? We need to know this so that we can prepare, debate and communicate with citizens so that the Visitors Gallery will be full.

Senator Sean D. Barrett: Arising from the report today from the Royal Irish Academy on the lack of foreign languages here — apparently, apart from Scotland we are the most single language country in the world — and our failure to join the European Union linguistically when committing to it in 1973, will the Leader take up this issue with the Minister for Education and Skills? I gather that the proposals to have language teaching at first and second level were victims of the recession in the 1920s and 1930s and were, probably, displaced by the emphasis on Irish as a written rather than a spoken language, which took up so much of the curriculum. In recent times, languages have been displaced by the excessive emphasis on science and engin-

[Senator Sean D. Barrett.]

eering, the growth of managerialism in Irish education, the downgrading of arts faculties and the closure of many language departments, some of which had been forcibly amalgamated. It is important that the Minister discusses the crisis in foreign languages in Irish education with language teachers, not with the quangos, the university heads or bodies with the word strategy in the title. The request by the academy for a strategy on foreign languages illustrates the problem. Strategy is a Greek word based on the destruction of material in factories or the art or science of conducting a war. The misuse of the word strategy in Irish education on an hourly basis shows we are indeed deficient in our knowledge of languages from other countries. I hope the Minister will consult with those directly involved — an máistir agus an múinteoir — and get into the classrooms where we have a serious problem in respect of languages.

Senator Cáit Keane: I wish to raise the issue of the Central Bank advertising online in a tender document for companies to refurbish its offices at a cost of millions of euro. In light of what we have been through with the banks, how the public suffered with the banks and with the Central Bank being a main player in ensuring it did not keep an eye on things, having the gall to advertise for refurbishment of offices is a bit rich. The Central Bank has refused to disclose to a journalist how much the refurbishment will cost. I want to ask the Minister for Finance to undertake an investigation to see whether this refurbishment is necessary. We have lots of open space and vacant offices that could be used if the Central Bank needs more room. I want a thorough investigation because it is our money and, as we now own most of the banks, we have a right to ask those questions. We should have asked many more questions long ago.

An Cathaoirleach: That is a matter Senator Keane could raise on the Adjournment.

Senator Darragh O'Brien: The Minister will be here tomorrow.

Senator Cáit Keane: It will be too late because the tender document will be finalised. It is online and that is no way to inform the public. That is an outrage. The answer provided to the journalist is that, at this moment in time, the Central Bank does not know the scale or value of this framework. That is not good enough; I am a Senator and I want answers. It is our bank and our money.

An Cathaoirleach: What is Senator Keane's question for the Leader?

Senator Cáit Keane: I ask the Minister for Finance to find out how much it costs and whether it is necessary. I think it is not necessary. They should use the open, vacant office space.

An Cathaoirleach: The Minister for Finance will be in the House tomorrow.

Senator Cáit Keane: I want to make sure he is here. I did not realise that he will be here but I may not have an opportunity to ask him about the matter. I have been told before that certain issues are not suitable for raising for debate on the floor of this Chamber. If the Central Bank issue is not suitable for this House, I ask what is.

Senator Darragh O'Brien: Senator Keane can ask him tomorrow.

An Cathaoirleach: There are several ways in which this matter can be raised. Senator Keane can table an Adjournment debate, she can ask the Minister tomorrow or she can write to the Minister. What is Senator Keane's question for the Leader?

Senator Cáit Keane: Is the Cathaoirleach telling me that questions on the Central Bank are out of line?

An Cathaoirleach: I am telling Senator Keane how she can raise this matter. I did not see her submitting a request for an Adjournment debate.

Senator Cáit Keane: I want clarification on this matter. Is the Central Bank and anything that pertains to it off-limits?

An Cathaoirleach: If Senator Keane wants to submit an Adjournment debate, I will take it. Otherwise, does she have a question for the Leader?

Senator Cáit Keane: I put the question in my very first statement. I want the Leader to ask the Minister for Finance to write to the Central Bank to see, on behalf of the public, whether this waste of public funds is necessary and how much it will cost.

Senator Thomas Byrne: I thank the Cathaoirleach for allowing me to raise a health matter on the Adjournment but if the Minister for Health is not in the Chamber to respond, I will leave and will not take part in the debate. The Minister for Health avoids the Seanad and it has gone on too long. He opens hospitals for political purposes to give a leg-up to a bad candidate, as Senator Darragh O'Brien said. It is not acceptable. I will be here but if the Minister for Health is not in the Chamber, I will walk out. If he can do that for politics, he can do it in this Chamber.

I second Senator O'Brien's amendment. This is a disgraceful opening by a bad candidate in Dublin West. The party is trying everything to get a few points. In the presidential election, Fine Gael is now fighting to save its deposit. It will be a funny sight. If the party acts as it has done in Dublin West, it will get the same answer.

An Cathaoirleach: Does Senator Byrne have a question for the Leader?

Senator Thomas Byrne: The Leader would want to ensure the Minister for Health is here in the Chamber to respond to the Adjournment debate. He has never responded to an Adjournment debate in the Seanad and he has never been here on a health issue.

Senator Martin Conway: On a point of order, Senator Byrne should withdraw the personal attack on the Fine Gael candidate in Dublin West.

An Cathaoirleach: What is the point of order?

Senator Martin Conway: This was a personal attack made on a person who is not in the Chamber and the Senator should withdraw it out of decency.

An Cathaoirleach: That is not a point of order, it is a political charge. Does Senator Byrne have a question for the Leader?

Senator Thomas Byrne: My question is to ensure the Minister for Health is in the Chamber today to respond to me on the Adjournment debate. We have made requests of the Minister for Finance and the Minister for Justice and Equality and they have attended and will do so again. I have no difficulty with them.

I am giving notice that I will raise the question of NAMA tomorrow when the Minister for Finance is in the House. We need a specific debate on NAMA.

An Cathaoirleach: Senator Byrne can raise the issue tomorrow.

Senator Thomas Byrne: I am calling for a specific debate. Vincent Browne has an excellent article today following a committee meeting in these Houses a number of weeks ago. NAMA

[Senator Thomas Byrne.]

appears to be letting developers off the hook for what they owe. I would never have supported the NAMA legislation if that was clear. It is not provided for within the NAMA legislation, in which the purpose of NAMA is to protect or otherwise enhance the value of the assets it acquires in the interests of the State.

An Cathaoirleach: We are not debating this matter today. Is Senator Byrne asking for a debate?

Senator Thomas Byrne: I am giving notice to the Leader, the Minister for Finance and NAMA that, as a taxpayer and as a legislator, I will seek legal advice on what NAMA is doing and whether it has the power to write off debts in the way it is doing. There is no debt write-off for ordinary people. This was not the function of NAMA and it better stand up and take notice of what people who supported and encouraged it in its work in the interests of taxpayers are saying. It is about time this Government got a grip on the problem because Brian Lenihan would never have tolerated it as Minister for Finance.

Senator Colm Burke: Can I reassure the other side that the Minister for Health is working extremely hard for the people in this country?

Senator Mark Daly: He was in Blanchardstown yesterday. He is not working that hard.

Senator Colm Burke: He is trying to dismantle a chaotic health service——

Senator Mark Daly: He is dismantling it all right.

Senator Colm Burke: ——that was left disorganised over a number of years. While I may have disagreements with the Minister, I assure the other side that he is working hard to ensure that we have an efficient——

Senator Darragh O'Brien: Why is he opening a hospital that has been open for 18 months?

Senator Colm Burke: ——and caring health service.

If our presidential candidate is a bad candidate, I do not understand how he was elected in the 14 elections he contested. If that is the definition of a bad candidate, I do not understand where the Opposition is coming from.

Absenteeism in the HSE and in the health service generally was raised previously. It is very easy to criticise people working in the HSE but this is an opportunity to examine the reasons it is happening and put in place better structures for dealing with the issue rather than being critical. The absenteeism rate in the figures released vary from 9.73% to 2% and it raises questions about the structure of employment and the structure of management. I am not highlighting a particular area but the Limerick maternity hospital has an absenteeism rate of 7.93%. That may raise serious questions of whether it is a staff shortage issue that is putting people under intense pressure——

An Cathaoirleach: Does Senator Burke have a question for the Leader?

Senator Colm Burke: We need to examine this issue and it will be one of the issues on the agenda when the Minister comes to this Chamber on 27 October. An absenteeism rate of 1% in the health service costs €50 million per year. The average for 2010 was over 5%, so it cost over €250 million. The issue must be carefully watched and we must see how we can put in place better structures to deal with it.

Senator John Crown: It was nice to have a quick recitation of the civil war. It got me all nostalgic but I remind my colleagues that it ended 89 years ago. Three more contemporary issues need to be discussed this morning.

One of these is something we have dealt with before. I am asking my colleagues in the Seanad, the Leader and the leaders of the other parties if they would consider a further all-party motion in support of the Bahraini doctors who, since we last debated this and since our colleague, Senator Power, took part in a courageous trip to Bahrain in an attempt to raise the issue of their unjust detention, have been given sentences of between five and 15 years. Six of the doctors who have been given long sentences are associates or former associates of the Royal College of Surgeons of Ireland. Although we have shilly-shallied around the issue before, at this stage we should be forthright in our opinion that no Irish organisation can in good conscience do business with a government that would do this to citizens, especially those who have been proud to be associated with higher education in this country.

On an allied issue, I ask the Leader to raise with the Minister for Foreign Affairs and Trade the plight of Pastor Nadarkhani, an Iranian Christian who has been sentenced to death in Iran for the grievous crime of being an apostate. His apostasy was his alleged conversion to Christianity from Islam, which is a capital offence in the Islamic Republic of Iran. The pastor maintains, however, that even if this crime was a valid charge, he was never a Muslim. He had never been received into the Islamic faith and as such, even by the strange and medieval constraints of the Iranian version of Sharia law, he does not merit the death sentence.

Now a further crime has been committed against this gentleman in that, two years after he was tried, found guilty and sentenced, in response to the justifiable international outrage that this man had been sentenced to death for no crime other than to have a religion that was not agreeable to the ruling junta in that country, the authorities are now alleging that in fact his crime was rape, compounded by Zionism and treason against the state. From a review of the original court documents from 2010, it is clear this is not the case. The charging document states: "Mr. Youcef Nadarkhani, son of Byrom, 32-years old, married, born in Rasht in the state of Gilan is convicted of turning his back on Islam, the greatest religion, the prophesy of Mohammad, at the age of 19."

An Cathaoirleach: Is the Senator looking for a debate on this?

Senator John Crown: I am asking my colleagues to consider an all-party motion on the Bahraini doctors and I am asking the Leader to bring to the attention of the Minister for Foreign Affairs and Trade the plight of Pastor Nadarkhani. Indeed, my colleagues may also consider an all-party motion on this issue.

Finally, I wish to mention a much less dramatic human rights abuse that is annoying me intensely. I would like to express my displeasure at the detention of Teresa Treacy for the grievous crime of not wanting ESB pylons to be placed across her land at a time when politicians and bankers can traipse through the justice system, leaving a trail of perjury left, right and centre, and never be sentenced to one night in prison.

A Senator: Separation of powers.

Senator Denis Landy: I am seeking advice from the Cathaoirleach. I intend to raise a number of issues with the Minister for Communications, Energy and Natural Resources, while another Senator who already spoke here intends to raise matters tomorrow with the Minister for Finance. Can I raise these issues now and then raise them again this afternoon? What is the procedure? People seem to be jumping up and down this morning raising issues they are going

[Senator Denis Landy.]

to raise tomorrow and they are being given latitude to do this. Can I raise my issues with the Leader now, or should I wait until this afternoon?

An Cathaoirleach: Does the Senator have a question for the Leader?

Senator Denis Landy: I have, but I do not want to waste the Cathaoirleach's time. I am asking for advice on this.

An Cathaoirleach: My advice is that if the Senator has a question for the Leader he should ask it, and if he does not, he should not.

Senator Denis Landy: That is fine.

Senator Jim Walsh: I agree with the comments made by Senator Cáit Keane and the sentiment behind them. The waste across many areas of the public service at a time of severe fiscal difficulties needs to be reined in. I do not know if anyone saw the interview the other evening with Michael Somers, the former chief of the NTMA, who spoke about the need for us to bring down prices and salaries and try to get the economy in some sort of shape. I hope the Minister for Finance will consider his point that there is a need for a greater adjustment than €3.6 billion that is being talked about in the interest of the sustainability of this country. Some people have commented on Mr. Somers's salary and pension. He was one of the more notable public servants and one of the very few, particularly in the financial and regulatory area, who has come out of this major economic crisis unscathed. His stewardship of the NTMA was nothing short of excellent and it was one of the few areas of public service that we can be proud of.

I concur with the call by Senator Bacik for a debate on human rights with the Minister for Justice and Equality after the Geneva meeting. It is a good idea and I commend the Leader on having a debate on this last week, although it was a pity we did not have a little longer to make contributions — they were truncated because of the time constraint. I would like in particular to hone in on the distinction between fundamental human rights and invented human rights. An example of invented human rights is the submission to the UN by one of the civil society organisations in Ireland that was concerned with removing religious oaths as they offend the religion of atheism. In that regard, I concur fully with what Senator Crown has said about Pastor Youcef Nadarkhani. It is disgraceful that a person has been given the death sentence in Iran because of his adherence to religion. It is notable that it is not only Christians who are persecuted in Iran but also the Baha'i, who suffer from severe oppression. I urge the Leader, if we are tabling all-party motions, to ensure we deal with cases of abuse of fundamental human rights, of which the case of Pastor Nadarkhani is certainly one. I support Senator Crown in this regard.

Senator Martin Conway: I concur with Senators Keane and Walsh on the issue of the Central Bank. I heard about the tender in question and was very troubled by it. What is also troubling — I ask the Leader to bring this to the attention of the Minister for Finance ahead of his visit to the House tomorrow — is the remarkable fact that AIB is proposing to pay its new chief executive officer a salary of more than €1 million. I also find it remarkable that nobody can be found in the free world to run this bank successfully for half a million euro. It sends out all the wrong messages. We are a small country of 4 million people and I cannot understand the logic behind paying somebody a million euro to run a bank.

Perhaps the Leader could inquire of the Minister for Justice and Equality the status of legislation on white-collar crime. When will we see a white-collar criminal jailed in this country? When will some of the delinquent top bankers and developers who brought this country to its

knees end up behind bars? Other speakers correctly contrasted this with the case of Mrs. Treacy, who is now behind bars in Portlaoise for refusing to allow the ESB to cut down trees on her land. It is a disgrace that this woman is in jail while the people who wrecked this country are still walking around free. Perhaps when the Minister for Justice and Equality is in the House he would update us on the Garda investigations into events at Anglo Irish Bank and the other fiascos that have happened in this country.

Senator Rónán Mullen: I concur with the comments of Senators Crown and Walsh about religious freedom and also with the comments of Senator Barrett about the teaching of languages and the RIA report. It is important that we focus on providing opportunities for students to learn foreign languages starting at primary school. We see the problems of an overcrowded curriculum. We now have disparate voices, with some people saying there needs to be more emphasis on maths and science — they make a good case — while others emphasise the need to learn languages to maintain our competitiveness. It is an important point that if one is trying to sell, one must be able to sell in the buyer's language. The flair for languages is something that must be developed from primary school age. There are great opportunities to introduce young children to the importance, value and indeed delight of learning languages through simple conversations as people from other countries speak them. This can be of great fascination to children and it helps them develop a flair and taste for languages. I hope, notwithstanding budgetary constraints, that efforts will be made to use existing resources and to provide whatever possible additional resources are necessary to increase the number of primary schools in which children are introduced to foreign languages.

Although we will have statements later today on communications, energy and natural resources, I call for a debate — as has been called for in this House in the past — specifically on media standards. Such a debate must be a stand-alone discussion rather than merely being part of a broad discussion on communications. I am extremely concerned at media coverage of the presidential election. It is appropriate that I raise this matter in the House at this time. There is a great tradition in this country of kicking people when they are down. In recent days we have seen newspapers which started off promoting the cause of a particular candidate now joining others in ganging up, herd-like, on the same candidate. I do not intend to vote for Martin McGuinness, for example, but the manner in which at least one weekend newspaper treated his candidature is disproportionate. I would prefer to see the media stand back and to allow the candidates to interrogate and put the hard questions to each other.

An Cathaoirleach: Does the Senator have a question for the Leader?

Senator Rónán Mullen: It is all part of my request for a debate on media standards. We must have an opportunity to tease out these issues in a considered way. This does not imply Senators putting forth their own personal gripes against the media; I am talking about a more considered type of debate. For example, one of our colleagues was wrongly accused of making representations in this Chamber on behalf of somebody close to him. It turned out this had not happened at all. I am not a supporter of that individual, but it is disturbing that a person can go from hero to zero very quickly in this society, thanks to the media. We have seen how individuals have gone from being deemed to be above criticism to there being open season on them. Truth and accuracy matter.

An Cathaoirleach: Will the Senator put a question to the Leader?

Senator Rónán Mullen: I am asking the Leader for an early debate on standards in the media, not as an opportunity for us to vent personal gripes but in order to discuss the power of the

[Senator Rónán Mullen.]

media in this country and to seek to construct a culture where the media operate fairly and as facilitators of truth.

Senator Paul Coghlan: I agree wholeheartedly with Senator Crown's comments on the Bahraini doctors and the other human rights abuses to which he referred. To my honourable friend, the leader of the Opposition, I would make the point that this repeated calling on a very busy Minister to appear at the drop of a hat in this Chamber——

Senator Darragh O'Brien: The Minister was in Blanchardstown yesterday. One cannot even stand up and say that now.

An Cathaoirleach: Does Senator Coghlan have a question for the Leader?

Senator Paul Coghlan: I do. Let us be honest, this is nit-picking and point-scoring.

Senator Mark Daly: It is not nit-picking at all.

Senator Paul Coghlan: It is a publicity hunt on the Senator's part.

(Interruptions).

An Cathaoirleach: Members must not interrupt the speaker. We cannot have people shouting across the floor. We have an amendment to the Order of Business. Does Senator Coghlan have a question for the Leader?

Senator Paul Coghlan: The amendment is out of order, that is the point I am making.

Senator Darragh O'Brien: It is not out of order.

Senator Paul Coghlan: It is a mere publicity hunt, or publicity stunt — whatever one wants to call it.

(Interruptions).

An Cathaoirleach: That is not relevant.

Senator Paul Coghlan: Of course it is.

An Cathaoirleach: Will Senator Coghlan put a question to the Leader?

Senator Paul Coghlan: I look forward to the Leader rebutting what has been said fully and comprehensively, as I know he will.

Senator Mark Daly: We look forward to discovering whether the Minister invited himself to Blanchardstown.

(Interruptions).

Senator Mark Daly: It is ironic that my colleague from Kerry should be talking about publicity stunts when that is exactly what the Minister was engaged in yesterday.

An Cathaoirleach: That is not relevant to today's Order of Business.

Senator Mark Daly: It is, because the amendment to the Order of Business seeks to have a debate in this House in the presence of the Minister for Health. I support Senator O'Brien in

that regard. The Minister has been invited to attend the House time and again but has failed to do so. My question to the Leader is whether the Minister was invited to Blanchardstown yesterday or whether he asked to be invited.

An Cathaoirleach: The amendment to the Order of Business is already proposed and seconded.

Senator Mark Daly: I support the amendment.

An Cathaoirleach: Does the Senator have a question for the Leader?

Senator Mark Daly: I also support my colleague in regard to the National Asset Management Agency Act and his call for the Minister for Finance to come to the House tomorrow. There is no transparency in NAMA. The sweetheart deals it is doing will eventually come out in the wash but it is the taxpayer who will be at a loss.

I support Senator Mullen's call for a debate on the media. Notwithstanding the discussion scheduled for later today, I ask the Leader to arrange a debate specifically on media standards. We ask for nothing more than that reportage be balanced and fair for any electoral candidate or private person. When we have certain newspapers devoted to pillorying one candidate or another, one cannot say it is balanced or fair. It is incumbent on the Government to take action in this regard. The current legislation is clearly not working. Elements in the media are building individuals up before knocking them down. In the case of one newspaper, it is evident this is being done for fun.

I join Senator Crown in calling for a debate on the situation of the Bahraini doctors, many of whom were educated in Ireland. We must bring whatever influence we can to bear on their situation. I ask the Leader to invite the Minister for Foreign Affairs and Trade to come to the House for a debate and to raise the matter with the Bahraini ambassador.

Senator Susan O'Keeffe: I see a fine example of the new kind of politics from the other side.

Senator Darragh O'Brien: Is it like when the Senator's party gives promises to its own electorate?

An Cathaoirleach: Senator O'Keeffe must be allowed to speak without interruption.

Senator Susan O'Keeffe: I am tired of listening to the promises of new politics when all we get are the same old shouting matches.

Senator Mark Daly: If the Senator is looking for promises, we know where they came from.

Senator Darragh O'Brien: What promises did Senator O'Keeffe make in the general election campaign? Let us be straight about it. Before talking about promises, the Senator should think about Sligo.

An Cathaoirleach: Senator O'Keeffe should be allowed to speak.

Senator Susan O'Keeffe: I had the pleasure last night in Sligo of listening to young people who are on the cusp of leaving school, at a public speaking competition I organised. Some of them described the concept of sitting for ten hours a day every day cramming in order to secure a third level place. They also raised the prospect of studying philosophy in primary school. Above all, what these young people — Katie Lee, Eden Estevez, Thomas Edersby, Ronan Marron and Paul McDonagh Ford — want is to be taught how to think and not simply what

[Senator Susan O’Keeffe.]

to think. I ask the Leader to appeal to the Minister to listen to young people themselves, who say their school experience is effectively one of cramming lessons.

That is not to criticise everything they do or to criticise all teachers, but young people want to be part of the debate on education. They want to participate in the debate on a new Ireland and they want to be listened to. The best way to achieve that is for the Minister for Education and Skills to listen directly to them. I ask that he take time to consider how to do so as he looks to reform the education system in the coming years.

Senator Marc MacSharry: I support the proposed amendment to the Order of Business. Senator Mac Conghail asked the Leader to indicate who the next important person to attend the House might be. It would be an achievement if we could manage to get the Minister for Health to the Chamber. This issue arose under previous Administrations too, where the contempt shown to this House is not the sole preserve of the media but also of the Cabinet as a whole. The more experienced Members opposite know that is true. If time can be made available to campaign in an election, senior line Ministers must also make the time to come to this House.

In response to a question I raised some weeks ago about whether members of the national ambulance service were being formally offered sick leave in lieu of overtime, the Leader kindly made every effort to have it answered. I received a written answer from him which had been passed by the Minister. Unfortunately, it was a parrot-like, laundered response from the Health Service Executive which danced around the question. There are 472 people on trolleys throughout the State today, 294 of them outside Dublin and 13 of those in Sligo where Senator O’Keeffe promised voters a centre of excellence. I think it is essential for democracy that the line Ministers are in change, regardless of how busy they are, and make themselves available on a fortnightly basis, albeit for a short period to answer key questions of the day. It would certainly play into the consultation process that Senator Mac Conghail is launching this afternoon on the Seanad’s future. It would enhance democracy and would give people the right to accountability that they should enjoy under the Constitution.

I know the Minister for Finance will be here tomorrow to speak on general financial matters, but we require specific budgetary debates under the various headings, be it education, social welfare and so on. In that context, the VAT rate was reduced recently and restaurateurs and others passed on this reduction to consumers. The media came in for criticism for not passing on this reduction to consumers, although the *Sunday Independent* made some hay from the fact that it passed it on. Last Sunday, however, the price of the paper increased. One wonders if it was superficial that the media in the guise——

An Cathaoirleach: Does the Senator have a question?

Senator Marc MacSharry: Can we have a debate on media standards and on the manipulation of the media?

The contempt in which the Cabinet holds this House, indicated by their lack of attendance, must end. I know the Leader agrees with me and will use his good office to try to have it rectified.

Senator Pat O’Neill: I wish to make a request. I ask the Leader to ask the leader of the Sinn Féin Party to come to the House to explain why they only oppose cuts on one side of the Border. The members of Sinn Féin are not in the Chamber, but as their Private Members Bill is on next, perhaps they are being coached.

An Cathaoirleach: That is a matter for the Committee on Procedure and Privileges and not for the Order of Business.

Senator Pat O'Neill: I am asking the Leader to bring the leader of the Sinn Féin Party to this House to explain why we have crocodile tears every day, even from members of the Fianna Fáil Party.

An Cathaoirleach: That is a matter for the Committee on Procedure and Privileges.

Senator Pat O'Neill: It has proved one thing, that crocodiles do not have tears

An Cathaoirleach: Senator O'Neill, that is not a matter for the Order of Business. It is a matter for the Committee on Procedure and Privileges.

Senator Rónán Mullen: On a point of order, I find Senator O'Neill's point interesting but it needs to be said, because it can sometimes be forgotten, that there is a convention in this House that we do not refer to the absence of other Members. Does that convention still stand?

An Cathaoirleach: Yes.

Senator Pat O'Neill: I am asking the Leader to bring in the leader of Sinn Féin because we saw last night——

An Cathaoirleach: I have already told the Senator that this is not a matter for the Order of Business. It is a matter for the Committee On Procedure and Privileges.

Senator Pat O'Neill: ——that a thousand workers walked out on strike over cuts in the health service in Northern Ireland. Sinn Féin can play it on both sides. I ask the leader of Sinn Féin to explain.

Senator Labhrás Ó Murchú: Ireland, in the main, has a proud record when it comes to human rights. This House played a very significant role in that down through the years. It is possibly a temptation when one is embedded with the international economic fraternity that one is afraid to offend the paymasters. In the case of Ireland, we need to be particularly careful in that regard.

A number of human rights issues have been raised in this House from time to time. We raised the issue of the Palestinian people and I think all right thinking people will agree they have not been treated properly. We should salute the Minister for Foreign Affairs and Trade, Deputy Eamon Gilmore, in this regard. We debated the issue in the Chamber and asked the Government to take a stand. From what I have seen, the Minister has demonstrated an independence of office and the sovereignty of this land and he should be lauded in that regard. In the case of Bahrain, however, where the medical profession has been persecuted for doing what one expects from it, there is a degree of silence. Where a nation has a record on human rights, all agencies and organisations operating in our country are expected to do likewise. This is not the case in regard to Bahrain and I fully support Senator Crown in what he said that we expect all agencies doing business with Bahrain to ensure we are not doing it in a manner that ignores the suffering of the people. As we have seen in other countries such as Iraq and Libya, this type of fraternal acceptance of the lack of human rights in a country comes back to haunt us subsequently. I believe in the case of Bahrain this will be exactly the same.

Yesterday morning I raised the issue of Teresa Tracy. I must admit I was expecting a prompt response in this regard. I got a good response from the Leader but I cannot understand how we can accept what is happening to that elderly lady at present. We are rubbing salt into the

[Senator Labhrás Ó Murchú.]

wounds of those who are suffering in the community for other reasons. She is a relatively innocent person who is incarcerated and languishing in jail while so many other people who have many questions to answer are going around freely and living a royal life. It cannot be good for the morale of our people to allow that to happen. I hope that in the next 24 hours action will be taken in this regard because, if not, I think the body politic as well as the judicial system will have been dealt a body blow. No one wants to see that happening

Senator Tom Sheahan: The Minister for Finance is due in this House tomorrow morning at 11.45 a.m. Is it a general or a specific discussion on financial matters? The Joint Committee on Finance, Public Expenditure and Reform is sitting at the same time. Will the Minister be here or will he be at the committee meeting? I wish to raise an issue regarding the Central Bank and Credit Institutions (Resolution) Bill 2011 and I implore all members to inform themselves of the contents of the Bill and the repercussions it will have on the credit union movement. I await a reply from the Leader.

Senator Paschal Mooney: Yesterday in the British newspapers there was a call from the British Government to its consumers to clear their credit card debt in order to help the economy. Perhaps it might be a question more relevant to tomorrow, but I ask the Leader to convey to the Minister for Finance the need to use whatever mechanisms might be available in order to publicise this matter. Some weeks ago I wrote to the Minister for Finance in which I raised the flight of deposits from this country and the need for a more proactive campaign by the Department of Finance to encourage people to leave their deposits here. I am pleased, although it is not anything to do with the letter, to see that there was an increase in the deposits in Irish banks in August.

