



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*  
(OFFICIAL REPORT—*Unrevised*)

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## SEANAD ÉIREANN

*Déardaoin, 29 Bealtaine 2014*

*Thursday, 29 May 2014*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

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*Machnamh agus Paidir.  
Reflection and Prayer.*

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### **Business of Seanad**

**An Cathaoirleach:** I have received notice from Senator Trevor Ó Clochartaigh that, on the motion for the Adjournment of the House today, he proposes to raise the following matter:

The need for the Minister for Jobs, Enterprise and Innovation to outline the steps he is taking to reverse the decline in employment in rural areas in the west of Ireland and the specific targets which are being laid down for State agencies in this regard.

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

The need for the Minister for the Environment, Community and Local Government to urgently address the present housing situation of a person (details supplied) who is on the housing transfer list under medical grounds due to a debilitating disability.

I have also received notice from Senator Katherine Zappone of the following matter:

The need for the Minister for Children and Youth Affairs to review the decision by the management of Tallaght Hospital to close the hospital's crèche and to assist the parents working in Tallaght Hospital to find a solution to this unacceptable situation.

I have also received notice from Senator Colm Burke of the following matter:

The need for the Minister for Justice and Equality to review the procedure whereby three-month visas are issued for non-EU citizens, in particular, to accommodate the immediate families of non- EU doctors who are working in the Irish health system.

I regard the matters raised by the Senators as suitable for discussion on the Adjournment and they will be taken at the conclusion of business.

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## Order of Business

**Senator Maurice Cummins:** The Order of Business is No. 1, Industrial Development (Forfás Dissolution) Bill 2013 - Second Stage, to be taken at 11.45 a.m., with the contributions of group spokespersons not to exceed eight minutes and all other Senators not to exceed five minutes.

**Senator Darragh O'Brien:** What is the Government's opinion of the proceedings of the Oireachtas Joint Committee on Justice, Defence and Equality and in particular the evidence of the Secretary General of the Department of Justice and Equality? I raised the point yesterday in advance of the meeting because it was very clear to anyone who was interested that Mr. Purcell would not answer questions on the commission of inquiry, led by Mr. Justice Nial Fennelly, into matters arising from the resignation or forced retirement of the former Garda Commissioner, Martin Callinan.

It beggars belief that the Taoiseach will not answer questions on his role in the matter publicly. I asked him about this here some weeks ago. It was he who sent Mr. Purcell to meet the former Garda Commissioner. He can tell us what he asked him to say. Yesterday, a long-serving senior civil servant was thrown under the bus to save the Taoiseach. It is incredible that a Secretary General refuses to answer questions before the Oireachtas Joint Committee on Justice, Defence and Equality. How does that bode for the banking inquiry the Government wants to set up? What does it say to witnesses who will come before that inquiry, when they see someone in the employ of the State not answering questions from elected Members of both Houses, who represent the people? It is my view that he has been told not to answer those questions. This will be the end of this Government. The Taoiseach sent Mr. Purcell to the former Garda Commissioner's house. What did he ask him to say? The Taoiseach will not answer that question publicly, to the media or in these Houses. He has said instead that he will co-operate fully with the Fennelly inquiry.

Three inquiries will cost a minimum of €2 million. Last week, I mentioned a drug for the treatment of multiple sclerosis, fampyra, which costs €264 a month. It keeps people mobile, independent and active. From next July this Government will stop paying for that drug. It would cost €3,000 per annum to give a person independence and improve their quality of life yet the Taoiseach feels it is right not to answer questions and to insist on waiting for the report of the Fennelly inquiry. Three inquiries will cost €2 million. What does the Government say to people suffering with multiple sclerosis when it removes this important drug from the drug payment scheme because the Health Service Executive, HSE, and the Department of Health cannot afford it? The Taoiseach can afford a €2 million cloak in the form of three inquiries.

What happened yesterday evening is extremely serious but how can we expect Mr. Purcell to answer questions if the leader of the country will not answer questions about his role in a debacle that has brought the justice system to its knees? It is an extremely serious situation. Senator Paul Coughlan can shake his head all he likes.

**Senator Paul Coughlan:** The Senator is totally overstating the situation.

**Senator Darragh O'Brien:** In the cold light of day, it is absolutely disgraceful that the Secretary General of the Department of Justice and Equality will not answer the questions of elected Members of these Houses, who serve the people.

**An Cathaoirleach:** The Senator has gone way over time.

**Senator Darragh O'Brien:** I have a degree of sympathy for Mr. Purcell because I have no doubt that the lawyers in the Department of Justice and Equality, in the Office of the Taoiseach and back channels of Government have told him not to respond to any questions relating to the resignation or forced retirement of the former Garda Commissioner and the Taoiseach's role in that.

Yesterday morning, the Leader told me to wait and see what happens because all that I said was conjecture. What I said yesterday morning happened last night.

**Senator Maurice Cummins:** The crystal ball was read.

**Senator Darragh O'Brien:** It was as plain as the nose on Senator Cummins' face what would happen-----

**An Cathaoirleach:** The Senator has gone way over his time.

**Senator Darragh O'Brien:** -----because of how Government has dealt with this matter. If the Government does not get its act together and deal with this transparently, this will be one of many incidents that will bring this Government down before the end of this year. For the Taoiseach not to answer questions to which he has answers-----

**An Cathaoirleach:** The Senator is repeating himself.

**Senator Darragh O'Brien:** -----and for a Secretary General of the Department of Justice and Equality not to answer questions is unbelievable.

**Senator Ivana Bacik:** I agree with Senator O'Brien that the cost of various commissions of inquiry is a matter of concern but I have already acknowledged that a previous Government established a much better model of inquiry. I think Michael McDowell was the Minister for Justice and Equality who, in 2004, established the Commissions of Investigation Act, which has been a dramatic improvement on the very costly system of long-running tribunals of inquiry that had gone before it. This Government attempted to ensure that Oireachtas committees would have powers of compellability, fact-finding and so forth but the public rejected that in a referendum. The banking inquiry will have to operate under the constraints set out by the Supreme Court.

**Senator Darragh O'Brien:** What example is shown when a senior public servant does not answer a committee's questions?

**Senator Ivana Bacik:** The Fennelly commission of inquiry is charged with investigating a practice that apparently went on for some three decades in Garda stations in this State, the recording of telephone conversations.

**Senator Darragh O'Brien:** It is also specifically investigating the resignation of the Garda Commissioner. That is in that module.

**An Cathaoirleach:** Senator O'Brien should allow Senator Bacik speak without interruption. He has spoken already.

**Senator Ivana Bacik:** I listened with courtesy to what Senator O'Brien said. The substance of the Fennelly commission is this practice of recording telephone conversations. It is

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appropriate to have a commission of investigation-----

**Senator Darragh O'Brien:** It is also investigating the resignation of the former Garda Commissioner. What about that bit?

**Senator Ivana Bacik:** This practice went on for three decades under the regimes of a range of Governments. It is certainly true that the Joint Committee on Justice, Defence and Equality sought, and it was agreed, that the terms of reference would also include the events surrounding the departure of the former Garda Commissioner.

**Senator Darragh O'Brien:** That is in the Fennelly commission.

**An Cathaoirleach:** Senator Bacik is not answering questions on the Order of Business. She is making her own request to the Leader on the Order of Business.

**Senator Darragh O'Brien:** I am trying to assist her. She is obviously mixed up about the different modules.

**Senator Ivana Bacik:** I simply cannot make a point because I am being constantly interrupted.

**An Cathaoirleach:** Senator Bacik is to speak without interruption.

**Senator Ivana Bacik:** The members of the committee asked the Secretary General of the Department of Justice and Equality last night the questions which it was agreed were within its remit and powers.

**Senator Darragh O'Brien:** They were not answered.

**Senator Ivana Bacik:** The meeting lasted three hours. I could only attend the end of it because it clashed with another meeting but it seemed to me there was a reluctance to answer. That is for sure. The Fennelly commission will have the appropriate powers of compellability and fact-finding and I hope full answers on those matters will be given there.

The committee also had a two and a half hour hearing with the acting Commissioner of the Garda Síochána and with Baroness Nuala O'Loan, the former Police Ombudsman for Northern Ireland, at which we heard very important recommendations for reform of policing oversight. That meeting received much less attention but it was very important. No doubt we will be able to have a debate here on the committee's recommendations on policing oversight and the reform of the Garda Síochána Ombudsman Commission, GSOC, in due course.

Baroness Nuala O'Loan agreed with my proposition that we should consider deferring the appointment of a new Garda Commissioner until the independent policing authority is put in place to ensure that it would take on the appointment of the new Garda Commissioner. I am very glad that it will not be an internal process but will be external.

Will the Leader arrange for a debate with the new Minister for Children and Youth Affairs, Deputy Charlie Flanagan, on developments in the regulation of crèches and child care facilities? I note that a year on from the "Prime Time Investigates" programme which exposed serious problems in the running of crèches, Ciairín de Buis, director of Start Strong, said yesterday there has been very little change.

**Senator Paschal Mooney:** With all due respect, Senator Bacik has been somewhat disin-

genuous about the sequence of events she has attempted to outline. The core of the issue is that the Government decided in setting up the Fennelly commission that it was, as Senator Bacik correctly points out, to focus on the alleged recordings at GSOC but it tagged on the forced retirement or dismissal of the former Garda Commissioner. The committee attended by the Senator yesterday should have been allowed to pursue that matter.

**Senator Darragh O'Brien:** Hear, hear.

**Senator Paschal Mooney:** Despite the fact that people spoke about the compellability issue through a referendum, the Government subsequently introduced legislation to enhance the powers of committees such as the Committee on Justice, Defence and Equality, although it has refused to use it. It is like a dog which does not bark. Those questions should have been asked and answered yesterday. It is not for the Fennelly commission, as that is only kicking the matter to touch.

Serious questions should have been answered by Mr. Purcell. He admitted that he met the then Garda Commissioner, Mr. Callinan, outside of normal office hours of 9 a.m. to 5 p.m., and he also indicated that he engaged mainly in telephone calls. I would like him to clarify the events of a telephone call allegedly made by him on the morning after his visit to the home of the then Garda Commissioner Callinan in which he allegedly asked him to reflect on the discussion which took place the night before. That visit occurred as a direct intervention by the Taoiseach and Mr. Purcell was requested by the Taoiseach to visit Garda Commissioner Callinan. What happened at the meeting and what subsequently happened with the telephone call or calls which Mr. Purcell allegedly made the following morning, asking Garda Commissioner Callinan to reflect on his position? Within an hour or two of the alleged calls, the Garda Commissioner had tendered his resignation.

These are the questions which the Committee on Justice, Defence and Equality should have been in a position to put to Mr. Purcell and they are the questions he should have been allowed to answer. It is very disingenuous to suggest the Fennelly commission will look at this matter, and that is a whitewash.

**Senator Paul Coghlan:** The imagination of my good friend, Senator O'Brien, has really run riot this morning. I know he has been blessed with a very fertile imagination, in fairness, and it is buoyed-----

**Senator Denis O'Donovan:** It is more fertile than that of the Senator.

**Senator Paul Coghlan:** -----by certain recent events. Senator O'Brien mentioned senior civil servants who have done the State some good service.

**Senator Darragh O'Brien:** I agree, but he was thrown under a bus, as it were, by the Taoiseach.

**Senator Paul Coghlan:** These people have acted with the utmost propriety at all times. The Senator will have to wait. He and his party sought examination of issues in the public interest and we have agreed to that. I agree fully with Senator Bacik, who indicated that the Fennelly report is there-----

**Senator Paschal Mooney:** Did the Senator listen to what I said at all?

**Senator Darragh O'Brien:** The Taoiseach-----

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**Senator Paul Coghlan:** I did not interrupt the Senators.

**An Cathaoirleach:** Senator Coghlan, without interruption.

**Senator Darragh O'Brien:** The Taoiseach could have answered those questions in here.

**An Cathaoirleach:** Senator O'Brien has already spoken. Please allow Senator Coghlan to continue.

**Senator Paul Coghlan:** What the Senators are trying to imply could not happen or I believe does not happen between senior civil servants in this State. They cannot be treated as messenger boys.

**Senator Darragh O'Brien:** The Taoiseach told him to go to the Garda Commissioner's house.

**An Cathaoirleach:** Senator O'Brien, please.

**Senator Paul Coghlan:** Senator O'Brien cannot go on a rant about it.

**Senator Darragh O'Brien:** Senator Coghlan knows that.

**An Cathaoirleach:** Allow Senator Coghlan to make his contribution. Does the Senator have a question for the Leader?

**Senator Paul Coghlan:** We believe in due process.

**Senator Maurice Cummins:** It might have happened in a previous Government's time.

**Senator Darragh O'Brien:** It happened this time. Absolutely.

**Senator Paul Coghlan:** Calm yourself.

**An Cathaoirleach:** The Senator should speak through the Chair.

**Senator Paul Coghlan:** You are getting carried away but calm yourself.

**Senator Darragh O'Brien:** I am right.

**An Cathaoirleach:** Senators should speak through the Chair. Is there a question for the Leader?

**Senator Paul Coghlan:** Of course. I always have total respect for the Chair. Senator Bacik is correct and we can have a debate in due course - or in early course - on all these matters.

**Senator Darragh O'Brien:** It will be in approximately a year, when all the steam has gone out of it.

**Senator Paul Coghlan:** Fianna Fáil was for a good while becalmed.

**Senator Darragh O'Brien:** We certainly were not becalmed.

**Senator Paul Coghlan:** It should calm down again, please.

**Senator Darragh O'Brien:** No, we were not becalmed. We were never becalmed.

**Senator Paul Coghlan:** Do not get carried away.

**Senator Trevor Ó Clochartaigh:** Yesterday, the Minister for Health, Deputy Reilly, addressed the Seanad about the reconfiguration of maternity services across hospital groups. He mentioned issues surrounding the procurement of the report which examines this. It has subsequently been brought to my attention that there may be serious repercussions to this statement and the Minister was not fully open or transparent with the information available to him. I understand the report to reconfigure maternity services was commissioned to a company called the Health Partnership, and worker representatives believe the report will result in the closure of maternity centres in Portiuncula Hospital at Ballinasloe and in Letterkenny, with the possible downgrading of other services in the group.

The company was set up by the current chair of the hospitals group, Mr. Noel Daly. Mr. Daly was appointed chair of the group by the Minister, who expressed full confidence in him at the time.

**An Cathaoirleach:** I ask the Senator to refrain from naming people on the record of the House who are not here to defend themselves.

**Senator Trevor Ó Clochartaigh:** He is the chair of the hospital group in question and involved with the company which produced the report. It would appear there may be a major conflict of interest in the commissioning of the report, and the Minister must make a clear statement that the report is to be withdrawn completely, with Mr. Daly to review his position as chair of the board. When appointing chairpersons to the hospital group, the Minister identified a number of key responsibilities, including ensuring compliance with the code of practice for governance of State bodies, undertaking an assessment of the composition, competency, profile and potential conflicts of interest-----

**An Cathaoirleach:** The Senator cannot make allegations against people. Is there a question?

**Senator Trevor Ó Clochartaigh:** I am stating what the Minister has said.

**An Cathaoirleach:** Is there a question for the Leader?

**Senator Trevor Ó Clochartaigh:** I have a number of pertinent questions for the Leader. The person in question, the chair of the north-west hospital group, set up the company in 2004 and also appeared to be involved in plans to develop the €75 million Wyndale Clinic which was to be located on the grounds of Letterkenny hospital.

I have some serious questions to be addressed by the Minister. I propose an amendment to the Order of Business that the Minister come to the Seanad today to answer these questions. Does he agree that the report into the reconfiguration of maternity services in the west and north west cannot be relied upon as independent and fully accountable, and will he ask for it to be withdrawn immediately? Does the Minister feel the chairman of the group should review his position? What is the nature of the relationship between the Minister and the chairman of the west and north-west hospital group?

