



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

Business of Seanad	388
Commencement Matters	389
Accident and Emergency Services Provision	389
Home Help Service	392
Organ Donation	394
Marine Rescue Station	396
Order of Business	398
Transatlantic Trade and Investment Partnership Trade Agreement: Motion	419
Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015: Order for Second Stage	419
Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015: Second Stage	419
Yeats 2015: Statements	436

SEANAD ÉIREANN

Dé Máirt, 9 Meitheamh 2015

Tuesday, 9 June 2015

Chuaigh an Cathaoirleach i gceannas ar 2.30 p.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Business of Seanad

An Cathaoirleach: I have received notice from Senator John Whelan that he proposes to raise the following matter:

The need for the Minister for Health to set out his Department's plans and policy for service provision at the Midland Regional Hospital, Portlaoise, with particular reference to its accident and emergency department.

I have also received notice from Senator Darragh O'Brien of the following matter:

The need for the Minister for Health to provide an update on progress on the issue of paying gratuities to certain home help workers in lieu of pension entitlements.

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

The need for the Minister for Health to clarify if it is intended to bring forward a scheme to provide remuneration for persons who are living kidney donors, in view of the fact that they may be out of work for a period of up to three months after the donation surgery has occurred.

I have also received notice from Senator Mark Daly of the following matter:

The need for the Minister for Transport, Tourism and Sport to outline the reason the engineer for the Irish Coast Guard is not based in Valentia Coast Guard station.

I have also received notice from Senator Paul Bradford of the following matter:

The need for the Minister for Foreign Affairs and Trade to provide an update on the response of Ireland and the European Union to the growing threat posed by the ongoing ISIS campaign of terror.

I regard the matters raised by the Senators as suitable for discussion. I have selected the

9 June 2015

matters raised by Senators John Whelan, Darragh O'Brien, Colm Burke and Mark Daly and they will be taken now. Senator Paul Bradford may give notice on another day of the matter he wishes to raise.

Commencement Matters

Accident and Emergency Services Provision

Senator John Whelan: I welcome the Minister for Health, Deputy Leo Varadkar. I am pleased and relieved to see him here in person.

The midlands, including all of County Laois, are in turmoil owing to the speculation, scare-mongering, doubt and confusion surrounding the future status of the Midland Regional Hospital in Portlaoise and, in particular, its accident and emergency department. I do not have to spell out the context of this issue to the Minister as it has been ongoing for 30 years. I have hardly got up at any stage during those years without there being some doubt, confusion and speculation about the status and future of the hospital which for years has been the poor relation and playing second fiddle for all sorts of reason and sometimes not least because of political bias and interference. Be that as it may be, the hospital has been underfunded, understaffed and under-resourced and, therefore, undermined. I thought, however, that we were coming out the other end and that we were seeing light at the end of the tunnel, thanks in no small part to the Minister's personal and direct intervention. It is, unfortunately, groundhog day for the hospital and we are back in the throes of not knowing where we stand or what the future holds. This is not fair to the staff, community and those who desperately require and need the services of the hospital daily. While it was not a problem caused by the Minister, it falls to him and the Government to address and solve it and not let it linger on.

In January the new CEO of the hospital group confirmed categorically that Portlaoise hospital was secure, that it would be retained as a model 3 hospital and that its 24/7 accident and emergency department would continue and was safe and secure. Last week, however, out of the blue, with no warning, like a bombshell, it was announced in the media that there was some doubt about the immediate term prospects of the 24/7 accident and emergency department. I cannot tell the Minister about the shock, distress, disbelief and anxiety this has caused throughout the community. The hospital has a population catchment of approximately 200,000. It is not, therefore, a local issue or a local hospital. It serves Athy, Monasterevin and Rathangan, as well as counties Carlow and Offaly.

It is a resourcing issue. If it is a question of staff, emergency consultants and nurses, let us address it in that way and once and for all stop running away from it and saying it is not a resourcing issue. No hospital in the country could bear the forensic scrutiny and microscopic investigations that have been conducted at Portlaoise hospital as a result of the tragic and unfortunate deaths in the maternity unit. I am glad to say, however, that most people now believe the Minister has vigorously and comprehensively addressed that issue.