The other question I wish to raise is relevant to Senator Sheahan's question on tomorrow's session with the Minister for Finance. The Leader will be aware that I raised the question of procedure on how the question and answer sessions should be conducted. I want to repeat that he may give consideration to ensuring that the widest possible number of people who wish to take part in the question and answer session be allowed to do so and that he consider limiting the spokespersons in the various portfolios to the six to ten minutes they have to make their contributions. Surely they have sufficient time to ask a question during their contributions, unlike what happened here yesterday. With no disrespect to those who engaged, I found it quite extraordinary sitting here listening to quite lengthy contributions and then to see the very same people getting up subsequently during the question and answer session and asking questions. I could not figure out the reason they did not ask the question during their contributions. Surely that is what it is about. In the interest of streamlining the matter, I appreciate the Leader has pointed out repeatedly that this is a new system that needs tweaking on a regular basis. I would be interested in his reply in that regard.

Senator Michael Mullins: At a time when we hear negative comments on the developments in the health service, I welcome the fact that over 1,200 pharmacists have completed training to enable them to deliver the seasonal 'flu vaccine this winter. Community pharmacists have stepped up to the mark in response to Government policy. We all realise there is more than enough work within the system for every health professional.

I want the Minister to follow through on the policy he initiated to involve health professionals in doing work from which they were heretofore excluded. I hope a contract will be put in place for pharmacists. We all want to ensure local pharmacies continue to thrive and prosper and have financial certainty.

In welcoming the development I applaud some of the innovative things the Minister is doing. We hear a lot of criticism of him in this House but he has made a great start. I ask my colleagues on the other side of the House to cut the Minister some slack. He has given us a date on which he will visit the House.

An Cathaoirleach: Does the Senator have a question for the Leader?

Senator Michael Mullins: He is involved in the extremely important business of State in trying to sort out the ferocious mess that is the HSE. I compliment him for the positive developments and look forward to having some very constructive dialogue with him on 27 October.

Senator Maurice Cummins: The leader of the Opposition has once again asked if the Minister, Deputy Reilly, will attend the House. Unfortunately, I do not order the Minister's diary but I know he wishes to be accommodating, as much as possible, to the House. He will attend for statements on 27 October and I ask Members to submit any questions they wish to pose to the Minister before 20 October to my office. The Minister has agreed to do his best to answer all questions and any he does not answer he will prioritise and answer by letter. He hopes to be in a position to answer all questions on 27 October.

Members have submitted questions for the Minister, Deputy Rabbitte, today to my office. Unfortunately, my computer has been down since last Friday and is still not working. As a result I have not received questions. Members will be in a position to ask the Minister questions but he will not have had prior notice of them.

Senators Bacik, Walsh and others referred to Ireland's human rights record and asked for a debate——

Senator Darragh O'Brien: I asked about the situation pertaining to Aviva Insurance which is important.

Senator Maurice Cummins: I am not sure what contacts the Taoiseach and the Minister for Jobs, Enterprise and Innovation have made with Aviva. I understand they have made contact. I will revert to the Senator.

Senators Bacik, Walsh, Mullen and others called for a debate on the UN periodic review. Senator Zappone is in Geneva on foot of the review. I hope to facilitate a debate on that as soon as the Minister can attend the House. A number of human rights issues were raised, such as the case of Dr. Rafah Nashed in Syria. Senator Crown referred to Pastor Nadarkhani in Iran and the situation of the Bahraini doctors. I was under the impression that we had framed and passed an all-party motion on Bahrain but if it is not the case——

Senator Maurice Cummins: delete

Senator John Crown: On a point of information, on that date they were detained and since then they have been found guilty and sentenced.

Senator Maurice Cummins: We on this side of the House would be amenable to tabling another motion in that regard.

Senator Mac Conghail referred to the public consultation committee. We will launch it after the Order of Business in the audiovisual room. It will try to have greater contact between the body public and the Houses of the Oireachtas, in particular the Seanad. At the Senator's request, former President Mary Robinson will attend the House in November. She will be the second person to speak on human rights and other issues. We are very glad that she has acceded to the request to address the Seanad. It will be an excellent presentation.

[Senator Maurice Cummins.]

Senators Barrett, Mullen and others referred to the reform of language teaching in the country and the recent report that was published. The Minister for Education and Skills will attend the House on 8 November and many of the valid points raised by Senators should be raised with him during that debate. He will examine the schools curriculum.

Senators Keane and Conway referred to the refurbishment of the Central Bank. As has been stated, the Minister will attend the House tomorrow and will take questions on the issue.

Senator Byrne referred to his matter on the Adjournment. The Minister of State, Deputy Shortall, will attend the House to take the matter today. If it is not his intention to be present for the matter we hope he would notify the officials and my office in order that we can notify the Minister of State not to attend. Yesterday a Minister attended the House and nobody turned up for a matter on the Adjournment. It also happened previously.

It is not acceptable to have Ministers attending the House to answer Adjournment matters that have been tabled by Members who do not turn up. It is the responsibility of Members to be here for their Adjournment matters when they table them. I ask Members to keep that in mind when they table such matters and I hope Senator Byrne will let me know whether he intends to attend the House for his Adjournment matter. He said he will not attend if the Minister, Deputy Reilly, does not respond. I hope he will have the decency to tell me what the situation is in that regard.

Senators Crown, Ó Murchú and others raised the imprisonment of Mrs. Treacy. There is a separation of powers and we cannot become involved in the decision. I totally accept the bonafides of what Members have said in this regard.

Senator Landy asked about repetition on the Order of Business and what issues people should raise. The question answers itself.

Senator Conway referred to legislation on white collar crime. I will try to ascertain for him when it is intended to bring such legislation to the House and revert to him.

A number of senators, including Senators Mullen and Daly, called for statements on the media. It was raised by Senator Susan O’Keeffe and is a matter that is worthy of debate. We will try to bring the relevant Minister to the House to have a debate at the earliest opportunity.

Senator O’Keeffe also raised the question of listening to young people on curriculum reform. Her points were valid and can be raised with the Minister for Education and Skills on 8 November.

Senator MacSharry referred to the issue of senior Ministers attending the House. The Minister, Deputy Rabbitte, will attend the House today. The number of senior Ministers who have come to the House not alone to listen to statements from Members, but to participate in question and answer sessions and be accountable for their Departments is unprecedented. The Minister for Finance will come to the House tomorrow for a similar session. The Ministers for Jobs, Enterprise and Innovation, Agriculture, Fisheries and Food and Arts, Heritage and Gaeltacht took questions during their appearance in the House, as did the Minister of State at the Department of Transport, Tourism and Sport yesterday. I do not know what Senator MacSharry is talking about in the context of senior Ministers being accountable to the House. They have been more accountable than ever before.

With regard to Senator Sheahan’s question, there will be a question and answer session with the Minister for Finance tomorrow. He said he will be here and I have no reason to believe otherwise. The Senator is quite right that the credit institutions Bill is important and I will try to find out when it will be taken in the House.

Senator Mooney welcomed the increase in foreign deposits in Irish banks and I am sure we all welcome them. I agree with him regarding procedures. There was a mix up yesterday. Once spokespersons have had their say, every other Member should be allowed to contribute before the spokespersons contribute again. However, everybody had an opportunity to put a question yesterday as there was no time limit.

Senator Mullen referred to training for pharmacists to administer the influenza vaccines. That will be welcomed by communities throughout the country.

Senator Ó Murchú praised the stance of the Tánaiste and Minister for Foreign Affairs and Trade and the Government on the Palestinian issue, which I welcome.

An Cathaoirleach: Senator O'Brien has moved an amendment to the Order of Business, "That a debate with the Minister for Health on the opening of a unit at Connolly Hospital Blanchardstown, be taken today". Is the amendment being pressed?

Senator Darragh O'Brien: Yes.

Amendment put.

The Seanad divided: Tá, 14; Níl, 32.

Tá

Byrne, Thomas.
Crown, John.
Cullinane, David.
Daly, Mark.
MacSharry, Marc.
Mooney, Paschal.
O'Brien, Darragh.

O'Donovan, Denis.
Ó Clochartaigh, Trevor.
Ó Domhnaill, Brian.
Ó Murchú, Labhrás.
Walsh, Jim.
White, Mary M.
Wilson, Diarmuid.

Níl

Bacik, Ivana.
Barrett, Sean D.
Brennan, Terry.
Burke, Colm.
Coghlan, Eamonn.
Coghlan, Paul.
Comiskey, Michael.
Conway, Martin.
Cummins, Maurice.
D'Arcy, Jim.
D'Arcy, Michael.
Gilroy, John.
Harte, Jimmy.
Healy Eames, Fidelma.
Heffernan, James.
Henry, Imelda.

Higgins, Lorraine.
Keane, Cáit.
Kelly, John.
Landy, Denis.
Mac Conghail, Fiach.
Moloney, Marie.
Moran, Mary.
Mullins, Michael.
Noone, Catherine.
O'Brien, Mary Ann.
O'Donnell, Marie-Louise.
O'Keeffe, Susan.
O'Neill, Pat.
Sheahan, Tom.
van Turnhout, Jillian.
Whelan, John.

Tellers: Tá, Senators Paschal Mooney and Diarmuid Wilson; Níl, Senators Paul Coghlan and Susan O'Keeffe.

Amendment declared lost.

Question, "That the Order of Business be agreed to", put and declared carried.

Presidential Elections: Motion

Senator David Cullinane: I move:

“That Seanad Éireann:

- recognises the need to enhance the democratic process on this island;
- recognises the desire to enable Northern participation in the political life of the nation, as an important part of the Irish peace process and a natural outworking of the Good Friday Agreement;
- affirms the democratic values of citizenship and equality that define our nation and people;
- supports the extension of voting rights to all Irish citizens in the Six Counties as well as citizens living and working abroad, subject to conditions set out in law, in presidential elections;
- calls for a thorough review and reform of the nomination process for presidential elections; and
- urges that all these matters be addressed and technical issues resolved by the forthcoming Constitutional Convention.”.

I welcome the opportunity to move this motion and thank the Fine Gael Party for giving us the Private Members’ time. When we discussed putting forward a motion we could have put forward one on any number of issues. For example, we could have played party politics with many of the important economic and social issues but we decided instead to place a motion before the House which we believe should have the support of all political parties and Independents.

The motion is about extending presidential voting rights for all Irish citizens, especially those who live in the North of Ireland but also Irish people who live abroad who in our view are part of the broad Irish nation. It also refers to reform of the nomination process, which would deal with a number of issues. It would mean that citizens in the North would have some mechanism to allow for the nomination of a candidate, if that is their wish.

Also, any person under the age of 35 years should be able to contest the presidential election.

In the motion we call for the modalities of these issues to be worked out in the constitutional convention. Through the motion we want to get the political parties, which have all committed to presidential voting rights for all Irish citizens, to reaffirm that right and agree the principle.

Yesterday in the Dáil, Deputy Gerry Adams asked the Taoiseach if he agreed the extension of voting rights to all Irish citizens and passport holders would be a natural outworking of the Good Friday Agreement, which enshrines the right of the people of the North to Irish citizenship, and if he had given further consideration to extending the franchise for presidential elections north of the Border. He asked if this could perhaps be considered in the context of the upcoming planned constitutional convention.

The Taoiseach’s response was clear and unambiguous: “I have given some consideration to the Deputy’s suggestion. It is right that the constitutional convention should consider this matter and I hope to announce the establishment after the presidential election”. Those are the Taoiseach’s words and they are in line with the wording of the Sinn Féin motion, which is very clear and refers to extending voting rights for all citizens. The Government amendment, however, makes no mention of voting rights for citizens. It refers to the programme for Govern-

ment but there is no mention in that programme for extending voting rights to citizens in the North of Ireland or abroad.

It is, therefore, important for the Minister and for all Senators to clarify their position. If all Senators agree with their stated party positions, and if they agree with the Taoiseach, who said yesterday in the Dáil that the matter should be discussed in the constitutional convention, there is no reason why any Senator here would not support the Sinn Féin motion. That is why it is surprising there has been an amendment that seeks to water down the proposal. It is a cause of concern but I will listen to what Government representatives have to say.

It is important that we extend voting rights to all Irish citizens. It is the birthright of all people born on the island of Ireland to be part of the Irish nation. Someone born in Belfast, Derry, any part of Antrim, Fermanagh, Tyrone, Down or any county in the North of Ireland is no different from someone born in Waterford, Cork, Donegal, Louth or any other county. The Constitution is clear on this, speaking of all of the Irish people and the Irish nation. When the President is elected, the pledge of office speaks of the Irish nation, as does the Proclamation of 1916, which spoke of all of the children of the nation, and that nation being all 32 counties.

This request is not being made solely by Sinn Féin, it is being made by political parties in the North, with a non-party campaign calling for “One Voice, One Vote”. We had representatives of that organisation in Leinster House yesterday and there is a number of Northern Assembly members in the Visitors Gallery today. There is a consensus among those political parties that are defined as Nationalist in the North that they should have the right to vote. They are Irish citizens and most of them hold Irish passports. Why are they not allowed to vote for the President of their country? It is ironic that the current President, Mary McAleese, who we all agree has been a hugely powerful figure and who has raised the game in terms of the presidency, comes from the Ardoyne area of Belfast. If she and her husband still lived in Belfast, they would not have been able to vote when she was contesting the election and would not be able to vote for any candidate in the current election.

This goes to the heart of the issues that were resolved in the Good Friday Agreement. That Agreement spoke about people in the North having the right to be part of the Irish nation. It defined citizenship and the right of people having the right to be Irish, British or both; Sinn Féin supports that. The notion of voting rights for those in the North should not be seen as a threat to anyone; this is to enhance the democratic process and the Good Friday Agreement, to be part of its outworking while vindicating the Constitution and the pledge of office the successful candidate in the election will take.

Most importantly, it is to vindicate the rights of citizens and to ensure we go further than paying lip-service to the notion citizens in the North of Ireland are part of the Irish nation. It is one thing to have it in the Constitution, the Proclamation or a pledge of office but it is entirely different when those same citizens are denied the right to vote for their President.

The upcoming convention will deal with a number of issues. It is critical that it is shaped by all of the people of Ireland. I hope that when the convention is being established that the Good Friday Agreement is looked at as part of its terms of reference and the Government of the day vindicates what it has promised. All political parties, from the Labour Party, Fine Gael and Fianna Fáil to Sinn Féin and many Independents have spoken of the need to reform the system. If we speak about the need to reform the system, we must follow that through. Senator Ó Clochartaigh will address some of the clear commitments given by those parties.

It is also important to point out this motion is not just about citizens in the North, it is about people who live abroad who are also part of the Irish nation. Tens of thousands have emigrated in the last four years, with some estimates claiming over 100,000 people have left. Those people have the right to be able to vote for their President. Any Irish citizen who is part of the Irish

[Senator David Cullinane.]

nation should be able to vote for the President because the President is the President of the nation and the people.

There is an argument that we cannot have representation without taxation but I do not accept that argument in this context because the President has no budgetary role; that is a matter for the Oireachtas and the Government. This is about the President symbolising the Irish people. This is not just the view of Sinn Féin. Senator Ó Clochartaigh will restate the positions of all political parties in this House. It is also their stated view.

The motion also deals with reform of the nomination process. People can have different views of what sort of process we should have. The Minister and I had a robust debate on the reforms he proposes but his proposal is to cut the number of Deputies, potentially to abolish the Seanad and to reduce the number of councils. Fewer councils and people will be able to nominate candidates and we may make it harder for candidates to get on to the ballot paper in the future. We must also ensure that young people can run. It is offensive that someone who is 25 or 30 who can vote and who has life experience cannot go forward on to the ballot paper and contest the presidential election. They can vote but they cannot run. This is an issue of equality at the heart of the motion.

This would enhance the democratic process while outworking the Good Friday Agreement. It is most important and if any Senator supports the democratic process and the logic of the Good Friday Agreement, he or she should support this motion because it is a vindication of the right of all Irish people to be able to vote for their President.

Visit of Northern Ireland Assembly Delegation

Acting Chairman (Senator Jim Walsh): Sula leanfaimid ar aghaidh, ba mhaith liom fáilte a chur roimh bheirt ón Northern Assembly, Willie Clark, MLA, and Cairtriona Ruane, MLA. They are both welcome to the Seanad.

Presidential Elections: Motion (Resumed)

Senator Trevor Ó Clochartaigh: Ba mhaith liom cuidiú leis an rún atá os ár gcomhar. Ba mhaith liom fáilte a chur roimh an Aire. Bhí mé ag déanamh amach an tseachtain seo caite go raibh inní orm nach raibh sé feicthe agam le tamall ach is breá an rud é a fheiceáil sa Teach arís. Cuirim céad fáilte roimhe, go háirithe go bhfuil sé anseo chun an cheist fíor-thábhachtach seo a phlé.

Is ceist í an náisiúnacht a théann go croí agus tá sé an-ghar do mo chroí féin. Is duine mise a rugadh agus a tógadh i Sasana, ach níor bhreathnaigh mise orm féin ariamh mar Shasanach. Tháinig ár gclann abhaile, beirt thuismitheoir as Éirinn. D'fhan beirt den cheathrar clainne anseo in Éirinn agus d'imigh beirt anonn. Ní fhéadfainn-se a rá go bhfuil mise níos Éireannaigh ná níos gaelaí ná an bheirt deartháir liom atá ina gcónaí i Londain. An fhadhb atá ann ná go bhfuil cead agamsa vótáil le haghaidh Uachtarán na hÉireann ach níl aon chead acu siúd. Tá sé sin go hiomlán mícheart agus mí-chóir.

Tá ceisteanna pearsanta mar sin ag go leor daoine ar an oileán seo agus thar lear. Táimid ag iarraidh aitheantas a thabhairt dóibh siúd ins an díospóireacht inniu. Táimid ag súil go mbeidh an Teach sásta tacú lenár rún.

In 1990, President Mary Robinson lit a candle in the window of Áras an Uachtaráin to light the way home for the hundreds and thousands of Irish citizens abroad, many of whom had left during the economic crises of the 1980s. It was a wonderful gesture, simple yet poignant, extending a hand from this State to reach out to our people everywhere. Consider how much

the Irish abroad, many of whom have left during our contemporary economic crisis, would be brought closer to home by giving them a vote for the presidency.

The crucial aspect of the motion is that we are proposing to extend the franchise to Irish citizens living abroad. Consider that point. We are not merely talking about Irish people, but Irish citizens who are entitled to expect legal protection and support from the State. This begs the question of why they should not be allowed to vote. It is a logic correlative of citizenship.

It is entirely reasonable to allow our Irish citizens abroad to vote in presidential elections. We should take the opportunity of a constitutional convention to explore such issues. This is not a divisive or controversial proposal, as such an idea has elicited the broad support of many commentators, representatives of most shades of political opinion in Ireland and most political parties represented in the Oireachtas.

Fine Gael's New Politics document states, "We also propose that Irish citizens living abroad should be allowed to vote in presidential elections, subject to certain conditions". I have heard Fine Gael representatives, such as Deputy Brian Hayes, speaking on this topic and I commend Fine Gael's position in this regard.

Likewise, the Labour Party has regularly committed itself to supporting voting rights for those Irish citizens who are living and working abroad. Former Labour Party Deputy and entrant to the presidential election, Michael D. Higgins, spoke with passion and vigour on this issue at a recent conference in London, and proposed the extension of voting rights. Other Labour Party representatives have spoken in support of the idea. Deputy Ciarán Lynch stated:

People who have been forced to leave this country in search of work are justifiably angry and should not be denied the chance to vote on how their country is run. Currently, the only people entitled to an absentee vote are civil servants and military personnel who are working out of the country. We want this to be extended to all emigrants, at least during their first five years out of the country.

While the Green Party is no longer with us in this Chamber, I recall that its members were of a similar view to myself, the Labour Party and Fine Gael. Deputy Ciarán Cuffe stated that many people leaving Ireland today do not intend the move to be a long-term or permanent. He said he believed that all Irish citizens who have contributed so much to the State and wish to have a genuine stake in the future political direction of the country should not automatically lose their right to vote once they leave the country.

Ógra Fianna Fáil, the youth wing of Fianna Fáil, in common with the Sinn Féin youth wing, has campaigned in the past for all-Ireland voting rights, to which voting rights for the diaspora would be a logical correlation. A campaign was launched in November 2010 when Senator Byrne was, I think, an honorary chairman of Ógra Fianna Fáil. I welcome this opportunity to hear, in a concrete way, Fianna Fáil's position on this important issue. I hope for Fianna Fáil Senators' support for the Sinn Féin motion.

The youth wing of the Social Democratic and Labour Party, SDLP, has also campaigned to extend the franchise to citizens living beyond our territory. Margaret Ritchie, leader of the SDLP, has signalled her support for the idea. She said, "The call for residents of the North to be given the same voting rights as people in the South has been a long-standing policy of the SDLP and is in line with our commitment to uniting people on the island".

To the list of supporters of this cause I add Dublin City Council, which unanimously passed a motion to support the extension of the franchise to those living in the North in 2003, along with Newry and Mourne District Council. An Oireachtas committee also added its support. After the Good Friday Agreement, the then Taoiseach, Deputy Bertie Ahern, instructed the All-Party Oireachtas Committee on the Constitution to consider how the people of the Six

[Senator Trevor Ó Clochartaigh.]

Counties might play “a more active part in national political life”. The committee recognised, in its recommendations, that the most obvious and immediately inclusive area would be in extending voting rights in presidential elections to all Irish citizens living on the island of Ireland in keeping with the spirit and letter of the Good Friday Agreement as contained in the amended Article 2 of the Constitution.

Regrettably, it is nine years and two Dálaí since that was proposed, and yet we have seen no action on the part of the Government. Last but not least, there is support for the proposal among Irish citizens living in the North and abroad. Some Senators will have heard the presentation by One Vote One Voice yesterday, as mentioned by Senator Cullinane, and I am aware that there is great enthusiasm for this among Irish citizens in the North, in Irish centres abroad and in Irish homes from Cricklewood to Boston and Perth, and very likely in Beijing and New Delhi. There is certainly support for it from my two brothers. So this is a popular idea, which has support from right across the political spectrum, and why would that not be?

Consider the case of the emigrant. Indeed, consider my own case. People leaving Ireland today do not intend it to be permanent move. The economic downturn has resulted in hundreds of thousands of people leaving Ireland on a scale not seen for a generation, perhaps longer. However, like my parents, they share a common desire to return home again once economic and employment conditions improve. Surely these citizens, who very often include some of our brightest and best and who have contributed so much to Ireland and its people, have a stake in the running of our country and should have a say. They should not lose their right to vote or to contribute the Irish polity as soon as they leave these shores, especially as, given the current economic difficulties, they are unlikely to be leaving entirely of their own volition.

This is not a difficult or problematic proposal, nor is it a pie in the sky idea. A good illustration was offered in recent weeks in Dromalane Hill in Newry. The honorary Latvian consulate there was visited by hundreds of Latvian citizens to vote in their national election, yet they live and work with Irish citizens living in Ireland who simply cannot vote. This is an example that we can follow.

Táimid ag cur an rúin seo chun cinn agus táimid ag súil go mbeidh tacaíocht aige ó na páirtithe ar fad atá anseo. Mar atá léirithe ag na ráitis atá déanta ag gach páirtí, tá sé curtha in iúil cheana féin ag na páirtithe uilig gurb é seo a bpolasaí. Beimid ag súil lena dtacaíocht don rún.

Senator Cáit Keane: I move amendment No. 1:

To delete all words after “That” and substitute the following:

“Seanad Éireann

- recognises the importance of full implementation of the Good Friday Agreement in strengthening North-South co-operation and encouraging lasting reconciliation;
- recognises the Government’s commitment to constitutional reform as set out in the programme for Government and as demonstrated in the arrangements made within seven months of taking office to hold two constitutional referendums;
- looks forward to the establishment of a constitutional convention to consider further constitutional reform as promised in the programme for Government including reducing the presidential term to five years, aligning it with local and European elections.”.

Ba mhaith liom fíor fáilte a chur roimh ár gcúairteoirí and I welcome this important debate. All parties recognise its importance. Tá sé an-thábhachtach cearta a thabhairt dár ngaolta agus do gach Éireannach atá thar lear, ach b'fhéidir nach í seo an chaoi chun an dlí a athrú. This is very important issue but we must evaluate the ways we amend our laws and the Constitution.

The 2004 report on Seanad reform recommended that Northern Ireland have representation in Seanad Éireann. This is a very good recommendation and one that the House could take up. The review could be facilitated by the North-South implementation bodies which came into existence through the Good Friday Agreement. Waterways Ireland, the Food Safety Promotion Board, the Trade and Business Development Body, the Special EU Programmes Body, the North-South Language Body and the Foyle, Carlingford and Irish Lights Commission are currently accountable to the Houses of the Oireachtas and the Northern Ireland Assembly as well as the North South Ministerial Council.

I welcome Members of the Northern Ireland Assembly to the Seanad for this important debate. Many potential benefits are to be found, in political, economic and social spheres, in the work of the North-South co-operation process. I will deal later with the important issue of constitutional and voting rights. There is no formal mechanism by which the work of the bodies I have mentioned can be evaluated. The report on reform of the Seanad stated that representatives from Northern Ireland could make a valuable contribution to Seanad proceedings. This could be valuable in the context of a review of and role for the Seanad.

The Government has stated many times that it recognises the importance of full implementation of the Good Friday Agreement through North-South co-operation, thus encouraging lasting reconciliation. Article 1, section 6 of the agreement, with which I am sure everyone is familiar, refers to the “birthright” of all people of Northern Ireland “to identify themselves and be accepted as Irish or British citizens, or both” and [the important bit] “as they may so choose” and accordingly to confirm that right to hold British and Irish citizenship is accepted. However, citizenship and voting rights are different, a point I will address later. It also states that Governments would not be affected by any future change in the status of Northern Ireland and deals with an extension to the right of citizenship, an issue which we must look at now.

I have heard the Minister speak on this issue. I also heard the Taoiseach's response in the Dáil on the issue of citizenship and voting rights. The constitutional review group has been established and will examine all of these issues. The Sinn Féin motion before us today pre-empts any decision which the constitutional review group may be charged to take. I do not believe that the role of the Seanad at this point is to pre-empt any decisions of that body before it commences its work. I will not do so. The Government must table an amendment to the motion if we are to take the constitutional review group seriously.

The limitations and connotations that may be extended were this right extended remain to be worked out. There are so many questions to be answered. I do not have time in the six minutes speaking time allocated to me to go into all of the details that need to be looked at. That is the work of the constitutional review group. We all know what we have to do at this point in time. It is hard enough to keep an eye on an electoral register and to ensure that everyone who is registered to vote is who they say they are. So many permeations and connotations have to be examined.

Formation of the North-South parliamentary forum and North-South consultative forum remains outstanding. I anticipate that these will be a positive development in furthering North-South relations. I thank the Minister, whom I forgot to welcome to the House earlier, for gracing us with his presence here so often, which we appreciate. I ask that he consider, along with the North-South consultative forum, the formation of a consultative body at local authority level, for example, a North-South consultative body for councillors. Senator Walsh and I were

[Senator Cáit Keane.]

members of the North-South body on the Confederation of European Councillors, which lasted for about five years and had the support of the Peace II programme. I ask the Minister to consider putting that back on the agenda. We are talking here about North-South relations and where better to start than from the ground up, namely, local authority level up.

The Government is committed to political reform, as outlined in the programme for Government. Consideration will also be given to a reduction from seven to five years in the term of office of the President. The convention is also set to examine the possibility of amending the clause in respect of women in the home. Three or four issues will be examined in that context. There is broad consensus in the House that change needs to happen. However, we need to ensure that in bringing about that change we do not try to do so in six minutes or by way of a debate. We must ensure everything is considered. I look forward to the review in that regard.

The Taoiseach has confirmed that the constitutional convention will take place following the presidential election, which will be in the not too distant future. The Government is also committed to holding two referenda, one in respect of the abolition of the Seanad, which is an issue for another date and the other on children's rights. Tá i bhfad níos mó le rá agam, ach níl an t-am agam. Tabharfaidh mé seans labhartha do dhuine éigin eile.

Senator Thomas Byrne: I welcome the Minister, Deputy Hogan, to the House. Like the Minister for Finance, Deputy Noonan and Minister for Justice and Equality, Deputy Shatter, he is a frequent visitor to this House, for which he deserves praise in comparison with some of his more recalcitrant colleagues.