**An Cathaoirleach:** That is completely out of order as you are reflecting on an individual.

**Senator Trevor Ó Clochartaigh:** What connection, if any, does the chairman have with Fine Gael?

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**An Cathaoirleach:** I could rule the amendment out of order if the Senator continues.

**Senator Trevor Ó Clochartaigh:** It is very important as the Minister was not forthcoming when he had an opportunity yesterday to address these issues. He brought up the procurement issue but he did not give us the full information he should have. We have seen decisions taken with Ballinasloe-----

**An Cathaoirleach:** What is the proposed amendment?

**Senator Trevor Ó Clochartaigh:** I ask that the Minister comes before the House to give us a full, frank and transparent report on the issues surrounding procurement of the report which considers the reorganisation of maternity services in the west and north west, as well as any matters around the chairmanship of the board. What is the appointment process for the chairpersons of boards? Was that process carried out through public appointment? I understand it was not.

**Senator Aileen Hayden:** I am sure the Leader will deal with this in his own time but it is wrong to be impugning the reputation of people in this House, particularly when there are procedures in place that have withstood the test of time.

**Senator Trevor Ó Clochartaigh:** I am asking questions.

**Senator Aileen Hayden:** The manner in which people are appointed-----

**Senator Trevor Ó Clochartaigh:** On a point of order-----

**An Cathaoirleach:** What is the point of order?

**Senator Trevor Ó Clochartaigh:** I have asked questions. I have not impugned anybody's reputation.

**Senator Aileen Hayden:** The Senator's actions are irresponsible.

**Senator Trevor Ó Clochartaigh:** We are supposed to ask questions and call people to account.

**Senator Aileen Hayden:** I am sure the Leader will deal with the point. The news today that two teenage girls were found hanging from a tree in northern India after they had been gang raped is horrific, and that comes only a couple of days after a Pakistani woman who was three months pregnant was stoned to death outside a court. Recently we have seen what has gone on in Nigeria with the actions of Boko Haram. I ask the Leader to organise a debate on what I see as an internationally deteriorating position for women, and perhaps the Tánaiste and Minister for Foreign Affairs and Trade could discuss the issue in general.

**Senator Denis O'Donovan:** I second the proposal by Senator Ó Clochartaigh to amend the Order of Business. Any names put on the record today were put on the record yesterday by the Minister, so I cannot see how anybody's reputation has been impugned.

I ask the Leader for a debate about the setting up or expansion of small businesses in this country. I do so having recently met people from a small food-based artisan company who wanted to expand and develop their product. After difficult negotiations with two banks, finance was provided for the project, and subsequent to that is a roadblock of the significant number of regulations from the Departments dealing with agriculture, food and the environ-

ment. The people in question had looked at France, Germany and Italy, but in this country the regulations are so cumbersome and difficult that they may walk away from this project which could create 12 or 14 jobs in west Cork. I am not saying it is the fault of this Government and it is something we have had to deal with in Ireland for a while. There should be a debate on the issue as in France, Germany and Italy, the state agencies seek to help people progress these projects after finance has been secured. In Ireland, unfortunately, for the past ten or 15 years the regulations have been more cumbersome and we seem to have the attitude of hindering any progress. It is shame we are over-regulated in Ireland.

*11 o'clock*

I do not speak of doing anything underhand, but if the regulations that apply in three of the original European Union states of France, Germany and Italy are at a much lower level than they are in Ireland and jobs that are most welcome in rural Ireland and that we badly need, are being stymied and held back by over-regulation, we must do something. It was not an easy task to get the banks to provide the funding but that job has been done. However, the regulations are so severe and cumbersome - there are 14 pages or 15 pages of regulations to be complied with - that the person who wants to develop the project and to expand an existing small business employing 14 people is finding it very difficult to do so. The situation is crazy. We should have a debate in this House on this serious issue. I hope the Leader will facilitate a debate along the lines I suggested yesterday on the creation of sustainable jobs in rural areas, as opposed to them being announced in major cities.

**Senator Hildegard Naughton:** I wish to raise a harrowing story that was highlighted in the *Mail on Sunday* at the weekend but got overlooked due to the election frenzy. It relates to a mass grave in Tuam, County Galway, where the remains of approximately 800 children - citizens of Ireland - were buried. The area is well known by locals. Many of the children were born outside wedlock. They were thrown lifeless into a pit with a sack to cover them. The children were buried without a coffin in a disused water or septic tank on grounds of the former Bon Secours home for unmarried mothers in Tuam, an institution which operated until 1961. The children were often no more than babies.

The cause of death, where it can be ascertained, was listed as being due to malnutrition, convulsions and pneumonia. The mortality rate is estimated to be akin to that of the 17th century. The site has no memorial and it has been reported that there is a Garda investigation into missing death certificates. The grave is now surrounded by a housing estate and is nothing more than a bare patch of ground, which was lovingly attended to by a local man, who recently passed away, and his wife. The local community in Tuam is endeavouring to raise funds for the erection of a monument. I ask the Leader to raise the matter with the relevant Minister in order that at the very least, the State might provide an acknowledgement of the existence of those citizens, the 800 babies.

Could the Leader indicate whether he has had a response from the Minister for Justice and Equality on the matter of the Director of Public Prosecutions pre-empting a future decision of the Supreme Court or an Act of the Oireachtas in issuing a directive to the Garda Síochána instructing it to allow a suspect to have his or her solicitor present during Garda questioning?

**Senator Feargal Quinn:** I wish to move an amendment to the Order of Business, namely, that No. 11 be taken before No. 1.

**An Cathaoirleach:** Is there a seconder for the amendment?

**Senator Mary Ann O'Brien:** I second the amendment.

**Senator Pat O'Neill:** I welcome the announcement by the Minister for Transport, Tourism and Sport on a matter I raised in the Seanad based on an initiative started by Young Fine Gael. Young people from 16 to 18 years of age will now be eligible for student fares on Bus Éireann, Luas, DART, short hop Irish Rail journeys, on Dublin Bus and in Cork. That is a help but I also ask that the initiative would be extended to Bus Éireann nationwide and to Irish Rail nationwide. Action was taken on the campaign, which was begun by Young Fine Gael, brought to the Seanad by me and passed on to the Minister by the Leader.

The second matter I raise is one I also raised prior to the election. It is time for a motion to be passed in this House that the electoral register would be based on one's PPS number. It is everybody's right to vote but not everyone exercises the right. I came across a few people last weekend who found out at the polling station that they had been taken off the register. That could not happen if the register was linked to the PPS number. I urge the Leader to arrange to have a motion passed in this House for a change in the electoral register as I outlined, and for it then to be brought to the attention of the Minister for the Environment, Community and Local Government. It should not be the case that one would physically knock on doors to ask who lives in the house and then put those people on the register. Given today's technology the way to proceed is by using PPS numbers.

**Senator Mary Ann O'Brien:** As our economic challenges continue to be a huge reality in the lives of parliamentarians, I wish to highlight what I believe is a piece of low-hanging fruit, dressed up as the betting legislation. I urge the Leader to have a chat with the Minister for Finance, Deputy Noonan, about the status of the legislation and to note that its passage is vital to the industry and for the revenue it can give the State. We all know from people we meet, especially younger people, that tax-free online betting is the way to go. Zero betting tax is achieved for the State from online betting. It is a major tax avoidance hole.

We must also take betting shops into consideration. When I first came to the House two and a half years ago I met many representatives of bookmakers. They were very worried then and they are much more worried now about their betting shops. The potential loss of 500 jobs would cost €6.3 million in betting duty, PAYE and PRSI to the State. If 500 jobs are lost that would mean a bill of €7 million in social welfare. We are losing approximately €23 million in online betting even before we get to the detail of the legislation and talk about percentages. I would be most grateful if the Leader could put the matter at the top of the Minister's agenda.

**Senator Cáit Keane:** I congratulate Young Fine Gael and the Minister, Deputy Varadkar, for listening to it and introducing the transport initiative outlined by Senator Pat O'Neill. I asked the CSO to calculate figures in that regard because the savings made by school-going children, especially where there are two or three children in a family, could be substantial. We hear much talk lately about those over 18 having to pay water charges. The initiative will recoup money into the pockets of householders that would have been expended on transport for schoolchildren and college students.

I wish to raise the serious issue of the closure of a crèche in Tallaght Hospital. I congratulate the Minister for Children and Youth Affairs, Deputy Charles Flanagan, on his new role. I would like him to come to the House to discuss preschool regulations.

**An Cathaoirleach:** The matter is being raised on the Adjournment today by Senator Zappone. I am sure she would give Senator Keane some time if she asked.

**Senator Cáit Keane:** Could I raise it on the Order of Business?

**An Cathaoirleach:** It is an issue that has been raised on the Adjournment. Does the Senator have another issue for the Leader? I am sure Senator Zappone would give Senator Keane some time if she asks.

**Senator Cáit Keane:** I met the assistant CEO. The issue is important. A report that has not been published is being used against parents. I want the Minister to ask for the report. The crèche is not being closed by the Minister. One must take all of the issues into consideration. Nurses have to work at 8 a.m. and many crèches are not open. The crèche must stay open. I ask that the Minister would come to the House to ensure that is the case. The crèche will not close without a fight. The management will not do that to the nurses.

**An Cathaoirleach:** The Minister will answer some of those questions today.

**Senator Cáit Keane:** It is hard enough for parents to get out to work without having hindrances put in their way.

**Senator Brian Ó Domhnaill:** I agree with the comments of my colleague, Senator O'Neill, on the electoral register. It is in a mess. Every individual living in the State or contributing to it should be entitled to a vote. It is wrong that people would be inadvertently removed from the register. The Seanad could do the citizens of the country some service by proposing a number of recommendations regarding the electoral register. Linking it to the PPSN system is probably the way to go. A previous Oireachtas committee on the environment made such a proposal a number of years ago and I am not sure why it has not been implemented. That is a matter we should examine and the Minister for the Environment, Community and Local Government should be invited to come before the House.

I wish to propose an amendment to the Order of Business requesting the Minister for Health to come before the House again today to provide clarity to the confusion he created yesterday on the future of maternity services in the five hospitals in the west-north west hospital group. Confusion has been created-----

**An Cathaoirleach:** Is Senator Ó Domhnaill supporting Senator Ó Clochartaigh's amendment?

**Senator Brian Ó Domhnaill:** Yes, I am. Could you read it because I only came to the Chamber when Senator Ó Clochartaigh was on his feet?

**An Cathaoirleach:** An amendment has been proposed and seconded calling on the Minister for Health to come to the House to discuss that subject.

**Senator Brian Ó Domhnaill:** I support the amendment. The Minister created absolute confusion yesterday. A report has been published which the Minister tried to rubbish by accusing the HSE of breaching procurement guidelines. Answers need to be given by the Minister regarding his knowledge of that breach, the person or authority responsible for approving the commissioning of the report, whether the HSE has actually paid for that report yet and whether the Secretary General of the Department or the Minister's office was aware of the report. The Minister must also address his failure yesterday to give a concrete commitment to the five ma-

ternity units in the five hospitals which were the subject of debate here yesterday. He has an obligation to clear up the confusion he created.

**Senator Terry Brennan:** I wish to congratulate the Minister, Deputy James Reilly. Perhaps he will be here later but I would like to congratulate him in advance of his appearance. He was formally recognised this week by the World Health Organisation for his work on tobacco control. The WHO identified the Minister as a key international figure in the fight against the harm caused by tobacco, as part of its annual World No Tobacco Day initiative.

The threatened strike at Aer Lingus this weekend will be very disruptive for tourists and those looking forward to taking a break this weekend. I believe it would be better for everyone if the strike were called off. I welcome the fact that IMPACT has accepted an invitation from the company to return to talks. This is the third threat of strike action since the start of this year, which is damaging the company. The dispute is about rosters. The unions are rightly looking for an improvement in terms and conditions and rightly so. However, there are two sides to this story and the way to address it is through bilateral talks or talks at the Labour Relations Commission which is charged with arbitrating on issues like this. I join the Minister for Transport, Tourism and Sport, Deputy Varadkar, in encouraging both sides to talk with the LRC before any strike takes place.

**Senator Jim Walsh:** I agree with Senator Terry Brennan that there has been a lot of muscle-flexing by unions with regard to strikes. It is a pity that the very precarious position of the economy and the slim chance of recovery is being put at risk because of people trying to extract more from what is not there. Trade unions should be thinking about the people who are unemployed. Without the job creation that is essential, those people's lives will not be restored to what they were in the past. I would like to think that the unions will act more responsibly than they are speaking.

I agree with the point made by Senator O'Neill. I also met people at polling stations who had been on the electoral register all of their lives who turned up to vote but found that their names had been removed from the register. There must be a better way of maintaining the electoral register. In the context of the enormous percentage of people who do not even bother to vote, it is a real pity that those who make the effort are deprived of the opportunity to cast their vote. In many cases, such people are known to the presiding officers. If there are errors in the register, we must find a way to ensure that they can be rectified on polling day, if necessary.

I support the calls by my colleagues for the Minister for Health to come to the House to provide clarification. The Minister commented yesterday to the effect that there were no reports recommending the closure or reconfiguration of maternity hospitals but we have seen the report which refers to reconfiguring maternity services and the option of closing maternity units in Portiuncula Hospital and in the relevant hospitals in counties Mayo and Sligo. We know that no decision has been made but the Minister said, in regard to the reports, that they were "unsubstantiated" and "politically motivated".

**An Cathaoirleach:** We are not discussing yesterday's business today.

**Senator Jim Walsh:** I ask that the Minister would come into the House to clarify such comments. If it is the case that these reports were carried out by the hospital groups and are politically motivated, that raises serious questions about the capacity of the CEO of the HSE. There are already questions hanging over him and the Minister. I ask the Minister to come to

the House to clarify the position.

The Minister said that an examination and evaluation of the maternity hospitals is being conducted in order that a national strategy be devised. He said that each of the 19 maternity units is being examined and that the Department is also examining national and international evidence of best practice in order to determine how to move forward.

**An Cathaoirleach:** The Senator is over time.

**Senator Jim Walsh:** Surely that confirms everything that Senator MacSharry has been saying in this House over the last few weeks. The Minister started by dismissing it and then went on to confirm it. That is not the way for a Minister to act. The parties opposite did so poorly in the recent election because the people do not trust what they are saying to them. We need transparency, straight talking and honesty from Ministers. I appeal to the Minister for Health to return to the House to put the factual position on the record.

**Senator Marie Moloney:** I wish to remind my colleagues that Friday, 6 June is the closing date for submissions on the new national framework for suicide prevention. Myself and a group of people who are deeply interested in reducing the number of deaths by suicide got together in Killarney recently and have formulated a submission. All of the submissions received will inform the development of a national framework for suicide prevention for 2015 to 2018. I urge my colleagues to read the Australian framework for the prevention of suicide which has worked and has reduced the figures there. It is my belief that we need to set up a national suicide prevention authority with ring-fenced Government funding and good leadership. I urge my colleagues to examine the issues and make a submission before the closing date.

**Senator Michael Mullins:** I very much regret the fact that Fianna Fáil Members and other Opposition spokespersons are continuing to scaremonger with regard to maternity services and the national review that is taking place.

**Senator Darragh O'Brien:** The Senator is out of touch.

**Senator Michael Mullins:** The Minister could not have been clearer in the contribution he made to the House. I very much welcome the fact that yesterday he confirmed, beyond doubt, that there was no threat to-----

**An Cathaoirleach:** We are not discussing yesterday's business today.

**Senator Michael Mullins:** -----the maternity services at Portiuncula Hospital and that the services there would grow, be enhanced and further funded.