I am not here to make an emotional appeal to save the hospital. We have a credible, coherent and constructive case to make for the Midland Regional Hospital, Portlaoise which is based on merit, medical grounds, clinical need and community requirements. It has the only accident

and emergency department between Naas and Limerick. The ambulance network is not in place to start transferring patients, as suggested, to other accident and emergency departments. The Minister has seen such cases this week at St. James's Hospital, in Tallaght, Limerick and elsewhere. Is it proposed that we compound these problems by diverting between 30,000 and 40,000 cases from Portlaoise because that is the number of cases at the accident and emergency department there? It is one of the busiest accident and emergency departments in the country outside the capital and other cities. It is located near the intersection of the M7 and M8 motorways. Some 21,500 vehicles pass through Portlaoise on a daily basis and it is twice that figure at weekends. There are some 2,000 births in the maternity unit annually, which means that between five and ten babies are born there every day. As the Minister knows, babies do not always choose to come between the hours of 9 a.m. and 5 p.m. They are born at all hours of the night and at weekends.

The hospital is located across the road from two high security prisons, with 1,200 prison staff. The Prison Officers Association is incensed and cannot believe the proposition that the 24/7 accident and emergency department in Portlaoise hospital be closed, given the security, health and safety and cost implications in having to transfer staff who have been attacked or stabbed by prisoners or prisoners to other hospitals.

I want the Minister to bring some clarity to the issue. I am not saying he has to have an absolute solution today, but we need a clear plan and commitment to the future of the Midland Regional Hospital, Portlaoise. The starting point for service provision and patient safety has to be an absolute commitment to the bedrock that is the 24/7 accident and emergency department. Not everyone-----

An Cathaoirleach: The Senator is over time.

Senator John Whelan: I will finish on this point. Everyone cannot choose to go private and skip the queue to go to whatever new modern newfangled private clinics are being set up around the place. The people of the midlands require a 24/7 accident and emergency service at Portlaoise hospital. I am appealing to the Minister to clarify the situation.

Minister for Health (Deputy Leo Varadkar): I thank Senator Whelan for raising this matter, which gives me an opportunity to update the House on our plans for the Midland Regional Hospital, Portlaoise. I appreciate the Senator's support for the hospital through the years and his interest in the matter. I am committed to securing and further developing the role of Portlaoise hospital as a constituent hospital within the Dublin Midlands Hospital Group, which includes St. James's Hospital, Tallaght hospital, Midland Regional Hospital, Tullamore, Naas General Hospital, and the Coombe hospital. Any change to services in Portlaoise will be undertaken in a planned and orderly manner, taking account of existing patient flow demands in other hospitals and the need to develop particular services at Portlaoise in the context of overall service reorganisation in the Dublin Midlands Hospital Group. Any decisions will be made on the basis of maximising patient safety and patient outcomes, not financial considerations or political bias or interference, to use the Senator's words. That will not happen.

In recent months, substantial investment and enhancement measures have been put in place to ensure a safer level of services at Portlaoise hospital. Maternity services are being upgraded following the agreement of a memorandum of understanding between the Health Service Executive and the Coombe to provide a managed clinical maternity network within the Dublin Midlands Hospital Group. This will provide for the delivery of a single maternity service over

two sites, Portlaoise and the Coombe, with clinical governance led by the latter. Agreement has been reached on the recruitment of two additional obstetricians, one of whom will be the new clinical lead for the Portlaoise hospital maternity service, two neonatologists, to be shared across both sites, some additional clinical and allied health support, and a broad agreement on shared services and information technology. An implementation plan in this regard will be put in place in the coming months. Further improvements in Portlaoise include the provision of a number of additional consultant posts in anaesthetics, surgery, emergency medicine, paediatrics, obstetrics and general medicine, and 16 midwifery posts. In addition, it is intended to provide a new acute medical admissions unit and expand day surgery at the hospital.

The hospital group CEO has set out clearly what is being proposed at Portlaoise, with maternity, acute medical and paediatric services to continue and elective day surgery likely to be expanded. Patient safety and patient outcomes must be the first consideration. Last week, the HSE advised that complex surgery at Portlaoise - bowel surgery, in particular - will be transferred to St. James's or Tullamore, as the volumes at Portlaoise are too low to maintain the requisite expertise of the clinical staff. Indeed, the Health Information and Quality Authority report specifically criticises the HSE for recruiting additional colorectal surgeons at Portlaoise when patient numbers were not sufficient to allow those staff to maintain their skills. Patient volumes are very often a consideration, not just staff and resources. One must have both and be able to sustain both. As a result of this change, we will see the discontinuation of undifferentiated surgical cases that present at Portlaoise emergency department.