Molaim Sinn Féin as an rún seo a ardú sa Seanad inniu. Tá áthas orm go bhfuil an rún seo á phlé againn, ach ag an am céanna tá díomá orm go bhfuil Fine Gael ag tarraingt siar ó pholasaí a bhí acu roimh an toghchán. Níl sin ceart. Tacaíonn Fianna Fáil leis an rún go mbronnfar ceartaí vótála ar shaoránaigh atá ina gcónaí i dTuaisceart na hÉireann agus ar shaoránaigh atá ina gcónaí ar fud an domhain. Tacaíonn Fianna Fáil freisin leis an bpróiseas ainmniúcháin don toghchán úachtaránachta a oscailt ionas go mbeidh tuilleadh iarrthóirí ar an bpáipéar ballóide.

Ba é an vóta ar Chonradh Aoine an Chéasta an céad vóta tras-Teorann, lan-oileánach a bhí againn anseo ón bhliain 1920. Tosaíodh comhlachtaí agus eagrais feidhmiúcháin tras-Teorann ansin, eagrais ar nós Comhairle na nAirí Thuaidh-Theas, a chothaíonn comhoibriú idir Airí ar obair mar iompar, oideachas, sláinte, an comhshaol agus talmhaíocht. Tá roinnt eagrais tras-Teorann ann freisin. Tá cairt cearta d'oileán na hÉireann ann, fóram cathrach againn agus fóram parlaiminteach. Tá neart dul chun cinn déanta ó bhí an vóta againn i 1998, vóta ina raibh gach duine ar an oileán seo páirteach. Tacaíonn Fianna Fáil le dul chun cinn na n-eagras sin agus le leanúint ar aghaidh leis an teagabháil tras-Teorann atá agus a bheid ar siúl go deo.

Caithfidh tógáil ar an dul chun cinn a tharla ó Chonradh Aoine an Chéasta anuas chun saol na tíre agus an oileáin seo a chur chun cinn. Is ceann de na tréithe den saol daonlathach ná go mbíonn ceart vótála ag na saoránaigh. Glacann na daoine gur stát daonlathach neamhspleách í Éire. Mar sin, táimid ag iarraidh go mbeidh cearta vótála ag saoránaigh i dTuaisceart na hÉireann agus ag saoránaigh na hÉireann ar fud an domhain sa toghchán uachtaránachta. Tá díomá orainn nach bhfuil aon dul chun cinn gur féidir linne a fheiceáil déanta sa treo seo ag an Rialtas. Tá an Rialtas ag tarraingt siar ó na bearta a chuir siad os comhair vótálaithe roimh an toghchán. Tá tuairim agus 3.1 milliúin saoránaigh Éireannacha scaite ar fud an domhain, ina measc 800,000 a rugadh in Éirinn. Tugann tíortha ar nós an Ghearmáin, an Spáinn agus an Astráil vótaí dá shaoránaigh. I gcás na hAstráile, cuirtear iachall ar shaoránaigh na tíre sin atá ina gcónaí thar lear vótáil ina chuid toghcháin agus feiceann muid na daoine ag feitheamh taobh amuigh den ambasáid chun sin a dhéanamh.

Caithfidh muidne an rud chéanna a dhéanamh, ar a laghad le haghaidh an toghchán uactaránachta. Mar sin, ní bheidh Fianna Fáil ag lacú le leasú an Rialtais. Ní réitíonn sé an fhadhb seo ar chor ar bith. Níl an teachtaireacht a sheolann an leasú ar fud an domhain dearfa ar chor ar bith. Beidh díomá ar ár saoránaigh atá ina gcónaí sa Bhreatain Mhór, i Meiriceá, i Delhi agus i Beijing nach bhfuil an Rialtas seo dearfach i dtaobh na daoine sin ná dáiríre faoi chur chun cinn a gceartaí. De bharr sin, nílimid ag tacú le leasú an Rialtais.

Senator John Gilroy: I welcome the Minister to the Chamber. We appreciate that he is a frequent visitor.

I will take the opportunity to second and discuss the Government amendment. Given the Sinn Féin motion and the Fianna Fáil amendment, it is interesting that two parties representing strands of Nationalist and republican opinion find it difficult to agree on the nature of nationalism and republicanism. Neither party holds a monopoly on the views expressed by republicanism.

At first glance, the motion appears simple and abbreviated. It seems to call for an extension of voting rights in the presidential election and a review of the nomination process. If we deconstruct the motion, all sorts of problems arise. They do not relate to the motion itself, but to its construction and the underlying assumptions. I agree with Senator Keane, in that we will only have time to touch on one or two issues, something that the motion's proposers have overlooked.

The proposal that Seanad Éireann "recognises the need to enhance the democratic process on this island" is not contentious. Rather, it and its universal application everywhere else in the world are welcome.

The proposal that the House "recognises the desire to enable northern participation in the political life of the nation, as an important part of the Irish peace process and a natural out-working of the Good Friday Agreement" is vague. The use of the word "nation" makes me suspect that there is more going on with the motion than I can see. Deliberate or not, the vagueness allows for a range of interpretation, as the very idea of what constitutes the nation is contested. One part of Northern Ireland's population regards itself as British and as being of the social, cultural and political fabric of the United Kingdom while another part considers itself Irish. The motion fails to clarify what it is we are discussing when referring to the nation. Even the name is contested, for example, the Six Counties, Ulster, Northern Ireland and the North. The name each speaker uses reveals his or her notions of nationhood.

The third part of the motion "affirms the democratic values of citizenship and equality" and is universally applicable and welcome. The fourth part, which calls for an "extension of voting rights to all Irish citizens in the Six Counties as well as citizens living and working abroad", may not be appropriate for discussion in the House at this time. I say this for several reasons. First, someone who is of a more suspicious or cynical nature than I am might be tempted to view the motion as being politically motivated and as an attempt to use the House's procedures to gain political currency for a particular candidate in a presidential election. I believe it is a happy coincidence that the motion is before the House at this time. However, the cynic might claim that the credentials of the proposers would be more credible were this proposal withheld until after a presidential campaign instead of appearing in the middle of one. We will leave it at that.

Senator David Cullinane: The Senator should not worry about the cynics. Ignore them.

Senator John Gilroy: Yes. Second, whoever wrote the motion might not be fully familiar with the terms and conditions set out in the Good Friday Agreement. On closer inspection, it

[Senator John Gilroy.]

appears that whoever wrote the motion has not read the Agreement at all. The principles underlying the Good Friday Agreement are those of reconciliation, trust and mutual tolerance without an agreed idea of what the nation is. The motion fails to address this concept. Instead of supporting the terms of the Agreement, the motion might even undermine it. Section 5 of the declaration of support states that its signatories will “strive in every practical way towards reconciliation and rapprochement within the framework of democratic and agreed arrangements”. For this to happen, it seems odd that a motion proposing changes to a constitutional position should be tabled in the House before being referred to any of the bodies established under the framework of the Good Friday Agreement to consider and deal with such constitutional issues.

Strand 2 of the Good Friday Agreement addresses the establishment of relationships and bringing together those with executive responsibilities in Northern Ireland and the Irish Government. Under part 5 of strand 2, signatories are to use their best endeavours to reach agreement on the adoption of common policies in areas where there is a mutual cross-Border and all-island benefit. The proposal in the motion would benefit from being referred to the forum for discussion before being returned to the House for further consideration.

Given the precedent set by other countries, there is merit in proposing that Irish citizens living abroad be entitled to vote in presidential elections, but our unique experience of our recently troubled past makes this proposal more complicated than it might otherwise prove to be, a fact the motion fails to recognise.

In the programme for Government, our Government has proposed the establishment of a constitutional convention, which will take submissions and consider the ongoing reform of political systems. A review of the process surrounding presidential elections will form part of the latter. As evidence of our commitment to political reform, we can point to the two upcoming constitutional referenda. More locally, I am glad that our commitment extends to allowing Sinn Féin Private Members’ time in the House. In previous Seanaid, it would not have been allowed.

Senator Trevor Ó Clochartaigh: The Senator is gracious.

Senator John Gilroy: It is good for Senator Ó Clochartaigh to be gracious.

I happily second the Government amendment. I am favourably disposed towards the motion in general, but I am unable to support it in its current form. Its full implications have not been fully thought out by the proposers, but I look forward to hearing more during the debate.

Senator Labhrás Ó Murchú: Cuirim fáilte roimh an Aire. Is mian liom freisin fáilte a chur roimh na hionadaithe atá anseo ón Tuaisceart. Tá seo stairiúil agus ar shlí díríonn sin díreach ar an bpointe cad é atá i gceist sa rún seo. Molaim Sinn Féin freisin toisc an rún a chur os ár gcomhair agus an machnamh agus an taighde atá déanta ag an pháirtí.

Tá seanfhocal ann, ní neart go cur le chéile, agus táimse den tuairim go gcabhródh an rún seo leis an neart sin ar son an náisiúin. Is cuma cá bhfuil na Gaeil bailithe le chéile — sa Tuaisceart, sa Deisceart nó thar lear — is cuid den náisiún iad agus tá sé tábhachtach dúinn a bheith flaithiúil agus praiticiúil. Tá sé tráthúil anois bheith praiticiúil agus flaithiúil leis na daoine seo a raibh neamhaird déanta orthu le blianta fada anuas. Ní féidir linn leanúint ar aghaidh ar an mbóthar sin agus bheadh an-áthas orm dá mbeadh ar ár gcumas inniu aontas a thaispeáint leis an rún agus é a ghlacadh gan aon deighilt nó aon bhriseadh. Táim cinnte go gcuirfeadh sé sin an teachtaireacht cheart amach i measc an phobail.

Tá súil agam, nuair a bheidh an díospóireacht ar siúl againn, go mbeidh seans againn féachaint ar na céimeanna atá tábhachtach chun an sprioc seo a bhaint amach chomh tapaídh agus is féidir. Tá sé tábhachtach gan ligean don ábhar seo dul le sruth, caithfimid díriú air go práinneach agus tá seans ag an Seanad ár neart agus an tábhacht a bhaineann leis an Teach seo a thaispeáint. Bheadh an-díoma orm go pearsanta dá mba rud e nár ghlac muid leis an seans seo chun sin a dhéanamh agus an stair féin a aithint agus a chothú anseo inniu. Sin an chúis go bhfuilimid anseo mar Sheanadóirí.

The motion is not overly prescriptive and is more of a roadmap for going forward, but it includes the essence of what we should all be practising. We are all pleased with and proud of the Good Friday Agreement. We have seen what it has done for all people on this island. We have also seen what it has done for the Irish diaspora. Those of us who have been fortunate enough to travel have had an opportunity to get a sense of Irishness among the diaspora at first hand, be it in the Bronx, Boston, New York, Chicago, Camden town, Liverpool or elsewhere. This motion refers to the elements of the diaspora with citizenship. They have never lost contact with the homeland. They availed of every opportunity that came their way to promote Ireland and its prosperity and welfare. No one in the House can genuinely believe that President Obama came to Ireland for any reason other than to acknowledge, and benefit from, the Irish constituency in the United States. Nobody can genuinely believe we would have made all the progress we did with the Good Friday Agreement without President Bill Clinton reflecting the Irishness in his country and having hands-on involvement with the Good Friday Agreement.

For decades through my association with Comhaltas Ceoltóirí Éireann I have had an opportunity to become keenly aware of the manner in which we have treated those who have helped our country at every opportunity, whether in the North or abroad. However, we never availed of opportunities to acknowledge them except in a cosmetic way on St. Patrick's Day. Comhaltas is an all-Ireland movement and it does not matter whether the people in it are from Tyrone or Tralee, they are all Irish. Comhaltas is also organised in 15 countries on four continents, and wherever one goes and meets Irish people, one realises that spiritually and otherwise they are part of the nation. Perhaps we need to make a slight distinction between the nation and the State. The Irish nation is wherever Irish people foregather in the name of Ireland.

We have an opportunity today to acknowledge the manner in which we ignored our people practically and basically in the past. It gives us an opportunity to show a new-found confidence and to underline and strengthen our sovereignty, which at present is very much in danger. I would like to think that we, like every nation must do, will recognise there is a time in the life of a nation when cohesion, unity and generosity of spirit are essential. This is such a time. It is not a time for partisan politics or for scoring points. It is a time for recognising the antiquity of our nation.

This is also an opportunity to see the progress we have made as a State and once again to tell our young people that in spite of whatever challenges come our way, whether they be economic or human rights issues, we still have the potential to achieve the greatness of those who have sacrificed themselves in the past on our behalf and whom it is hoped we will commemorate rightly and generously in 2016. Young people will look at the deliberations in this House today, and the Seanad as a House of Parliament has an opportunity to show its relevance, its independence and, above all, its non-partisan approach on important issues such as the one before the House today.

Visualise what it would mean to us at the end of the day to have a President elected by all the citizens of Ireland, whatever part of the island they are on and whatever part of the world they are in. We owe it to all these people to do the right thing today. It can do nothing but

[Senator Labhrás Ó Murchú.]

good for Ireland at home and abroad. I hope, even at this last minute, an opportunity exists to unanimously accept the motion before the House.

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I welcome the debate allowed by the motion tabled by Sinn Féin. Senator Cullinane argued on behalf of Sinn Féin for change in the political system and all its various facets but then advocated no change in the Dáil, not putting to the Irish people a referendum on the Seanad, and no change in local government structures, although much is happening with regard to local government in the North of Ireland where Sinn Féin is in government.

Senator David Cullinane: We do not support your change. We have proposals of our own.

Deputy Phil Hogan: With regard to local authorities——

Senator David Cullinane: Be factually correct at least.

An Cathaoirleach: The Minister without interruption.

Deputy Phil Hogan: I think you have reduced many local authorities in Northern Ireland.

Senator David Cullinane: No.

Deputy Phil Hogan: I think you have. Check it out.

Senator David Cullinane: We will reduce some here as well.

Deputy Phil Hogan: The subject of today's debate is broad reaching, while focusing on our intentions for constitutional reform in the electoral area. Before addressing this I will make some remarks on the Good Friday Agreement. The Government fully recognises the importance of full implementation of the Good Friday Agreement in strengthening North-South co-operation and encouraging lasting reconciliation on the island of Ireland. The Good Friday Agreement sets out a basis for a lasting peace. An important element is the right to self-determination by the citizens of Northern Ireland.

The agreement does not in itself confer Irish citizenship upon any person. Rather, it binds the Governments to continue to recognise the British and Irish citizenship entitlements of the people of Northern Ireland and, further, to continue to recognise dual citizenship for such persons. Beyond that, domestic Irish law, rather than the agreement, governs the entitlement to Irish citizenship. Citizenship, however, does not automatically grant voting rights. This is an important clarification in the context of today's debate.

There are areas where further work is required to bring about the full potential of the Good Friday Agreement. One of these is the formation of a North-South parliamentary forum, where representatives of both parliaments North and South can come together to discuss issues of mutual interest. The Ceann Comhairle and the Speaker of the Northern Ireland Assembly, along with the working groups, have already carried out valuable work in this regard, and the conference last year was a step forward. It is important that the North-South parliamentary forum be kept to the fore in any discussion regarding the Good Friday Agreement. A North-South consultative forum also remains outstanding.

The constitutional convention should examine the local government structures as outlined by Senator Keane on an all-island basis and deepen the relationships between all of the people at local political level across all traditions on the island.

The practical benefits to this island which could be achieved through North-South co-operation are limitless. There are potential benefits to be found in the political, economic and social spheres. The St. Andrew's review of North-South co-operation promises to examine the facets of co-operation as it is and identify new ways forward. It is essential that all stakeholders on both sides of the Border work together to facilitate the review.

Likewise, any review of our Constitution requires the input of many stakeholders. As well as recognising the Government's commitment to constitutional reform, it is important to acknowledge that our Constitution has served all of the people and parties well down the years. However, no Constitution could have anticipated the full extent of the political, economic and social changes that would take place in this country over the more than 70 years since it was framed. For this reason, the reform and renewal of our Constitution is an ongoing process.

The programme for Government commits the Government to introducing specific constitutional reforms during the lifetime of the Government. We have prioritised two referendums — to be voted on later this month — to copperfasten the inherent right of the Oireachtas to inquire into matters of public importance and to ensure that it is permissible to reduce judicial salaries proportionately with salaries elsewhere in the public service. We plan to put other constitutional amendments to the people next year, including the proposed amendment on children's rights.

Various models for reviewing the Constitution have been used here in Ireland and abroad. In Ireland, for example, expert committees have been set up, comprising eminent individuals who used their knowledge and experience to examine various aspects of the Constitution and recommend change. There have also been political fora, through formal Oireachtas joint committees and informal all-party committees, to examine both general constitutional reform and specific issues in a non-partisan way and to bring forward appropriate proposals for change.

Other countries, such as Canada and Iceland, have used citizens' assemblies as a forum for considering constitutional change. Here in Ireland, the Government has given a commitment in the programme for Government to establish a constitutional convention. This will examine the Dáil electoral system; a provision for same-sex marriage; amending the clause on the role of women in the home and encouraging greater participation of women in public life; removing blasphemy from our Constitution; and the possible reduction of the voting age to 17.

The convention will also be asked to examine reducing the presidential term to five years and aligning it with the local and European elections. The question of how the convention will be set up and how it will operate is being considered. The Government will be bringing forward proposals on its terms of reference, composition and structure after the forthcoming referenda and the presidential election. As the motion suggests, I do not wish to pre-empt the work of the constitutional convention but I will make some remarks on two topical issues that may come to be considered by the convention which are the presidential election nomination process and the voting rights of citizens.

During the nomination period for the 2011 presidential election there was discussion about the need to reform the process. However, constructive and meaningful alternatives have not been proposed. One suggestion was a type of citizen petition process whereby a candidate would have to collect 10,000 or more citizens' signatures. The practicalities of verifying thousands of signatures to ensure the validity of such a process does not seem to have been given any serious thought. Neither does any consideration seem to have been given as to how the number of candidates might be limited in some way so as to guard against an unmanageable election process. I understand that Finland and Portugal have systems in place and these might serve as useful models for comparison.

[Deputy Phil Hogan.]

By contrast, some have argued that the existing process has worked well in 2011. There has been much increased activity in city and county councils compared with previous nomination processes. Many councils listened to presentations from several people seeking nominations other than those whose names are now on the ballot paper. In considering any alternative to the current nomination process, it would be important to give careful consideration to any suggestion that this important constitutional role be taken away from elected members of city and county councils.

The presidential nomination process was considered in the 1996 report of the Constitution review group and also by the All-Party Oireachtas Joint Committee on the Constitution. In its third progress report that committee recommended that provision should be made for popular nomination in addition to nomination by elected members. In making that recommendation the committee believed that while the nomination procedure would involve practical difficulties and extra expense, it would be feasible. Reform of the presidential election nomination process would require constitutional amendment. In the event that a constitutional convention is tasked with considering the nomination provisions, I look forward to the outcome of those deliberations.

The question of voting by Irish citizens other than those resident in a constituency is not new. It has been the subject of much consideration and deliberation over the years. Senators will be aware that in order to vote, a person's name must be entered in the register of electors for a constituency in the State in which a person ordinarily resides; citizenship alone does not confer voting rights. The extending of voting rights would, therefore, require careful consideration of a range of complex matters of principle and practicality. These include a decision on which citizens should be entitled to vote from abroad. The diaspora is extensive. Consideration would need to be given to the potential impact of many thousands of voters living outside the jurisdiction on the outcome of elections and referenda. More practical concerns about the costs of implementation and the integrity and security of the ballot would also need to be examined to ensure that decisions on change are fully informed.

I appreciate that the immediate concern of some Senators is to extend the franchise in presidential elections. Article 12.2.20 of the Constitution links the right to vote at presidential elections to the right to vote at Dáil elections. If a separate regime is to be considered for presidential elections then perhaps the question of extending the franchise at presidential elections should also be considered by the constitutional convention. As I have outlined and as is stated in the Government motion before the House today, the Government is committed to reform.

The programme for Government outlined an ambitious programme for constitutional, political and electoral reform. The Government has committed to a radical overhaul of the way Irish politics and Government work. Already we have cut the pay of the Taoiseach, Tánaiste and Ministers, halved the cost of ministerial transport, outlined the provisions in new legislation being drafted that will effectively ban corporate political donations, and promised new legislation to cut the number of TDs at the next election. We have promised to hold a referendum on the future of the Seanad and we want to ensure greater female participation in politics. We have cut the number of Dáil committees. We have restructured local government and given certainty and a time limit of six months on the holding of by-elections.

A number of the wide-ranging commitments are within my areas of responsibility as Minister and some have been implemented already. I am committed to continuing to work with my Government colleagues and indeed all Oireachtas Members to realise our ambitious electoral reform programme. As regards this motion, I would have hoped that we could agree to examine

all the issues in respect of the Constitution and the most appropriate way to deal with these issues is by means of the constitutional convention where all the complex issues could be teased out in an open and inclusive manner by all stakeholders.

Senator John Crown: I have held the view since before I had the privilege of entering this House that our Constitution is badly broken and that it needs fixing. It is broken at a number of levels. As I said in my election literature, I believe the Seanad, as currently constituted, is an affront to democracy. I also believe there are significant problems in respect of the other House, the Dáil, which is composed largely of people who deal exclusively with local concerns, laying a heavy emphasis on parochialism, as opposed to people who can give serious consideration to questions of national interest. I mean no disrespect to the Minister or to any Ministers who have visited this House, when I say that certainly at least in theory, the talent pool from which ministerial rank is chosen, is greatly compromised by limiting it to people whose primary qualification is the ability to negotiate constituency organisations and to get their names on the ballot papers to represent the major parties.

The presidential election process, as we have seen amply demonstrated over the past several months, is in urgent need of reform. The policy statements from various members of the Government in advance of constitutional fora, make the argument that the Seanad should be abolished and the Dáil should be reduced in size. In my view, such actions would fix neither any of the major problems and would instead cause additional problems. The Seanad needs to be reformed, not abolished and merely reducing the size of the Dáil will have the effect of making even smaller and shallower the talent pool available from which to choose the people who run the country. I do not see the logic of this argument.

The problem is exemplified in the response to this good Sinn Féin motion and a Fianna Fáil amendment which adds to the strength of the spirit of the motion which is that we cannot fix anything until we fix everything, that this issue cannot be addressed until all the constitutional issues are addressed at once.

I have worked in the health service and I have heard this one trotted out time after time, “We have a committee dealing with this”; “There will be a forum dealing with this”; “There will be a new entity dealing with this”; “There will be a new agency dealing with it”. The result is complete administrative paralysis when it comes to fixing things. I hope that in the term of this Seanad and once the health service is reformed — constitutional reform is the second biggest item on my agenda — I hope we can grapple with serious issues of constitutional reform and leave Oireachtas Éireann in better shape than when we found it when we were elected to office in 2011. However, I am not overly confident that the wheels of government will move sufficiently quickly to have this happening in real time. Does this mean we cannot consider reasonable motions and amendments that may fix problems one problem at a time? The answer is “No”.

I am in an intermediate position. In my heart I am a little nervous about people who do not have a full stake in our society and committed to living in our society having the same say in the governance of the society as people who live here but I acknowledge the peculiarities both in terms of the cross-Border nature of our society and the divided loyalties which exist. In my heart I believe these two loyalties to be entirely morally neutral. There is not one scrap of moral superiority for the notion of Nationalism over Unionism or for Unionism over Nationalism as they are two separate identities which happen to co-inhabit the same island. Acknowledging the real limitations of the role of the President I think it would provide symbolism for the greater Irish nation for us to extend the franchise. We tend to think of Northern Nationalists in this regard but I would hope that Northern Unionists would take part in the process of voting in the presidential election. I hope that in doing so they would not have to renounce

[Senator John Crown.]

any Britishness they feel nor that they would have to take out Irish passports in order to do so, that they would have the same rights as anyone born in this island. For that reason, with no disrespect to my Sinn Féin colleagues who have tabled a good motion, I believe it has been enhanced by the Fianna Fáil amendment. I urge support for this motion and for the amendment. I thank those who tabled both.

Senator Pat O'Neill: I welcome the Minister to the House. I will focus on similar points to Senator Crown with regard to the rights of Northern citizens to vote in the Republic. While the reform of the presidential nomination system is a welcome suggestion and I support the full implementation of the Good Friday Agreement, I wish to focus on the idea of extending voting rights to the Six Counties of Ireland and Irish citizens living abroad. Currently 115 countries have systems in place to allow emigrants to vote. Ireland is somewhat of an anomaly in this regard but there are reasons.

The hopes of a lasting reconciliation in the North could be disrupted by any attempt to draw its citizens into the political process of the Republic. Northern Ireland has been a powder keg until quite recently — too recently, in fact. Only last Friday, a live bomb had to be disarmed in the centre of Belfast in an area populated with bars and restaurants. In April, dissident republicans sank so low as to force the town of Omagh to revisit the horrors of the Troubles with the murder of Constable Ronan Kerr. The two communities which still dominate in Northern Ireland society do not represent views conducive to our system of governance here in the South.

Republicans from Northern Ireland would be likely to vote in line with those candidates who promise a Thirty-two County Republic. Loyalist Unionists would feel threatened by the idea of a 32-county republic and the government that runs it and might disrupt the political process.

Rather than further the realisation of the Good Friday Agreement, this proposal has the potential to damage it beyond repair, by reigniting old worries of loyalists and Unionists in the North. Would it not be seen as a stepping stone towards a united Ireland if Northern citizens elected representatives for the South? The proposal threatens to derail both the peace process and cross-Border relations on this island.

While Irish people outside the Republic of Ireland read and hear about the political system in Ireland, Irish residents live with it. Let us not under-estimate the difference between our political focus and the focus of residents in Northern Ireland. Economic recovery is a primary focus of the Republic of Ireland. The decisions about our leadership should be made by the people for whom the difficulties of our economic situation are a daily reality, namely the residents of the Republic of Ireland.

Another major factor is that Irish governance is based on local representation and the constituency is, for better or worse, an important part of our system. An elected Irish official would have no power over the jurisdiction in which the people of Northern Ireland live. Therefore, their voting in the Republic does not make sense.

I look forward to the establishment of a constitutional convention as promised in the programme for Government and the fundamental reformation of the presidential nomination process. However, the extension of voting rights to the citizens of Northern Ireland is not the way to go. While the idea may be to create further unity on the island, the reality is it will only make old divisions more entrenched. I support the Government amendment to the motion.

Senator Jim Walsh: Aontaím leis na Seanadóirí eile a mhol Sinn Féin as an rún seo a ardú. Díospóireacht an-thábhachtach í seo ach cé go bhfuilimid ag cuidiú leis an rún, ní aontaím le gach rud atá ann.

I note in particular that reform of the nomination process is part of the Sinn Féin motion and also part of the Fianna Fáil amendment. There is nothing wrong with the nomination process. One candidate who is a Member of this House only sought a nomination a week before the deadline and got the nomination. What has happened is that the media has generated the notion about the difficulty with the process because its favoured candidate had great difficulty — for good reason — getting nominated. We should have some scrutiny within the system and it should not be open to everybody to put his or her name forward to be president. There should be some evaluation of the candidates and that was done and done well by both the Members of this House and those in the local government system.

I am reminded of the tyranny of political correctness, which is often driven by the our 94th estate. It moved from the Fourth Estate to the 94th estate by the manner in which it deals with issues of significant national importance. Politicians are generally too afraid to say this because of fear of criticism. Unfortunately, it brings everything to far too low a common denominator.

The Minister made a good point about the number of candidates. In the debates we have had to date, due to the fact there are seven candidates there has been insufficient scrutiny for people to evaluate the candidates. Evaluation of the candidates is important because the presidency is an important position. In other countries where there is a large number of candidates, there is a run-off and the stronger candidates then end up more in the public spotlight for the final debates and election process. Perhaps we should consider that.

Commitment to constitutional reform is part of the Government amendment, but I have seen no evidence of that. All I have seen is a populist and superficial approach, based on numerical changes. The presidency is a role that should be strengthened. Currently it is very much a ceremonial role and an important ambassadorial role in representing the country abroad. There is a need for whoever is in the position today to be an inspiration for the people at home because of the personal difficulties people are encountering. It should go even further than that. The role is currently very constrained. Why does the President not have the power to nominate two or three Ministers? That happens in Georgia, where the Minister for Defence and the Minister for Foreign Affairs are nominated by the president, while the head of government selects the rest. There is no reason suggestions like this should not be considered.