I also welcome the announcement yesterday of a framework agreement between the Minister for Health and the IMO which sets out a process for engagement concerning the GMS GP contract and other publicly-funded contracts involving GPs. The framework agreement sets out a proposed process for engagement on all aspects of the GMS contract with GPs, with due regard to the IMO's role as a representative body of medical practitioners. That is a very welcome development because there seems to have been a log-jam prior to this.

On International Day of United Nations Peacekeepers, I ask the House to honour the memory of the UN peacekeepers who lost their lives in the cause of peace and to pay tribute to all of the men and women who have served and who continue to serve in UN peacekeeping operations and to acknowledge their high level of professionalism, dedication and courage. Ireland

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currently has approximately 400 Defence Forces personnel serving in 13 different missions throughout the world. It would be appropriate at some time in the future for the Leader to organise a discussion with the Minister for Defence on our peacekeeping missions abroad so that all Members of the House would have a full understanding of the role of our peacekeepers. Statistically, this is the most dangerous weekend on our roads. I appeal to all road users to exercise great care so no family will get that awful knock on the door, informing them a loved one has lost his or her life. It is incumbent on all of us to highlight the need for increased road safety and ensure the number of deaths on our roads is kept to an absolute minimum this year.

**Senator Susan O’Keeffe:** I want to endorse my colleague’s observations about this weekend’s traffic and thank An Garda Síochána for launching a go slow on our roads day tomorrow. This bank holiday weekend is the one in the year in which, proportionally, most people lose their lives on our roads. Perhaps it is because of the feeling it is the start of summer. The Garda will encourage the go slow tomorrow and enforce traffic regulations.

Why has Fianna Fáil so much difficulty with the review of national maternity services, given it was the party which drove-----

**Senator Jim Walsh:** We do not want our hospitals closed.

**Senator Susan O’Keeffe:** Can I finish? I have not even started and you are interrupting me.

**An Cathaoirleach:** Senator O’Keeffe without interruption.

**Senator Maurice Cummins:** Freedom of speech.

**Senator Susan O’Keeffe:** Fianna Fáil had immense difficulties in bringing in the national cancer programme and eight centres of excellence, which caused enormous difficulty, particularly in the north west, because it meant services could not be delivered in the way they had in the past. At the time, it relied on the best medical advice available not just in Ireland but across the world. I would have thought Fianna Fáil would have been the first in the queue to congratulate the Minister for Health, his Department and the Health Service Executive, HSE, for wanting to have a review of maternity services in this country so as to improve them, not reduce them. I would have expected Members opposite, considering the more complex world in which we live and the way medical services are provided, would want to ensure we have a first-class maternity service, as we have had in the past. That is what I believe will come from this national maternity service review. I urge Fianna Fáil to stop encouraging a conversation which is scaremongering. By all means have the conversation about how this review might succeed in providing the best service and care for the women of this country and their babies rather than scaremongering.

I endorse my colleagues’ call for the new Minister for Children and Youth Affairs, Deputy Charles Flanagan, to attend the House for a debate on crèches.

**Senator Colm Burke:** Yesterday, the Minister for Health clarified the position on the review of maternity services in the west. I remind my colleagues across the floor of the House that in 2003 the then Government produced a report stating that by 2009 there would be 179 consultants in obstetrics and gynaecology.

**Senator Jim Walsh:** We did not close any maternity hospitals.

**An Cathaoirleach:** Senator O’Keeffe without interruption.

**Senator Jim Walsh:** It is all obfuscation.

**Senator Colm Burke:** The Members opposite did absolutely nothing when there was plenty of money coming in to the Revenue Commissioners and the Exchequer. By 2010, there were 125 obstetrician consultants, 60 short of what Fianna Fáil set out in its 2003 target. Will Fianna Fáil Members please stop giving out false information?

**Senator Jim Walsh:** It is not false information.

**Senator Brian Ó Domhnaill:** Those targets were from 11 years ago. What about now?

**An Cathaoirleach:** Senators, please, Senator Burke without interruption. Has the Senator a question for the Leader?

**Senator Jim Walsh:** We did not take the medical card off people.

**Senator Colm Burke:** Being involved in the legal profession, for anyone to produce a draft report like the one in question, I actually believe they have no knowledge of what is going on in the maternity services. It is a disgrace that someone drafted such a report without knowing what is going on in maternity services. I am referring particularly to litigation in the maternity services which is an area that needs to be addressed. It is important we have a debate on this matter. The Personal Injuries Assessment Board was established for personal injuries suffered in car accidents but nothing has been done for negligence claims in medical services. It is time we examined this whole area of lump sums being paid out when we should examine the Canadian model.

Comhairle na nÓg attended the health committee for a discussion on youth services this morning. There are 48 different youth services providing services to 382,000 young people. This has not been debated in this House. It would be appropriate to have a debate to see how we can further develop and enhance these services. Many people work on a voluntary basis in the organisations in question.

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

**Senator Colm Burke:** Yes, it would be appropriate for a debate on this.

**Senator Sean D. Barrett:** As the counting in the European elections ended at 4 a.m. this morning, I congratulate our successful candidates for the European Parliament, Fine Gael and Sinn Féin for winning four seats each. Jim Nicholson is now the longest serving MEP from the island of Ireland and Brian Crowley, the second longest serving. On the island of Ireland, I note we have achieved perfect gender balance with seven male and seven female MEPs. Can we ask the Scandinavians to please note that as they tended to cite our previous representation balance as evidence that Ireland is not in favour of gender balance? This was the perfect gender balance election and compliments to the electorate and all the candidates.

**Senator Mary Moran:** I want to raise the issue of live RTE coverage of the upcoming Special Olympics national finals in Limerick. The games will be held between 12 and 15 June, featuring 1,500 athletes competing in 14 different sporting competitions with over 3,000 volunteers and thousands of family members and supporters. These national finals are a culmination of four years of local and regional competitions which include one in every three of our people

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with an intellectual disability participating. This will be one, if not the largest, sporting event in the country this year.

I have made numerous representations to officials in RTE as I believe we have an ideal opportunity to showcase the wonderful hard work of these athletes and their volunteers who have been training tirelessly over the past several years for their events. There is not one Member who does not remember the incredible coverage of the 2003 world games which Ireland hosted. I have been informed by RTE this week that live broadcasting is very expensive and it would not be in a position to provide it over the course of the games due to a lack of resources. It has assured me it will report on the games on news bulletins. However, I believe this will not have the same impact as live coverage. I have written to the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte. I encourage the Leader and colleagues to raise it with him too.

**An Cathaoirleach:** It might more suitable as an Adjournment matter.

**Senator Mary Moran:** I believe our country will be missing out on this fantastic opportunity. This is also an ideal time for a debate on the Special Olympics to show our appreciation to these athletes and volunteers. I ask my colleagues to support me in calling on RTE to provide live coverage of the national games.

**Senator Maurice Cummins:** Senator Darragh O'Brien raised several issues which he also raised over the past several days. The justice committee will deal with matters pertaining to it. I certainly do not want to interfere in its work. The Senator seems to have a crystal ball as to when elections will be held. I must get a look at it as there are a few things I would like to know myself.

**Senator Darragh O'Brien:** If the Leader's party does not get its act together, it will be a simple election result.

**Senator Maurice Cummins:** Senator Bacik pointed out the appropriate powers of the Fennelly commission and called, as did other Members, for the regulation of crèches.

Senator Mooney raised the issue of the Secretary General of the Department of Justice and Equality. I understand he has already received a letter from the Fennelly commission asking him to appear before it.

Senators Ó Clochartaigh, Ó Domhnaill, O'Keeffe and Mullins raised the issue of maternity services in the west and mid-west. The Minister gave a very clear, comprehensive response and will answer any further questions.

**Senator Trevor Ó Clochartaigh:** What about the question on the conflict of interest?

**Senator Maurice Cummins:** It is of paramount importance that we have-----

**An Cathaoirleach:** The Leader without interruption.

**Senator Maurice Cummins:** The Senator is never very good at letting people speak. He should try to listen to people's replies. We have listened intently to what people have said and I am doing my best to reply. Freedom of speech is not a very good issue with the Senator. The review of maternity services is of paramount importance to women, children and everybody in the country. It is agreed that we should have the review the Minister spoke about yesterday. If

there are any questions to be answered about individuals compiling reports, the Minister will be willing to answer them.

**Senator Trevor Ó Clochartaigh:** He did not answer them. That is the problem.

**An Cathaoirleach:** The Leader without interruption.

**Senator Maurice Cummins:** Perhaps the Senators could table an Adjournment debate motion calling for those answers rather than doing it second hand. I am only trying to point them in the right direction; whether they go ahead with it is their decision.

Senator Hayden called for a debate with the Minister for Foreign Affairs and Trade, Deputy Gilmore, on the deteriorating situation of women, particularly in India and Pakistan. Senator O'Donovan raised the over-regulation of small businesses in some sectors. State agencies are there to assist companies to expand, not hinder them. I am very concerned about what the Senator said about over-regulation hindering job creation. This matter should be addressed and if he has details of the case in question I will bring it to both Ministers he mentioned.

Senator Naughton raised the appalling situation of a mass grave in Tuam. A monument should be erected in that area. The new Minister for Justice and Equality, Deputy Fitzgerald, will work on the issue of the DPP's advice about suspects having their solicitors present and we will see some action on it in the very near future. Senator Quinn proposed an amendment to the Order of Business, that No. 11 be taken before No. 1. I am happy to accede to that request and will accept the amendment.

Senator O'Neill raised the problems with bus transport for teenagers aged between 16 and 18 and welcomed the action by the Minister for Transport, Tourism and Sport, Deputy Varadkar. Senator O'Neill also asked that the register of electors be compiled from PPS numbers, and a number of other Senators referred to the matter. Although it comes up after each election, nothing seems to be done about it. We will try to arrange a debate on the matter with the Minister for the Environment, Community and Local Government, Deputy Hogan. The compilation of the register has caused problems for many years. It is difficult when people who have been on the register for years find they have been removed and cannot vote while others do not bother voting. There is a major problem.

Senator O'Brien raised the gambling control Bill, the heads of which have been published by the justice committee. I am seeking a debate on the committee's report on the Bill. The Betting (Amendment) Bill is also due. I have raised the issue of online betting with the Minister on a number of occasions. The vast majority of betting is done online and it is wrong that those who bet online are not taxed. It is a difficulty for the betting shops. A number of betting shops, both independent and those in betting chains, are introducing machines that I believe are illegal into their betting shops. The Revenue Commissioners should tackle this issue.

**Senator Darragh O'Brien:** Yes.

**Senator Maurice Cummins:** There is no licence to operate these machines in betting shops and the Revenue Commissioners should take immediate action to ensure they are removed. It is a major problem and I hope the Minister for Finance will tax online betting in the budget because it is long overdue. I have raised it for over four or five years.

Senator Keane raised the closure of the crèche in Tallaght Hospital, which will be dealt with

as an Adjournment debate matter today. Senator Brennan raised the issue of tobacco control and the recognition by the World Health Organization of the efforts of the Minister for Health in this regard. The Senator also raised the proposed strike in Aer Lingus and the damage it would cause to tourism and the economy, and urged all parties to engage with the Labour Relations Commission. We would all agree with that suggestion.

Senator Walsh raised the issue of maternity services and people being removed from the register of electors, which I have dealt with. Senator Moloney reminded us that the closing date for submissions for the framework for suicide prevention is 6 June. Senator Mullins clarified the matter of maternity services, welcomed the agreement with the IMO and called for a debate on peacekeeping abroad, which we can arrange. Senator O’Keeffe joined Senator Mullins in raising road safety with the bank holiday coming, urged people to be more careful and mentioned the national slow down day. It is important that we all be very careful on the roads this weekend. Senator O’Keeffe also commented on the review of maternity services, and I share her concerns on that issue.

Senator Colm Burke raised the lack of the employment of consultants in medical services between 2003 and 2009 when the country was awash with money. That is a fact. The Senator also called for a debate on developing and enhancing youth services. We will ask the new Minister for Children and Youth Affairs, Deputy Charles Flanagan, to come here for a debate, which is long overdue. We have not had a debate on youth services for some time.

Senator Barrett raised the European election results. I congratulate former Senator Clune, who has been elected to the European Parliament, and wish her well for the future. I also congratulate the other candidates from the Seanad who contested the European elections, who acquitted themselves very well. Senator Moran complimented the athletes and volunteers of the Limerick Special Olympics. Special Olympics Ireland is a wonderful organisation and shows us volunteerism at its best. It is regrettable that RTE would not have live coverage of the events. I support the Senator’s call for live coverage of this wonderful event.

**An Cathaoirleach:** Senator Ó Clochartaigh has moved an amendment to the Order of Business, “That a debate with the Minister for Health on the procurement of a report on the reconfiguration of maternity services in the north west be taken today.” Is the amendment being pressed?

**Senator Trevor Ó Clochartaigh:** Yes.

Amendment put:

The Seanad divided: Tá, 15; Níl, 21.	
Tá	Níl
Barrett, Sean D.	Bacik, Ivana.
Daly, Mark.	Brennan, Terry.
Leyden, Terry.	Burke, Colm.
Mooney, Paschal.	Coghlan, Eamonn.
Ó Clochartaigh, Trevor.	Coghlan, Paul.
Ó Domhnaill, Brian.	Comiskey, Michael.
O’Brien, Darragh.	Cummins, Maurice.
O’Donovan, Denis.	D’Arcy, Jim.

O'Sullivan, Ned.	Hayden, Aideen.
Power, Averil.	Henry, Imelda.
Quinn, Feargal.	Keane, Cáit.
Reilly, Kathryn.	Landy, Denis.
Walsh, Jim.	Moloney, Marie.
White, Mary M.	Moran, Mary.
Wilson, Diarmuid.	Mullins, Michael.
	Naughton, Hildegard.
	Noone, Catherine.
	O'Brien, Mary Ann.
	O'Keeffe, Susan.
	O'Neill, Pat.
	Sheahan, Tom.

Tellers: Tá, Senators Trevor Ó Clochartaigh and Diarmuid Wilson; Níl, Senators Paul Coghlan and Aideen Hayden.

Amendment declared lost.

**An Cathaoirleach:** Senator Feargal Quinn has proposed an amendment to the Order of Business, "That No. 11 by taken before No. 1." The Leader has indicated that he wishes to accept the amendment. Is the amendment agreed? Agreed. Is the Order of Business, as amended, agreed to?

**Senator Darragh O'Brien:** No.

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

### **Public Service Management (Transparency of Boards) Bill 2014: First Stage**

**Senator Feargal Quinn:** I move:

That leave be granted to introduce a Bill entitled an Act to provide for the cessation of the practice of providing payment to persons who serve on the boards of public bodies or other similar entities; to require that the employment or engagement of such persons by a public body to be conditional upon their filing of a declaration with the Standards in Public Office Commission; and to require that the payment of expenses to persons who serve on the boards of public bodies to be conditional upon their filing of a declaration with the Standards in Public Office Commission and to provide for related matters.

The purpose of the Bill is to ensure that members of public bodies must have their expenses

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and other related matters declared to the Standards in Public Office Commission. I believe it is worthy of consideration.

Question put and agreed to.

**An Cathaoirleach:** When is it proposed to take Second Stage?

**Senator Feargal Quinn:** On Wednesday, 4 June 2014.

**An Cathaoirleach:** Is that agreed? Agreed.

Second Stage ordered for Wednesday, 4 June 2014.

### **Industrial Development (Forfás Dissolution) Bill 2013: Second Stage**

Question proposed: "That the Bill be now read a Second Time."

**An Leas-Chathaoirleach:** I welcome the Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton.

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I apologise for the delay. We have just had an unfortunate announcement in respect of jobs, on which we are working.

I welcome the opportunity to present the Industrial Development (Forfás Dissolution) Bill, 2013 to the Seanad. The Bill was published on 23 December last and passed by the Dáil on 9 April 2014. The purpose of the Bill is to give effect to the decision to integrate the research and policy advisory functions of Forfás into the Department.