The important point to understand is that the work is being done to strengthen services in Portlaoise from a patient safety and quality perspective and to ensure services currently provided by the hospital which are not viable are discontinued and those which are viable are safety assured and adequately resourced. This is in keeping with the recommendations of the HIQA report into services at Portlaoise and reports on other hospitals in the past. I am confident these changes will improve services for patients at Portlaoise.

In respect of Portlaoise emergency department specifically, it receives, as the Senator noted, between 30,000 and 40,000 attendances per year. There is no question, therefore, of its being closed. The only question that has emerged, as raised by the CEO, is whether 24-hour services are sustainable. No decision in this regard has been made or can yet be made. In the case of Navan, for example, surgical services are no longer provided, but the hospital continues to offer a 24-hour emergency department for medical patients and those with minor injuries. I strongly agree with the Senator that any proposal to end 24-hour services at Portlaoise could not be advanced without a clear and credible plan to provide additional capacity at Tullamore, Naas and Tallaght, which are already very overstretched.

Senator John Whelan: I thank the Minister for his comprehensive reply and for departing from his script to deal specifically with the accident and emergency service issue. There is an incontrovertible case to be put regarding the retention, in absolute terms and in perpetuity, of a 24/7 accident and emergency service at Portlaoise, based on patient safety concerns, patient demand and the requirement to serve a huge population catchment. Regardless of the alternative ambulance services put in place, I do not believe it would be possible for that volume of care provided in a 24 hours, seven days a week accident and emergency department to be diverted to any of the other hospitals as is being suggested.

I beg to differ with the Minister on one point. I believe the group chief executive officer added to the confusion and created a great deal of anxiety when he went on the airwaves, with-

out consultation with anyone, and certainly not the public representatives or the community, and speculated as to the future prospects for 24 hours, seven days a week accident and emergency services. As far as I am concerned it would be an untenable position to consider phasing out those services or returning them on an 8 a.m. to 8 p.m. basis. It is no longer an accident and emergency department unless it is operated on a 24 hours, seven days a week basis.

Deputy Leo Varadkar: There are a few things to bear in mind. I know the Senator, and all the Senators, not just in Laois but in every constituency, would love me to be able to give a guaranteed, cast-iron commitment that services will remain on a 24 hours, seven days a week basis. That is not something I can give to anyone about any hospital in the country. Medicine changes over time and even when decisions are made, there can be difficulty finding senior staff. It is not tenable in the longer term for us to continue to provide services with locum doctors, temporary doctors and doctors who are not fully trained to do the job they are expected to do. That is a problem throughout the country.

The international standard now for an emergency department is very different from what it was in the past. Essentially, that is a department that can take undifferentiated patients who have anything wrong with them and deal with them. For example, that is someone with a major head injury who needs neurosurgery or someone with a major injury to their chest who needs cardiothoracic surgery. Portlaoise hospital has never provided those services and it has never been what we would now describe as a major trauma centre or an emergency department in an international context. In Scotland there are only two of them. In London there are only four, and the catchment area required for that type of emergency department, a major trauma centre, is a population of about 1 million. Obviously, that would mean four, five or six in Ireland, but no one is suggesting for a second that we have only four, five or six emergency departments in Ireland. However, we will have to look at emergency medicine and reconfigure it to ensure we have the right services in different places. The only guarantee I can give people is that any decisions will be made based on what is best in terms of patient safety and clinical outcomes, and not based on financial considerations, political bias or political interference. None of those things will happen.

Home Help Service

An Cathaoirleach: Senator Darragh O'Brien has the second matter. The Senator has four minutes.

Senator Darragh O'Brien: Is that all?

An Cathaoirleach: Yes.