I have been struck since the economic crisis emerged in 2008 that we have been crying out for some form of national government to give leadership and consensus in steering us through our difficulties. Why has this not happened? It has not happened because of the political perception on both the Government and the Opposition side. They avoided what was a perceived political advantage. There is no reason the President would not be in a position in a time of national emergency to ensure a national government is formed and that he or she would have a role to play in that. However, politicians will be slow to pass such powers.

I have criticised the Government for its superficial approach to reform. The announcement made with regard to the abolition of this House was a clear example of populist politics at its worst. The announcement was made at a party dinner when stuck for something better to grab the headlines. The abolition of the Seanad seemed a good choice at the time, although no research or evaluation had been done. If the economic crisis has taught us anything, it has surely taught us that instead of less scrutiny of Government policy, we need to be more diligent in the manner in which we scrutinise the Executive. I will return to this issue shortly.

I agree with the all-island approach to the Presidency. It should start with the Seanad. Senator Cáit Keane mentioned the Confederation of European Councillors, which we established in 2000 having been working on it throughout the 1990s. Many Unionist politicians participated in that and they would gladly have been prepared to be members and debate in this House on an all-island basis, but only on the basis that there would be sufficient numbers

[Senator Jim Walsh.]

of them that they would not be picked off within their communities as a consequence of doing that. That would enhance the peace process and would bring greater harmony and cohesiveness to the evolution of policy in the interest of all people on this island. We have significant common purpose in that regard.

I am sorry the Minister is not here to hear what I have to say. All we have heard to date with regard to local government reform is the rationalisation of some city councils. I understand it is the Minister's intention to abolish town councils but that has not been said. All the amendment deals with is government. Why are we not talking about the devolution of powers, which could be done more cost effectively and more efficiently at local government level? Why are we not rebalancing powers between the Executive and the elected Members who have the responsibility and the mandate from the public? Why are we not looking at the more independent financial streams and getting the structures and resources to back the councils?

Why is there no talk of Dáil reform? The only reform proposal we have had from the Government is to reduce by six or a few more the number of seats. There has been nothing about the fact that 15 people out of 226 within the membership of these Houses dictate the business of the Houses and dictate all decisions and outcomes. As a consequence, there is a failure to have clear, independent, impartial debate of public policy to ensure we have the balance and scrutiny which should exist in any democratic process. That is missing from the framework and there is little to advance it.

This is the type of debate we need to have on a continuing basis. However, we should not just focus on the presidency, but on all the institutions of the State, in particular the Houses of the Oireachtas, so that we have a more robust and effective forum at which all policies can be measured so that they benefit and enhance decisions. The people of this island are looking to us for that kind of leadership, but I do not see it coming from the Government. I will welcome and acknowledge the day I recognise it is moving in that direction.

Senator Jimmy Harte: I welcome the Minister of State, Deputy O'Dowd, but am sorry the Minister, Deputy Hogan, has left the House. He made a valuable contribution. I agree with the Government amendment. As someone who lives in and was brought up in a Border county, I find it partitionist of Sinn Féin to say it wants votes to run the South. I live in Donegal and the decisions made in Derry and Belfast are relevant to Donegal, such as the decision by Stormont to close the rail line that ran from Derry to Belfast. People in Donegal should have the right to be involved in such decisions. Sinn Féin has never said that Donegal citizens should have a right to vote in local elections in Derry and in the Northern Ireland Assembly and Westminster elections. Those decisions are very relevant. In the election month, it is very easy to say that Sinn Féin wants people from Northern Ireland to vote in the presidential election——

Senator David Cullinane: The point is that it is their right. Is Senator Harte saying that it is not their right? He is talking nonsense.

Senator Jimmy Harte: If Senator Cullinane will allow me to finish, I will give him a point of information on Martin McGuinness, who does not stand in his own city for election to Westminster because he has been defeated three times. He has moved out and he does not give the people of Derry city the right to vote for him. They have a right to vote for him but he does not stand in his own city. There is no point in saying that the people of Northern Ireland cannot vote for Martin McGuinness in this election. The people of the Bogside cannot vote for Martin McGuinness.

Senator Rónán Mullen: They gave him a good send-off.

Senator Jimmy Harte: The Nationalist population of Derry and all shades of opinion in Derry rejected the politics of Sinn Féin when it came to——

Senator David Cullinane: Over 60% of the Nationalist people of the North voted for Sinn Féin in the last Assembly elections. They gave Martin McGuinness their endorsement so Senator Harte should not give us any nonsense about elections. If we are going to listen to nonsense, I must respond to it.

An Cathaoirleach: Senator Cullinane will have time to sum up his arguments. I call Senator Harte without interruption.

Senator Jimmy Harte: I am not talking nonsense, I am talking facts.

Senator David Cullinane: Senator Harte is not talking facts.

Senator Jimmy Harte: Is it correct that Martin McGuinness does not stand for election in Derry?

Senator David Cullinane: That is not an issue. Martin McGuinness chose to stand and was elected in Mid-Ulster.

Senator Jimmy Harte: It is a fact and we can move on from the issue but I wanted to point it out.

On the question of extending the Irish presidential franchise throughout the world, I do not know how many potential Irish citizens are across the globe. In America, some 30 million people claim Irish descent. Extending it throughout the world might amount to 60 million people. No one living in Ireland would have a hope in hell of getting elected as President if some lobby group in the US decided to stand a candidate. They could raise 1 million or 2 million votes for the candidate and it is a potentially dangerous situation.

The motion does not consider the many thousands of people who pay tax and are living in this country but who are not Irish citizens. They are from European countries and they have a bigger role in the future of Ireland than some guy living in California or the Bronx, who might have no interest in Ireland apart from running around on St. Patrick's Day with a hat on.

Senator Trevor Ó Clochartaigh: But Senator Harte would let them play for the Irish football team.

Senator Jimmy Harte: I am sure they would play if they were good enough. I have no problem extending the vote for the presidential election across the Border but we must decide on the new nation in this country, which is not just pure Irish. Many of them have come here to live and many of them are married to Irish people with Irish children who were born here. They are told they are only allowed to vote in local elections, not in general elections or presidential elections. They are contributing to the economy. They have come here of their own free will and they are paying tax here. Their future is here and to tell them that we do not want them to vote but we want someone living in Sydney, whose grandfather was Irish, to have a say in our future is not correct.

The system of presidential nomination is not flawed. The only two bodies that are disappointed they could not nominate a presidential candidate are RTE and the *Sunday Independent*. Both organisations felt they had the right to do so. This system might not be perfect but the alternative may be far worse. Anyone who was serious about standing for presidential election

[Senator Jimmy Harte.]

was allowed to do it. A few people were sending e-mails around but I had never heard of them and I do not think they were serious. Anyone who made a serious pitch to be a presidential candidate is now on the ballot paper. That is democracy in action. If we let everyone run, it would be a total mess. I welcome this motion, even though I am not sure how it would pan out in the future. I would like to see citizens throughout the country having their say in the presidential elections. In addition, people in Donegal, Cavan and Monaghan and perhaps Louth should have a say in what happens in Northern Ireland. I have been at cross-Border meetings where, when it came to voting, my colleagues on Donegal County Council lined up as Derry versus Donegal. There was no other agenda and other Members have seen that.

Senator David Cullinane: In a united Ireland, we will all be able to vote in one Parliament.

Senator Jimmy Harte: I welcome the debate but I will support the Government amendment.

Senator Rónán Mullen: Tréasláim le mo chomhghleacaithe ó Shinn Féin as an rún seo a chur faoinár mbráid inniu. Tá sé tábhachtach plé a dhéanamh ar na ceisteanna tábhachtacha seo ag an bpointe seo. I congratulate my colleagues from the Sinn Féin Party for putting this matter forward for discussion. I had some conversations with the party yesterday and, the more I read it, the more I feel it is not what we require. In saying that, I am not particularly impressed with the amendments from the Government or the Fianna Fáil Party. I will vote to leave matters as they are but perhaps we can have further discussion, taking into account other matters that have been ignored.

I want to focus on two points in the Sinn Féin motion, the first of which is that Seanad Éireann “affirms the democratic values of citizenship and equality that define our nation and people”. At first blush, it seems reasonable but on further analysis it is a narrow view of what defines us. The preamble to our Constitution refers to we, the people of Éire, “seeking to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured, true social order attained, the unity of our country restored, and concord established with other nations”.

Without prudence, justice and charity, notions such as citizenship and equality are empty and indeterminate values. They can as easily justify Leninism as they can various forms of democracy, by which I mean liberal democracy, social democracy and Christian democracy. Our Constitution, with its invocation of the dignity of the individual, has proven to be an enormously progressive and positive influence on many other constitutions and other human rights manifestoes. Human equality as a notion makes no rational sense unless one accepts the dignity of each and every human being. Human dignity and the inalienable and imprescriptable natural rights acknowledged by our Constitution owe their ultimate source in our Constitution, as the preamble testifies, to our divine origin and end. We need to find some way going forward, to use that awful phrase, to think about how we can maintain those deep values in the changed society that is Ireland, without losing the profound basis for the values our Constitution recognises and guarantees.

The proposal that Seanad Éireann “calls for a thorough review and reform of the nomination process for presidential elections” has naturally attracted much comment here today. What is the reason for this measure? Is it simply about good PR or unprincipled populism or is there a genuine political reason for wanting to reform the nomination process? As a matter of principle, there must be some such process in place; otherwise, an unlimited number of persons may run for the office without any test as to their suitability to run. Clearly, no one wishes to see the spectacle of hundreds of names on the ballot paper but neither should we be unconcerned about the calibre of the persons eligible or deemed to be eligible to run for the highest,

most esteemed and most symbolic office in the land. All presidential candidates should meet some prior criteria. This is precisely what our present constitutional arrangement prescribes. Implicit in the most common argument against our current procedures, the argument that we should let the people decide, is the view that there should be no prior criteria met before a person can run for the highest office. I do not think it is possible to justify such an assumption rationally.

I am open to the possibility that, accepting there must be a nominating process to determine the suitability of prospective candidates, our current arrangement is not the optimal solution but this case must be made with argument and evidence. I find it difficult to accept that democratically elected Members of the Oireachtas should have no role in such a process. Assuming they are not to have a role in the future, how would we determine suitability? Should it be done by payment? That is outrageous. Should we use opinion polls? The *Sunday Independent* and other campaigning media outlets would love that but transitory, and often poorly conducted, opinion polling is a poor basis upon which to form a key political decisions. What about a petition of 10,000 signatures? Aside from it being clearly open to widespread abuse, there is some plausibility to the proposal but only as an aspect of the process and not as the sum total of the process. If all that was required was that a prospective candidate gained, say, 10,000 signatures, that would open up the possibility of bribery rather than an assessment of genuine suitability.

However, if the petition system was to be combined with the current system, it might work. Without 10,000 signatures, a prospective candidate would be required to obtain 20 Oireachtas signatures or four council nominations, but perhaps with 10,000 signatures, a prospective candidate would be required to obtain a lower number of nominations, perhaps from 15 Oireachtas Members or two councils. There is a similar system in Slovakia, where a prospective candidate requires either the signatures of 15 MPs or a certain amount of signatures from a petitions committee.

This is all speculative. I maintain that the current provision which requires candidates to obtain either Oireachtas signatures or council majorities is reasonable. Both of these groups are democratically elected, after all, and despite their flaws they represent their constituencies and communities. Even if one thinks there is a certain Oireachtas elitism or that Members are out of touch with ordinary citizens, it is harder to lay such a criticism at the door of councillors, whose primary work involves them in the community for the common good.

We have all seen how things have evolved so far and received many e-mails and messages, mainly polite, encouraging us to let the people decide. However, we should be slow to abandon the role the Constitution has entrusted to us, which is to make a judgment on whether we would like or be happy to see a particular person as President. Unless we can say one or the other, we should be slow to nominate a candidate.

We are now experimenting with a new kind of presidential election, with seven people on the ballot paper. It is showing itself to be not entirely unproblematic. Not least in terms of the media coverage, the number of people involved has its unsatisfactory dimension as well as its apparent inclusiveness. It may well be that we will consider in the future that two or three is the right number of candidates. Alternatively, we may have to consider a run-off system in which we have a first-round election followed by a run-off between the top two candidates. I thank the Cathaoirleach for his indulgence.

Senator Mary M. White: I welcome my friend Caitríona Ruane, a former Minister of Education in the Northern Ireland Assembly, and acknowledge her serious contribution to the peace process on this island. I compliment Sinn Féin on its timely tabling of this important motion and I am pleased that my party, Fianna Fáil, is supporting it.

[Senator Mary M. White.]

The Good Friday Agreement was driven by the Fianna Fáil Party. I was privileged to be on the Fianna Fáil national executive when Albert Reynolds started to engage seriously with the different groups in the North, inviting those involved in the strife on both sides to come on board and work towards a peaceful solution.

As my colleagues Senator Mullen and Senator Walsh said, this presidential election is being driven by the media. Whoever they want to have running for the *Áras* is more important than what the people want. They are calling the shots. The media are driving the agenda for this presidential election. They have their pets whom they want elected, but they have issues with people such as Martin McGuinness. They do not want him and will not acknowledge his contribution to the peace process on the island. Many of them have never spent a day in the North. They have no feeling or empathy for the lives of the people in the republican and Nationalist communities. They have absolutely no understanding of what the people in the North went through.

President Mary McAleese is a woman from the North and we have Martin McGuinness as a candidate from the North. I cannot see why the people of Northern Ireland, who are allowed under the Good Friday Agreement to hold Irish passports — under the Agreement, each person has the choice of being a British or an Irish citizen — cannot vote in the presidential election. I always found it extraordinary that President McAleese could not vote for herself in previous elections.

I admire the Minister for the Environment, Community and Local Government, Deputy Hogan, who is a good person and has integrity, but I have a problem with some parts of his speech, which were written by a technocrat. I would like to draw the attention of the Minister to the words I am using. He stated that new legislation would cut the number of Deputies at the next election and that the Government would hold a referendum on the abolition of the Seanad and cut the number of Dáil committees. I do not want to hear about the abolition of the Seanad any more. I know my colleagues in Fine Gael, who were in opposition at the time, were shocked when Deputy Enda Kenny proposed that he would abolish the Seanad in government. They were as shocked as we were. Senator Keane might not like to hear me say that, but it is a fact. They were shocked that Deputy Kenny opportunistically raised it. How dare somebody use——

An Cathaoirleach: I ask the Senator to refer to the Taoiseach as the Taoiseach.

Senator Mary M. White: It is insulting to everybody here. We are not worth anything. A technocrat talks about “abolition of the Seanad”. We all want reform of the Seanad and have called for it for many years.

I am privileged to be on the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement and on the 1916 commemoration committee. On the latter committee, we will be working with people in the North, including Unionists and loyalists, to commemorate their events. Under the Good Friday Agreement, I was asked by President McAleese to include Northern Ireland in the Gaisce award process and, against all the odds, I drove that. I would have walked barefoot to achieve it. The Nationalists and republicans who did not want to participate in the Duke of Edinburgh Award were eventually, due to my initiative and work on the ground, able to participate in the Gaisce award. President McAleese was able to come to Northern Ireland and award the Irish President’s award to Nationalists and republicans.

I was able to do that under the Good Friday Agreement. On my own initiative, I then set up an All-Ireland Inspirational Life Award for older people. I initiated this two years ago, and many people from the North have been thrilled to come to Leinster House to receive my award

and acknowledge our participation. One man from Derry has a picture on his bedroom wall of his meeting in Leinster House. The man, who is a republican and a Nationalist, was so moved. These people, if I can say it again, look to us as their legitimate Government. This is their home. Unfortunately, we have turned our backs on them for too long.

I see this as a good idea. Politics should be about vision and changing society, not boring, slow movement only when it is appropriate. I will take the opportunity to say again that Albert Reynolds had the courage to put the screws on the British Government and he was fully supported by President Clinton. If Albert Reynolds had not driven it, we would not have had a peace process.

Senator Martin Conway: It is useful to have a debate on political reform because we must always ask ourselves how we can do our business better. I have to agree with previous speakers that politics in this country has not worked in the past ten years. I agree with the suggestion that we are over-represented. I know people do not like to hear that, but I do believe that 166 Deputies are too many for a country our size. I commend the Minister for at least having made a start on political reform within months of entering office.

The Good Friday Agreement is an important document that was passed almost unanimously by the Irish people, I believe the “Yes” vote was over 85% of those who voted. It set an important framework for progress and we have seen the benefits of it.

In terms of where we go from here, what the Government is proposing in its amendment is very prudent. The constitutional convention — the first such body to be established in a long time — will examine our electoral system in a root-and-branch fashion. If the debate on the abolition of the Seanad does nothing other than encourage discussion, it will have done enough. We are all in agreement that the Seanad has not worked in recent years. A former Senator, Leader of the House and Leader of the Opposition, now President of the Human Rights Commission, Dr. Maurice Manning, offered an interesting critique in the Chamber last week of the history of the House, going back to the 1922 Senate. The latter epitomised everything that was good about an Upper House in terms of the individuals concerned, the broad spectrum of opinion and the various interests represented.

The 1937 Constitution created the House we have today. As Dr. Manning observed, fantastic people have served on all sides of the House through the years, including such illustrious individuals as the late Gordon Wilson. However, the reality for this country today is that we are no longer in control of our financial sovereignty. As such, we are obliged to examine every form and aspect of society to see where savings can be made and how every element of the State can work better. It is possible to have a political and administrative system which is more efficient and less costly for citizens.

The constitutional convention will create a national conversation in which people from all walks of life can engage. Let the report be a framework for progress that will assist in dealing with the problems our country faces. We must also seek to make politics more relevant, particularly for younger people. Unfortunately, my generation and those which follow are extremely apathetic. The percentage of young people who turn out to vote is a cause of great concern. These are the future leaders of our society. I would favour an examination by the constitutional convention of all aspects of our political system, including not only the system of Seanad elections, but also the system of proportional representation using the single transferable vote, PR-STV, for Dáil elections. As part of this we should examine best international practice and look to what our European colleagues are doing.

I am confident this Government will not allow another report on reform to gather dust. The Government has already proven from the initiatives it has taken since taking office that when

[Senator Martin Conway.]

a report is produced, its recommendations will be implemented. We are at a crucial time in our history and entering a crucial time in our politics. The constitutional convention will frame politics for the next 100 years. We must get it right by ensuring there is full inclusiveness, with people from all aspects of society involved in the process. Let the national conversation begin with a view to attaining better politics and a far better country.

Senator Sean D. Barrett: I welcome the imminent constitutional convention. It is gratifying to see the extent of the restoration of democracy at Stormont. During a recent visit there, I listened to the Minister for Education, Mr. John O'Dowd, answering questions in the Chamber. It recalled for me the hope expressed by George Mitchell that he would one day bring his son to the Visitors Gallery in Stormont and hear parliamentarians discussing not Northern Ireland's constitutional position, but education and health issues. How well that Parliament is working is a credit to the First Minister and Deputy First Minister. It has opened up possibilities of further developments, as in the constitutional convention.

The constituency I represent, the University of Dublin, includes a substantial number of Northern Ireland voters who identify themselves as citizens of the United Kingdom but who nevertheless are happy to vote in the Seanad election because of the historical connection between this House and Trinity College. The Irish rugby team is another institution which is able to command dual loyalty from people who are Unionist in their day-to-day lives but staunch Ireland supporters at the weekend. We must develop more institutions where that dual loyalty is possible and encouraged. We all admire the Irish Rugby Football Union for the way in which it has managed to achieve this through all the difficulties we have had in this country. I would like to see Trinity College, as an institution which commands strong loyalty from both communities on this island, to do more in this regard. We have let some of that slip in recent times.

Dublin Castle is another valuable institution in the loyalties of the Unionist community. For the leaders of the Unionist community who attended the recent reception for the Queen in that building, it was a reminder of a different type of Ireland which they may perhaps have realised was available under the fifth Home Rule Bill but which they decided not to accept. There are many people of the Unionist tradition who are as strongly of the view as their republican counterparts that the partition of this island was a disaster for their respective communities. The constitutional convention should seek a substantial membership from within the Unionist community and from the Alliance Party. These are the people with whom we must engage if we are to redefine relationships between both of the traditions on this island.

It is a contradiction we must live with that there are people who are simultaneously proud to be Irish and have a loyalty to the United Kingdom. We must devise political institutions which reflect that. The motion put forward by Senators Reilly, Cullinane and Ó Clochartaigh would be improved by proposing that eligibility to vote in presidential elections be extended not only to Irish citizens in Northern Ireland but also to members of the Unionist community who might like to have a say in who is the next President of Ireland. The reference to "Irish citizens" might present a difficulty, although many Unionists I have encountered seem willing to overcome concerns in this regard when it comes to voting in the University of Dublin Seanad constituency. However, there are some who would be somewhat reluctant to sign up to documents which would be based in this State. Nevertheless, the success of Northern Ireland's restored Parliament is most encouraging as we look to devise new forms of governance. It may be that as we evolve such forms of governance for the entire island, representation in the Seanad for those who might not yet be attracted to the Dáil will become a possibility. The great Gordon Wilson comes to mind in this regard.

I commend the motion before the House. It is up to all Members, and to our colleagues in Stormont, to work out new constitutional arrangements for the island of Ireland and to build on the progress of recent years. It is a tragedy that after 1922, it was not until the 1960s that people like Whitaker and Lemass began to question why the two parts of Ireland did not talk to each other. This was in contrast with how quickly the European Union began to mend fences in Europe after the Second World War. We ignored each other for too long. Bringing people together, as this motion proposes and as the Minister intends, is the way forward. The momentum has to be maintained and should be on the agenda, as the motion suggests, for the forthcoming constitutional convention.

Senator Paschal Mooney: For all of the speakers on both sides this is an important debate and I applaud Sinn Féin for having tabled the motion. The current debate about the presidency is timely in that the addition of a Sinn Féin candidate has opened up the entire debate and reopened the debate on Northern Ireland. Those of us who live in the South, and particularly those who live in the Border counties, held the view that there were three different strands of opinion on the approach to Northern Ireland. One was the obvious reaction and response of those who lived within the Six Counties, depending on which side of the tribal divide shaped one's opinions and influences and, perhaps, one's prejudices. Then there were those of us along the Border counties who regularly traversed North-South, such as my own family who have family connections in County Fermanagh. The same would be true of a large majority of people across the six southern Border counties. We were constantly travelling over and back and much dialogue took place at that time. Our perceptions were shaped by that experience. The rest of Ireland, to a large extent, appear to have effectively ignored Northern Ireland. During the period of the Troubles from 1969 onwards there were references to the effect that one could be towed out to the North Sea and dumped and forgotten about. There was a very strong partitionist view which had been shaped by successive Administrations, which had consolidated what had happened post treaty, the late Seán Healy used to refer to them as verbal Republicans, they paid lip service to and spoke about a united Ireland and the restoration of the fourth green field. Within Fianna Fáil itself, a view was often expressed that Eamon De Valera, despite his rhetoric, through legislation, consolidated the situation, in other words, "We have what we hold or we hold what we have", while at the same time hoping that something positive would develop. This did not happen until the Lemass years. Senator Barrett is absolutely correct. If we have learned anything from the peace process it is the re-establishment of dialogue between both sides. I do not want to use up my time going into history but I must put on the record what appears to be a revisionist approach to the recent history of Northern Ireland and the troubled history of relations between Unionists and Nationalists and between North and South.

This morning I listened to two journalists both from Northern Ireland and obviously from the Nationalist tradition, Martina Devlin and Justine McCarthy. Both said that Martin McGuinness of Sinn Féin had brought peace to Northern Ireland. I have not heard any public references to the role that John Hume, Seamus Mallon and the SDLP have played.

Senator Cáit Keane: Hear, hear.

Senator John Gilroy: Hear, hear.

Senator Paschal Mooney: All we have heard is the particular narrative that the war was justified because of discrimination, that there was no alternative for the Nationalist people of Northern Ireland but to take up the gun. Where does that leave those who pursued the constitutional Nationalist narrative? Are they to be consigned to the dustbin of history as if they do not count and that in the new Ireland, Sinn Féin's Martin McGuinness and Gerry Adams were solely responsible for taking Northern Nationalists out of squalor, prejudice, discrimination and

[Senator Paschal Mooney.]

so on? I have a real difficult about that. I am sad — Senator Conway referred to his generation — that the generation before him, the younger people, seem to have no understanding and are accepting this particular historical narrative. I do not wish to be critical of the role or the contribution that Sinn Féin has made and continues to make to the peace process. Sinn Féin is working it and we applaud it for that.

There is also a view of the enormous economic damage the IRA campaign did not only to this island but also to the perception abroad that we were nothing more than a bunch of people who like fighting among each other. It did enormous damage to job creation, tourism and the widespread perception which is not talked about. When people like me make these comments we are immediately accused of looking backwards as, after all, history starts from now and, therefore, we should only think forward, and also that there are former terrorists who became leaders — one can quote them from all over the world.

That is not the point I am making. I applaud and welcome the fact that my party was directly involved in trying to encourage the men of violence to come into the political mainstream.

Senator David Cullinane: Of course we were founded by people who were a minority who engaged in——

An Cathaoirleach: Senator Mooney without interruption.

Senator Paschal Mooney: I wish to devote some of my time to the War of Independence. Constant comparisons are being made to the War of Independence. The War of Independence——

Senator David Cullinane: 1916.

An Cathaoirleach: Please Senator Cullinane.

Senator Paschal Mooney: ——was supported by the overwhelming majority of the people of Ireland. The war in the North, as the Senator calls it, was not supported by the overwhelming majority of the Nationalist population in Northern Ireland. That is the simple historical fact and the Senator can change it any way he wishes.

Senator John Gilroy: Hear, hear.

Senator Paschal Mooney: I wish to put on the record——

Senator David Cullinane: That was 1916. There was no support for it.

Senator Paschal Mooney: I accept 1916.

Senator David Cullinane: Well then, that is great. That was the comparison. The mandate that Sinn Féin has now is very——

An Cathaoirleach: Senator Cullinane——

Senator Paschal Mooney: I am not going to take a lecture on history.

Senator David Cullinane: The Senator is rewriting history from his own perspective.

Senator Paschal Mooney: I am not rewriting history.

Senator David Cullinane: And 1916——

An Cathaoirleach: I ask Senator Mooney to conclude without interruption.

Senator Paschal Mooney: Considering that the party of which Senator Cullinane is a member is a past master at rewriting history I am not taking a lecture from him.

An Cathaoirleach: Senator Mooney without interruption, please.

Senator Paschal Mooney: Let us be fair about this. All I am saying is that the references to Michael Collins, Eamon De Valera and others who fought the War of Independence——

An Cathaoirleach: Senator Mooney.

Senator Paschal Mooney: It is very important in light of this motion and of the constitutional convention that an immediate and fast-track approach is taken to including the Irish diaspora in the presidential vote, not only because traditionally the many Irish to have had to emigrate have had a continuing and abiding interest in Irish affairs. Given that we have seen a newer and younger generation of highly skilled and highly educated people with a deep interest in Ireland and who would wish to be here, it would be an important link if they were permitted to vote in the presidential election. As Senator Barrett said, the motion refers to Irish citizens. That could be a real difficulty. I suggest when this discussion is taken to another stage that all those resident on the island of Ireland should be entitled to vote. It should then be a matter for them voluntarily to decide whether they wish to register.

Senator David Cullinane: I wish to respond to a number of points and to make a few of my own. In the last Northern Assembly elections, more than 63% of the Nationalist community voted for Sinn Féin——

Senator John Gilroy: A minority——

Senator David Cullinane: ——and endorsed Sinn Féin and what we stand for and endorsed the record of Martin McGuinness and all those mentioned by Senator Mooney. Today's motion is not about Sinn Féin or any political party, whether Fianna Fáil or any of the Government parties. There is an attempt to overcomplicate the logic or the thrust of this motion. This motion is about extending voting rights to citizens in the North and to extending voting rights to citizens across the globe. Senator Ó Murchú spoke passionately about the nation and the concept of the Irish nation. Some Senators referred to a potential danger in the wording of the Sinn Féin motion which speaks about the Irish nation.