As part of the public service reform plan, I undertook to review how the functions currently carried out by Forfás might be integrated with the resources of my Department in order to further enhance the formulation and implementation of national enterprise policy. Following consideration of the matter and engagement with the Board of Forfás, I decided, in May 2012, to proceed with the proposed integration. This move forms part of a broader reform programme which we have been progressing across the Department and its agencies, including the merger of the National Consumer Agency and the Competition Authority, the reform of the five workplace relations bodies into two organisations, restructuring the enterprise support model for micro and small businesses, including the dissolution of the 35 CEBs and the creation of the new local enterprise offices within the local authorities, and the restructuring of transport and enterprise development bodies in the Shannon region.

*12 o'clock*

The overarching objective of integrating Forfás into the Department is to strengthen our capacity to develop and implement enterprise policy. We envisage improved outcomes in terms of enhancing the operating environment for enterprise and contributing to economic growth and job creation. A key objective is to ensure that the distinct strengths and experience of the Department's staff, and those of Forfás, are maximised to place the Department at the centre of driving economic recovery.

Since its establishment in 1994, Forfás has played a significant role in providing independent policy advice and research analysis to the Minister and the Department. It has played a key role in progressing the enterprise agenda and facilitating the development of our modern economy.

Over the past three years, Forfás has become increasingly involved in the central policy-making process in the Department, with the agency playing a leading role in the preparation of the annual Action Plan for Jobs. At this juncture, it is considered that combining the resources of Forfás and the Department represents the optimum use of scarce resources, particularly against a backdrop of significant reductions in staffing levels arising from the need to reduce the public sector pay bill.

Forfás was established in 1994, under the Industrial Development Act 1993, as an agency of the then Department of Enterprise, Trade and Employment. The agency's core functions are as follows: to advise the Minister on matters relating to the development of industry in the State; to encourage the development of industry and technology in the State; to advise on the development and co-ordination of policies across the agencies supporting enterprise; to provide independent research in the areas of enterprise and science policy; to evaluate enterprise policy interventions; and to provide research and administrative support to a number of independent advisory groups, including the National Competitiveness Council, the Expert Group on Future Skills and the Advisory Council for Science, Technology and Innovation.

Under the Industrial Development Act 1993, and related legislation, Forfás is statutorily the employer of staff in IDA Ireland, Enterprise Ireland, Science Foundation Ireland and some staff in the National Standards Authority of Ireland. Forfás also has responsibility for pensions of the Department of enterprise agency staff and staff of a number of former agencies, including the Industrial Development Authority, Eolas, the National Board for Science and Technology, the Irish Goods Council and An Bord Tráchtála.

Forfás also carries out a range of shared services on behalf of the IDA, Enterprise Ireland and SFI in particular, including the administration of pensions, property management and other central functions. The Irish National Accreditation Board, INAB, operates as a committee of Forfás and is supported by Forfás staff.

It is proposed that the core policy advisory and research functions of Forfás will be incorporated into a new strategic policy division to be established within the Department. The new policy division will be tasked with a significant range of policy evaluation, co-ordination and planning activities on behalf of the Minister and for the Department's agencies. The key elements of the role of the new policy division will be in the areas of enterprise policy, competitiveness, horizon scanning, tax policy, the Action Plan for Jobs, trade and innovation policies, education, skills and labour market analysis, and key policy surveys and research. The staff of Forfás who are currently engaged in delivering these functions will transfer into the division within the Department, together with relevant support staff from the agency.

The capacity to bring forward independent, evidence-based, policy recommendations to Ministers and Government is an essential requirement for economic development. Since its establishment, Forfás has provided robust and independent analysis and advice that has greatly assisted the Department and others to formulate policy positions. The Department remains committed, through the new strategic policy division, to ensuring that policy advice to Ministers is informed by a robust evidence base and through consultation with relevant stakeholders.

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Forfás provides research and administrative support to a number of independent advisory groups, including the National Competitiveness Council and the Expert Group on Future Skills Needs. As these groups are an integral component of the overall enterprise agenda, the strategic policy division will continue to provide support and secretariat services to those bodies.

The NCC reports to the Minister on key competitiveness issues facing the Irish economy and offers recommendations on policy actions required to enhance Ireland's competitive position. The council is supported in its work by Forfás who monitors Ireland's competitiveness on an ongoing basis. The role of the NCC in the context of the Forfás integration has been carefully considered. The membership of the NCC has been expanded to incorporate the industry partners appointed to assist with disruptive reforms, under the Action Plan for Jobs, and to broaden the range of Departments attending NCC meetings in an advisory capacity. The Government has approved revised terms of reference for the NCC to give the council greater flexibility to prepare and publish reports on issues it considers important, thereby copper-fastening its independence within the new organisational structure. The revised terms of reference also provide for a specific role for the council in respect of preparation of the competitiveness chapter of the Action Plan for Jobs.

The Expert Group on Future Skills Needs reports jointly to myself, as Minister, and the Minister for Education and Skills. It will continue to prepare policy papers independently on skill needs and labour market issues that impact on Ireland's enterprise and employment growth. It will be serviced by the strategic policy division.

The current membership of the Advisory Council for Science, Technology and Innovation has been stood down with effect from 25 September 2013, pending the finalisation of the Forfás integration process and overall policy on public service reform. This does not rule out the option of establishing an advisory council of a similar nature, on an alternative footing, if this is deemed appropriate at some stage in the future.

In addition, Forfás undertakes a number of surveys. They include the annual employment survey which tracks employment in enterprise agency supported companies. Also included is the annual survey of business impacts which measures expenditure by agency-supported companies in the Irish economy. These surveys play an important role in helping to evaluate the performance of the enterprise agencies and will continue as part of the work of the strategic policy division.

Forfás inherited a range of functions and powers on its establishment, originating in the Industrial Research and Standards Act 1961, the Industrial Development Act 1986 and the Science and Technology Act 1987. The establishing legislation mandated Forfás to assign these powers to Enterprise Ireland and IDA Ireland. These powers will now be vested directly in these agencies.

The current Bill, at section 37, also makes an amendment to the IDA's existing functions. Section 8(d) of the Industrial Development Act 1993 makes provision for IDA to administer schemes requiring the disbursement exclusively of EU funds. It is proposed to amend the section to give the IDA the same power as was provided to Enterprise Ireland by section 7(i) of the Industrial Development Act 1998 allows Enterprise Ireland, "to administer such schemes, grants and other financial facilities requiring the disbursement of European Union funds and such other funds as may from time to time be authorised by the Minister with the concurrence of the Minister for Finance."

The provision in the 1993 Act is considered to be restrictive on the IDA. The amendment will allow the IDA to administer schemes, which includes the disbursement of Exchequer funds, as may be authorised by the Minister with the concurrence of the Minister responsible for public expenditure. Previously the IDA would not have been in a position to administer schemes. For example, the employment subsidy scheme that was managed exclusively by Enterprise Ireland even though the scheme was open to IDA client companies.

The non-policy functions which Forfás carries out, on behalf of other agencies, will be transferred into the Department or to other agencies under the remit of the Department, as appropriate, together with the relevant staff resources. The property management function of Forfás and associated staff have already transferred to IDA Ireland since July 2013.

The legislation that we are introducing provides for Enterprise Ireland, IDA Ireland and Science Foundation Ireland to become employers in their own right and for each agency to establish a superannuation scheme for its employees. At present, Forfás is the legal employer of all staff working in Enterprise Ireland, IDA Ireland and SFI. The staff are seconded from Forfás to their respective agencies. This legislation provides for staff seconded from Forfás to become the staff of their respective agencies. Forfás is also the legal employer of a number of staff working in the National Standards Authority of Ireland. The legislation provides for these staff to become staff of NSAI.

Employees of each of the agencies will become members of their agency's superannuation scheme, as appropriate. The legislation provides for the responsibility for all existing pensioners, and those with deferred benefits for whom Forfás currently has responsibility, to transfer to my Department.

The Irish National Accreditation Board is the national body with responsibility for the accreditation of laboratories, certification bodies and inspection bodies. Accreditation is the procedure by which an authoritative body gives formal recognition that a body or person is competent to carry out specific tasks. EU member states have established a network of national accreditation bodies to ensure that the competence of all laboratories, inspection and certification bodies are assessed against the same principles. Accreditation plays an important role in guaranteeing the access of Irish products and services to both EU and worldwide markets. The demand for accreditation has increased significantly in recent times as national regulators continue to rely on conformity assessment as a mechanism to support the implementation of legislation and assure competence.

Responsibility for accreditation in Ireland is currently vested in Forfás. In practice, the accreditation function is delegated to the INAB which is a committee of Forfás and supported by Forfás staff in the administration of its functions.

The accreditation functions of Forfás will be transferred to the Health and Safety Authority with INAB to be established as a committee of the authority. This mirrors the current arrangements that apply to INAB within Forfás. The Bill provides for the transfer of Forfás's accreditation functions and associated staff to the Health and Safety Authority by amendment of the Safety, Health and Welfare at Work Act 2005.

As I have outlined, the purpose of integrating Forfás into the Department is to strengthen the Department's capacity to develop and implement enterprise policy. The proposal is not driven by the objective of finding cost savings, although some savings may arise in due course if syner-

gies between the two organisations are identified.

It is not envisaged that any reduction in staff numbers will arise as a result of the integration. There may be some costs associated with, for example, the reconciliation of IT systems arising from these proposals. However, any such costs will be met from existing resources. Overall, the integration of Forfás into the Department of Jobs, Enterprise and Innovation will facilitate improvements in the use and effectiveness of existing resources.

I will outline briefly the main provisions of the Bill which is mainly of a technical nature. If any of the Members require further clarification of any aspect of the Bill I will be happy to provide same.

Section 1 sets out the Short Title and empowers the Minister to appoint, by ministerial order, a date on which the sections of the Bill will commence. This Act, other than Part 7, shall be included in the collective citation of the Industrial Development Acts 1986 to 2013. Part 7 relates to the transfer of INAB and its accreditation functions to the Health and Safety Authority. The Bill provides that Part 7 and the Safety, Health and Welfare at Work Acts 2005 to 2010 may be cited together as the Safety, Health and Welfare at Work Acts 2005 to 2013.

Section 2 sets out a number of definitions relating to specific terms. Section 3 provides that any expenses incurred in the administration of the Act shall be paid out of moneys provided by the Oireachtas.

Section 4 sets out the Acts or part of Acts to be repealed on the enactment of the Bill. There are a number of other repeals relating to commencement orders in earlier Acts, which are included in Parts 2 to 5, inclusive, of this Bill under the provisions relating to staff of the various agencies.

On Part 2, staff of Enterprise Ireland, section 5 provides for Enterprise Ireland and its subsidiaries to employ staff subject to the consent of the Minister and the approval of the Minister for Public Expenditure and Reform. Section 6 provides for the transfer to Enterprise Ireland of staff currently seconded from Forfás on terms and conditions of service relating to remuneration which are no less favourable than those applying before the transfer. I wish to advise Members that it is my intention to introduce an amendment on Committee Stage which will broaden the terms and conditions of service under which staff will transfer beyond that of remuneration. This amendment will be replicated for all Forfás staff transferring to other agencies or into my Department under Parts 3 to 7, inclusive, of the Bill. Section 7 provides for Enterprise Ireland to establish a superannuation scheme in respect of persons referred to in section 6.

On Part 3, sections 8 to 10, inclusive, replicate the provisions of sections 5, 6 and 7 in respect of staff of IDA Ireland. Part 4 deals with Science Foundation Ireland. It replicates the sections 5, 6 and 7 provisions in respect of Science Foundation Ireland.

On Part 5, section 14 provides for Forfás staff seconded to, or working under the direction of, the NSAI to transfer to the NSAI on terms and conditions of service relating to remuneration and superannuation no less favourable than those applying before the transfer.

Part 6 provides for the dissolution of Forfás on a day to be appointed by the Minister. Section 17 provides that references in any enactment to Enterprise Ireland, EI, IDA Ireland or SFI as an agency of Forfás shall be construed as a reference to those bodies, as appropriate. Section 18 provides for the transfer of functions currently vested in Forfás to be transferred to Enter-

prise Ireland and IDA Ireland, as appropriate, in accordance with the Schedule to the Bill. Section 19 provides for the transfer of functions currently vested in Forfás other than those referred to in sections 18 and 28 to be transferred to the Minister for Jobs, Enterprise and Innovation.

Section 24 provides that the staff of Forfás, other than those who are transferring to become employees of Enterprise Ireland, IDA Ireland, SFI, NSAI or the HSA, will be appointed to an unestablished position in the Civil Service on terms and conditions of service relating to remuneration and superannuation no less favourable than those applying before the transfer. These staff will subsequently be designated as established civil servants.

Section 25 provides that superannuation schemes administered by Forfás prior to dissolution shall continue in force as if made by the Minister. Section 26 provides for the administration of superannuation schemes or arrangements referred to in section 25 or those referred to in subsection (5)(c) of section 12 of the County Enterprise Boards (Dissolution) Act 2014 to be undertaken by a relevant body on behalf of the Minister and sets out arrangements to apply in regard to the administration of these schemes.

Forfás currently carries out the administration function for the superannuation schemes for which it has responsibility. Section 25 of the Bill provides for the Minister to become responsible for the existing superannuation schemes of the dissolved body. The Minister is also responsible for pension schemes arising under subsection (5)(c) of the County Enterprise Boards (Dissolution) Act 2014. It is proposed that when the Minister assumes responsibility for these schemes, the administration function will be devolved to a relevant body, an agency of the Department, as defined under the new section 26. This section provides for the Minister to require a relevant body to carry out such administration services on his behalf and sets out the arrangements to apply in this regard.

Section 27 provides for the preparation of final accounts for Forfás no later than one year after the dissolution date and for the preparation of a final annual report within six months of dissolution.

Part 7 deals with the INAB. The functions of accreditation are vested in Forfás and undertaken by the INAB, which, as I stated earlier, currently operates as a committee under Forfás. INAB accreditation functions and related staff will transfer from Forfás to the Health and Safety Authority, and this requires amendments to the Safety, Health and Welfare at Work Act 2005. Section 29 inserts a new section 33A into that Act, transferring the powers and functions of Forfás relating to accreditation to the Health and Safety Authority.

Section 31 provides for transfer of relevant Forfás staff to the HSA, by inserting a new section 54A after section 54 of the 2005 Act, on terms and conditions of service relating to remuneration and superannuation no less favourable than those applying before the transfer. Section 32 provides for an amendment to Part 5 of the Safety, Health and Welfare at Work Act 2005, by adding a new Chapter 3 and adding a number of new sections, sections 56(A) to 56(I). Section 56A provides for the committee established by the board of Forfás, known as INAB, to become a committee of the HSA and sets out operational procedures for INAB while the remaining sections deal with administrative arrangements to apply on transfer of functions. Section 56G provides for the HSA to establish an appeals board and related matters. Section 56H sets out the procedures in relation to the making of an appeal against a decision of the accreditation board, or the failure of the accreditation board to make a decision.

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Section 36 inserts a new schedule into the Safety, Health and Welfare at Work Act 2005, providing for the INAB and associated procedural matters.

Part 8, sections 37 to 42, inclusive, identifies the consequential amendments to existing legislation arising as a result of the integration of Forfás into my Department.

I emphasise that the overarching objective of this Bill is to strengthen our capacity to develop and implement enterprise policy. The integration of Forfás into the Department of Jobs, Enterprise and Innovation will deliver greater outcomes in terms of improving the operating environment for enterprise and contributing to economic growth and job creation and will ensure that the distinct strengths and experience of the Department's staff, and those of Forfás, are maximised to place the Department at the centre of driving economic recovery.