Senator Darragh O'Brien: I thought we had extended the time. I thank the Minister for Health for coming to the House to take this question. He is very familiar with this issue of the home help gratuity payments, and I have written to him on a number of occasions. According to my file, the first time I raised this issue was on 12 March 2013 with the Minister's predecessor and in writing to the HSE. In brief, this relates to a Labour Court recommendation that home help workers, many of whom are low paid, be granted a gratuity payment based on their years of service in lieu of pension entitlements. That was for home help services that were majority funded by the HSE. This would have a positive effect on hundreds, if not thousands, of workers throughout the country.

9 June 2015

The issue came to my attention when two ladies in the north Dublin area, Patricia Greene and Mary Hughes, raised the matter with me, and I have pursued it ever since. The reasons we were given, which I accepted, were that while no one disagreed with the recommendation and the Government should see it through, a letter going back to 27 March 2013 stated that due to current financial constraints, the position remained the same, that is, that Government was not going to pay the gratuities due to many of these workers. They are all front-line workers but many of them are low paid, and these are significant payments.

Having been stonewalled by the former Minister, Deputy Reilly, when the Minister took over the position I got a decent answer in February of this year stating that he had initiated a review of the matter following advice from the Department's legal adviser, which would involve the Department of Public Expenditure and Reform, the HSE and the Minister's own Department, and they were due to report back by the end of March this year. We are in June now. I have continued to write to the HSE and the Minister's own good offices seeking an update. Those people deserve this money. It is an entitlement in lieu of pensions and we have to let them know one way or the other whether Government will pay what is due to them. If that is not the case, it should let them know, but I will be one of those supporting them going to the courts to enforce the Labour Court recommendation. I hope we can see a resolution. I know the Minister will agree and I know that he knows the importance of home help workers across the country from his constituency and the work he does as Minister for Health. This is a Labour Court recommendation that goes back to 2009. They have been left swinging in the wind since then. They deserve to be paid and they deserve this money. I am seeking an update from the Minister today that, hopefully, has some cast-iron timelines. The Department and the Minister said that they would report back by March. I have had no advice about the conclusion of those discussions between the Department of Public Expenditure and Reform and the HSE could perhaps the Minister could update me on the situation. I again thank him for taking this matter today.

Deputy Leo Varadkar: I thank the Senator for raising this issue again and for his ongoing interest in the matter. It is a timely opportunity to update the House. The matter was considered by the parties at the recent public sector talks facilitated by the Labour Relations Commission at Lansdowne House. While there will always be a need for long-term residential care, older people consistently tell us that they want to be facilitated and supported to stay in their own homes and communities for as long as is possible.

The HSE will spend approximately €330 million this year on home help and home care packages. These services are provided directly by the HSE, private organisations or voluntary organisations funded by the HSE. Home help services are provided mainly by the HSE's directly employed staff. In the greater Dublin area, Wicklow and Clare, home help services are provided by voluntary providers on behalf of the HSE. These voluntary providers are funded under section 39 of the Health Act. The HSE has in place service-level agreements with these providers that set out the level of home help service to be provided for the grant to the individual organisation and requirements relating to standards of care.

As the home helps employed by these section 39 organisations are not HSE employees, the HSE does not determine the salaries or other terms and conditions to apply to these staff, including pension arrangements. Accordingly, such arrangements offered by individual providers will vary. The pay and superannuation terms and conditions of the staff concerned are not subject to the control of the Department of Health and they are not classified as public servants. The granting of any pension entitlement in such circumstances to private or voluntary sector

employees would have wide-ranging implications for the taxpayer that go well beyond home helps.

Access for home helps in voluntary organisations to a pension scheme similar to that provided for home helps in the employment of the HSE has been the subject of a number of Labour Court recommendations involving SIPTU, IMPACT and the HSE. Implementation of the Labour Court recommendation on payment of a gratuity to the home helps employed by the section 39 organisations has been hindered in recent years by the budgetary situation and is further complicated by the fact that the HSE is not the employer.

I am pleased to confirm that the issue was discussed during the recent Lansdowne Road talks and that the parties reached agreement on a process for giving formal consideration to the matter. The parties agreed to establish with immediate effect a working group to examine a number of issues, including gratuity payments for home helps. The group, while operating under the aegis of the National Joint Council, is to arrange its first meeting within four weeks and is scheduled to conclude its business by 30 September 2015.