We make no apologies for believing, as of right, that the Irish nation involves people who live on the island of Ireland and Irish citizens who happen to live abroad. That is what the Irish nation is. Article 2 of the Constitution reads: "It is entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish Nation." Some members of the Labour Party forget what the 1916 Proclamation stood for and some members of those parties who have come into the House today with partitionist viewpoints forget that the 1916 Proclamation promised all the children of the nation a right to be part of the Irish nation and to be treated equally. That is what the 1916 Proclamation was about.

Senator Cáit Keane: Let the people of the North choose.

Senator John Gilroy: I suggest the Senator has not read it.

Senator David Cullinane: It is quite interesting that several Taoisigh and the President have, on occasion, shook the hands of the captains of All Ireland teams from counties Tyrone, Armagh, Down and Derry and congratulated them on winning the All Ireland final, because they are part of the Irish nation, and yet those very same people are not entitled to vote for the

[Senator David Cullinane.]

President who shakes their hand. That is the point. Political parties can overly complicate what we are proposing. A reference by some Senators and the Minister was to the effect that the Sinn Féin motion was pre-empting the constitutional convention. That is interesting because on the other hand the Minister said we were not being prescriptive enough on some of the proposals in respect of changing the nomination process. If we speak of pre-emption, it was the Government party, particularly Deputy Enda Kenny, who spoke about abolishing the Seanad. Was that not pre-emptive? The Government talks about reducing the number of Deputies, is that not pre-emptive? The Government talks also about abolishing some town councils and merging local authorities, is that not pre-emptive? For Senator Keane to suggest that this House or the Oireachtas should not set the parameters or the broad principles upon which the constitutional convention should discuss issues——

Senator Cáit Keane: There is a difference between doing that and carrying out the act.

Senator David Cullinane: It is the people who are elected who should decide what any convention should look at, not people who happen to sit on that convention. We are the people who are elected and especially those members in the Dáil who should make those choices. The choice open to us is that we can continue to pay lip service to the notion that people who live on the island of Ireland are Irish and are part of the Irish nation and we can pay lip service to all of those who have emigrated. I have heard on many occasions people in this House talk about the forgotten Irish who live in different parts of the globe, in England, America, Australia and who left for many different reasons. Some left because they were persecuted or for different reasons, but they are Irish citizens and they have every right to be part of the Irish nation.

The Constitution defines the nation and the constitution talks about all the people who live on the island of Ireland as being part of that nation. The Good Friday Agreement defined citizenship and made it absolutely and explicitly clear that one can be Irish and British if one lives in the North. I fully accept that. If we voted for the Good Friday Agreement and accepted it, then why are we not allowing those very same people who voted by a majority for the Good Friday Agreement to vote in a presidential election. We do not have the courage of our convictions as politicians to follow that through.

Some Senators asked why the motion is being moved now? This is the first opportunity we have been given to do so. We do not have Private Members' time. This is the only opportunity that we have been given so far and we could have put down motions on the economy, social issues, but instead we tabled a motion that we believed would get support because of the stated commitment of all political parties to the ideals which were behind the motion. All the political parties, including the Labour Party and Fine Gael, say they support voting rights for citizens in the North and abroad, but when it comes to supporting this motion, they cannot simply bring themselves to do it. There is a partitionist mindset at play. Members are unable to accept that people who are born in the North of Ireland are part of the Irish nation because they see the nation stopping at the Border in Dundalk or Drogheda or elsewhere, whereas I see the nation as encompassing all the people of Ireland. If we want to continue to pay lip service that is fine, but there are many across this island involved in sport, business, politics and across the spectrum who agree with this motion. I mentioned the One Voice One Vote campaign. Mark Durcan and Margaret Richie, former leaders of the SDLP, signed the petition. Many people signed the petition——

2 o'clock

An Cathaoirleach: The Senator is over his time

Senator David Cullinane: ——because they are demanding a simple right to be able to vote for their President. What the Government parties are doing here today is voting down a motion

that simply gives expression to that, which tells me that they are not interested in including the citizens of the North in the life of this nation, which I believe is a mistake on their part.

Senators: Hear, Hear.

Senator Jimmy Harte: Does it relate to republicans going over the Border?

An Cathaoirleach: Is the amendment being pressed?

Senator Cáit Keane: Yes.

Amendment put.

The Seanad divided: Tá, 22; Níl, 14.

Tá

Bacik, Ivana.
Brennan, Terry.
Burke, Colm.
Coghlan, Paul.
Comiskey, Michael.
Conway, Martin.
Cummins, Maurice.
D'Arcy, Jim.
Gilroy, John.
Harte, Jimmy.
Healy Eames, Fidelma.

Henry, Imelda.
Higgins, Lorraine.
Keane, Cáit.
Kelly, John.
Landy, Denis.
Moloney, Marie.
Moran, Mary.
Mullins, Michael.
O'Neill, Pat.
Sheahan, Tom.
Whelan, John.

Níl

Barrett, Sean D.
Byrne, Thomas.
Crown, John.
Cullinane, David.
Mooney, Paschal.
Mullen, Rónán.
O'Brien, Darragh.

O'Donovan, Denis.
O'Sullivan, Ned.
Ó Clochartaigh, Trevor.
Ó Murchú, Labhrás.
Power, Averil.
White, Mary M.
Wilson, Diarmuid.

Tellers: Tá, Senators Ivana Bacik and Paul Coghlan; Níl, Senators David Cullinane and Trevor Ó Clochartaigh.

Amendment declared carried.

An Cathaoirleach: As amendment No. 1 has been agreed, amendment No. 2 cannot be moved.

Question put: That the motion, as amended, be agreed to.

The Seanad divided: Tá, 23; Níl, 14.

Tá

Bacik, Ivana.
Brennan, Terry.
Burke, Colm.
Coghlan, Paul.
Comiskey, Michael.
Conway, Martin.
Cummins, Maurice.

D'Arcy, Jim.
Gilroy, John.
Harte, Jimmy.
Healy Eames, Fidelma.
Henry, Imelda.
Higgins, Lorraine.
Keane, Cáit.

Tá—*continued*

Kelly, John.
Landy, Denis.
Moloney, Marie.
Moran, Mary.
Mullins, Michael.

O'Brien, Mary Ann.
O'Neill, Pat.
Sheahan, Tom.
Whelan, John.

Níl

Barrett, Sean D.
Byrne, Thomas.
Crown, John.
Cullinane, David.
Mooney, Paschal.
Mullen, Rónán.
O'Brien, Darragh.

O'Donovan, Denis.
O'Sullivan, Ned.
Ó Clochartaigh, Trevor.
Ó Murchú, Labhrás.
Power, Averil.
White, Mary M.
Wilson, Diarmuid.

Tellers: Tá, Senators Ivana Bacik and Paul Coghlan; Níl, Senators David Cullinane and Trevor Ó Clochartaigh.

Question declared carried.

Sitting suspended at 2.15 p.m. and resumed at 3 p.m.

Communications, Energy and Natural Resources: Statements, Questions and Answers

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I thank the House for the invitation to outline my policy priorities. Given the span of the brief in my portfolio and the relatively limited time at my disposal, I will use this address to focus on what I see as the key priorities. I look forward to elaborating on these in the question and answer session.

I have responsibility for policy in the areas of communications, broadcasting, energy and natural resources. As Members will readily see, this is a wide remit encompassing areas of major economic and social importance. The voted expenditure in my Department is small at €495 million in 2011 and the numbers employed have fallen to 260, down from 339 at the beginning of 2008. This presents challenges to my Department, which has a large regulatory, economic and competition policy brief. Over time, staff have shown great flexibility in reconfiguring internally to address emerging priorities and to work co-operatively with the regulators and agencies under the aegis of my Department to ensure our shared expertise is appropriately deployed.

It is self-evident that energy and communications are critical to sustainable economic and social development. Broadcasting and the media generally are important industries in their own right as well as playing key roles in our democratic, sporting and cultural lives. The Department must also oversee the regulation of key national resources such as petroleum and mineral exploration as well as our inland fisheries resource. My Department also operates the corporate governance and general oversight role of seven commercial State bodies employing 21,425 persons and of eight non-commercial state bodies employing 769 persons. In addition, three independent regulatory authorities operate under the general aegis of my Department in the areas of energy, communications and broadcasting.

The work of my Department also involves external interaction with numerous stakeholders, notably commercial private entities. The days of full State monopolies in the energy, communications and broadcasting sectors are gone. This may be a welcome development on competitive and consumer choice grounds but it results in a complex policy environment in areas which by

their nature are complex in any event and added to this is the strong EU policy framework that traverses most of the Department. The cumulative effect is a challenging environment for policymakers. Equally, however, these are dynamic areas where one cannot stand still in policy terms. Accordingly, I intend to drive an ambitious policy programme in the various sectors. My Department has the responsibility of ensuring that significant parts of Ireland's essential economic infrastructure run smoothly and efficiently. While the global and domestic economies face such turbulence, the work we have is both more challenging and more important.

I will commence with the energy sector. The current framework for energy policy rests on three fundamental pillars: competitiveness; security of supply; and environmental sustainability. I recognise that the cost of energy in Ireland is a key element in the competitiveness mix. Contrary to some misleading commentary, Ireland's electricity and gas markets, both wholesale and retail, are characterised by strong and vigorous competition regulated by the independent statutory regulator, the Commission for Energy Regulation. The retail electricity market is now fully deregulated. The small to medium business segment of the gas retail market was deregulated from 1 October last. From now on residential consumers form the only regulated part of the gas market. As a result, business and domestic customers can increasingly avail of competitive offerings from electricity and gas supply companies active in the retail end of the market.

It has been claimed that Ireland has the highest electricity and gas prices in EU. However, EUROSTAT data published recently by the Sustainable Energy Authority of Ireland show that Irish electricity and gas prices at the end of 2010 were competitive when compared with our European neighbours. In other words, our prices are at the EU average. Over the two years to the end of 2010, the two predominant trends in electricity and gas prices for domestic and business consumers were convergence to the EU average and falling prices. The reality is Ireland is vulnerable to volatile international gas and oil prices. Over the past year, international energy prices have increased significantly. The wholesale gas price for the coming winter is more than 30% higher than last winter.

The recent CER decision to approve a 21.7% increase in the Bord Gais tariff from 1 October is the first price increase for the company's residential gas customers since September 2008. It follows three successive price cuts. The increase in the price of gas internationally is also the cause of the recent increases in the price of electricity. I am acutely aware of the impact of these increases on businesses and domestic consumers. I can assure Members that I am determined, in consultation with the regulator and the energy companies, to ensure that everything is done to restrain costs which are within our own control. In the case of State-owned energy companies, I will shortly be meeting again with the chairs and management to impress this imperative on them.

I am also very concerned at the impact of gas and electricity price increases on vulnerable households. I will shortly be submitting a memorandum to Government on an energy affordability strategy. The various supports to address fuel poverty which come under the aegis of the Minister for Social Protection are very important. In addition, a fundamental element of the fight against fuel poverty must also be improving the energy efficiency of the homes of those in fuel poverty. The warmer homes scheme funded by my Department plays a key role in this regard and it is my objective to see this scheme maintained and indeed accelerated. Over the longer term, energy efficient and well insulated homes are a permanent and most cost-efficient way of addressing fuel poverty.

I am also glad to have been able to agree with the energy companies, with the approval of the regulator, that there will be no disconnections this winter provided families in financial difficulty have entered a pay plan or agree to the installation of a pay-as-you-go meter.

[Deputy Pat Rabbitte.]

I have already referred to our exposure to international prices. Achieving security of supply requires us to reduce our dependence on imported fossil fuels, reduce our carbon footprint and invest in our infrastructure. As regards infrastructure, there are a number of priority programmes and projects.

EirGrid's national grid development strategy, GRID 25, is of key importance both from the viewpoint of improving our infrastructure and enabling us to meet our binding renewable energy targets. It is vitally important that we recognise the national and local importance in economic and social terms of reliable and efficient energy infrastructure.

For example, the east-west electricity interconnector between Ireland and the United Kingdom will be completed by the end of next year. It will improve security of supply, as well as increasing competition. The North-South electricity link from Meath to Tyrone is also a key strategic project and is critical to ensuring energy supply adequacy on the island of Ireland. In line with the commitment in the programme for Government, I have established an independent commission of international experts to review and report, within six months, on the case for and cost of under-grounding all or part of the Meath-Tyrone 400KV power lines.

I expect to have the report of the commission in the near future. After consideration by the Government, the report will be published. I would stress that the enhancement of the North-South link is an essential investment in the interests of both economies and all energy consumers on both sides of the Border, and I am determined to see it delivered. I will also give priority to advancing commercial development of gas facilities and enhancing our ability to respond to any oil supply shortages.

The sale of a minority stake in the ESB as an integrated utility, as agreed by Government, is an early demonstration of the commitment by the Government to the programme for Government's objectives and to its obligations under the EU-IMF memorandum of understanding. This sale will be advanced by means of a defined process involving a full evaluation of the best approach to be taken, including consideration of the size of the minority stake to be sold. That process will be progressed by a group co-chaired by the Department of Communications, Energy and Natural Resources and the Department of Public Expenditure and Reform, also including officials from the Department of Finance and availing of expertise from the National Treasury Management Agency and NewERA. Full consideration will be taken of the energy policy and regulatory framework in this evaluation, and appropriate consultation will be engaged in. The group will report back to Government with a recommendation by the end of November.

The decision to sell a minority share in the ESB recognises the strategic importance of the energy sector to the economic and social functioning of the State, and that the State must continue to have a strong and direct presence in electricity, particularly in the regulated transmission and distribution networks. This presence must be maintained in a way that protects overall economic competitiveness and does not deter private investment. The process to analyse options for the minority stake sale in ESB will fully reflect these principles.

I take this opportunity to formally reiterate the Government's commitment to deliver 16% of all our energy from renewable sources by 2020. This is consistent with our EU obligations. We will achieve that through our national sectoral targets of 40% renewable electricity, 12% renewable heat and 10% renewable transport. Overall renewable energy use grew by 14% during 2009 and by 15% per annum on average in the period 2005 to 2009. In 2009 alone, there was a 23% increase in wind generation with renewables now generating around 15% of our electricity consumption.

Increased use of renewable energy also contributes to our environmental targets. The Sustainable Energy Authority of Ireland, SEAI, figures show that renewables reduced our CO² emissions by almost 3 million tonnes in 2009. The recent spike in gas prices show that it is wrong to predicate policy on the availability of volatile imported fossil fuels. Studies by both EirGrid and the SEAI have also indicated that wind generation does not adversely impact on electricity prices.

Energy efficiency plays a key role in meeting our sustainable energy targets. It also reduces energy bills and helps redress fuel poverty. The Better Energy programme is central to my efforts to meet the 20% energy savings target by 2020. Over 96,000 homes have now been grant-assisted to improve their energy efficiency, resulting in economic activity of over €280 million since the scheme's launch. I was very pleased to increase the investment this year to €100 million, which means that for 2011 the scheme is supporting 6,000 jobs. Energy suppliers are also being asked to participate in the programme through voluntary energy saving agreements.

As regards energy, it is my intention that a new energy policy framework will be published in 2012. Energy policy will be reviewed over the coming months in consultation with stakeholders. The new framework will take account of developments over the past few years since the publication of the 2007 White Paper.

The provision of high speed broadband is a key strategic national goal. The country is now playing catch up for the lost years of lack of investment in broadband which followed the privatisation of the State's telecommunications network and the subsequent multiple changes in ownership in Eircom. Good strides have been made in more recent times both in regard to broadband penetration, speeds and competition. Much more needs to be done, however, to improve our national broadband infrastructure.

Commercial operators have been investing steadily in rolling out critical communications infrastructure in Ireland in the past number of years. That investment has been of the order of €400 million and €500 million per annum. In this regard, it is important to highlight that Ireland's demographic factors present significant challenges for companies operating within network industries, including the electronic communications industry. Not only do we have considerably fewer people per square kilometre than many of our comparator countries, but it is also the case that our propensity for ribbon development of one-off housing adds to the mix of challenges.

The State has invested where it has identified market failure. Initiatives such as the metropolitan area networks, MANS, the national broadband scheme and major international inter-connectivity projects are delivering important infrastructure and services to areas of Ireland which could not be served commercially. As a result of the combined efforts of government and the private sector, a basic broadband service will be available to all citizens across Ireland ahead of the EU target date of 2013. Meanwhile, speeds of up to 100 megabytes are now available to 0.5 million households and industry investment is set to continue in the upgrading of services available.

As regards international comparisons of broadband penetration, various analyses are conducted periodically. The ComReg statistical report for the end of 2010, for example, noted that the latest OECD broadband data up to June 2010 ranked Ireland 13th of 19 EU states surveyed for fixed line broadband penetration per 100 inhabitants and third of 18 EU states surveyed for wireless broadband penetration per 100 inhabitants. A wider report on broadband services in 72 countries published in 2010 by the University of Oxford and the University of Oviedo, Spain, concluded that the broadband services currently available in Ireland are capable of

[Deputy Pat Rabbitte.]

meeting the requirements of today's broadband applications and overall, in terms of broadband quality and penetration, ranked Ireland 13th of the 72 countries studied.

International comparisons must be viewed in context and can present challenges. Issues such as advertised versus actual speeds, geographic spread of services, topography, population density and the number of people per household must all be taken into account when making comparisons between different jurisdictions. The important point that I wish to emphasise is that Ireland, while it may be behind the average for some measurements, is ahead on others and we have made significant improvements on some measurements in recent years. It is also the case that Ireland will meet the EU target of having a basic broadband service available to all citizens by 2013. The challenge now is to accelerate the roll-out of high speed broadband.

I am critically aware of the need to move now from the provision of basic broadband services to ensuring the widespread availability of next generation, high speed broadband. This is also a key Government priority and will be the key to delivering future economic and social development. Under the NewERA proposals in the programme for Government, there is a commitment to co-invest with the private sector and commercial semi-State sector to provide next generation broadband customer access to every home and business in the State. The next generation broadband task force has an important role in this regard. In June of this year I convened the task force, which I chair, and which also comprises the Minister of State with responsibility for NewERA, Deputy Fergus O'Dowd, the CEOs of all of the major telecommunications companies currently operating in the Irish market and CEOs of some Internet service provider companies. The purpose of the task force, which will conclude its deliberations by the end of this year, is to discuss the optimal policy environment required to facilitate the provision of high speed broadband across Ireland. The work of the task force is progressing apace and that working with industry we will be in a position over the coming months to identify the optimal policy to deliver wider access to high-speed broadband across Ireland.

This will require careful balancing, allowing industry to continue on its investment programmes and at the same time identifying where the State can facilitate development in areas where it is currently not commercially viable to provide an enhanced service. It will also require input from a range of public sector entities, including the communications regulator, ComReg, which will auction significant bands of spectrum over the coming months. This spectrum will facilitate the roll-out of next generation mobile broadband services whilst delivering significant revenues to the Exchequer.

There are also specific communications projects and programme that I wish to advance over the coming period. Earlier this year, I launched the rural broadband scheme, which aims to identify the last remaining premises in Ireland which do not have access to a broadband service. The three month application phase for the rural broadband scheme closed at the end of July and approximately 5,000 applications have been received. I expect to proceed with a procurement process for a service provider over the next two months. This programme builds on the national broadband scheme and will ensure that all citizens will have access to a basic broadband service before the EU target date of 2013.

In tandem with the roll-out of basic broadband to consumers, I am working to ensure the roll-out of 100mbps to all second level schools. A successful pilot programme has already delivered 100mbps broadband to 78 second level schools. The national roll-out of this programme is of fundamental importance to delivering on the commitment in the programme for Government to integrate ICT in teaching and learning across the curriculum. I have been engaged in discussions with the Minister for Education and Skills on the full roll-out, including the issue of funding. Clearly finances are extremely tight but this is a key strategic project in

the context of preparing our students to be part of the digital workforce and in terms of delivering innovative educational outcomes.

Encouraging digital participation by all our people is a key priority and I am anxious to see schools, businesses and citizens make the most of the opportunities presented by an emerging digital society. I recently launched a €1.6 million “Benefit 3” scheme which is specifically aimed at targeting those segments of society that are in danger of being left behind in terms of technological advancement. These include the unemployed, socially disadvantaged, elderly and people with disabilities. It is envisaged that grants will be awarded to successful projects later this month and I expect training to commence across the country in projects under the scheme from October. This scheme will enable some 40,000 to participate.

While we continue to support infrastructure development and encourage citizens to participate in the digital economy, we are also supporting industry through the work of the Digital Hub Development Agency and the National Digital Research Centre. The Digital Hub Development Agency currently supports 77 small enterprises employing over 800 people in Dublin 8. The NDRC, which is based at the Digital Hub and whose annual report I had the pleasure of launching earlier this morning, is supporting the translation of research ideas into commercial business propositions. Over the coming months I will consider the optimum model for continuing these services over the longer term, with a view to ensuring synergies with similar initiatives across the public sector.

As I have already mentioned, encouraging participation in the digital economy by business and citizens is an important priority. Internet security and consumer confidence is a key element in persuading citizens and businesses to make more effective use of the Internet. I intend, over the coming months, to establish a dedicated cyber security unit within my Department with a view to assisting in identifying and protecting Irish businesses from cyber attacks.

My overriding key priority, therefore, for the communications area is access, ensuring the infrastructure is in place to access basic and high speed Internet services and encouraging citizens and businesses to get online and access the social and economic opportunities which the Internet brings while safeguarding consumer rights.

Turning now to broadcasting, I referred earlier to the forthcoming spectrum auction. This spectrum partly arises from Ireland’s national digital switch-over strategy which provides for the closure of the analogue television network before the end of 2012 and the release of the resultant spectrum with the benefits I alluded to earlier. I am keenly aware of the challenges this initiative brings, in particular for Irish households which are reliant on the analogue television network. All households reliant on the aerial television network will need to upgrade to digital television or they will lose access to television. To overcome the challenges that digital switch-over brings, we must also assist people with information and practical assistance to ensure that no one is left behind as Ireland goes digital. I will implement a substantial information campaign providing households with information on the digital switch-over and on their options for going digital. This information campaign will start shortly.

In conjunction with this, my Department is currently developing plans to address the particular needs of vulnerable households as they prepare to go digital. In this context, the expertise and local knowledge of the many voluntary and charity organisations around the country will be of critical importance to ensuring the success of the switch-over process. I have asked my Department to ensure that to the greatest possible extent these organisations play a major part in our information and assistance campaign.

My Department is also currently examining the effectiveness and efficiency of the current model of television licence fee collection in light of the programme for Government and the issues surrounding the current licence model. These issues include the current levels of evasion,

[Deputy Pat Rabbitte.]

inequities in the system, the cost of administration and the problems being posed by convergence of technologies. I expect that my officials will be ready to provide me with a first report with initial high-level recommendations before the end of the year. Based on the experience in other countries, however, it is likely to take a minimum of two years before a fundamental system change could be implemented.

Regulation of the broadcasting market is the responsibility of the Broadcasting Authority of Ireland. The State broadcasting companies are facing serious financial situations largely arising from the major reduction in advertising and sponsorship revenue. The focus must be on forensic cost control by management in these organisations and I acknowledge the work already done in that regard. I also recognise the major contribution made by the private broadcasting sector and will continue to work with them on the various issues that arise.

As I pointed out when I brought the postal Bill through the House before the summer recess, the postal sector worldwide has evolved significantly over the past decade. Some 90% of letter post is now business-related and this has implications for how postal service providers, including An Post, must position themselves. An Post must look afresh at its relationships with its customers, and indeed its competitors, and adapt accordingly. It must actively seek to meet the needs of its users, look at ways of harnessing the potential of electronic communications and incorporating them into its product offerings and grow its business accordingly.

An Post faces serious challenges, especially as its core mail revenue continues to decline. It is also heavily dependent on State contracts to generate revenue. On the plus side, An Post has many genuine strengths, such as a dedicated workforce, a trusted brand and a strong visible presence in every community in Ireland on every working day of the year — a presence that very few, if any, competitors will be in a position to replicate.

An Post and its staff must play to these strengths and ensure that its resources are aligned with the needs of its users. To do so will involve significant change. This is already under way but it must be strongly driven in the light of the challenges the company faces. Above all, it must reduce its overall cost base and successfully innovate to attract the core revenue it is losing.

In relation to the procurement process for a national postcode, the House will be aware that this is under way and is being managed on a ring-fenced basis by my Department. The final decision to proceed with the implementation of a national postcode will be one for Government and will be based on appropriate financial, technical and operational considerations.

The development of policy, legislation and oversight of the petroleum, minerals and inland fisheries sectors are important objectives in the natural resources sector and I intend to bring forward a significant Bill to modernise and consolidate the legislative code for mineral exploration and extraction.

Completion of the development phase of the Corrib gas project is of critical strategic importance for Ireland. Production of gas from the Corrib gas field will significantly strengthen Ireland's energy security of supply as it will reduce our reliance on gas imports and help to encourage further exploration in the Irish offshore.

At peak production Corrib will provide over 60% of Ireland's natural gas needs. Unless further commercial discoveries are made in the short term — many people are helping me in that search; they are out there every morning — Ireland's energy security will begin to weaken once peak production from Corrib has passed. For this reason it is of critical importance that Ireland can encourage an immediate increase in the level of exploration activity in the Irish offshore and in particular an increase in drilling activity.

To achieve this and because at this time Ireland does not have the capacity to establish a State oil and exploration company, Ireland needs to maintain a realistic fiscal regime that reflects our relative attractiveness as a place to invest in petroleum exploration. We also need a regulatory framework that is appropriate in terms of its transparency and effectiveness. I recognise the need to promote public confidence that exploration for petroleum will be carried out to high standards in terms of ensuring safety and protection of our environment. I have recently written to Members of this House who represent areas where onshore exploration drilling might be proposed in the future, to set out for them how any such proposals would be subject to detailed scrutiny.

We must also be realistic when we consider how Ireland might benefit from its natural resources. Talking about potential resources that we do not know are actually there, as if they are resources we can bank on, is not helpful.

Measures for the conservation and exploitation of the inland fisheries resource contribute to the economic and social fabric, in particular of rural and coastal communities. In adopting policies for this sector my Department aims to ensure that such measures should maximise the social and economic return for these communities and the State.

I wish to conclude with a brief reference to public sector reform. I have already alluded to the major reduction in staffing levels in my Department in recent times. As I indicated during the Estimates discussion in July, I have some concerns in this regard in terms of its impact on achievement of our wide and ambitious policy programme. Given the complexity of the policy environment, it is important that the Department maintains the necessary expertise to discharge its policy advisory and other roles. My Department also has a small but crucial technical cadre in areas such as exploration, mining, energy, communications and the Geological Survey of Ireland. These are key roles in terms of protecting the State and public interest and it is important that they are adequately resourced.

My Department has set out a strong programme of reform under the Croke Park agreement. In particular, it has embraced the concept of shared services with the IT function now administered by the Department of Agriculture, Food and Fisheries and the payroll function now administered by the Department of Finance. These measures are expected to yield almost €500,000 savings in a full year. This is additional to some €2 million in payroll savings since 2008 arising from the reduction in numbers to which I already referred. The Department has also realised savings on the non-pay administrative budget side of almost €1.5 million.

I will continue to ensure that my Department contributes fully to public sector reform. Given the scale of the Department, at 260 staff, this is most likely to be in the form of increased shared services, employment of specialists and interns and joint procurement initiatives with other Departments.

A Chathaoirligh, in this address, I have touched on some of the key areas of my brief. I look forward to attempting to answer any questions colleagues may have.

Senator Mark Daly: With the leave of the House, I would like to share my time with Senator Darragh O'Brien.

I welcome the Minister to the House. He has made a wide-ranging contribution and it is difficult for him to touch on every issue.

I raise a pressing issue for which the Minister's Department is, to some extent, responsible. A 65 year old lady, Ms Teresa Treacy, has been in jail since 13 September. I ask the Minister to address that issue when he replies to the debate. The case is disturbing to anyone observing it from the outside. I would like to hear the Minister's insight on the case.

[Senator Mark Daly.]

Radio Telefís Éireann is facing a deficit of €30 million this year. In November 2010, Fine Gael proposed that the salaries of all managers and presenters should be capped at €200,000. Is that proposal being pursued by the Minister's Fine Gael Cabinet colleagues? RTE appears to be unsustainable. Public service broadcasting is all very well but commercial broadcasters are providing the same service without subsidy. Why should RTE get such favourable treatment at enormous cost to the taxpayer? Will Fine Gael follow through on its proposal?