By way of background, many Senators will be aware that the original establishment of Forfás followed a review of industrial policy, when IDA Ireland and Enterprise Ireland were separated and a body which was placed over them included FÁS membership on its board. The thinking behind this is that one needs the Department to have the capacity for policy making - a stronger policy-making unit within the Department rather than much of that outsourced to an agency that was at a remove from the Department and had close relations to the agencies. At the time the industrial review was done in the 1980s, they recommended that such policy-making capability should be in the Department, not in another body. I think they had it right and we are moving to the sort of structure that was originally envisaged.

Public service reform of this nature is painstaking and it requires a significant amount of co-operation from staff across of all of those agencies that I mentioned at the beginning. One of the great successes of the negotiations with public service employees over the past number of years is the flexibility that has been demonstrated in being willing to make changes and try to bring better structures and put them in place. The Government has been very fortunate in having great co-operation in all those public service reform projects it has undertaken, including this one. It is a tribute to the staff and those who are working on this measure. I believe the value of having this capability to amplify what already is available within the Department already is proving its worth and I believe it is the correct move. However, as Members can discern from a casual reading of the Bill, such restructuring is akin to pulling an ivy root, in that there always are many pieces hanging out that must be restructured with it. It is by no means an easy process but is absolutely worthwhile in this case. I commend this Bill to the House.

**Senator Mary M. White:** I welcome the Minister to the House for this debate on the Industrial Development (Forfás Dissolution) Bill 2013. Drawing on the Minister's speech, I note that Forfás has become increasingly involved over the past three years in the central policy-making process in the Department of Jobs, Enterprise and Innovation, with the agency playing a leading role in the preparation of the annual Action Plan for Jobs. At this juncture, it is considered that combining the resources of Forfás and the Department represents the optimum use of scarce resources, particularly against a significant backdrop of significant reductions in staffing levels arising from the need to reduce the public sector people.

I wish to put on record both the steady decline in the number of people who are unemployed and the Minister's contribution as the driver in this regard. There is no question about that and one must admit it. I formally congratulate the Minister and to be honest, it is quite unbelievable as I never thought the rate would come down so quickly. However, the number of people who are unemployed remains high, with a particularly high rate of youth unemployment and a huge

emigration problem. According to a report released by the CSO in August 2013, emigration levels rose from 49,000 to 89,000 people between 2007 and 2013. Complacency on matters such as this must never be an option and as I have noted many times previously when speaking of my own personal experience, the transformation in a human being when he or she got a job, be it a man, a woman, a young person, a boy or a girl, must be seen to be believed. As I have stated numerous times previously, if people can hold down a job it is not just about the money but also is about the social intercourse and collegiality of people in the workforce, which gives a person a sense of belonging. Consequently it is fundamental that as many people as possible should be returned to employment. The driving force and the mission of the country must be to get people back into employment.

Another issue that must be addressed is the reason that so many people who have jobs are leaving. On the new role for Forfás, from personal experience I think there is a distinct difference of culture between the private sector and the public sector. I have been involved in both and consequently can speak from experience. I believe we need both to be on par and driving on a trajectory of the same passion. I believe there is still a challenge for young people and those who are new to the public service, in that there should be management and their aspirations should be addressed. I refer to what they wish to do with their lives and having someone to identify their potential because in a private company, one must have everyone operating as his or her optimal level of efficiency. I believe a problem still exists in this regard for young people. This has been evident within the Garda in respect of the young people entering it and all the awful recent happenings. While thousands of people wish to work in the Garda, there appears to be a lack of management or the absence of a mission to make them feel involved and that they are serving and protecting the country. A serious challenge exists within the public sector whereby people enter the sector delighted with their job but then, from my experience and observations, there still is a distinct lack of involving them in the job they are doing, if the Minister follows my point, that is, in engendering passion for what they do.

From my own experience, I am familiar with the IDA in Padraic White's time. Incidentally, I am delighted that Frank Ryan, the former chief executive officer of Enterprise Ireland, has become chairman of the IDA. That is a brilliant move because I know from my own experience that Frank Ryan is like a missionary who, in my husband's time as head of the IDA, would go through steel to get a project for Ireland. I believe we must get the same patriotic culture that was and which continues to be within the IDA. Moreover, an important point in this regard is that the IDA has been beyond criticism. There never has been negative criticism of it, such as like what happened in FÁS and so on, and the people are very professional and dedicated. However, in the context of the amalgamation of Forfás with the Department, were I the Minister I would be addressing the needs of the people in the Department. I would be getting them to buy into this important job they are doing for the country with regard to job creation and economic policy in order that they also can become passionate about the job. I hope I am conveying my point to the Minister. Why should there be a different culture in the private sector to that of the public sector? The public sector can be as entrepreneurial as the private sector when the job's mission is to try to save our country and bring it back to full economic recovery.

On the subject of SMEs, I have dealt with the important issue of rates as it pertains to medium retail companies, as opposed to the multinational retail companies. One particular project with which I am dealing concerns Ms Breda Cahill of the Centra in Ballinteer. She has no appeal against the rates and believes the local authority, Dún Laoghaire-Rathdown County Council, is draining her to keep its own organisation going. She has three shops in the area in

which she employs approximately 80 people. As she has told me many times, it is not merely about trying to keep her own business going but many of the young people who work part time in the stores are educating themselves in university. It is important not just to the owner of the retail outlets but also to the families in the areas that the children and young teenagers are getting employment to pay their way through university. All the issues like this really must be dealt with. I acknowledge the issue of rates appears to go on and on and one gets nowhere with it. However, it is not simply a technical issue but must be considered more broadly, that is, from the perspective of how these rates are preventing retailers from growing and surviving.

I congratulate the Minister again on the unemployment figures, as I believe the rate has reduced to approximately 12%. However, there is an issue in respect of why people are leaving the country and going abroad. That is my bottom line. I worked the public sector myself and there was no management whatsoever therein. I acknowledge that was a good while ago but I think there is an inherent issue. I include the Garda in this regard as well and a friend who I got to know in recent years, assistant commissioner Martin Donlon, told me there is absolutely no middle management in the Garda whatsoever. There is no coterie of outstanding management-trained sergeants who can tell the young recruits or gardaí what they actually should be doing when going out on the job. I am advocating helping people in the public sector to develop their careers and in so doing ensuring that the job is exciting and that it includes a passion for our country. It is beyond me why that cannot happen.

**Senator Maurice Cummins:** I welcome this legislation, which will integrate the policy research functions of Forfás into the Department of Jobs, Enterprise and Innovation. This integration will lead to the creation of a strategic policy division in the Department, of which former Forfás staff will form the core. I join the Minister in praising the flexibility of the workers involved in these reforms. Forfás has become increasingly involved in the central policy making process in the Department, with the agency playing a leading role in the development of the Action Plan for Jobs. This move is part of a broader reform programme the Minister has undertaken across his Department and departmental agencies, which also includes: the merger of the National Consumer Agency and the Competition Authority; the reform of the five workplace relations bodies into two organisations; the restructuring of the enterprise support model for micro and small business; the dissolution of the 35 former county enterprise boards and the opening of new local enterprise offices; and the restructuring of the transport and enterprise development bodies in the Shannon region. This House has previously considered Bills on these matters.

We are seeing major progress in the economy, with 1,200 additional jobs being created per week in the private sector over the past year and record breaking job creation levels in multinational and indigenous companies. This is to be welcomed. However, I have just learned that we will experience the loss of 200 jobs in my city of Waterford. This is a devastating blow to the workers and their families, and to a city that is on its knees at this point in time. Unemployment levels in Waterford are the highest in the country. There has been good news in recent times, with job announcements in EirGen Pharma and Nypro, and investments by Genzyme and Glanbia, but it is not enough. Waterford has suffered more than most. The construction industry was obviously a key factor in this. NAMA is currently seeking developers to develop a site on Michael Street, which would potentially provide over 1,000 jobs in the construction sector. That project should receive immediate attention from the Government in the context of creating jobs in Waterford. An advance factory is also currently under construction. Immediately on its completion we need to bring a company into it that will create jobs. We have had a myriad of

reports from committees and everybody else. We have seen action on some of those reports but we need a major task force in Waterford on jobs because, at this stage, it is a calamitous situation for everybody involved. More focus is needed on the regions and the areas which need employment. I recognise that nobody, whether Forfás, the IDA or Enterprise Ireland, can tell companies to go to Waterford or anywhere else but we certainly can create a better climate for companies in areas like Waterford.

I make no apology for speaking about Waterford in particular. It is the city where I was born and bred and I know what it is like to be made redundant. I worked for a company that went into liquidation, and I faced the same situation these people are now facing. We must give every assistance to those who will be put on the dole. We must put all of the organs of the State at their disposal so they can get their entitlements and, if necessary, further training, but we also need more jobs in Waterford. The Minister, Deputy Bruton, happened to be in the House to deal with this Bill when I learned of the job losses. I am angry and frustrated about the issue. We must make more efforts on behalf of Waterford and the south east. I acknowledge the Minister is working hard in that regard and that he is acting on the reports that he has received. I appeal to him to give urgent and undivided attention to bringing employment to Waterford and the south east. I apologise for straying from the subject matter of the Bill, which I believe will reform the system. The Minister has been reforming in his current position. However, I had to refer to this announcement.

**Senator Sean D. Barrett:** I commend the Minister on his energy and the reforms he has pursued. He is the Minister who is most regularly in contact with Senators regarding announcements and news on policy developments. I welcome that contact and wish him success in his efforts. I agree with Senator Cummins about his native city. We need his kind of local patriotism and it is sad when certain cities do not prosper.

The Minister stated:

The purpose of integrating Forfás into the Department is to strengthen the Department's capacity to develop and implement enterprise policy. The proposal is not driven by the objective of finding cost savings, although some savings may arise in due course if synergies between the two organisations are identified.

He also complimented people on the negotiations that have now been resolved. I support the principle of bringing policy making into the Department and I will be supporting the Bill but I hope we will be able to quantify the savings. The explanatory memorandum states there are no costs to the Exchequer arising from these proposals. While I commend the Minister on the 70,000 extra jobs being created per annum, there are still between 200,000 and 250,000 fewer people at work compared to when this crisis started. The crisis arose as a result of the conduct of the banks, the Central Bank, the higher bureaucracy, the accountancy profession and the builder and developer sector. However, the aforementioned have largely escaped the reforming zeal of the Government and the new Senators and Deputies who were elected three years ago. We have to deal with the sectors which caused the devastation.

This Bill makes an important contribution to bringing policy making into the Department. I hope it is not smothered by the culture of obfuscation and secrecy that surrounded the Department of Finance on the night of the bailout, which was epitomised by the non-answers of the Financial Regulator. Our culture of public administration has caused a major part of the difficulties faced by the unsheltered sectors of the economy but it is not being reformed. One of

the regrets held by those of us who entered the Oireachtas three years ago is that the permanent Government has not been reformed. This Bill represents an effort at reform but it may not be nearly radical enough. I refer to the culture of not answering questions, of not engaging in analysis and of incrementalism.

The culture of incrementalism means nothing ever gets shut down, even though the economy is in serious difficulty and is still borrowing too much money. Unless we reform the public sector we will all get the kind of answers we got last Friday, that the adjustment takes place at the expense of people with medical cards, at the expense of carers. We have a bloated bureaucracy which is not serving the country. When it comes up to our Houses of Parliament its performances are appalling. I refer to what we heard yesterday, what is in the Guerin report and in the Smithwick report, what was in the Morris report before that. The job of the Civil Service is to serve and it cannot isolate itself from what is happening to people in the estates and on the streets. Public sector reform has been going at far too slow a pace. I do not know if in the remaining period of time of this Oireachtas we will be able to make up for the pace that has been lost. I never hear Ministers saying, "What did an *bord snip nua* say about my Department and what will I do to sort out those issues?" We keep doing the same things and we add a bit more. That kind of incrementalism cannot work in a society that needs radical reform.

However, the Minister is an exception because of his energy and commitment but if he had heard the performance in this House on the water issue I am not surprised that it came unstuck last Friday. Every single amendment proposed in this House which would have been most helpful to the Government and was put forward in that spirit, was rejected. These amendments were about the price, the generous free allowance, about having the consumer body represented on the National Consumer Agency, giving local authorities some say as they have been running the business up to now, having its investment proposals supervised by the Department of Public Expenditure and Reform and the Department of Finance. The Government would not accept anything.

The Wright report investigated the Department of Finance and found that 93% of its staff were not qualified at master's level or above in economics. Mr. Wright came from Canada where the corresponding figure is 60% qualified staff. We need an openness and an ability to engage and an ability to admit mistakes but which we are not getting from the senior civil servants in this country. They have a lot to answer for. I hope their conduct will change when they come here, otherwise, there will be a repeat of what happened last Friday and in the last general election. If the elected government will not hold the permanent government to account the elected government will be dismissed by the electorate at the first available opportunity because there is no other way that they can make their views known about the bankers, about the way the Central Bank conducted itself, about the way the Department of Finance conducted itself, losing all the notes; we had to rely on the bankers themselves to supply the notes. That is not a competent way for organisations charged with the expenditure of vast sums of public money to conduct themselves.

The Minister tried, with our support, to develop the unsheltered sectors of the economy which do not have those kinds of powers. That they have to get up and get out every day to compete on world markets while carrying the kind of burden of the way this country has been run by the permanent government, is not acceptable and we have to make that point as strongly as possible because we cannot be treated as Parliament has been treated in recent times.

The transfer of water to the central government from the local authorities has been badly

handled. I hear complaints about the driving licences, about SUSI and of course, about the medical cards. I do not know what is the problem. I have participated as best I can and I am always willing to assist in the public administration attempts to reform our permanent government. There are many talented young people in public service. It is a question of how to turn enthusiastic, young, well-educated people who joined the Garda Síochána into the kind of people who represent An Garda Síochána when they come to this House. We have a lot to answer for in public administration. How did so much youthful enthusiasm become so cynical and so obfuscatory?

There is a problem in most countries that bureaucracy expands its own budget, it never wants to evaluate its outputs, it does not care if there are any outputs. Sir Humphrey was meant to be in a comedy programme but it has become a tragedy in this country; people have referred to the kind of Sir Humphreys that have come up here.

Besides the problem of incrementalism there is the problem of the interface between lobbyists which is a major problem which I hope the Minister, Deputy Howlin, will address. I refer to regulatory capture of Departments by interest groups. The reform of our public administration which is at the core of this Bill - I support the Minister - and it has a very long way to go and I regret that it has not made sufficient progress and that there are not enough reforming colleagues like the Minister, Deputy Bruton, doing that job because the country is paying for it and those with medical cards are paying for it. We need a far better performance.

I refer to the aviation sector as an example. There is not much difference now between the number of staff employed in Ryanair and the old Aer Lingus except the old Aer Lingus used to carry about 3 million passengers while Ryanair carries 85 million. I demand that the public sector produces the same kind of productivity improvements and that we get those measured and put before the House. At the moment we seem to be just changing bodies around and not achieving any savings. The Minister has acknowledged this in his contribution, that it will be the same staff under different labels. We need productivity increases and we need to know what they are because that is what we are required to vote on.

The problem the Minister addresses was one we found in the Culliton report, that agencies were too powerful, the Department was too weak and it was necessary to retrieve policy-making. The Minister is a policy-maker, as was his brother, the former Taoiseach. It is important that elected people take control of policy and oppose some of the things that have happened in recent times. I refer to the way the regulator gave evidence and the way the Department of Finance lost the records of the night and the way the Garda Síochána has been behaving and the way it takes 15 days or more for a letter to get through the bureaucracy to reach the Minister to whom it was addressed. A lot of reforms are needed but this Bill is a small step and I will support it.

**Senator Denis Landy:** I welcome the Minister to the House. We have all been on the hustings for the past three weeks. The Minister's name came up in my town because in the mid-1990s he announced and brought to the town the last major industry in Carrick-on-Suir, SRAM bicycle components. We accorded the Minister a civic reception at the time and it was a very good day. We have not had good days since then. I worked in Waterford city for 13 years. It is a little known fact that Waterford is known as the Déise but the Déise actually runs up to the mountain of Sliabh na mBan which is 15 miles from the city. I live in the Déise area.

I endorse every word of what Senator Cummins said about Waterford city because when

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Waterford city is down, the surrounding areas are down. Many people from my town are working in Bausch and Lomb and many of them will lose their jobs. Like Senator Cummins I only heard about this just before we started this session and I am in shock because I know many people who are working there. I fear for those people but we have to look forward and that is what we will do. This Government is looking forward. Looking forward means carrying out reform such as the Minister has proposed in this Bill, which is to integrate the research and policy advisory functions of FÁS into the Department of Jobs, Enterprise and Innovation. As the Minister said, why would one use a nettle instead of using ivy but when one goes to pull something from the ground, there is a lot underneath. I do not under-estimate the task.

Every time I stand up to speak in this House I defend public sector workers because they are the most maligned and disrespected group of workers in this country. However, in three weeks' time the second most senior official in Tipperary County Council will retire after almost 40 years of service in the public sector. I have telephoned him on Saturdays, Sundays, at seven o'clock in the morning and at midnight and he has never failed to answer me and to get responses to my difficulties. That is public sector and public service. Those people who criticise them are wrong. I agree with Senator Barrett on one point he made in regard to the public sector. What we need above all in the public sector are capable senior managers because no matter what job one does, whether selling chips in a chipper or running a Department, one will take guidance from the person above one, who manages one's work and what one has to do on a daily basis. Senior management level is the difficulty.

I welcome this and believe it is a good move but the heartbeat of this country is the SME sector and we must place more focus on SMEs and what they do. I tabled a Private Members' motion more than a year ago on retailing in rural Ireland. When I say "rural Ireland" I mean outside Dublin but including Waterford city, the main streets of which have been decimated. The main streets of my town and every other town have been decimated also. We still have not seen progress on stemming that difficulty. Small retailers or SMEs need help but they are not getting it.

I know the Minister is doing this for all the right reasons. I had a conversation with Senator Barrett before we started this debate. The administration of water, medical cards and education grants has been centralised. Probably less important, the administration of driver licences has been centralised in the sense that it has been taken from the local authorities. All of that has failed miserably. Irish Water is only in place a couple of weeks and last week, for the first time in 15 years, the area in which I live was put on a boil water notice. As a Senator and as a public representative for more than 25 years in the area, I was not informed that the house in which I live and the 2,000 houses around mine were on boil water notices. I spent 45 minutes on the telephone to Irish Water but I could not get a response. I got back on to it the next day and spent another 30 minutes on the telephone. I eventually got a response through the Minister, Deputy Hogan, as a result of his intervention. If that is the way these services are going to go, they should never have been taken from those running them previously. That is just one example.

I think the Minister will detect a certain amount of frustration in the Chamber. Senator Cummins expressed it in regard to jobs in Waterford. There is frustration about many things but we must keep the focus on getting people back to work. I hope this Bill and what the Minister intends to do with it will ensure that. However, I want him to reassure me that this process will keep the focus on what is important, do research on what is important and, most important, create jobs as a result of implementation of that research.

All of the people who have worked in these organisations have worked to their capacity but I question the guidance they got along the way. I fear repeating myself but as a member of a local authority for almost one quarter of a century, as was Senator Cummins and many other Senators in the Chamber, the actions and the functions of the IDA were probably the most bewildering of all the bodies we dealt with. All of these organisations are intrinsically linked. The Minister is bringing this back into the Department and it is important that he, and not a senior person in the Department, oversees it and ensures it works.

I am sick to the teeth of the removal of services from local level in the name of reform as well as the abolition of the town councils in the name of reform. It is actually reductionism and not reform. Reform is when one makes something better by taking an action. This actually removes a service. I ask the Minister to prove me wrong on this one and I am confident that he can do that.

**Senator Trevor Ó Clochartaigh:** Cuirim céad míle fáilte roimh an Aire. It would be remiss of me not to share the concerns of Senators on the job losses in Waterford. It is a very dark day for that city, for all those involved and for the families which will be affected by that decision. I believe my colleague, Senator Cullinane, was on his way there when he heard the news. He asked me to contribute to this debate in his stead. One of the issues which appears to have arisen there was that the unions were not consulted in advance of the decision being made, which is not a good way to conduct industrial relations. The unions and the staff should not hear rumours in the media, etc., about this type of thing.

When the technical nature of this Bill was being outlined, an important point was made that these proposals cannot be seen in isolation but as part of a broad range of policy development initiatives. There is no doubt the Department of Jobs, Enterprise and Innovation has a significant job to do in terms of bringing forward legislation. My colleagues discussed some of this workload during the question and answer session with the Minister of State in regard to collective bargaining, workplace relations and the ongoing delays in that regard. While Sinn Féin does not oppose the Bill in principle, we look forward to examining its provision, some of which are very technical in nature, in more detail on Committee Stage.

The Bill proposes to dissolve Forfás and assign powers to agencies, such as Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Irish National Accreditation Board, to function as employers in their own right, including, for example, the capacity to establish superannuation schemes. As it stands, Forfás is the statutory employer. In this context, we welcome the commitment that the terms and conditions of employment will transfer over which is reassuring for personnel within the organisation. The question of the functions of Forfás is something Sinn Féin intends to examine in detail on Committee Stage.

The Minister of State referred previously to the importance of retaining the capacity for independent critical analysis, which the agency provided. Now that it is being subsumed into the Department and coming under the remit of the Minister, some non-policy functions will transfer to other agencies but, in the main, it will be amalgamated into the Department. It is very important that the independent character of its operations is maintained. We must avoid a situation where a group think mentality prevails. I am confident that the Minister will do everything from a personal and political point of view to ensure this does not happen.

The Bill provides for a strategic policy division within the Department to take over Forfás's role in providing independent research and analysis. Will this division have the power to set

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out its own research programme? Will all of the reports coming from the unit be made public or will they be for the Minister's eyes only, with publication taking place at his discretion? As the Minister knows from his time in opposition, in order for Opposition Deputies to fulfil their role in holding the Government to account, providing critical analysis of policy when such is required and acknowledging when good work is being done, it is important they have access to all the available information and the latest research findings. I seek an assurance that there will be no question of reports which are critical of Government policy being shelved by the Department. My concern in this regard is not specific to the current Government but applies irrespective of which parties are in government and whoever the Minister might be. After all, the Minister will have ultimate control over the strategic policy division. It is all well and good for the Minister to assure us that Forfás's function of providing independent critical analysis is safeguarded but that might not always be the case. We do not know who will be in the Minister's chair in five or ten years' time.

The opening sections of the Bill give powers to agencies such as Enterprise Ireland and IDA Ireland to become employers in their own right, including the capacity to hire staff. These provisions will be subject to approval by the Minister for Public Expenditure and Reform, which is reasonable. However, the Minister knows as well as I do the realities of the current economic situation. He indicated in his opening contribution that these proposals do not represent cost saving measure and I accept his word in that regard. He indicated that there would be savings in the long-term, which is welcome. However, reforms of this type should never be initiated merely on the basis of potential cost savings. With that proviso in mind, I accept the Minister's position that these proposals represent a policy decision to develop efforts in regard to job creation. We have seen leaked reports from Enterprise Ireland on the impact of reductions in staffing levels on its ability to carry out its functions. IDA Ireland had a good year in 2013, for which it should be commended. It did not, however, achieve all of its targets, including the undertaking to ensure 50% of investment would go outside the main urban areas of Cork and Dublin. Will the Minister confirm that the failure to meet the particular target was not down to a resourcing issue?

There is no point in legislation which gives organisations such as Enterprise Ireland, the capacity to become employers in their own right if the Minister for Public Expenditure and Reform is not prepared to loosen the purse strings to accommodate that. If additional recruitment is needed to allow organisations such as Enterprise Ireland and IDA Ireland to work at the optimal level, then the Department of Public Expenditure and Reform must be open to it.

*1 o'clock*

I presume that the Minister has been lobbying the Minister for Public Expenditure and Reform on these issues. This Bill contains good proposals which we intend to support. We might bring forward amendments to it on Committee Stage. We look forward to examining some of its provisions in more detail, particularly in respect of the strategic policy division and how it will work in practice. It sounds good in theory but we need to go through the nuts and bolts of what is proposed to see how it will work in reality.

**Deputy Richard Bruton:** I thank the Senators who contributed to the debate. I acknowledge Senator White's encouragement in the progress we are making. She rightly highlights emigration as a continuing challenge. The figures show that for the past couple of years net migration, which is a fairer measure, has been approximately 34,000. The trend is predominantly Irish net migration now whereas in the earlier phases many who came in here in the boom time

left. If we can maintain employment creation at the level of approximately 70,000 since the last quarter of 2012, which is double the net migration number, there will be employment opportunities. We are beginning to see options for people who previously had no option but to emigrate.

The Senator rightly remarks that some people who have jobs go. Having met many people on trade missions overseas, one wonders why they do. Many of them are given responsibility at an earlier age when they go abroad. There is a pull factor in being able to assume responsibility at an early age. There are different forces exercising others, who have been forced out particularly by the collapse of the construction industry.

Senator White also made interesting points about the need to create an entrepreneurial environment in the public service. That is a real challenge. We are heading in that direction. In my area we have tried to create, through the Action Plan for Jobs, a recognition of success. Every quarter we report on what has been delivered. The staff do not earn a profit as a result but those who deliver change and achieve targets are recognised within the system. We need to celebrate that success and measure it, as Senator Barrett says, and use it to deliver real reform. It is changing the way business is done.

Over the years I have seen many very ambitious reports or plans published but with no real accountability when things went wrong. This time we are at least making every agency accountable for its piece of the jigsaw, measuring its success and questioning why it fails. It may not always be a case of someone not making the best effort he or she could. That is an answer to the criticism that Senator Barrett outlined of a public service that does not answer or analyse, or makes adjustments only at the margins. That is changing but it will not change overnight.

In my area of clear vision, the Action Plan for Jobs, and the process of quarterly reports, does change the environment within which people work. I recognise that there is frustration among public servants. There has been little recruitment in the public service for many years. Opportunities for progression have been limited. One of the casualties of the recession has been the lack of new blood coming in, which has been affected by the sort of changes we have had to make. We need to address that over time.

In response to Senator Ó Clochartaigh, to be fair to the Department of Public Expenditure and Reform, it has in the past 12 months approved our putting new feet on the ground for the Industrial Development Authority, IDA, in specific overseas markets, in the same way it has allowed us send front-line people overseas for Enterprise Ireland. It has also agreed to allow us have graduate recruitment in local enterprise offices. Some flexibility is emerging, which has been hard won but it makes it possible to be more innovative. We all abuse the Department of Public Expenditure and Reform, but it is trying to achieve things.

That brings me to Senator Landy's point about centralisation, which is a tricky one. The notion of centralisation is the concept of shared services. It should be easier to deliver a high quality service in one location than to have it administered separately in different areas. He rightly says the principle might have been good but sometimes the practice has not been as good as we would like. To be fair to Student Universal Support Ireland, SUSI, I have not heard anything like as many complaints this year as there were in year one. Some of these matters are a learning curve. I can understand his points on medical cards because local discretion was a factor. People knew the families and that made a difference. It is harder to do that when there is a shared service in one location. That is a real challenge. The Government does need to

examine that system.

Senators Landy and Barrett were very critical of Irish Water. It is genuine reform. They might not like it but creating a State agency that has the capacity to raise its own money because it has a revenue stream is genuine reform. We can invest in a water system we are unable to invest in at the moment because of the constraints on public borrowing. If we create a commercial State body that considers the whole water infrastructure as a single unit, can borrow independently, and be accountable to this House to show that it is delivering and meeting its targets, that is logical good reform and accountability. It will have to be accountable to Senators and committees. It will face challenges in showing that it can deliver. The system has not been delivering.

Senators Cummins and Landy rightly raised the situation of Bausch and Lomb. It is a very tough day for the workers affected. The company was acquired at the end of last year and has been restructuring in its US plant and is now restructuring in the Irish plant. It is working to a different cost model, seeking to build its market. It believes that it has identified a significant cost disparity between the operations in Waterford, in the US and elsewhere in Ireland. It says that cost differential must be dealt with in order for it to invest. That is the company's decision and it means some job losses and negotiations to bring down costs. That will be difficult to do. I hope both sides can engage constructively to save the maximum number of jobs. Government stands ready to invest in a future development bringing in new production lines, processes and research capability. We have been working with the company over months to try to get the very best outcome we can for the plant and for Waterford. I hope we can achieve a good outcome there despite the grim news today.

On the wider issue of Waterford, I recognise what Senators Cummins and Landy have said. The south east generally has been a real problem area. After the closure of TalkTalk we created a south east action group. We have worked relentlessly and I have focused the work of the IDA and Enterprise Ireland on the area. We have had some significant successes with investments. There is a pipeline of projects we are trying to get across the line. No action is being spared. For the first time in many years there is an advanced facility being built in Waterford, as well as those in Letterkenny and Athlone. We recognise that we need to do different things in the regions to get the sort of spread we need. We have put a big effort into getting the local enterprise offices embedded in local authorities, which are the most powerful regional tools. Senator Landy recognised that they are the most powerful regional organisations that we have and it is correct to embed the enterprise process within them. I know there has been criticism of that but if we can get the powerful resource of local authorities behind enterprise development, we can maximise the potential impact on the retail and other sectors.

Start-ups are the driver of growth. In the most difficult period between 2006 and 2011, when the rest of the economy shed 400,000 jobs, start-ups created 100,000 jobs. In the face of a blizzard, so to speak, many people started businesses and created those 100,000 jobs. How much better could we perform in a much more benign environment if we get it right? We are seeking to do that through the local enterprise offices, and regional aid has been recently reinstated. Having been under European Commission pressure to dilute regional aid, we have been able to hang on to it as a powerful tool for regional development. I share the view of Senators, including Senator Ó Clochartaigh, that we must focus on regional development in a well thought out manner. It will be a really important debate.

Senator Barrett asked why we are not quantifying savings. There has been a reduction in all

our staffing, which has impacted on Forfás and the Department. Many of the potential savings have been taken out through attrition, essentially, and in a period of diminishing resources we are trying to align those resources to have the maximum impact on the challenge of employment. That is why I have always believed we need a stronger policy capability with the Department and the relationship with our agencies should be one of greater equality of strength. We can achieve that by bringing Forfás within the Department. In doing so we can hold our agencies to account, develop policy with a broader perspective and do everything mentioned by the Senator.

I give Senator Ó Clochartaigh an assurance that I am absolutely determined that independence will be maintained and research will be independently published. That tradition has existed in various evaluation bodies within the Department but we have also strengthened the National Competitiveness Council, which has an independent right of publication and audience to the Cabinet committee. It is a strengthened body which will act as a guarantor, meaning it has a role in ensuring the Government is accountable.

It is disappointing that IDA Ireland has not been able to hit investment targets but that has not come from a lack of resources. It is the one body we have protected in this period and there has been no diminution in its resources. There is the issue of locating mobile investment and why there is a focus on certain locations, and it is a complex matter. IDA Ireland is evaluating foreign direct investment strategy for the future and it is considering whether there are sectors other than those which are internationally mobile and which drive towards big urban centres. Unfortunately, those are the types of projects which are mobile and they are in information and communications sectors and seek deep labour pools. The older manufacturing types of projects which were more regionally dispersed are fewer, which presents a real challenge. It is a question of whether we can identify sectors with a potentially better regional spread, as well as seeking to win other projects.