One fifth of customers of the national broadband service have expressed dissatisfaction with broadband speeds. Download speed and coverage are felt to be inadequate. The Minister referred to a proposed improvement in broadband service and the auction of new licences. Will there be benchmarking — a dangerous word in this House — in achieving better services? I am always sceptical of surveys that say 99% of customers are satisfied. There are always 1% who are dissatisfied.

The Minister referred to the Fine Gael NewERA document. The Minister for Social Protection, Deputy Joan Burton, in an interview on Newstalk in February last, said she thought the NewERA document contained extraordinary figures which would also involve the creation of about ten quangos. The Minister for Finance remarked, in passing, that the document was dreamt up by some person in the Fine Gael public relations office. There was a public relations add-on. I wonder if 105,000 jobs will be created.

With regard to the creation of quangos, the Government previously stated it was going to get rid of them. I welcome the Minister's work with the energy suppliers, including the ESB, Bord Gáis and others in regard to ensuring no family or person is left without heat and light this winter or Christmas given it is predicted we will have a difficult winter.

The pay and conditions and pensions of semi-State agencies, including the ESB, are unsustainable. I heard one of the union leaders, Mr. Jack O'Connor, defending his earnings. He is no James Connolly given he is earning €100,000 per annum.

An Leas-Chathaoirleach: The Senator cannot refer to people who are not here to defend themselves.

Senator Mark Daly: I would like to invite him to the House to defend himself. Union leaders are trying to defend the indefensible at a time when the vast majority of people, the 400,000 people unemployed and those in receipt of social welfare benefits, have to pay enormous electricity and gas bills. I accept there have been increases owing to the cost of oil and gas. However, pay is a big issue.

I would like to hear the Ministers views on fracking, which is a concern in the northwest. There have been a number of studies on this. President Obama has set up a committee to examine the issue. Also, the French Government has put a moratorium on fracking and the EU is looking at it. In the US, Maryland, New Jersey and the City of Buffalo have all banned fracking because of a fear of water contamination. I would be concerned if we were to proceed without full knowledge of the possible downsides in this regard. Once water is contaminated it remains contaminated forever. I would like to hear the Minister's view on that point.

Senator Darragh O'Brien: I welcome the Minister to the House. Fianna Fáil is totally opposed to the sale of any element of the ESB. I assume the Minister's colleagues in the Labour Party are also opposed to it.

The original Memorandum of Understanding did not refer to the sale of State assets to the tune of €2 billion, rather it asked for a review of State assets and possible privatisation of State owned assets. The revised Memorandum of Understanding negotiated in July by this

Government states that the Government will consider options for an ambitious programme of asset disposal. The Government, when deciding to sell off the family silver, will not be able to hide behind the deal done by the previous Government as it is its revised Memorandum of Understanding that will bring about privatisation of the ESB and other strategic State assets.

An issue of concern to me, one which I raised earlier this year and last year, is that of e-billing, in particular the imminent Vodafone plan to bill all its customers via e-mail. The judgment by ComReg in regard to O² states that an e-bill is permitted where positive consumer consent is obtained and that a paper bill is to be provided, “as standard where such consumer consent is not obtained”. Those words are important. I am sure the Minister, like the Consumer Association of Ireland, will be concerned to hear what Vodafone plans to do. Vodafone has 43.6% of the Irish mobile telephone market. The Consumer Association of Ireland, the Society of St. Vincent de Paul, the Money Advice and Budgetary Service and Fianna Fáil are concerned about this move towards e-billing, in particular on the basis that Vodafone has already sent out the following message: “From Your November Bill, Say Hello to Paperless Billing and a Better Environment”. I am delighted Vodafone sponsored the Dublin team to the All-Ireland final this year. I am sure it is a big employer in the State but it is flying in the face of the laws of this country in that it has already stated that from Monday next it will inform approximately 170,000 of its customers that they, whether or not they like it or have Internet access, will in future receive their bills by e-mail. Also, a person wishing to have a paper bill must opt to have one, which is against the judgment made by ComReg in regard to O² trying to do the same thing.

Vodafone has also intimated that the person requesting a paper bill will have to pay for it. People are already paying tariffs to Vodafone. I believe that a person who is paying a bill is entitled to receive it in whatever manner they require. The Minister in his statement mentioned the difficulties that An Post is experiencing in regard to remaining viable. I put it to the Minister that there are thousands around the country who do not have access to e-billing because as the Minister stated they do not have access to broadband. We have a long way to go in that regard. I am concerned that Vodafone, which is a mobile giant, is deciding, contrary to what the Department says, to go against ComReg’s judgment against O² that a paper bill is to be provided as standard. It should not be that a person must opt to receive a paper bill. One should not have to do that. I am interested to hear the Minister’s views in this regard.

My concern about this is intensified because people are already trying very hard to manage their day-to-day household bills. The Minister is aware of that and has referred in that regard to increased energy prices and people’s struggle to meet them. I believe this move by Vodafone will take from people their ability to budget properly for their day-to-day bills. Vodafone has approximately 400,000 clients, which is just short of half market share in this country. I want to know what the Department is doing about this. Has the Department had any contact with Vodafone on this issue or is it to be allowed to fly in the face of the laws of this State and a ruling by our communications regulator? We must put down a marker on this. O² was allowed to get away with it.

If Vodafone gets away with this, other utility companies will follow in the same vein. Of course, we want companies to be more efficient and environmentally friendly but they cannot ignore the laws and regulations of this State. One cannot simply tell people who do not have access to the Internet that they will no longer be receiving paper bills and that if they request one they will be charged €2 for it.

I was pleased to hear Deputy Doyle, Chairman of the Oireachtas Joint Committee on Communications, Energy and Natural Resources, raise this concern in the Dáil. I am sure the Minister will address this issue so as to ensure Vodafone is not allowed get away with this.

[Senator Darragh O'Brien.]

ComReg exists for a reason. We have a regulator and laws for a reason and we cannot allow a massive mobile telephone company to act with complete impunity and against the interests of its customers.

Senator Tony Mulcahy: I join with colleagues in welcoming the Minister to the House. Today we are at a crossroads in the history of this State. A wasteland of inaction and mismanagement by a succession of Governments over the past ten years has left our finances in tatters, another generation lost to emigration and our economic sovereignty surrendered to the Troika of the EU-IMF-ECB.

I do not want to dwell on that but to look ahead to our shared future. Being an optimist, I firmly believe in the future prospects of this great country. For too long a cloud of despair and depression has hung over our Republic. Human nature dictates that while we sympathise with someone who is moaning all the time about the state of the world or the economy we eventually tire of negativity. We want to move on. We have to move on.

Investors will only be attracted to Ireland if they see it as a country of optimism that is seeking opportunities and not stuck in a cycle of self criticism and pity. Hard decisions have to be made. Issues that have been put on the long finger, including full State ownership of certain assets, must be addressed. In view of agreements made with external lenders, we are obliged to raise funds from the disposal of State assets to pay down our debts. This is not the best time to be selling State assets but it is the best time to invest in new assets. If we can persuade the troika that we should be allowed to retain some of the money raised from the sale of State assets to be reinvested in new strategic assets such as water, broadband and energy we can then sow the seeds for a quick recovery.

There is a commitment in the programme for Government that in line with the NewERA proposal, a strategic investment fund are to be established by the Minister for Finance, Deputy Noonan, Minister for Public Expenditure and Reform, Deputy Howlin and the Minister of State, Deputy O'Dowd. I have no doubt the Minister, Deputy Rabbitte, also had an input in this regard. This is further proof that the Government is looking forward and will be proactive in taking steps to get the economy moving again.

With regard to energy, the programme for Government sets the framework for how we can get Ireland working efficiently again. In areas such as energy, communications and natural resources we can see the building blocks of future prosperity. In the programme, we have identified the need to target new technology sectors and to focus on the application of technology innovation in established areas of the economy, such as energy generation.

As Ireland is an island on the edge of the Atlantic Ocean, we are in a perfect location to exploit natural resources in the production of green energy, namely, wave, tidal and wind power. The sea around our coast amounts to approximately ten times Ireland's land area. The economic benefits to the country are limitless and are being harnessed.

Wavebob was founded in 1999 and is based on the Maynooth Business Campus. Its vision is to be the leading global wave power technology company, providing a reliable, highly efficient, tunable and cost effective means of producing useful power from ocean waves. Having carried out sea trials in Galway Bay for a number of seasons, the company has expanded its expertise in the field of wave power technology. This is an example of the significant talent that lies within Irish technology companies. Wavebob's recent announcement of a research collaboration with Spanish technology giant Abengoa is proof of how Irish companies can tie up successfully with international firms to develop solutions for tomorrow's world.

The west coast is ideal for wind farms, as the prevailing south-westerlies roar in from the Atlantic. Onshore wind turbines operate at 50% above the average European capacity.

Under the Gate 3 application process, the Commission for Energy Regulation, CER, controls which renewable energy producers can connect to the transmission and distribution network. The production of some 3,900 MW from renewables are envisioned under Gate 3 and successful applicants are receiving their estimated connection dates. As of 30 June, 1,459 MW of installed wind capacity exist from the Gate 1 and Gate 2 schemes. Some capacity pre-exists these schemes.

There may be problems with the Gate 3 system, in that some of the projects may not have full planning permission. Although I am open to correction, An Bord Pleanála has refused permission for the Lettermuckoo project in Connemara because of its impact on the landscape. Other wind farms are in special protection areas. Furthermore, some Gate 1 wind farms signed contracts in December 2005 and have been given target connection dates of before September 2014. This will delay the roll-out of renewable projects, impacting on our target of renewable generation accounting for 40% electricity consumption by 2020.

We need joined-up planning. State agencies must work with one another to facilitate the swift construction of the renewable network. The faster we reach our target, the better it is for the economy. Some projects have planning permission, access to finance to build the infrastructure in close proximity to the grid and legal interests in the land in respect of which applications have been made, yet they are outside the Gate 3 process. It may be time to revisit the system in advance of the Gate 4 process so that those projects that are shovel ready can get priority connections.

Under the programme for Government, we will ensure that wind farms are built in locations where the wind regime is best. They are to be built in large numbers or in clusters to reduce the cost of connection to the grid under the new plan-led Gate 4 process as opposed to the existing developer-led system.

As part of the programme, we have undertaken to double funding for home energy efficiency and renewable energy projects until the end of 2013. This will be achieved through €30 million in Government funding to support an additional 2,000 jobs in 2011. By 2020, 1 million homes will be upgraded. Through better building insulation, we can reduce our expenditure on diminishing fossil fuels. This will be good for the consumer, the environment and the economy. There will be a net social benefit of €6 billion.

Another element of our 2011-16 programme will see us refitting micro-generators wishing to produce their own electricity for homes, farms and businesses. We will facilitate the sale of surplus electricity to the grid. I was delighted to learn that Nines Photovoltaics, an Irish company based on the Institute of Technology, Tallaght, campus, has been awarded €1.2 million through the European Commission's Framework Programme 7, FP7, to develop its solar cell manufacturing unit. According to Mr. Ed Duffy, the company's chief, approximately 10 billion solar cells were produced globally in 2010, consuming 25 billion litres of water and other chemicals. By reducing the environmental cost of producing these cells and accelerating the degree of process control, production costs should decrease. The use of affordable cells to produce electricity comprises another element that businesses can use to reduce costs. New industry looking for places to locate factories will consider many factors. A guaranteed supply of clean energy nearby is one of those factors.

Another is broadband. Ireland needs access to the fastest broadband speeds, as the Minister correctly outlined. I do not doubt that we will achieve our targets. The objective of 100 MB is critical, particularly so in the Shannon industrial area in my part of the world.

[Senator Tony Mulcahy.]

Many of us will fondly remember the creatures of our old coinage, be it the little hen on the old penny, the bull on the shilling or the Irish wolfhound on the sixpenny bit. The most recognisable was the salmon that graced the back of the florin or two shillings from 1928 to 1968. It was used on the old 10p following decimalisation in 1969 until 2002 when the punt was removed from circulation with the advent of the euro. We remember the ancient fable of Fionn Mac Cumhaill and the salmon of knowledge. The salmon represents sea fishing and fresh water game fishing. As such, it plays an important role in the psyche of the Irish. It is the Government's duty to protect our salmon stocks from fishing and pollution.

As we rebuild our economy, we need to consider the sectors in which we can recover the quickest as those that should be promoted, for example, tourism. Season after season for decades, our rivers have attracted overseas anglers to land the famous wild Irish salmon. Through careful management of our salmon stocks, we can recover from the overfishing of rivers that were closed to fishing by reopening them through the catch and release system or harvesting. This precious resource must be protected for the enjoyment of future generations.

The geology of Ireland dates back 2.5 billion years. As such, 70,000 sq. km. of our landmass contain a variety of minerals laid down over millions of years. Ireland has produced lead, copper, zinc, gypsum, calcite, dolomite, silver and gold as well as other exploitable minerals. Ireland is Europe's largest zinc producer, accounting for 32% of zinc produced. With the turbo speed of the industrialisation of nations like China, the demand for natural resources has increased rapidly. Ireland is being seen as a location for further exploration, which will lead to the creation of jobs. Our petroleum affairs division will play a key role in maximising benefits accruing to the State from the exploration and production of oil and natural gas. These resources belong to the people of Ireland. As their representatives, it is our duty to ensure these resources are developed to create wealth for the nation. The western seaboard is the site of much exploration for petroleum products. Some areas that were believed to be uneconomical to develop due to the depth of the water are being re-examined.

Sitting on the edge of Europe, looking out onto the Atlantic Ocean and knowing that this is an era of depleting global oil stocks, we can take comfort in the fact that we have exploitable natural resources, our renewable energy can be harnessed and our universities are producing graduates that are coming up with solutions to everyday problems. This Government did not create the financial crisis, but we will take the measures to facilitate recovery. No group, be it employer or union, can be allowed to put our recovery at risk. We will do everything in our power to get Ireland back working. We owe it to the thousands of children forced to leave so that they might return with their experiences and ideas. We have the people and the vision in the form of the Minister and his Cabinet colleagues to make Ireland great again.

Senator Mary Ann O'Brien: I welcome the Minister. Like others, including my Independent colleagues, I am concerned about the growing availability of images and movies depicting the exploitation and physical and sexual abuse of children on the Internet and other evolving technologies. It is difficult to comprehend why legislation is not yet in place requiring Internet service providers, ISPs, to block immediately and ideally remove at source child pornographic and abusive content that is illegal under Irish law. Child pornography site blocking has been advocated by the Garda and Interpol and is being debated in Europe in the form of a proposed directive on combating child pornography and the sexual exploitation and abuse of children. I urge the Minister to be mindful of the children's rights dimension of his mandate and to work closely with his Cabinet colleagues to ensure that the "best interests of the child" principle is the primary consideration in all forthcoming legislation affecting children.

We can scarcely have a greater responsibility than to protect children and their rights, safety and innocence. In the ongoing absence of appropriate filtering or blocking of such images and movies depicting the exploitation and physical and sexual abuse of children on the Internet, does the Minister think the best way to advance dealing with the issue is through legislation and if so will he outline to the House what legislation he intends to introduce?

I will move on to another matter, and the Minister will be glad to hear I will not take up ten minutes. In these extremely tough times, we know it makes sense to seek mergers of various State-funded bodies. However, any such action should be carefully evaluated to ensure these achieve great savings while remaining totally effective. With this in mind, I note the recent press release of 28 July which stated the Minister for Arts, Heritage and Gaeltacht Affairs, Deputy Deenihan, welcomed a new report on the future of the audiovisual industry. The report, *Creative Capital: Building Ireland's Audiovisual Creative Economy*, identifies the Irish audiovisual sector as a pillar of Ireland's creative industries and a major opportunity to deliver growth and jobs to the Irish economy in the coming five years. CRAOL, the network of community radio throughout the State, launched an interesting response to the assertions in the report from PricewaterhouseCoopers by pointing out that while the proposal built around acquiring the broadcasting funds currently administered by the Broadcasting Authority of Ireland may be cost neutral it is not cost-value neutral.

A decision to move the fund towards a small number of audiovisual producers will remove it from a much larger number of citizens using the resource for employment, creativity and the vital fuel for local community building. Furthermore, the report claims on growth and employment are entirely aspirational, provide no figures for assessment and should not be a cause for precipitous action. Significantly, the report seeking the transferral of this fund to the audiovisual industry makes no reference whatsoever to the vibrant Irish commercial and community radio sector.

On the community media front, every week 2,000 community radio volunteers and more than 100 staff engage with an estimated 120,000 listeners in 22 fully licensed community stations with a further 40 community stations at various stages of development throughout the country. This is a significant and growing media sector using the sound and vision scheme for development purposes as envisaged by the 2008 Broadcasting Act. CRAOL makes the point that logically, a broadcasting fund should be administered by the Broadcasting Authority of Ireland as it is best placed to have a more strategic overview of the media sector as a whole than would the Irish Film Board. If the aim of the report is to establish a single content funding agency then, as the Broadcasting Authority of Ireland under its sound and vision scheme already funds indigenous film, would it not be more logical that the Irish Film Board be subsumed into the Broadcasting Authority of Ireland?

Senator John Whelan: I wish to share time with Senator John Kelly.

Acting Chairman (Senator Paul Coughlan): Is that agreed? Agreed.

Senator John Whelan: I welcome the Minister to the House. We all know the expanse and extent of his remit and brief. The important decisions and policy matters that must be addressed in his Department will have profound implications for the country for decades to come. There is very little scope, if any, for error. Earlier, reference was made to someone going bald headed. I suppose I would qualify under this category, and I wish to use this opportunity to go bald headed for what I believe is the condescending, cavalier and confrontational style of EirGrid, which will lead to more trouble throughout the country and make the Teresa Treacy case in

[Senator John Whelan.]

Tullamore look like a teddy bear's picnic. One would have to be heartless not to be dismayed and disturbed by the sight of a well-meaning 65-year-old woman ending up in Mountjoy because of power lines and pylons cutting through her farm. Teresa Treacy need not have ended up in prison if EirGrid had done its job properly.

EirGrid is based in Ballsbridge. Does it understand the land and rural values and respect country people? In my experience, it is not upfront, co-operative or transparent in its dealings with landowners or considerate when it engages in what it regards as consultation. It is not meaningful consultation in my opinion, and I have first-hand experience of it. The plight of Teresa Treacy in Tullamore does not surprise me and there will be many more Teresa Treacys if EirGrid does not cop on and radically change its tactics, which at present represent and reflect a rather heavy-handed corporate culture not one of consideration and genuine and honest engagement with communities. Its stand today seems to be that it has the power and to hell with everyone else, which is unfortunate because we all know that at this time more than ever we need reliable and sustainable infrastructure to build our economic recovery.

I see this in my community in Ratheniska and Timahoe where another proposed 25 km line, the Laois to Kilkenny reinforcement line which is vital for the south-east Kilkenny and Waterford region, will go through the property of 110 landowners. Sound and sensible farmers and families are now up in arms with EirGrid. Tensions are mounting and opposition is gathering as a direct result of EirGrid's tactics and its arrogance, ignorance and what I can only describe as bully boy tactics. It behaves more like the KGB than the ESB at times. Only last week, EirGrid threatened with a solicitor's letter and legal action a local farmer, a gentleman who would not say boo to anyone. EirGrid alleged he was recording a conversation taking place in his farmyard. All he had in his hand was an old Nokia phone. This is the type of absurd and unfounded accusation that gives rise to local suspicions and leaves EirGrid the laughing stock of the community. This type of carry on serves only to get people's backs up and fuel community dissent and divisions.

If EirGrid does not change tack it will open the floodgates for protests which will impede the roll-out of critical infrastructure and see Ireland shunned for vital foreign direct investment as important projects are needlessly and unnecessarily held up. All reasonable people I know in the area accept we need a secure and safe supply of electricity and solid infrastructure as a basis for economic growth and recovery. However, EirGrid is going about this entirely the wrong way. It must be called to order before it has another half a dozen Teresa Treacys on its hands.

I have no doubt as to the sincerity and bona fides of Teresa Treacy, and her family, friends and neighbours. Unfortunately, the same cannot necessarily be said about some of those who have now got involved in her campaign. Sinister elements have jumped on the bandwagon and are deliberately misrepresenting the Teresa Treacy case for their own political advantage and ulterior motives. In many ways, these people are even worse than EirGrid in their cynical manipulation of the issue and of this woman for their own selfish ends. These ready to go protesters are blackguarding Teresa Treacy and damaging the cause of reasonable objections and legitimate concerns where they arise. Some of these protesters appear to draw their authority from Marx, that is Groucho Marx, who famously coined the phrase, "whatever it is, I am against it". This seems to be the manner in which they are proceeding.

It takes more than wearing an open neck shirt in the Dáil or a woolly hat in the woods to make one a real friend of the earth or a genuine environmentalist. Therefore, it is only fair that I also put on the record that it has been suggested the forest in Tullamore is of significant

historical and archaeological value. However, the trees in question are a commercial crop, predominantly evergreens, planted with the assistance of grants for the purpose of being felled and harvested. This is not Glen of the Downs or *Watership Down*. There is no Bambi in the woods, and a sensitive habitat is not at stake as has been contrived by certain reckless elements whose actions serve only to keep Teresa Treacy in jail rather than sincerely seeking solutions which would see her released from this terribly stressful ordeal.

Will the Minister take this opportunity to allay concerns regarding the future of two significant semi-State companies, namely, Bord na Móna and Coillte? There has been widespread speculation in the media and elsewhere that some senior political figures have been in negotiations with and aiding and abetting foreign investors to buy out Coillte, for instance. This would be a very retrograde step and very shortsighted. Bord na Móna and Coillte are two strategically significant companies managing some of our most important natural resources. Between them they manage in the region of 1.2 million acres or close to 10% of the country's land mass. In the interests of best development of our natural resources, tourism, leisure, sporting activities and, most important, the critical issue of public access, it is vital that these companies remain in public control, whatever the other proposals for their development or merger.

Senator John Kelly: I welcome the Minister to the House. I have a number of concerns and issues which I wish to raise with the Minister. The first issue relates to the warmer homes scheme. This scheme is working very well. I do not have information on how it is being operated in other counties but in my county of Roscommon the people who had their attics insulated in 2009 and 2010 were promised, where necessary, that wall insulation would follow. However, they are now being told in 2011 that their walls will not be insulated but anyone applying to the scheme in 2011 will have both attic and walls insulated. I do not know what SEAI are playing at. I will give the Minister a list of those people in Roscommon who had attics insulated in 2009 and 2010 and have now been verbally refused wall insulation. I ask him and his Department to make inquiries in this regard.

I too wish to raise the issue of fracking which was raised by Senator Daly. He voiced his concerns and even being a man from the south west he is concerned about the north west but he should have voiced his concerns to Conor Lenihan——

Senator Mark Daly: I could be wrong but Conor Lenihan is not here.

Acting Chairman (Senator Paul Coghlan): Senator Kelly without interruption.

Senator John Kelly: ——instead of Deputy Pat Rabbitte because Conor Lenihan granted the licence to explore in the Lough Allen basin. I ask the Minister to introduce a moratorium on hydraulic fracturing in the Republic of Ireland until the completion of a study of the potential impact of hydraulic fracturing on drinking water resources by the United States environmental protection agency. This study commenced in February 2011. An interim report is expected in 2012 with additional reporting expected to be published in 2014. It is hoped the 2012 report will be of particular guidance to the Irish gas exploration case.

On another issue, I question what protection is available to people with regard to wind energy. Many people think wind farms are beautiful in the distance but many others do not want them at their back door and they have legitimate concerns. By all accounts there are proven health risks associated with wind farms and these are not disputed. When I have inquired as to the protection provided for people, I am told their concerns will be taken into consideration. Yet, I have never seen any local authority or An Bord Pleanála taking their

[Senator John Kelly.]

concerns into consideration. The developers are supposed to work in an open and transparent manner but this is not happening. Instead of informing those who live nearest a proposed wind farm, the developers pick out suitable areas, contact the farmers concerned and do sweet deals at the kitchen table. They give the farmers a lot of money and sign a contract to rent their land for 20 or 30 years. At that stage they inform the rest of the people in the locality that the wind farm will be going ahead. At this stage they begin the negotiating process with the locals, when the deal is already agreed which cannot be reneged upon. I am conscious that county councils are desperate for rates and it is their policy to grant permission for wind farms no matter where they are to be located. An Bord Pleanála will overturn any provision in a county development plan about the distance of wind farms from homes. The regulations in the UK and Europe stipulate that if a wind turbine is 135 m tall it will be at least 2 km or 2.5 km from the nearest house. I suggest there should be similar regulations in this country as this would alleviate many fears.

I refer to the issue of natural gas and the Corrib gas field. Bord Gáis undertook surveys of many towns in the west of Ireland to ascertain the viability of bringing natural gas to those areas. The surveys were based on the populations of those towns and as a result, they did not consider towns such as Irishtown, Charlestown, Kilkelly, Ballaghaderreen. We proved to Bord Gáis that Shannonside Co-Op in the town of Ballaghaderreen uses more electricity than the whole town of Castlebar. The Western Development Commission has issued a report which has been forwarded to the Minister. The report states that €13.5 million in energy costs in the west of Ireland by bringing natural gas along the route of the N5. I ask the Minister to give it favourable consideration.

Senator John Crown: I am very grateful to my colleague, Senator Barrett, for allowing me to share his time. I will speak for three or four minutes and Senator Barrett will speak for six minutes.

Acting Chairman (Senator Paul Coghlan): Is that agreed? Agreed.

Senator John Crown: In my view, the Minister has perhaps the most important portfolio of all of the Ministers in the current Government. The reason is it is important that the major existential threats which will face our species in the years to come are not the IMF or the ECB or Anglo Irish Bank or, indeed, disturbances between Fianna Fáil and Fine Gael over interpretations of history. Those major threats will be to our food, water and energy. In 60 to 90 years time our grandchildren and great-grandchildren will face a crisis with regard to these core elements. There is no other area where we need to have a greater emphasis on long-term strategic planning, both as a civilisation, as a member of a European community and as a national society, than in energy policy. In particular, all arguments about the aesthetics of wind farms or the rights of people as against pylons — I must add here my strong disapproval of the disproportionate action of Ms Tracy being incarcerated when people who have driven the country into the ground are totally free — but the major threat we face is our dependence on hydrocarbon fuels. This is the overwhelming crisis which we must face. Whether one is a believer in global warming, a global warming sceptic, an agnostic about global warming, or somebody with an open mind, I say forget global warming. There are three key reasons it is essential for us to wean ourselves off the necessity of burning carbon if our species is to survive. The obvious reason is that there is not enough carbon left. This is a supply issue. We will hit peak oil, peak gas, peak wood, peak turf, peak everything which is not renewable, within a

very finite period of time. In the case of oil, this will occur in the lifetime of even those of us who are in the later stages of middle age.

The economic arguments are overwhelming. It is extremely bad for a society to be entirely dependent on the importation of energy from abroad. It distorts our balance of trade. This is the real economy and it is not the shuffling of false economy through financial institutions which cream off interest and tell us they are generating wealth. This is the real economy and this is what we must grapple with.

Perhaps the least politically correct of my arguments is that there is a profound geopolitical threat to us from being heavily dependent on imported hydrocarbons, especially when those hydrocarbons come from some of the most unstable societies in the world, societies which may be a coup or a Jihad away from turning off the faucet for us. The arguments in favour of making ourselves less dependent on hydrocarbon fuels and less dependent on imported energy are overwhelming.

The Minister referred to exploration. While I am not necessarily a fan of the Tea Party exhortations to Sarah Palin at meetings to, “Drill, baby, drill”, if there are exploitable hydrocarbons we need to use them, pending the adoption of more sustainable forms of alternative energy. Putting an emphasis on exploration would be a little like the piano key industry looking at dwindling sources of ivory from nearly extinct herds of African elephants and saying, “We should look at India for some more elephants”, when clearly that industry should be finding another material other than the tusks of elephants. What we need to do in order to sustain ourselves in the future is to find something other than burning hydrocarbons.

There are not that many people in either Houses with some kind of a background in science. My background is far from energy policy, but I have a big interest in it and would be delighted to have a chat with the Minister next week as I intend to visit people on both sides of the Corrib debate on Friday. We should not limit ourselves to 10%, 12% or 16% in terms of renewables. Instead, we must put huge effort into making this one source of energy we have available here a centrepiece of our future energy policy. I am sorry if I sound unsentimental about this, but while considerations relating to dead birds or spoiled views are important, they must take secondary importance. I also support the Minister’s efforts in the area of insulation.

I will make two final points. First, we need to start a debate on the notion that at some fixed date in the future, perhaps ten or 15 years from now, we will move towards zero tolerance for private cars burning hydrocarbons. This would be one way to remove up to 50% of our requirement for hydrocarbon derived energy. Second, we must look rationally, calmly and maturely at nuclear energy. I do not advocate we have, but we must remember that in the aftermath of the Chernobyl disaster of 27 years ago, there is no evidence that there is any excess of foetal abnormalities or leukaemia that occurred as a result of that accident, an accident which was as a result of a horrifically maintained and obsolete nuclear energy plant. I urge the Minister to keep an open mind on the issue of nuclear energy.

Senator Sean D. Barrett: I welcome the Minister and it is always interesting to hear his views. I welcome the mention in his speech of auctioning of the broadcasting spectrum. Auctions are important beauty contests which lead to massive legal costs afterwards because those judged to be not beautiful enough tend to have large numbers of lawyers. A straight auction properly organised by the Department, with the money going into the Exchequer would be better than what has occurred previously.

The Minister spoke about the vigorous competition in the energy sector and the prices being achieved. The McCarthy report published in April suggests we have a long way to go to get a

[Senator Sean D. Barrett.]

fully efficient energy sector. Therefore, I hope we are targeting not only the average price as reported, but also the lowest prices. The McCarthy puts forward some ideas in that regard and I will return to them later.

I support the selling of the minority stake in the ESB. As I understand from the McCarthy report, wage costs in the ESB are extremely high, particularly the high wage of the chief executive, which I am aware the Minister and his colleagues have tried to tackle. We would have a counterweight against those high costs if there were some private sector investors in the company. What we might call the monopolistic rents in the ESB — acquired because of its traditional monopoly position — and also the threat that it can turn off the lights have allowed wage costs to increase dramatically. Based on the McCarthy report, the CEO earns almost four times as much as the Taoiseach. I do not see the case for that.

What is required in the case of the energy efficiency programmes is publicity. It seems strange that when the benefits accrue so manifestly to people to have their houses insulated, they require a subsidy.

The idea of postcodes has been around for some time. It is much easier to send a letter in somebody in Leitrim or Donegal than it is to someone in Fermanagh because of the need for a postcode there. What benefits do postcodes generate? What do they offer, apart from making it more complicated to remember addresses? I have often wondered why this idea is still being proposed. Perhaps the Minister has some thoughts on that.

Since this country had to be rescued on 1 December 2010, accountability has become a requirement. An issue in this regard which falls within the Minister's ambit is the huge floods in Cork some winters ago. The question of what caused those floods has not been resolved to the satisfaction of the people of Cork city. The responsibility appears to lie between the ESB, which is under the Minister's area, and Cork City Council. We were extremely lucky there were no fatalities as a result. What measures are in place to ensure we do not have a recurrence?

The preface to the McCarthy proposals is that given the over-borrowed nature of the State's balance sheet, asset disposal is inevitable. I support the Minister's proposal in that regard. In particular, we should aim to get out of banking, particularly zombie banking, very quickly and sell Anglo Irish Bank and Irish Nationwide and NAMA. We must get our economy working again and these national entities are unwanted as far as I am concerned.

With regard to the point the Minister made regarding broadband, the Comptroller and Auditor General is much less optimistic about our progress and points to very high average costs of €1,180 per subscriber. The forecasts that 126,000 people would apply for a scheme were hugely optimistic as only 35,500 did so. Broadband was given apple pie status by some of its proponents, but as often happens, the Minister and the Minister for Finance have had to pick up the bill.

McCarthy points out that the general performance of State companies has resulted in rapidly increasing indebtedness and failure to provide for pension fund liabilities. We should look at some of the proposals put forward in his report. The Irish Academy of Engineering calls for significant cost reductions in the energy sector and calls on the Minister to revise downwards wind penetration. It also suggests that the proposed investment in renewables up to 2015 should be greatly curtailed. We are approximately 42% worse off in GDP per head than was expected when the national development plan was being drawn up. It is necessary that Government Departments, particularly in meeting IMF targets, review many of their activities. Given the problems raised in the Wright report, the Department of Finance did not have the requisite

expertise for this. It is to be hoped that this Minister has in his Department and available to him the ability to tackle the problems documented by McCarthy in Bord Gáis Éireann, the ESB and the other companies under his control. It is essential from the national point of view that they participate in getting our finances back in order and making the country competitive again.

Senator Trevor Ó Clochartaigh: Cuirim céad fáilte roimh an Aire. Is breá an rud dom a bheith ar ais sa Teach agus muid ag plé na ceisteanna fíor-thábhachtacha seo. An chloch is mó ar mo pháidrin inniu ná cúrsaí ola agus gáis agus an achrann nádúrtha sin atá eadrainn agus go mbeidh muide mar thír ag baint an leasa is tábhachtaí agus is fearr gur féidir linn as an gás agus an ola atá thiar ó chósta na hÉireann.

The Minister spoke quite generally on the gas and oil resources we have available to us. I am interested in hearing his opinion, as a former trade unionist, on the SIPTU document, *Optimising Ireland's Oil and Gas Resources*, which proposes quite radical changes in the licensing system so that the country will get a much better return on the oil and gas resources we have available to us. One of the main recommendations in that document is that no new licences would be issued for the industry until the Oireachtas review is completed, because the industry could have a massive impact on job creation here, on tax revenue and on helping us to get out of the situation we are in. The document looks at the imposition of royalties, alternative models for licensing and the potential for job creation. It also looks at some of the companies that have already been given licences which have made a discovery of oil or gas but have not brought them into production and urges that they be asked to either start production or relinquish their licences. The document also proposes a higher percentage of tax, in line with international standards.

The document is not a Sinn Féin document, but is one I imagine the Minister would take seriously because it comes from a trade union background. It shows that we are at the bottom of the league when it comes to a return from our gas and oil resources. This is important at a time when we need to maximise those returns. It is in line with the Labour Party's election manifesto, which stated: "Labour will also ensure that Ireland's royalty regime extends to the Corrib gas field as part of a wider review of the tax regime and conditions of oil and gas exploration". Is that Government policy or was it just the Labour Party policy? Did the Labour Party have to renege on this policy now that it is in Government? The document does not suggest that we are not in a position to have a State development company to maximise the return on these resources. It cites a number of different approaches and models that could be taken on board and I urge that this happens.

Security of supply is also one of the three major priorities but there is no security of supply in the current licensing regime and no guarantee that companies bringing these resources inland will sell to the Irish market. There is nothing in their contracts to compel companies to do so. We do not have security of supply and I ask that this be inserted into the contracts being developed.

Tax write-offs are a major issue. I have heard the Minister argue on a number of occasions that oil companies must make a major investment and that it is very difficult to get them to come here unless we offer a low tax regime. However, the real issue is that the companies get to write off all of the costs, as outlined in the report "*Optimising Ireland's Oil and Gas Resources*". Ireland gets very little back from the investment. We must examine models in other regimes.

[Senator Trevor Ó Clochartaigh.]

I agree with Senator Kelly on the fracking issue and I call on the Minister to take on board suggestions not to allow fracking to go ahead until the review has been seen.

The policy of no disconnections by the ESB sounds good in the media but I am worried about how it will work in practice. It does not address the underlying issues that people are not in a position to pay their ESB bills. It is dependent on people entering into a pay plan or having a meter installed. There is no point in saying that a pensioner in Connemara is not disconnected because the power is coming to the meter if the person does not have the money to put into the meter. If the person has no money to put into the meter, there will be no electricity. That measure will not resolve the underlying issue of people not having money.

I agree with the calls regarding Teresa Treacy. It is scandalous that she is still in prison and that a large company is riding roughshod over our citizens. I urge the Minister to intervene in any way possible with other Government representatives to have the issue resolved. Her suggestion is in line with the Minister's policy of having power lines underground in other scenarios. A related matter is the ratification of the Aarhus convention. Ireland is the only country that has not ratified it and, if the convention had been ratified, the legal position of Teresa Treacy would have been strengthened and she could have taken a stronger case.

On a more parochial matter regarding the ESB, we are waiting for a 110 kW line to west Connemara. Perhaps the Minister has some information on when this will be rolled out. It is essential to the development of our area.

Sinn Féin does not agree with the sale of a stake in the ESB, which seems to be contrary to the policy in the election manifesto of the Labour Party, which stated that "it is important that our gas and electricity networks are kept in public ownership, so that access to this vital infrastructure is not jeopardised". Has the Labour Party policy changed on this matter? Sinn Féin does not see selling the State assets as the way to go in the difficult time of the current financial situation. On the contrary, it is akin to having a flock of golden geese laying eggs and killing one of them to eat it. Sinn Féin would much prefer that the €700 million that will be given to unguaranteed bondholders in the former Anglo Irish Bank is used to invest in the infrastructure of companies such as the ESB to undertake the kind of development mentioned by other Senators.

I echo the comments of Senator Kelly about the Sustainable Energy Authority of Ireland. I know people who, having done the attic insulation, had the same experience of being turned down in respect of cavity wall insulation. It is a policy that changed midstream and we would like clarification.

I would like to ask about the last mile scenario in the rural broadband scheme. When broadband was rolled out in many rural areas, we were told there would be access because the exchange was enabled. In reality, the lines along the final mile to people's houses were not upgraded by Eircom so people in those areas could not receive fixed-line broadband. What is the situation with that?

I welcome the comments of the Minister regarding the digital switchover and I hope support will be provided to those who cannot manage the switchover. I agree with the points made about the level of salaries at RTE. RTE makes the argument that it must pay the salaries because that is what the market demands. As someone who worked at TG4, I know that RTE poached much of the talent at TG4, such as Gráinne Seoige and Daithí Ó Sé. They were not paid €500,000 when they worked at TG4 and there is plenty talent around them. We should not use the argument that we must pay high salaries because these are the only people who

can do the job. The review of the broadcasting sector should ensure that all broadcasters are fulfilling commitments to broadcasting in the Irish language, go bhfuil siad ag cur an méid cláracha atá siad in ainm a chur ar fáil trí Ghaeilge ar fáil.

Regarding postcodes, Ordú Logainmneacha should be taken into account in whatever system is used so that Irish language names of villages and towns are taken into consideration. Perhaps a GPS-based system would be better because it will pinpoint exactly the house or the place in question.

An Bord Pleanála made a good decision on wind farms in Connemara. There was sleight of hand when a wind farm was being forced through without the locals being informed about it. A local director of services overturned a decision by his planner on planning permission and, thankfully, An Bord Pleanála overturned that again because the proposal did not suit. Sinn Féin would like to see suitable planning for wind farms and more local involvement in the decisions. The Minister said he would like to see co-operative development of wind farms and I would like to see more local communities involved in the development of wind farms. Perhaps assistance can be provided to local communities to develop wind farms so that profit does not go into private hands but is returned to the community, helping to regenerate the community. Theastaigh uaim cúpla ceist a chur maidir le cúrsaí fógraíochta. Gabhaim buíochas leis an Aire as ucht a theacht isteach. Tá súil agam go labhróidh mé leis faoi chuid de na ceisteanna eile am éigin eile.

An Leas-Chathaoirleach: Does the Minister wish to respond to the main speakers or will we move to questions and answers?

Deputy Pat Rabbitte: With the permission of the Leas-Chathaoirleach, I will respond to some of the points because otherwise I will forget many of them.

An Leas-Chathaoirleach: Some five or six Members indicated they wish to ask questions of the Minister.

Deputy Pat Rabbitte: I will deal with some of the major points raised. It is encouraging to note that the pall of economic gloom that hangs over Europe does not intrude consistently in this beautiful Chamber, and many colleagues seem to think it is life as normal.

Senator Fidelma Healy Eames: That is what the Minister thinks.

Deputy Pat Rabbitte: I wish that was the case but it is not.

Senator Daly raised the question of broadband and the inadequate speeds in certain parts of the country. That is true; however, after years of being disadvantaged by the manner of the privatisation of Telecom Éireann and the subsequent rip-offs at different stages, a great deal of progress has been made in recent years. By comparison to other countries, we are not doing that badly. A broadband service is available and exceptional service is available to large enterprises. There is a problem with speed and bandwidth in parts of rural Ireland. Senator Barrett raised the observations of the Comptroller and Auditor General and, in fairness to the Government that made the decision on the national broadband scheme, I think the Comptroller and Auditor General misunderstood what was being attempted. In other words, the national broadband scheme was an intervention by the State where the market had failed to deliver a broadband service. It was procured in the usual way in order to serve local electoral areas. It is not really fair to say that X million euro was spent on it. If one divides the number of people who have linked up to it into that X million, one gets a per-household cost. That distorts the

[Deputy Pat Rabbitte.]

picture. All we can do is to provide access; if a great many people do not want to take it up, we cannot go out with a whip and oblige them to. That is what happened here, and it is salutary. The policy up to now has been that the State will intervene where there is market failure. That may not be an adequate response in the context of accelerating change. However, the task force I chair is considering next-generation networks and so on. For people who say we must roll out a superhighway to every door, which was implicit in what Senator Ó Clochartaigh said, it is salutary to recall this. First of all, it is not feasible in the current environment. The commitment would cost the State in the order of €2.5 billion, and that kind of money is not around. However, if it was around, I am not sure the take-up would be at anything like that level of connectivity. The purpose of the task force is to compile a report that will attempt to map the country based on the contribution that can be made by the private telecommunications companies. The black spots will then be a challenge to the Government in terms of how it proposes to tackle the areas that are disadvantaged for reasons of topography, distance or whatever.

One or two contributors implied that broadband is delivered only over cable. In fact, broadband is delivered over a number of platforms — it could be mobile wireless, fixed wireless, copper cables or fibre-optic cables. We are making progress in that regard, although I would like to see a greater degree of uptake, especially by SMEs, than is the case at present. However, that is perhaps another day's discussion.

I agree with Senators Whelan, Daly, Ó Clochartaigh and others, who raised the question of the unfortunate incarceration of the lady in Tullamore. We have been endeavouring to do everything possible behind the scenes to mediate an acceptable outcome. It is an unfortunate situation; I can think of half a dozen people whom I would prefer to see hanging their Armani suits on the back of a door in Mountjoy. However, maybe it is a good thing that Ministers do not make those decisions, due to the separation of powers. What has happened is regrettable, but I must inform Senator Ó Clochartaigh that placing cables underground is not the solution. This lady's preoccupation is with her commercial forest and the commitment by the company to regrow the trees. If the lines were placed underground, the trees could not be replanted. What she wants is for the trees to be replanted to restore the symmetry of her forest, so placing the lines underground would not have resolved this problem. Sometimes one encounters these difficulties. However, I am glad to hear the Senator say that if we get around to extending that line to Connemara, we cannot anticipate any such problems and we will get a free run.

Senator Trevor Ó Clochartaigh: It will not be possible to dig down. There is too much rock.

Deputy Pat Rabbitte: Senator Daly raised the question of salaries at RTE. I do not agree with Senator Crown's contention that this Department is the most important, but there are one or two things within it that are important. However, whenever I try to address these, somebody will ask me, "What about Pat Kenny's salary?" or "How much is Marian Finucane being paid?". What am I supposed to say? The fact is that the ordinary staff at RTE were the first out of the traps in taking pay reductions in the current crisis. I have made plain to the new director general, Noel Curran, that we cannot go on running an overdraft in RTE. As a result, he has embarked on a programme of redundancies that I understand is oversubscribed. I do not know how many people will unfortunately feel obliged to leave the employment. There are serious cutbacks at RTE. This is not exceptional; all Senators, including Senator Daly, reckon it is worth a line in the *Evening Herald*. However, the personalities, or celebrities — I do not know what you would call them — are on commercial contracts. I do not have the power to intrude

in a commercial contract, but the director general has made plain that when they are up for revision, the profligate years will be over.

Senator Mark Daly: The Minister might encourage his Fine Gael colleagues to encourage the capping of their salaries at €200,000, as they said they would in the run-up to the election.

Deputy Pat Rabbitte: Right. I will, of course, be delighted to talk to them. The point is——

An Leas-Chathaoirleach: The Minister without interruption, please.

Deputy Pat Rabbitte: The point I want to make is that the profligate years are over.

Senators Daly and Barrett raised a point about the cost base in the energy companies, and Senator Daly raised explicitly the issue of pensions. I must say that the cost base is an issue. There are negotiations currently under way between the management of the ESB and the group of unions, the purpose of which is to get 20% off the cost base by the middle of November — I think the deadline is 20 November. Those discussions are proceeding apace.

I do not think Senator Barrett entirely accepts that things have changed in latter years. There is serious competition in the electricity market. There is a huge market in the neighbouring island which is catered for by six companies; there are four companies here, and there is competition.

This brings me to the question raised by Senator Darragh O'Brien about the disposal of a minority stake in the ESB. The genesis of all this, of course, is the memorandum of understanding with the IMF and EU. I do not know how so young a colleague as Senator O'Brien could have forgotten that. It is very recent. Yes, we did try to moderate it. In the programme for Government we have committed to the disposal of up to €2 billion of non-strategic State assets. The troika takes a different view. The Senator is right in saying that we modified the commitment, in the most recent negotiations at the time of the interest rate changes and the job initiative, to an ambitious programme of disposal of State assets. If Senator O'Brien was still here, I would not be able to answer the question of what "ambitious" means. I will tell Senators one thing, though: it means more than €2 billion. That is the situation we are in.

Looking at the menu of State assets, one can see that to realise real value one must target the energy companies. We can talk about selling the remaining stake in Aer Lingus or the forests on Coillte land, but the amount of money involved, on the scale of the indebtedness, is not significant. Therefore, it is the view of the Government that the sale of a minority stake in an integrated vertical utility such as the ESB is the best approach. It would allow us to maintain control, which is critical in respect of issues such as security of supply, control of the transmission network and so on, as referred to by Senator Ó Clochartaigh. I am very hopeful we will secure a compatible investor. It is a profitable company which is returning an enormous dividend to the Exchequer every year. As such, it is an attractive prospect for a certain type of investor. The detail of that is being worked out by the group to which I referred, chaired by my Department. It is due to report by the end of November.

There is no question of anybody trying to sell State assets. The author of the McCarthy report made the point that he was not proposing they be put on eBay next week. While market conditions remain as they are, the question does not arise. One cannot foresee the troika forcing us into any type of fire sale. Members will have noted the public remarks today by the European Commissioner for Regional Policy that, unlike other countries, Ireland has complied with the strictures imposed on it, painful as that has been. I do not wish to use the clichés employed by my predecessors along the lines of turning corners and so on, but we have been

[Deputy Pat Rabbitte.]

performing well. If the countries into which we are trading were not themselves in some difficulty, the prospects for a return to economic growth would be significant in the short term.

The most important question is the one raised by Senator Mulcahy as to whether we can secure a divvy-up of the proceeds. The notion of disposing of State assets and putting the cheque in an envelope to Monsieur Trichet in Frankfurt is not accurate. We are seeking to secure a share of the proceeds, which would allow us, through the NewERA vehicle, some flexibility in terms of investment, whether in broadband, energy or water. Senator Crown raised the issue of water supply, which is a matter of vital importance. People in this country think that because water falls so frequently from the sky we have no problem. That is not the case. We have a major problem which must be addressed by modernising our water facilities. The proposed board, or whatever it will be called, must be established. In order to take action in these areas we need access to a parallel stream of investment.

Senator Ó Clochartaigh raised the question of a better return for the State on oil and gas discoveries and asked whether I read the relevant SIPTU document. I have read that report and it is an interesting contribution to the debate. However, it is important that we avoid comparing apples and oranges. It is entirely incorrect to claim we are at the bottom of the league in terms of return. A person known to all Members has written several comparisons between Ireland and Norway in this regard. The reality is that there are no comparisons between us and Norway when it comes to oil and gas. It is its uniquely advantageous geological structure, which gives one a prospect of finding oil in one strike in four, that confers on Norway its position. In this country, by contrast, the strike rate has been one in 40. We have had only 156 drillings in 40 years.

Senator Trevor Ó Clochartaigh: The issue is the tax return we get from those drillings. It is the taxation regime, over which we have full control, which puts us at the bottom of the league.

An Leas-Chathaoirleach: The Minister should be allowed to continue without interruption.

Senator Trevor Ó Clochartaigh: A Government source provided the figures in this report.

Deputy Pat Rabbitte: I am trying to communicate the point that it does not matter whether the tax rate is 25% or 65% if the yield is zero. That is the problem.

Senator Trevor Ó Clochartaigh: We do not have a zero yield.

Deputy Pat Rabbitte: The question the Senator must answer is that if the tax take for the last 30 years at 25% has been too low, why have exploration companies not queued up around the coast and why are the gushers not coming onshore all over the country? My predecessor, Mr. Eamon Ryan, increased the tax rate on a sliding-scale basis from 25% to 40%. Now the Senator wants me to increase it further while securing a greater level of exploration activity. If companies were not attracted by a 25% rate, how will they be attracted by a higher rate? I have great difficulty in understanding the Senator's position.

Senator Trevor Ó Clochartaigh: Does that mean the Minister disagrees with the SIPTU report?

Deputy Pat Rabbitte: In terms of the arguments the Senator raised regarding security of supply——

Senator Trevor Ó Clochartaigh: They are not my arguments, they are SIPTU's arguments.

An Leas-Chathaoirleach: Senator Ó Clochartaigh should allow the Minister to speak.

Deputy Pat Rabbitte: —we must increase the rate of exploration activity off our coast. Senator Crown makes a fair point in pointing to peak oil and to the folly of relying on hydrocarbons and so on. However, I am sure he will agree on reflection that it is not an argument, while we are moving to increase our renewable capacity, not to avail of resources if they are out there. There are some who claim that such resources would wipe out the national debt with a stroke and that we would be pumping oil and gas into Dalkey in no time at all if it were not for the recalcitrance of the Minister and the Government.

Senator Trevor Ó Clochartaigh: Will the Minister review the Corrib licences, as his party promised?

An Leas-Chathaoirleach: I have asked the Senator to allow the Minister to speak without interruption.

Senator Trevor Ó Clochartaigh: He is avoiding the questions.

Deputy Pat Rabbitte: What I am trying to do in Corrib is to get the gas ashore. In Norway, of which the Senator is so fond, it takes four years on average to bring gas ashore. It has taken 17 years to attempt to do so at Corrib. That is not exactly a great signal for this country to send out.

Senator Trevor Ó Clochartaigh: There are reasons for that delay, as the Minister knows well.

Deputy Pat Rabbitte: Yes, there are reasons and some of them are fairly daft.

Senator Trevor Ó Clochartaigh: We are talking about people's rights and planning issues.

An Leas-Chathaoirleach: The Minister must be allowed to respond without interruption. Several Members have indicated a wish to ask questions and the debate is scheduled to conclude at 5 p.m.

Senator Trevor Ó Clochartaigh: What the Minister just said is scandalous.

An Leas-Chathaoirleach: Senator Ó Clochartaigh got ten minutes to speak while others have not had an opportunity to contribute.

Senator Trevor Ó Clochartaigh: It is a scandalous remark.

Deputy Pat Rabbitte: It is not a scandalous remark. When the dispute began, the issue was local jobs. It then became an issue of safety, as if it is safer to carry out the process in turbulent waters than on land. Extraordinary measures have been taken to ensure the safety of the process, the most recent being An Bord Pleanála's decision to build a tunnel under Sruwaddacon Bay, an absolutely extraordinary decision whatever way one looks at it. People who were previously all about Shell to Sea have become converts to Shell out of Ireland. There is no point in pretending otherwise — let us call a spade a spade. In a warmer summer there would have been more people seeking to delay construction.

Senator Trevor Ó Clochartaigh: The Minister's former party colleague, Mr. Michael D. Higgins, has a different stance on the issue.

Senator Darragh O'Brien: I apologise for interrupting the Minister. On a point of order, this is a question and answer debate but Senator Ó Clochartaigh has repeatedly intervened during the Minister's response. There are other Members waiting to ask questions or to hear the Minister's response to their questions. It is most unfair.

An Leas-Chathaoirleach: There is less than one minute left.

Senator Darragh O'Brien: I have raised issues which will affect people on Monday.

Senator Maurice Cummins: With the Minister's agreement, I propose an amendment to the Order of Business to assign an additional ten minutes to accommodate the five Members who have indicated their wish to speak.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Deputy Pat Rabbitte: I will look at the matter raised by Senator Kelly regarding the warmer homes schemes. I do not know what the answer is. The demand for the scheme is ramping up all the time and we are seeking to manage the budget in terms of prioritising spend and so on to cover as many homes as possible. However, if there are specific home owners in the Senator's constituency to whom an undertaking was given that the job would be finished, I cannot imagine why the work has become bogged down.

The SEAI operates this scheme punctiliously. I have had many representations from colleagues in both Houses. On all occasions when the customer is right it puts its hands up and does the business. When a customer misses a deadline, misunderstands something or starts work before approval it does not bend the rules. If Senator Kelly is aware of a group of people in that situation I will be happy to deal with it.

I only learned the word "fracking" a few months ago and I am amazed how informed everybody is about it. It would appear that general knowledge has been raised by a horror movie that has been hawked around town halls about the dangers of hydraulic fracking. We have to learn more about it. If people are concerned we have to take their concerns on board. It is wrong to say, as has been said in some parts of the country, that there is fracking in the Lough Allen Basin. There is not. Some desktop surveys are being carried out and, as far as I can find out, they are not a threat to anyone.

In terms of the stages the process would have to go through if it ever reached the stage of a company seeking an exploration licence, it would involve a rigorous process, including environmental impact studies and so on. It is true that in some parts of some countries the process has been banned. One presumes — I do not know — there must be a good reason for that. If there are concerns about infection or contagion of the water table we have to take them very seriously. For that reason I have asked the EPA to conduct a study for us. When I was last before the committee I advised it that an independent source of expertise and knowledge on this issue is necessary because there are charges and countercharges. We need an independent respected authority to comment on it and the EPA is anxious and willing to do that. It is preparing terms of reference and so on for such a study. I hope that will allay fears. Some fears are being stoked, but there may well be a serious issue and if there is it has to be addressed professionally.

Senator Barrett referred to the McCarthy report. I have commented on the asset disposal aspect. On the question of wind, the author has views similar to those adduced by Senator Barrett. The problem is that if one seeks to address Senator's Crown's argument one does not have any choice but to build renewable capacity in this country. There is no alternative. I do

not know how much can be contributed by biomass. I am involved in discussions with the European Commission on the biomass refit. It is clear that wind will be a significant factor and it is true that we are uniquely endowed with a propitious wind resource.

Colm McCarthy's report is dismissive of this aspect because he concluded there will be a reliable gas supply. Given the developments with shale gas in the United States, he may be right. However, since he wrote the report gas prices have increased by 39%. In that kind of situation we cannot be at the mercy of the volatile importation of hydrocarbons. When Senator Barrett tracks the prices, he is making a fair point when he says that we should not just be average Europeans in terms of the cost to consumers of energy, rather we should aim to be the lowest. That is an admirable objective but the problem is we are price takers and we import at world market prices the gas that fuels our electricity and gas systems.

I am sure I have forgotten quite a number of things.

Senator Darragh O'Brien: What about Vodafone?

Deputy Pat Rabbitte: Senator O'Brien is correct. I share his concern about the manner in which this issue is being addressed. However, Vodafone's position is that it is dealing with a competitive situation. For example, O² moved to e-billing without asking permission. Vodafone finds itself disadvantaged as a result. We have talked to ComReg about this issue. It is issuing a consultation paper on it. We suggested to it that it is important that the *status quo* is observed until that happens.

In terms of public policy and the discussion we had earlier about broadband and the knowledge society, we have to strike a balance between customer rights and stimulating demand. I hope ComReg will be able to resolve that problem because people who cannot access the Internet are at a serious disadvantage. Preference has to be acknowledged.

Senator Darragh O'Brien: Customers will be charged for that disadvantage by Vodafone.

Deputy Pat Rabbitte: That is true. I will try to address matters I have forgotten by way of questions.

An Leas-Chathaoirleach: There are two minutes left. Senator MacSharry was the first to indicate. I ask him to be brief.