I assure Senators that we are going to align resources to deliver maximum impact, and that is what we have been trying to do. Senator Landy touched on this issue. Nobody gets recognition for some feats but, for example, the Companies Registration Office has halved the time it takes to start a company. Much change in how it did its work was needed to achieve this. We have more than halved the time taken to issue a work permit, and by implementing the provisions in the companies Bill, we will make it much easier to set up and manage a company. We are continuously driving public service reform that makes it easier for enterprises to thrive and jobs to be created. We are determined to do that and we seek to ensure the quality of the research, as the Senators rightly demand, as well as the quality of the implementation we deliver.

On Committee Stage we can go through the provisions of the Bill but they are not particularly controversial and I am delighted that Senators are broadly supporting the principles. I hope it will help us to confront the regional and national challenges we face.

Senator White raised the issue of rates. Senators Cummins and Landy may be able to provide a briefing on this, as the revaluation in Waterford has caused as much trouble as it has brought benefits. Valuations from the 1980s are being updated to what is being regarded as a modern standard. There have often been winners but there have also been losers, who have been inconsolable. It is a tricky matter. Senator White's idea is to move to some other type of incentivised structure within the rates base, which is interesting, although it may be a debate for another day.

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**Senator Mary M. White:** May I have a chance to respond?

**Acting Chairman (Senator Michael Mullins):** No, there is no opportunity once the Minister has made his reply.

**Senator Mary M. White:** It is important that the CEDRE report is taken seriously and there should be an integrated approach, with bodies such as the local enterprise offices working together for the even development of the country. There are 40% of people in the rural part of the Ireland.

**Acting Chairman (Senator Michael Mullins):** I must put the question.

**Senator Mary M. White:** We must address that matter.

**Deputy Richard Bruton:** We are seeking to put together a regional enterprise framework to integrate the Enterprise Ireland plan for regions and local enterprise offices. We are seeking to get local stakeholders behind a combined strategy, identifying where the competitive strengths of the region are and looking to build on them. That conversation is important and now that we have local enterprise offices embedded in the local authorities under service level agreements with Enterprise Ireland, we have a much better framework within which to have that important debate.

Question put and agreed to.

Committee Stage ordered for Wednesday, 4 June 2014.

**Acting Chairman (Senator Michael Mullins):** When is it proposed to sit again?

**Senator Maurice Cummins:** At 2.30 p.m. on Wednesday, 4 June 2014.

## **Adjournment Matters**

### **Job Creation**

**Senator Trevor Ó Clochartaigh:** Cuirim céad fáilte roimh an Aire. Tá mé thar a bheith buíoch dó as teacht isteach ar an gceist seo. I am very grateful the Minister is present. The reason I raise the issue is that, anecdotally, we all sense that employment in rural areas has been particularly affected in recent years. There is a certain sense that the employment rate nationally and even in the regions is improving but figures in the quarterly national household survey, QNHS, recently revealed the real picture, namely, a decrease in the labour force in various regions, in particular more rural ones. For example, in the midlands region from quarter 1 of 2012 to the end of last year there was a decrease from 129,000 to 128,600. In the west the decrease was from 211,200 to 204,800. In the mid-east the decrease was from 262,000 to 254,000. That gives an indication that the labour force in rural areas is decreasing. One must also consider that the figures for the west include statistics for Galway city where there have been certain successes in terms of employment. However, as someone who speaks on rural issues regularly I am aware that rural areas find it difficult to maintain population levels.

My question for the Minister relates to the agencies under the remit of his Department and

the specific targets they have to create employment in rural areas. We had an interesting debate about Forfás, the IDA and Enterprise Ireland. Certain successes are evident in the figures we discussed. The IDA's target for creating more than 50% of jobs outside of Cork and Dublin was not met. It has been difficult to create jobs even in bigger towns around the country. How does the Government plan to rejuvenate rural areas, create employment there and keep people living in rural communities?

Údarás na Gaeltachta does not come specifically under the Minister's remit but it is a Gaeltacht-based development agency. It is having particular difficulties because its funding has been reduced from €28 million in 2008 to €5.6 million. It is trying to create employment in Gaeltacht areas. Certain protocols are in place with the Department to the effect that if Údarás comes across a project or develops one which might be based in a Gaeltacht, capital funding will be provided. There have been a number of successes in that regard. The Mylan project was announced recently. Notwithstanding that, my understanding is that Údarás na Gaeltachta does have a number of shovel-ready projects where the groundwork has been done and employment could be created but the next step is required.

The Minister mentioned in the previous debate that the Department of Public Expenditure and Reform has allowed Enterprise Ireland and the IDA to take on extra staff at the coalface but the Údarás has not been given similar powers. Notwithstanding the difficulties experienced by Údarás na Gaeltachta, the most telling example I could give – Senator Keane could relate to it – of the success or otherwise of Údarás *vis-à-vis* other rural areas is Connemara. Even with its faults Údarás na Gaeltachta has done a very good job of creating employment in rural areas in south Connemara but as soon as one goes to north Connemara it is barren from the point of view of industrial development. If it were not for tourism there would be very little there.

We need a rethink in how we approach job creation in rural areas. I look forward to hearing exactly what targets each of the agencies under the Minister's remit have and what the Government's strategy is to ensure rural areas get the jobs they need.

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I thank the Senator for raising the issue. It is a continuing challenge to get regional spread. We are in a major transition. I was just looking at the figures for the west published by the Central Statistics Office from the census and there was a 60% reduction between 2006 and 2011 in the number of people employed in construction, amounting to a loss of 15,000 jobs. That is evidence of the significant downward suck that happened across the country. The sector had great regional spread. The challenge is to build new sectors that can get the same regional spread. It is challenging, especially when one looks at the IDA, which tends to be focused on highly mobile sectors. The investments we are chasing tend to be focused on sectors with very deep labour pool needs connected to education and hubs. That has been a real challenge to try to get the spread.

We have done interesting things. For example, the IDA has focused more on emerging companies and trying to get companies to make their first internationalisation into Ireland rather than trying to attract the big iconic names. That has been successful and has resulted in somewhat better regional spread. Connect Ireland is another initiative we took which seeks to use the contacts of people within the regions to act as a magnet. We have been taking a number of initiatives. This year is better in terms of regional spread than last year but it is still well short of the 50% target set for the IDA.

If one takes the west as a whole, in the three years from 2008 to 2010, the IDA lost 1,600

jobs while in 2011 to 2013 it added 3,500. That is a big turnaround. Enterprise Ireland similarly lost 2,000 jobs in the first period and added 500 in the second three-year period. We are getting traction in some sectors in particular. Food has been doing exceptionally well and has a very good regional spread. If one looks at the QNHS figures to which Senator Ó Clochartaigh referred one will see there has been solid growth in most regions and it has been spread through all the sectors. Some of it is on-farm and more is in the food sector. There is growth in the food sector and there is very strong growth in the tourism sector which again has given good regional spread.

The question on how we achieve a better regional spread is not just one for the IDA and Enterprise Ireland – the industrial agencies – it is also for those other sectors that are often major areas of competitive strength. We are seeking to develop a regional enterprise framework now that we have the local enterprise offices in place. The IDA and Enterprise Ireland have regional offices and it is timely to create a regional enterprise framework through which we can engage with stakeholders in whichever region to see how we can maximise effort. It will not all fall within our remit but it will play a part. Much of what we seek to do is aimed at small start-ups such as are funded by Microfinance Ireland and local enterprise offices. Those are initiatives through which we seek to give life to both rural and urban areas. This year one area of focus is to incentivise people to trade online in order to get customers, as that could be a lifeline for more remote areas where one has good skills or product capability. There have been successes like the announcement last week by Green Isle Foods in Longford, which is very much rooted in the rural economy. We will seek to continue to build on those strengths.

Our targets are sectoral, in the sense of seeking to develop different sectors of the economy, and the regional spread comes with that. We have regional offices, each of which is charged with developing and maximising the impact it can make on companies. This year, as Members know, as part of our focus on manufacturing, we are asking our agencies to focus on 200 companies which have the capacity to step up. Every regional office will be looking at companies in its area to see if they have the capacity to step up, enter new markets and build their capabilities. We are seeking to deliver a regional spread through a number of different initiatives. However, I will not say that I am expecting “X” number of jobs from this or that county. It is not really realistic to work that way. That said, if we can get a regional framework in place, we can monitor the progress and look at the opportunities in collaboration with other players in the region. I hope to develop a better framework to address the issues raised by the Senator.

**Senator Trevor Ó Clochartaigh:** I thank the Minister and appreciate what he has just said. It does strike me, though, with respect, that if there is to be a regeneration of rural areas, then the Minister needs to drive it a little bit more from a rural perspective. If these regional enterprise frameworks are being developed in conjunction with the agencies, it would be useful to give them targets for rural areas. I do not think it will happen unless that is done. We know it is not easy but unless that happens, we will see a continual sucking of people from rural areas into the urban centres. That will have a snowball effect on rural shops, schools and so forth. Therefore, from an industrial development perspective, it would be very useful if the Minister considered the possibility of regional targets for rural areas. The Department must focus on what can be done to create employment in rural Ireland.

**Deputy Richard Bruton:** We have established our community enterprise centres, numbering 115 across the country. However, we respond to entrepreneurs coming forward with their ideas. We cannot grow entrepreneurs or enterprises in particular areas. We can try to provide facilities in different areas so that anyone who is emerging can get support. If Enterprise Ireland

has a competitive start in a region but does not get applicants, it cannot create them. We try to develop the infrastructure and the opportunities but we depend on people coming forward. In that context, setting targets might be unrealistic. That said, I see no reason why we should not be looking for a 25% increase in start ups. I will be asking for that kind of target to be delivered right across the country. That is a realistic way to look at it. Start-ups are the drivers so if we can deliver that through the LEO and Enterprise Ireland network, then we will make real progress. If we then see that certain regions are not achieving, we can look at the reasons and try to learn from that. I take the Senator's point but we cannot start from a high target and work down. We must build the base and support the enterprises that are coming forward and then try to continually do better on the back of that base.

### **Housing for People with Disabilities**

**Acting Chairman (Senator Michael Mullins):** I welcome the Minister of State, Deputy Jan O'Sullivan, to the House. Before I call Senator Moran, I would like to remind her that persons outside the House should not be referred to by name or in such a way as to make them identifiable.

**Senator Mary Moran:** I thank the Minister of State for dealing with this Adjournment matter. The case I wish to refer to concerns an individual who had an accident several years ago and who had to have a battery pack inserted into her back to stimulate her nerve endings. She suffers from severe and chronic pain and her condition is consistently deteriorating. She has now reached the stage where she cannot get up the stairs. She is a single mother of two. She cannot climb the stairs and is a prisoner in her own home. I fully support her application for a housing transfer, as do her medical team. I believe it is imperative that something is done for her.

I have been making representations to the county council on her behalf for over seven months. The council has replied to the effect that it will look into the matter but that no funding is available. An occupational therapist has visited the woman and has agreed that she needs to go on the medical transfer list. The council has accepted this but has said that it does not have money or a suitable house to move her into. I have seen this lady's condition deteriorate rapidly over the last couple of months and she is now in hospital in Dublin. The battery pack is no longer working and she will undergo a six-to-seven hour surgical procedure to have it removed. When it is removed, she will not be able to move. She no longer has the power in her legs to move. When she goes back home, she will be even more debilitated. It is absolutely dreadful. She has two young sons - one in national school and the other half way through secondary school - who she relies on, along with other family members, to lift her to get to the bathroom. She spends an awful lot of her day lying on a couch. This is an urgent case.

This individual is suffering every single day because her current accommodation is wholly unsuited to her needs but there is a lack of suitable accommodation into which she can be transferred. She has said that she will go anywhere if she can have a home in which she can be as independent as possible. In a recent letter to Louth County Council a consultant wrote that she needs to be accommodated in a bungalow, that is, in single-storey accommodation, because she has "significant distress" from climbing stairs, mobilising or walking on anything other than the flat. He pointed out that she suffers severe, chronic pain on a daily basis and that without a change in her accommodation, she is likely to become more severely disabled. This is a recom-

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mentation from a consultant anaesthetist and pain specialist in a hospital in Dublin.

Not providing this individual with appropriate accommodation and not making her a priority case means that her physical condition will continue to deteriorate rapidly. Every week I receive phone calls from her during which she cries in pain. I feel so helpless and am at my wit's end telling her every week that I will phone the council again. I have phoned the council repeatedly and am sure that the staff are doing what they can but I cannot tell this lady to hold on any longer because I have been telling her that for the last eight months. This situation is taking a significant emotional toll on her family. Imagine being a prisoner in one's own home and dreading having to go near the stairs. This is an unhealthy situation, not only for the woman herself but for her two young children. These boys are under unnecessary strain.

Over the past seven months I have been witness to the unnecessary stress and hardship that has been caused to this lady and her family. I feel that I must raise this case at national level because I have exhausted all of the normal channels at a local level in seeking resolution to this matter. This person cannot wait any longer for a transfer and swift action is needed. I look forward to the Minister of State's response. I appreciate the work the Minister of State is doing in this area and welcome her recent announcements about bringing boarded-up houses back into use and so forth. In this particular case, it seems that there is no single-storey house available. There are many other cases of housing need I could bring to the attention of the Minister of State but this one is at crisis point. I would appreciate the advice of the Minister of State on the matter.

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** I thank Senator Moran for raising a very difficult situation for a lady who is in great pain and difficulty. Unfortunately, as Minister of State, I am precluded under housing legislation from intervening in individual housing cases and therefore the issue must be dealt with by the local authority in accordance with its allocation scheme. While I take the point that there is a national responsibility in terms of my allocating funding generally, an individual allocation must be done by the local authority. Under section 63 of the Local Government Act 1991, a local authority is, subject to law, independent in the performance of its functions. The law on the allocation of local authority housing is section 22 of the Housing (Miscellaneous Provisions) Act 2009 and the associated regulations, for which I, as Minister, have responsibility.

In accordance with the legislation, the elected council members set down council policy on the allocation of local authority housing in its allocation scheme. This policy-making power extends to determining the order of priority in accordance with which dwellings are allocated by the authority and reserving a proportion of dwellings for allocation, among other things, to different classes of household. It is the job of the manager of the local authority to make allocations, including decisions on transfers for existing local authority tenants, in accordance with the scheme. In this connection, the allocation scheme adopted by Dundalk Town Council provides that transfer applications will be considered in situations where a transfer would relieve a serious medical condition, such as in this case, including physical or mental disability.

Section 22 of the 2009 Act provides that the manager of a local authority may disregard the order of priority given to a household under an allocation scheme where the household is being provided with social housing support arising from specified exceptional circumstances, including exceptional medical or compassionate grounds. Section 22 of the 2009 Act empowers the Minister to direct a housing authority to change an allocation scheme and to issue directions to

a housing authority regarding the operation of its allocation scheme. However, the enactment specifically provides that the latter power shall not be construed or operate to enable the Minister to direct the allocation of a dwelling to a specific household.

In view of the legal position I have outlined, it would be inappropriate for me to comment on the facts of any particular request for a transfer to another local authority dwelling in order to avoid any suggestion that the Minister is intervening in the case. The Senator has described a very difficult situation. She is probably aware that I allocated funding last week and one of the categories for it was people with a disability. Although the power to allocate is, unfortunately, with the local authority, I hope this issue will be resolved.

**Senator Mary Moran:** I was fully aware that the Minister of State cannot comment on individual cases. Given that I have been told the local authority does not have bungalow accommodation, can funding be made available to buy some? I have tried to get figures on the number of houses that are out. The money allocated last week for housing for people with disabilities was also for people with intellectual disabilities, comprising eight units. This lady is not the only one. I talk to the county council on a weekly basis and receive the same answer. In the long run it will cost more money because this lady's mental and physical health, as well as that of her family, will be affected. I have come to a dead end and I do not know where to take it from here.