Senator Marc MacSharry: I will be as brief as I can. The Minister touched on the issue of fracking but I cannot overestimate the level of public concern about it. The Minister will be aware of it from his parliamentary colleagues living in the area. The Minister has been a good communicator in all aspects of his political life heretofore——

An Leas-Chathaoirleach: The Senator should ask the question.

Senator Marc MacSharry: For the people of the north west a public information and consultation process needs to be announced immediately and engaged with. The people in the relevant counties want to realise the benefits of the bounty of the earth if it can be accessed safely. I am afraid that despite the polish of the corporate machine which, as the Minister said, some people may be stirring, there is a lot of genuine concern.

I ask the Minister, along with the EPA or another independent entity he said is necessary, to lead the independent information service on this issue and assure the people of Sligo, Leitrim, Cavan, Fermanagh and so on that their concerns will be addressed and no processes

[Senator Marc MacSharry.]

will be permitted to proceed if they threaten the environment and, above all, the quality of the water table, which as the Minister pointed out is the new oil.

An Leas-Chathaoirleach: Does the Minister wants to respond? There are about 30 seconds left in the debate.

Deputy Pat Rabbitte: I accept what the Senator said. There is concern in certain areas. However, I feel it is being stoked in some quarters. I have to take very seriously what the fears have given rise to. The first is the independent assessment by the EPA to which I referred. I accept what Senator MacSharry said, that there are people who are very fearful about the implications of this. The process that must be gone through is very rigorous. I repeat that I did not know about this issue until four or five months ago.

I am aware there is a conference in Warsaw in November, for example, which will be devoted to this issue. There is not a great deal of authoritative literature on it in Europe. The relevant parliamentary committee of the House of Commons has done a report on it and there is also the forthcoming conference I mentioned.

An Leas-Chathaoirleach: We have exceeded our allotted time. I am loath to interrupt the Minister but other Ministers are waiting. Unfortunately, not all of those who had asked questions got answers but I have no choice. We extended the time and we have Ministers waiting, so we will now proceed to the Adjournment. When is it proposed to sit again?

Senator Maurice Cummins: 10.30 a.m. maidin amárach.

Adjournment Matters.

Springboard Initiative

Acting Chairman (Senator Pat O'Neill): I welcome the Minister for Education and Skills, Deputy Ruairí Quinn, to the House. I now call Senator Healy Eames for the first Adjournment matter.

Senator Fidelma Healy Eames: Cuirim fáilte roimh an Aire. At the outset, I wish to say how productive I found our meeting yesterday when the Minister briefed us. I am pleased he is a genuine listening Minister. I am now asking him to listen to this case also, which is an unusual one. The person concerned has been to see me a number of times and is at her wits' end. She can get similar programmes funded elsewhere under the springboard initiative, but not the particular programme which facilitates her. She is mid-way through it at this stage. I am trying to establish why an unemployed mother is not being funded to do a part-time MBA at NUI Galway under the springboard initiative, considering that similar programmes in other universities are funded. The course in question is a part-time MBA at NUI Galway, which is not funded by the springboard initiative. Other MBA courses — including the one at the University of Limerick — are funded even though they are carbon copies of the one at NUI Galway.

At this stage, the woman has been around all the Departments but has had no luck, hence my reason for raising this matter on the Adjournment. The mother in question has been unemployed since February 2009, having successfully operated her own travel agency business for 12 years. She is a single parent with two grown-up children currently in third-level education. She raised her children on her own with no other form of financial support and is pleased to

have done so. When she had to cease trading as a travel agent due to the erosion of the business via direct Internet bookings, she was fortunate to gain full-time employment within three weeks as a business development manager with a local company. At that stage she realised that, although she had many transferable skills to bring with her, the lack of a third-level education would be a major stumbling block in progressing her career. She therefore undertook a four-year, part-time bachelor of commerce degree at NUI Galway. However, as she completed two years of the B.Comm there, herself and two other B.Comm students were recommended, and allowed, to transfer to the MBA course at NUI Galway due to the grades they had received, in addition to the business experience gained through their working careers. The transfer was therefore a recommendation. She felt that moving on to the MBA would enhance her prospect of gaining employment and she still believes that.

She is now in a situation where she will be unable to finish her MBA this year as she cannot fund the course. I have done the maths with her every way but she is exasperated. She has applied for various other level 9 courses through the springboard initiative. She was advised that she was eligible to undertake the following courses and that funding would be made available to her: an MBA at Athlone IT; a BA in business and entrepreneurship at IADT, Dún Laoghaire, which has similar subjects; an MA in business at UCC; an MA in science and strategic management at UL; a postgraduate diploma in science at IT Sligo; and a specialist diploma in innovation management at UL. She has met the eligibility criteria for all these courses, but would have to travel at least twice a week to the various institutions around the country to undertake them. Her MBA in Galway covers the following subjects: strategic management, entrepreneurship and innovation, Irish economic policy, enterprise architecture, management, HR, leadership and change, information systems, innovation and strategic marketing.

Eliminating the BA courses from the list I cited, she has a valid point in comparing the content of the programme in Galway *vis-à-vis* the content of the MA and other postgraduate courses. The subjects she has undertaken in the MBA course are similar to those listed in the other courses I mentioned. As of last Friday, she had contacted the University of Limerick with regard to the MA course in project and programme management, which is advertised on the springboard website. There is still availability on that course. Therefore, funding is still available by the current administration and it has not yet been depleted. Is it possible that some of this funding could be transferred to the cost of her MBA at NUI Galway so that she can finish her course?

The Minister should not forget that this woman was already advised to transfer from the B.Comm course to the MBA one. At this point she does not have any third-level qualification and feels she is stuck between a pillar and a post. She genuinely hopes she can gain some form of funding as she is enjoying her studies and feels she is a better business manager and has a clearer understanding of what businesses need to do to remain competitive and innovative in order to survive. She has gained this knowledge since undertaking the MBA course. I appeal to the Minister on this person's behalf.

Minister for Education and Skills (Deputy Ruairí Quinn): I thank the Senator for raising this issue. I have listened with some interest to what she has said. I note the question that was specifically put to me relates to whether the person in question can get funding under the springboard initiative. Therefore, my official reply will be restricted to that, but I will pursue it beyond the points raised by the Senator. Let me, however, read into the record the note that has been provided for me.

[Deputy Ruairí Quinn.]

Springboard is a specific initiative to provide 6,000 part-time higher education places targeted at unemployed people who have lost jobs in sectors where employment levels will not return and who will need new qualifications and skills to re-enter employment as the economy recovers. It is designed to support a return to employment for people who have lost their jobs as a result of the recession, and also to ensure that there is a better skills match between industry needs and higher education graduates. A competitive call for proposals under springboard issued in early 2011. It was open to public, private and not-for-profit higher education providers for programmes, which provide for awards between levels 6 and 9, on or aligned with the national framework of qualifications.

The tendering documentation for springboard was developed in close collaboration with the expert group on future skills needs and with input from industry representatives to ensure that programmes would be provided in areas where future employment opportunities are expected to arise. Detailed research by Forfás on skills areas where there are identified job opportunities and skills shortages in the economy accompanied the call.

No proposal was received from the institution concerned as part of the competitive tendering process to have the course, referred to by the Senator, funded under the scheme. It is therefore not possible to fund students on this course through the springboard initiative.

Having said that, the Senator has put on the record a number of interesting details. In my background notes, I have some information on the person involved. I would be quite happy to determine whether we can explore it further. I would not want in any way to offer false hope in regard to it.

Senator Fidelma Healy Eames: The dilemma is that the institution in question did not apply for the funding.

Deputy Ruairí Quinn: That is my understanding.

Senator Fidelma Healy Eames: I will forward the case to the Minister so he can follow up on it. I would appreciate it if he would revert to me on it.

Deputy Ruairí Quinn: I have received the documentation from the Senator and will be in contact with her directly.

Senator Fidelma Healy Eames: That is much appreciated.

Hospital Accommodation

Senator Thomas Byrne: I thank the Cathaoirleach and the Leader for forcing the Minister for Health, Deputy James Reilly, to come before the House. We welcome the Minister today but it is a shame that I, after 15 votes in this Chamber calling on him to present himself, had to threaten to walk out this morning if he did not.

An Leas-Chathaoirleach: The Senator should speak to the Adjournment matter.

Senator Thomas Byrne: That was not an unreasonable request; it was simply because he refused time and again to come to the House to talk about the issues of the day. His own colleagues were calling for this and we put the matter to a vote at least 15 times in this House. When I finally reached the end of my tether, I said I would withdraw from the House this evening if the Minister did not turn up. Other Ministers take the time to attend. I accept that

a Minister will always have scheduling difficulties but when the Minister for Health did not appear, I had to make a stand. I thank my colleagues for being present today to support me because they also have issues in their constituencies that relate to the Minister which they would like to discuss. I know they will have an opportunity to do so.

On Monday there were 53 people on trolleys in Our Lady of Lourdes Hospital in Drogheda. Considerable investment was made in the hospital by the last Government. There is a huge extension that provides first-class services to people if it can hold the number of people who want to use those services. The Fianna Fáil Party and HSE were criticised, often justifiably, particularly by the current Minister, when there was a large number of people on trolleys, but in the last general election the Minister promised the sun, moon and stars. I was with him on a platform in Navan where he promised the people of Drogheda and the north east in general that change would happen. In September 2010, under a Fianna Fáil Government and an independent HSE board, 331 people spent time on trolleys in Our Lady of Lourdes Hospital. In September 2011, when the current Minister was in control of the HSE and after he had put his own officials on the board — I applaud him for taking control because it is important that the Minister have responsibility — 842 patients spent time on trolleys. This is scandalous. There has been an almost threefold increase in the number of people on trolleys.

What will the Minister do about this? Given that I accept that he cares about patients and I care about patients in my area, the circumstances that obtain must not be allowed to continue. I have had family members in the accident and emergency department in the hospital regularly. This is inevitable when one has three children and a wife who plays football. They have received an excellent service but the staff are under severe pressure. People's lives and well-being are being put at risk. Other parties have submitted complaints to HIQA on this. We await its response with trepidation because, if any action is taken against the accident and emergency department in Our Lady of Lourdes Hospital, I do not know where we would go in case of emergency.

When the Minister sacked the board of the Health Service Executive, it was supposed to be the start of something radical and fresh that would make the lives of people different. We asked at the time what the changing of the faces on the board would mean for the ordinary person. It means that the ordinary person in the north east who is using the emergency services in the hospital is now three times more likely to spend time on a trolley.

It is too serious an issue on which to stifle debate. The Government parties in this House have stifled debate on health services time and again. I have worked out that this has occurred in 15 cases. Senator O'Keeffe often talks about cancer services in Sligo, and rightly so, but every time we put these issues to a vote, nobody wants the Minister to come to the House to discuss them. While I am sorry I had to make my threat today, the Minister is welcome. I want to hear exactly what he will do about trolleys in the north east. We look forward to the improvements promised on foot of changing the board of the HSE. The new members are actually the Minister's staff and civil servants. The Minister is responsible; let us hear his answer.

Minister for Health (Deputy James Reilly): I am delighted to be here. It is a bit rich for the Senator to make the statements he makes considering that his Government, which was in power for 14 years, left the country broke. It threw money at the health service without ever trying to reform it. Consequently, we are in the mess we are in.

Senator Thomas Byrne: The Minister opposed all the reforms we put in place.

Deputy James Reilly: I did not interrupt the Senator. He has asked me to come here to talk to him so he might at least extend to me the courtesy of listening.

I stated previously that the waiting times for admission of patients attending emergency departments in many hospitals are unacceptable. I am determined to have this addressed. In this regard, we have established a special delivery unit and have assigned to it as a priority task the addressing of the issues arising in emergency departments. I have said on many occasions that, in respect of acute emergencies, one must start with the sickest people, namely, those waiting on trolleys in emergency departments, and then proceed to address the long waiting lists for inpatient treatment, after which one should tackle outpatient treatment.

The Senator must accept that one cannot turn a huge oil tanker like the health service around overnight. Years of dysfunctionality and mismanagement under successive Governments under the Senator's party's control have led us to the sad and sorry state we are in. Owing to our being left by the Fianna Fáil Government with a €70 million overrun in the hospitals and a wild overrun in the first three months of this year, with budgets way out of kilter, and our being in a financial morass, again left by the Fianna Fáil Government, we have to take nearly €1 billion from the health budget. On the back of these considerations, we must try to maintain a service and at the same time reform it. We are determined to do so and will do so. A special delivery unit is very important in this regard.

The clinical director and group general manager are fully engaged in the hospital in regard to scheduled and unscheduled care with the help of Dr. Martin Connor of the special delivery unit. In the short time he has been here, he has done something the Fianna Fáil Government never did, that is, shed some light on the matter and given us some information. Before now, we could not see what was happening in the hospitals. There were returns at the end of the year. We have put in place an information system that allows us to see and track patients daily in real time in our emergency departments. We can now track, in real time and on a weekly basis, the waiting list of each consultant. We can now do what we wanted to do. We can talk to people and hold them to account. If surgeon 1 has a waiting list of two months and surgeon 2 has a waiting list of two weeks, we will go down and have a little chat with surgeon 1. We will not send a cardiologist or administrator to talk to him but a surgeon. It is a case of like meeting like. We will help those concerned to address their problems, including through retraining, if necessary. If they are intransigent and refuse to change their ways, there will be consequences for them.

Our Lady of Lourdes Hospital is currently implementing a two-pronged approach to the overcrowding in the emergency department. First, it is working closely with the special delivery unit to improve capacity planning throughout the hospital. Second, it is actively engaged in the implementation of the HSE's national clinical care programmes, which will focus on extending hospitals' acute medical assessment unit facility.

Our Lady of Lourdes Hospital is operating a proactive, three-tiered response based on the level of overcrowding. In response to the numbers of patients who have presented at the emergency Department over the past week, the HSE has arranged additional theatre time in order to facilitate the treatment of additional surgical cases. Additional diagnostic capacity has been provided to allow the medical assessment unit to enable the provision of treatment and diagnostic capacity for ten spaces this morning for patients in the emergency department.

For the past week, the medical assessment unit and day ward have opened at night to accommodate the extra patients from the emergency department. The pathway of each patient is reviewed each morning by 8 a.m. and also at regular intervals throughout the day, particularly

when the escalation policy to deal with this issue is in place. Additional ward rounds are also undertaken throughout the day and on-call physicians and surgeons are met to review their treatment plans for patients. Where blockages are identified, the hospital management engages with the relevant service to expedite the provision of this service to patients.

In the emergency department earlier today, there were 21 patients awaiting admission. When I rang at 4 p.m., there were 18. Further decreases in this number are expected during the course of the day.

While the issue of overcrowding and waiting times in emergency departments that are symptoms of broader hospital issues are a source of concern, it is important to note that when a patient comes into an emergency department, his treatment begins in accordance with the priorities identified by way of the triage process. Anyone requiring urgent care receives it.

Senator Thomas Byrne: I thank the Minister for coming to the House. The Minister referred to years of mismanagement. The reality is the clinical director and the group general manager are, in practice, the same people in which he now has trust. They are the people I always had trust in when the Minister's party was undermining them personally on local radio interviews in recent years. Every time they made a decision in the best interests of patients the Fine Gael, Labour Party and Sinn Féin spokespersons came on to undermine these individuals and doctors publicly and privately. Now, while the Minister is ascribing years of mismanagement to our Government, the managers whom the HSE trusted to do the job are the same people the Minister now trusts to do the job. I believe they are the right people but the Minister is putting the emphasis on the special delivery unit, SDU. He stated the hospital is working with the SDU. Those in the hospital should be allowed to get on with the job, under supervision from the HSE, the board and the Minister. I am unsure what the addition of a Civil Service structure will bring to it but it seems this is the case and the facts speak for themselves: there are almost three times as many people on trolleys since the Minister took power.

Deputy James Reilly: I reiterate that we must save €1 billion thanks to the economic mismanagement the Fianna Fáil Government engaged in. Against that background it is remarkably difficult to try to maintain the service and it is a challenge but it is one we are meeting. I will provide a flavour of how things are different with the special delivery unit. It is not what Senator Byrne describes at all. It is a key performance analytical machine that gives us the information to allow us to manage patients, the system and to identify where problems arise. We can discuss this hospital and other hospitals but we know there is a management deficit within the hospital system. Many excellent people were administrators promoted into management but they never got management skills or the training. The special delivery unit will help to support them and this is what it is there to do. We have no wish to get rid of managers or consultants who have a great deal of experience. We want to help them to change and get the skills they require to run our hospitals effectively.

I will finish with one point to demonstrate how things are different now. I asked the HSE how much money and how long would it take to put in place the information system we now have because I saw it working in Northern Ireland. I was told it could take 18 months and would probably cost €10 million. Dr. Martin Connor, people from inside the HSE, the Department and the NTPF have achieved this in 98 days at a cost of €250,000. This is the way forward, it is how we will change the way things are done in this country and it is why I have absolute faith in our people and our ability not only to fix our health service, but to fix our economy and to put ourselves back to our rightful place internationally and throughout the world.

Senator Mary M. White: When does the Minister intend to roll out free breast cancer treatment to women over 65 years?

Acting Chairman (Senator Pat O'Neill): This is Adjournment Matters, not questions to the Minister.

Senator Mary M. White: It is democracy.

Acting Chairman (Senator Pat O'Neill): Please be seated Senator.

Flood Relief

Acting Chairman (Senator Pat O'Neill): I forgot to acknowledge the Minister for Health, Deputy Reilly, and to thank him for attending the House. I call Senator White.

Senator Mary M. White: I am pleased to see the Minister here this evening. I know she is a woman of action and that she will do a superb job in her Ministry. I received a plea last week from Galway county councillor, Malachy Noone, on behalf of two of his constituents, Martin and Bernie Canniffe of Claregalway. During the winter of 2009 their house was flooded and they had to leave their home. They are still out of their home. I could not bear to think of it if this happened to me during the flooding of two years ago and I was still in rented accommodation. Our Minister, Deputy Éamon Ó Cuív, gave €4 million for this fund last autumn. I want to know why the case of Martin and Bernie Canniffe of Claregalway has not been resolved.

Minister for Social Protection (Deputy Joan Burton): Since I know the area well personally, I am aware of the devastation the flooding caused, the considerable disruption that families suffered and how long it has taken for the area to begin to recover from the disastrous floods. I acknowledge Senator White's interest in the topic and I thank her for raising the matter. In recognition of the devastation suffered by people in many areas of the country as a result of the flooding from November 2009 onwards, the previous Government set up a humanitarian assistance scheme to provide income-tested financial support to people who have suffered damage to their homes not covered by insurance. The scheme had two objectives. First, it provided financial and other assistance without an income test in the immediate aftermath of the flooding. Second, it provided income tested financial support for the replacement of essential household items and home repairs in cases not covered by insurance. The community welfare service of the Health Service Executive, HSE, provided support to households under the humanitarian assistance scheme, with payments being made to more than 1,300 individuals to the value of almost €1.7 million throughout the country.

The bulk of the overall cost of repairing the damage caused to individuals' homes by the flooding was met through insurance policies held by the people affected. Most of the payments made under the humanitarian assistance scheme were in respect of immediate needs such as clothing, food, bedding and emergency accommodation needs. I am certain people remember what took place at the time. These emergency payments were made without delay and without regard to the household income because the primary objective was to address people's immediate needs. The level of payment available under the aid scheme to any qualified individual depended on the severity of the damage to that person's home and the extent of the loss experienced as well as household income and general family circumstances. The scheme provided hardship alleviation as opposed to full compensation.

As on previous occasions, commercial or business losses were not covered by the scheme nor were losses which were covered by household insurance. For various reasons, a small number of people have been unable to resume living at their home and others, while they have resumed living at their home, are still faced with significant problems arising from the flooding. It is also the case that some householders who continue to experience significant housing problems as a result of the November 2009 flooding are considering the possibility of relocating rather than returning to their original home.

In light of this, the previous Government decided in November 2010 that the Department of Social Protection could hold a provision of up to €4 million to assist up to 20 households towards relocation costs in situations with certain conditions. These conditions included that serious and permanent damage had been caused to the family home by the November 2009 flooding; that there is a high probability of a recurrence of serious flooding because of flood depth, duration or frequency on a scale that could further damage the family home; and that the house cannot be protected from flooding at an economically feasible cost. I understand that applies in several cases because if one knows the area one would be aware how prone it is to flooding. Another condition is that the household is unable to secure insurance against flooding as a result of the November 2009 floods. If people cannot get insurance afterwards, they remain in a difficult situation. Support will only be considered for relocation in cases where the cost of remedial works would exceed the cost of relocation, as determined by the Office of Public Works. The following considerations will also apply — the gross cost of relocation underpinning the level of support provided will not exceed the cost of providing a reasonable home in the area in question, as determined by the local authority; and the existing house must be demolished and the site must be rehabilitated, which may require planning permission from the local authority. I have no wish to outline why, unfortunately, in the case of some family homes on flood plains there is no real chance of preventing their being flooded in future if there are unusual levels of flooding and rain such as happened in 2009.

If the household has settled a claim with its insurance company, the funds provided in settlement of that claim will be taken into account in determining the funding, if any, provided for relocation. Beneficiaries will be required to instruct their insurance company to provide the information in the regard. The household of the person concerned and all the other households have been visited by departmental officials and reports of their individual circumstances have been completed. The Department has received a report from the Office of Public Works regarding the house of the person concerned and it expects to make a decision on the case in the coming weeks. We want to get people back to their homes but we also want to ensure when they return that they are in a home, which having been repaired, remediated or rebuilt will not be destroyed again quickly in another flood. I appreciate very much the stress for families. My officials have done a good job on this scheme and, hopefully, they will complete it soon.

Senator Mary M. White: That is a satisfactory answer. I am pleased we will have a result in a few weeks.

Overseas Development Aid

Senator Martin Conway: I welcome the Minister of State and it is good that the Minister with responsibility for overseas development aid is taking it. That is an endorsement of the work we are trying to do in the House.

[Senator Martin Conway.]

The Government has been proactive on international aid for many years and the people, going back generations, have willingly assisted people in the Third World and in other distressed. Many missionaries and lay people have travelled all over the world to help. This can never be quantified but it is heartening that, in spite of our economic difficulties, the State is still allocating 0.5% of GNP for overseas project. I acknowledge the goal is 0.7% of GNP but, hopefully, if buoyancy returns to the economy, we may achieve that by 2015.

My concern for a long time is that Ireland has signed up to the UN Convention on the Rights of Persons with Disabilities. Under this, we must embrace the issue of equality for people with disabilities not only at home but overseas as well. As a country that is doing well overall, in spite of our difficulties, we have a responsibility to ensure the ethos of the convention is implemented domestically and in Third World countries. People with disabilities are more likely to enter poverty quickly and those who are poor are more likely to end with a disability through malnutrition and various other difficulties. I call on the Minister of State to examine in the upcoming White Paper on overseas aid the possibility of ring-fencing a greater percentage of our funding to ensure people with disabilities in the Third World benefit from the generosity of the Government and the Irish people and to ensure NGOs working abroad using State aid build into their programmes projects for people with disabilities that promote equality and ensure the human rights of those with disabilities are protected.

Ireland has a good human rights record. Dr. Maurice Manning attended the House last week for an excellent debate in this regard. I do not seek an increase in the overall funding for overseas development aid because the country cannot afford it but I am seeking that the percentage of the current budget spent on projects for people with disabilities be increased. The public consultation process relating to the White Paper will take place early next year. I hope groups will make submissions and embrace the process and, ultimately, there will be a stronger, tighter and more concise structure to ensure what I am looking for is incorporated in the White Paper. I look forward to the Minister of State's reply.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Jan O'Sullivan):

I thank the Senator for raising the issue. I invite him and the disability rights organisations to make submissions on the White Paper review. The consultation process will take place between January and March next year and the review will conclude by next July. I welcome the concept of a rights-based approach.

I also welcome this opportunity to address the important issue of how our overseas development programme takes account of the needs of people with disabilities. Disabled people are more vulnerable to poverty and its effects than much of the rest of the population. In humanitarian emergencies, people with disabilities face additional risks as a result of dislocation and displacement and specific difficulties accessing services and support. The World Health Organization recognises that an effective response to disability has to be a complex one. Action is required across a diverse range of activities so that disability can be prevented and so that disabled people are not excluded or exploited. This is the basis of Irish Aid's approach to disability.

Disability is one of a number of issues which are mainstreamed across all aspects of our long-term development programme. This means that the issues around disability are systematically considered in the design of development programmes and addressed in a multidimensional way. Examples of this approach include specific references to disability in Irish Aid's education and health policies and strategies. There is an emphasis on access by the disabled and other

marginalised groups within our support to basic education in developing countries. We work with governments in Zambia, Ethiopia and Uganda to ensure the inclusion of disability in a comprehensive social protection framework. In particular, we work for the provision of allowances to disabled people as a means of providing them with economic security, preventing them from falling into destitution and empowering them to participate and reach their potential in society.

We also work to ensure that services are provided to assist disabled people to deal with their particular disabilities and associated limitations. In this context, Irish Aid supports Irish development NGOs, such as Concern, GOAL, Trócaire, Christian Aid and Self Help Africa, all of which undertake health and human rights work that benefits disabled people. The aid programme also has an important partnership with the International Labour Organisation which focuses on assisting people with disability and advocating on legislation for disability in Africa. The partnership has a particular emphasis on disabled women and it also focuses on assisting people with disability to gain employment and set up their own businesses. This programme is regarded internationally as a leader in addressing disability issues in development.

In responding to humanitarian emergencies, Irish Aid takes particular care to address the specific needs of people with disabilities. This commitment is one of the guiding principles of our humanitarian relief policy. Acting on it during an emergency or humanitarian response requires the full involvement of people with disabilities in needs assessments and planning. We ensure this approach is adopted by Irish Aid itself and by our partner organisations. All our humanitarian interventions are guided by the standards set out in the Sphere handbook, the international best-practice manual, based on the obligations under international humanitarian, human rights and refugee law. This makes specific references throughout to the need for people with disabilities to be fully taken into account in all emergency programming. Specific instances of the inclusion of disability in Irish Aid humanitarian programming include the stipulation last year following the Haiti earthquake that sanitation facilities, including latrines, should be designed to facilitate access by the disabled.

I assure the House and the Senator of the Government's full agreement that Ireland's official aid programme must address the needs of people with disabilities and actively promote the improvement of their quality of life. As a mainstreamed issue, disability benefits from resources directed across a range of long-term development programmes and emergency humanitarian action. This is in addition to specific funding provided to groups working directly on disability, which last year amounted to over €2 million.

We will continue to engage with our development and humanitarian partners to ensure that the needs of people with disabilities receive the high priority they deserve in the aid programme. I encourage the Senator to engage in the review of the White Paper.

Senator Martin Conway: I thank the Minister for that comprehensive reply. My purpose for raising this matter on the Adjournment was to ensure that it is given the necessary political weight. Next year will be an important one in terms of deciding out future in overseas development aid with the publication of the White Paper. I am putting down a marker that this country and this Government has an obligation to ensure that we invoke the principles of the United Nations Convention on the Rights of Persons with Disabilities in all the work we do, and that includes development aid. I echo the Minister's sentiments and call on various disability groups that would be exercised in this regard to engage in the public consultation process as the end result will be important in terms of the future development of this programme.

[Senator Martin Conway.]

Does the Minister have a ballpark percentage figure of the budget channelled specifically to projects involving people with disabilities? It is probably difficult to pin it down but do her officials have any ideas on that? Is it one third or 20%? Are any concrete figures available?

Deputy Jan O'Sullivan: It is difficult to put a concrete figure on it. I have a figure that more than €6.5 million was provided since 2008 specifically to non-governmental organisations, NGOs, working with people with disabilities. They would be organisations such as Sightsavers, CBM Ireland and Children in Crossfire but there is also a Dóchas disability and development group representatives of which I met with last June. Dóchas is the umbrella body for the various NGOs. That is a useful group in terms of advocating for the rights of people with disabilities in the programme.

It is difficult to put a figure on the exact percentage because so much of it is part of what is being done by particular organisations, and programmes in particular, but if we can get more accurate figures than that in terms of percentages I will forward them to the Senator. The rights approach is important in terms of both our national and international obligations and I will ensure that approach is maintained in terms of the review of the White Paper.

Acting Chairman (Senator Pat O'Neill): I thank the Minister for attending.

The Seanad adjourned at 5.55 p.m. until 10.30 a.m. on Thursday, 6 October 2011.