**Deputy Jan O'Sullivan:** Whenever I can get my hands on money for housing I allocate it as quickly as possible.

**Senator Mary Moran:** I appreciate that.

**Deputy Jan O'Sullivan:** In all cases, whatever the heading is for the funding the local authorities send me their priorities and we allocate wherever we can, particularly where there are large demands. As soon as I have funding again I will allocate it in accordance with the requests that come from the various local authorities. Unfortunately, I cannot comment on the particular case.

### **Child Care Services Provision**

**Senator Katherine Zappone:** I welcome the Minister. I raise the very important matter of a decision by the management of Tallaght Hospital to close the hospital's crèche. This decision, if not reversed, will cause undue hardship to the staff who work in the hospital and who have provided a first class service to the local community. I call on the Minister to meet the hospital management and find a solution to this unacceptable situation which is causing significant stress for the parents who work there.

The Small World Crèche has been operating in the hospital for more than 11 years during which time it has provided a valuable service to hundreds of families of staff. It is an integral aspect of the hospital's necessary infrastructure because it allows working parents to access excellent quality child care and do their difficult jobs with the peace of mind that their children are being well provided and cared for. It is a model of best practice in that it provides an on-site crèche that allows hospital staff to work. We should encourage and promote this model of child care in other hospitals and workplaces rather than shut it down.

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Out of the blue, without consultation, discussion or agreement the management of the hospital advised the crèche on Wednesday, 14 May 2014 of its intention to close the crèche on 29 August 2014. Although one reason given was the fact that new regulations are to come from Tusla for 2015, they have not even been published and will afford organisations at least six to 12 months to achieve compliance. A financial reason given was the fact that there was a short loss. Infrastructural reasons were also given, although the crèche occupies one of the best portacabins on the hospital site. A significant concern to parents is that ten children are due to commence their early childhood care and education, ECCE, year in the Small World crèche in 2014 and if it closes in August they will probably not find places in other settings in Tallaght. I urge the Minister to assist parents working in Tallaght Hospital to find a solution to the unacceptable situation.

**Senator Cáit Keane:** I welcome the Minister. I have spoken to him and the Minister for Health about this before. This is closing a crèche by e-mail. No parents have seen the report by Canavan and Byrne, only the board of management has seen it. Will the Minister ask for a copy of the report? What is in it? I visited the crèche and there is no reason it should close. The Child and Family Agency inspected it in August 2012 and there was no reason for it to close. As Senator Zappone said, it is due to close on 29 August. This must be halted and will not close without a fight.

Senator Zappone has outlined the benefits of child care, which I will not enumerate because time is limited. A parent has advised me she will have to quit her nursing job in the hospital. She starts at 8 a.m. and must be on the road by 6 a.m. Where would she find a crèche open at that time? Many feasibility studies have been done, but I am asking the Minister to ensure monetary and social issues are taken into consideration, for example the hospital may have to replace staff. The auditors charged the crèche €1,500 to audit its books, which it could have had audited for €1,000. Such things must be made easier.

Feasibility is about people, not just money. It is difficult enough for parents, particularly mothers as they mostly look after the children, to go out to work and leave their children anywhere. We should not make it more difficult to balance work and home care. Will the Minister meet them immediately? There will be a board meeting tomorrow. While the Minister will probably will not be able to attend, the date of 29 August is urgent. The Child and Family Agency has examined the crèche. There is no reason for it to close. I have looked at the crèche and at the inspection. With regard to the monetary element, when I visited the hospital I noticed a lot of new build. I want the question asked and answered whether it will be moved. It is in a portacabin to allow a new build ambulatory care unit to go in there. If it is, I ask the Minister for Children and Youth Affairs and the Minister for Health to get in touch with someone to get an inbuilt, purpose-built crèche in any new build in the hospital. I had one incorporated in South Dublin County Council 20 years ago and it is still there. It works well for the staff there. Happy staff are good staff and they are more productive. All these issues must be taken into account, including those with long commutes. I ask the Minister to do his best.

**Minister for Children and Youth Affairs (Deputy Charles Flanagan):** I thank the Senators for raising the matter. I have been discussing the matter with Senator Keane and I am happy to respond to Senator Zappone, who raised the issue in the House. Almost all of the early years services in this country are provided by either private commercial or community not-for-profit providers. A small number of these services are provided in workplace locations.

In general, private and community child care facilities are developed in response to the

needs of the local community. Child care services in workplace developments result from an agreement between employers and employees to put in place a child care facility that is conveniently located and which addresses the child care needs of the parents who are part of the workforce. The on-going viability of such enterprises is a matter between the employer and the facility management. In this case, I understand that a sub-committee of the hospital board of management is responsible for governance decisions about the service.

A number of representations have been made to my Department by parents who use the facility at Tallaght Hospital about the proposed closure of the facility. I must inform the Senator that my Department has no responsibility for the sustainability of commercial or community crèches or those facilities established specifically to meet the child care needs of a particular workforce. Representations made to my Department have suggested that proposed changes to the child care regulations will impose additional costs on child care providers and that this is a factor in the proposed decision to close this facility. This was mentioned with Senator Zappone in respect of compliance with regulations. I am not sure if she makes a valid point.

There have been a number of amendments to the Child Care Act 1991 which were introduced to underpin a number of key reforms being implemented as part of the preschool quality agenda. The amended legislation aims to strengthen the current inspection regime, provides a statutory basis for the registration of early years services, and also provides for the setting of minimum qualification standards for staff working with children in early years services. To provide for the implementation of the changes to the Child Care Act, it will be necessary to amend or make additions to the child care regulations and these are currently being finalised. It is not intended to impose any additional costs on services as a result of the new regulations, other than an increase in the annual fee payable by services to the early years inspectorate. In the case of the facility in Tallaght Hospital, the increase in the fee payable is expected to be in the region of €80 per annum.

Mandatory training qualifications for staff working with children in early years services are being introduced. Legislative provision for these mandatory qualifications has been made and it has been announced that, from September 2015, all staff caring for children in preschool services will be required to have a training qualification in early childhood care and education at level 5 on the national qualifications framework. This requirement will apply to staff in new services from September of this year. In order to enable existing child care staff to upskill to meet the increased qualification requirements, a new learner fund has been put in place. Funding of €3 million has been committed over the two years 2014-15. More than 2,200 child care staff have applied for funding and a range of accredited training providers have been identified to provide the required training courses.

Considerable capital funding was made available to develop child care infrastructure in this country in the period up until 2009, with approximately €425 million in capital grants approved. This investment has ensured that there are now sufficient child care places available to meet current child care needs. There are currently some 4,500 preschool services operating across the State and providing the free preschool year programme. The South Dublin County Childcare Committee, which is funded by my Department to provide support to parents and to child care services, is well-positioned to offer advice and support and I know that it has been engaging with the Tallaght facility since the proposed closure was announced. The committee has established that there are sufficient child care places in the local area to accommodate the children if the closure proceeds. I acknowledge the Senators' point about the quality of child care available on site at Tallaght Hospital. I agree with Senator Zappone that it is a first-class

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crèche and I acknowledge, as she did, the valuable role of the staff and all involved with the unit. While I am sympathetic to the fact that the parents who have been using the service would like to be in a position to continue doing so, the service is privately operated and I am not in a position to intervene in the closure.

**Senator Katherine Zappone:** I thank the Minister for his response. With regard to sustainability, strictly speaking, the Minister is not responsible for sustainability but the issue is rampant throughout the provision of child care places throughout the country. It may require more closures than in this instance. The Department must keep its eye on the issue. My comments emphasise that it is a good model because it is onsite in the workplace and I encourage the Minister to think about that in terms of the development of child care facilities in the future, including in the context of his policies.

One of the Minister's final points was that the South Dublin County Childcare Committee has established that there are sufficient places to accommodate the children if the closure proceeds. While that may be the case in principle and strictly speaking, the parents have lined up their children for early year places next year and, given that the closure will happen prior to that, if children are not the list they will not receive the early years care. In fact, that point may not be true in the case of these particular children.

I take the point that the Minister cannot intervene. The Minister of State, Deputy Jan O'Sullivan, said that she cannot intervene because it is against legislation and I do not know whether there is legislation in this case but some form of effort from the Minister to offer support could be useful so that management engages with parents.

**Senator Cáit Keane:** I ask the Minister to ask his Department about one of the reasons I was given by the parents. The crèche is using the new child care regulations to close and that must be contradicted. I am trained in inspecting crèches and I know what is needed. I visited the crèche and I contacted the agency. It is passing and it will pass the new regulations. It is up to the Minister to ensure it does not use that as an excuse to close it if it is viable in monetary terms. It sends out the wrong message.

**Deputy Charles Flanagan:** I will certainly take on board the point about the evidence in the matter of the regulations. The matter was mentioned by both Senators. I am not satisfied it is the case but if the Senators have evidence in that regard I will be glad to receive it.

My Department funds the South Dublin County Childcare Committee and I will make contact with the committee in order to see whether matters can be advanced. I take on board the point that management should be invited to engage directly with those involved and I would like to see it happening. I take on board the point made in general terms, which specifically applies in the matter of the new build, that there should be purpose-built crèche facilities in any new build. I am not in a position to give the House information on plans and specifications in developments for Tallaght Hospital but I am happy to make inquiries in that regard. I agree with the principle that there should be onsite child care facilities available in the form of a crèche in centres of employment such as Tallaght hospital. I will assist in any way, notwithstanding the fact that it is not appropriate for me to intervene in a matter that is not directly funded by, or related to, my Department.

*2 o'clock*

It would not be appropriate for me to intervene in a matter that is not directly related to my

Department. In the context of private or not-for-profit crèche facilities, I do not have a positive role to play in terms of interventions or mandatory decisions. Having said that, I take on board what the Senators have said and I know from representations I have received that this is a very important issue, not only in the hospital but in the community at large. I will address the points raised and communicate directly with both Senators.

### Visa Applications

**Senator Colm Burke:** I welcome the Minister to the House to deal with this matter. I wish to raise the issuing of visas to persons who wish to enter the country and in particular, the issuing of three-month visas. The specific case I raise concerns a married couple who are both registrars in hospitals in Cork. They have senior positions as registrars and are crucial to the provision of health care services in the hospitals in which they work. As the Minister is aware, the HSE is finding it extremely difficult to recruit staff at the moment, with over 250 consultant posts vacant as well as a large number of NCHD posts vacant. Many of those posts are being filled by agency doctors. These doctors are not agency doctors and are committed to this country, having lived here for a considerable period of time. They are providing a very valuable service to the health care sector. They have two young children and the woman wants her father to be able to come to Ireland to stay with the family and give them support but all he can get is a three-month visa. He received a letter recently from the embassy in New Delhi declining his application for a visa.

The family would have no difficulty if a six-month visa was issued - that is manageable. However, in the context of travelling from India to Ireland, a three-month visa is not cost-effective. It is not that the couple want him to come here to provide child care - they already have an *au pair* doing that. They just want extra support for the family unit but the system as it currently exists is not accommodating them. I ask that the system be reviewed. At a time when we cannot get medical practitioners to come here to work, we should not be putting obstacles in peoples' way which will discourage them from staying here and prevent them from getting family support when they need it. In this case, the children are both under five. The woman wants her father to be allowed to stay for a decent period of time and I ask that the matter be examined.

**Deputy Charles Flanagan:** I speak on behalf of the Minister for Justice and Equality, Deputy Frances Fitzgerald, and thank the Senator for raising this issue. As the Senator will be aware, the Minister's predecessor published a detailed policy document on the matter of family reunification as it applies to non-EEA nationals at the end of last year. The document set out the various factors that arise in considering applications to come to Ireland from people whose families are already resident here, either as Irish nationals or lawfully present non-EEA nationals. The document emphasised the importance of striking a balance between the interests of the applicant family on the one hand and public policy on the other. Economic considerations are a key element of this and will inform immigration policy generally and also individual decisions made in respect of specific cases. This sort of consideration is common to all jurisdictions.

There are essentially two categories of family-related immigration. One is where the person wishes to come to Ireland and live with a family member. The other relates to visitors who wish to spend some time here with family and then return home. The policy document sets out in detail the conditions applicable to residence applications from family members, including dealing with the level of income the sponsor must have to support family. In effect, a green card holder

or a full time non-locum hospital doctor can be joined immediately by his or her spouse or partner and children. There are more restrictive conditions applicable to cases where the residence application is in respect of elderly dependent relatives, in particular parents. The onus must be on the family to show that there is no viable alternative to the parents coming to Ireland to live. In reality, such alternatives are very often available, for example, where the parent has the financial resources to meet their needs and is physically capable of independent living; where other family members are in the country and capable of providing support or where home care can be funded by the Irish resident through remittances.

Visitors are limited to 90-days stay in Ireland. If they wish to stay longer than this and are permitted to do so they are required to register with the Garda National Immigration Bureau, GNIB. This becomes a form of temporary residence. This scenario may arise in family cases where a parent wishes to spend a number of months here, following the birth of a grandchild, for example. It is also recognised that family members embarking on a long journey may not be able to do so very often and may wish to spend an extended period in Ireland.

The policy document indicated that consideration will be given to establishing a form of immigration status that would make it easier for visitors to obtain an extension of their stay - for example to 180 days - without conferring either residency rights or any expectation thereof. The status would be that of extended visitor and the holder would have no entitlements to State services, irrespective of the duration of the stay. While the policy document indicated that legislative change might be required to cater for this form of status and that work still needs to be done in this regard, there is scope within the current system for allowing stays of more than 90 days but with a requirement to register with the GNIB.

If the Senator has a case in mind - and his contribution indicates that he does - it would be advisable for the person seeking to come to Ireland on an extended but finite visit to indicate this clearly when applying for a visa and also to communicate this at the point of entry to the immigration officer on duty. A key factor in any decision is that the visa or immigration officer is satisfied that the applicant will return home at the end of the period indicated. In that respect, the authorities also have to be satisfied that the person will not be a burden on the State in terms of health, welfare or both.

I am informed that the Irish Naturalisation and Immigration Service is happy to discuss specific cases with the Senator and to advise him as to the available options. Where cases have special humanitarian aspects, these will always be considered in an appropriate manner and in that respect the Senator is invited to make such details known to the Immigration Service so that matters may be advanced.

I thank Senator Burke for raising this issue.

**Senator Colm Burke:** I thank the Minister for his very comprehensive reply. As I said earlier, this person is not looking for residency status and has no intention of staying here long term. His grandchildren are in their early years and need his support. The possibility of extending the visa beyond 90 days has not been suggested to the family. In fact, the application for a visa of any description was turned down. I am bewildered as to why we are not accommodating two people who are making a major contribution to the health service here. I intend to take the case up directly with the Department. I thank the Minister for the very comprehensive reply. I believe we must consider this issue carefully. A three-month visa for someone travelling from a country as far away as India is not adequate, especially in the context of our current difficul-

ties with recruiting doctors. These two doctors have suggested to me that they are considering moving to the United Kingdom, which will result in another two vacancies in our health service. Government Departments need to co-operate in matters such as this rather than applying black-and-white rules. This issue must be examined further. I thank the Minister once again for his response.

**Deputy Charles Flanagan:** I am sure Senator Burke was not expecting that I would have the details of the case to which he referred but I thank him for raising the matter. As I stated earlier, anybody wishing to stay in this jurisdiction for a period longer than the standard 90-day period can make such an application which requires registration with the GNIB. This, in effect, is a temporary form of residence. The specific case adverted to by the Senator mentions grandchildren. I would assume on the basis of the reply before me that the case mentioned by Senator Burke would receive consideration under the new application regulations.

I thank the Senator for raising the issue. I advise him to make direct contact with the appropriate authorities in the hope that matters may be advanced. If he has further difficulty in that regard I trust he may make direct contact with the Minister for Justice and Equality.

The Seanad adjourned at 2.10 p.m. until 2.30 p.m. on Wednesday, 4 June 2014.