Senator Darragh O'Brien: I thank the Minister for the update. I note that 30 September 2015 is the end date for reporting. I am glad it is included in the process. However, I am again disappointed that it is effectively a further delay. We were told that we would have a report by the end of March. Obviously, nothing has happened with that. I am at a loss. I will write separately again to see whether anything came from the discussions from the Department of Public Expenditure and Reform and the HSE. If that was the establishment of another group to agree the process, I think we have enough information to know that the State has a liability here and should uphold the Labour Court recommendation and pay these moneys. If it is the case that this can be done before 30 September 2015, in the context of waiting for so long, that would be broadly welcome. I will be keeping a close eye on this situation. I thank the Minister for his response. I will assess it and come back to him about it.

Deputy Leo Varadkar: It is like many outstanding industrial relations issues in health and other sectors that were parked and truncated into the talks on the Lansdowne House agreement. Some were resolved and some were not resolved. For those that were not resolved, a process was agreed to resolve them in the next couple of months. I am confident that we will have a resolution or at least a decision on resolution by the end of September this year.

Organ Donation

Senator Colm Burke: I welcome the Minister to the House. This is a short Commencement matter relating to living donors of kidney transplants. The issue of giving assistance to donors was raised at the health committee some months ago. If a person is a living donor he or she will obviously be out of work for a period. My understanding is that it can be anything up to three months. The entire cost of dialysis at the moment is approximately €75,000 per annum per patient in real terms. There are approximately 1,800 people on dialysis. Living donors bring great benefits to the recipient of the kidney, obviously, but also to the State. What those concerned are looking for is small. If people incur a loss of earnings there should be some facility for them. They should be able to receive some remuneration so that they are not out-of-pocket for coming forward on a voluntary basis and giving assistance to a third party. I am raising the issue in this context. I have not heard anything back on the matter although it was raised at the health committee and I have not received any related proposals. I may be out of

touch on the matter but I am unaware of any new proposals.

Deputy Leo Varadkar: I thank Senator Burke for raising this issue. I am pleased to inform the House that I introduced a scheme to reimburse the expenses of living donors on 12 November last year. The scheme provides for the reimbursement of loss of earnings incurred by living kidney donors and provides for the reimbursement of accommodation and travel expenses incurred as a direct result of kidney donation.

A key principle of organ donation is that it should be voluntary and unpaid. However, it is recognised that most living donors incur financial losses while donating a kidney. The scheme that I have introduced is based on the premise that any reimbursement granted does not provide a financial incentive or reward to the potential donor. The reimbursement scheme applies to a person who has been selected as a potential donor by the living donor programme at Beaumont Hospital and to those who, under clinical supervision of the national renal transplant programme at Beaumont, travel to the United Kingdom for a paired kidney donation.

The loss of earnings incurred from the time the donation takes place and up to 12 weeks post-donation are eligible for reimbursement. A maximum of €6,000 applies in respect of loss of earnings and payments can apply to either salaried or self-employed donors. In addition to loss of earnings, reasonable travel and accommodation expenses incurred from when the person is selected as a potential donor through to the inpatient stay when the donation takes place and for up to 12 weeks post-donation are eligible for reimbursement. Again, there is an upper limit of €6,000.

I am pleased to inform the House that provision was included in the Finance Act 2014 to ensure that these reimbursements are exempt from income tax. The Department of Social Protection has agreed that in circumstances where a donor is in receipt of a payment from that Department, such payments will continue for a period of up to 12 weeks from donation. This is, of course, provided that such payments are in line with the normal rules and regulations of the Department of Social Protection.

The reimbursement scheme is administered by the HSE. Up to the end of May it had received 13 applications for reimbursement from living donors and has paid out €15,000 so far. In conjunction with the HSE, my Department proposes to review the operation of the scheme before the end of the year to see how it is working and to consider how it might work better.

Finally I wish to put on record my thanks and those of the Government as well as our appreciation to living kidney donors, who donated kidneys in record numbers last year. The gift of life they have given to others is an example to all of us.

Senator Colm Burke: I thank the Minister for a comprehensive reply. The only other question I have in respect of the kidney donation issue relates to the current position on the number of consultants we require. I realise it was not part of my question. Anyway, we have over 1,800 people on dialysis. Let us compare this to Norway, which has a population of 4.8 million. It has only approximately 370 or 380 people on dialysis. We have a good deal of catching up to do on the matter. I wonder if any proposals are in place to try to increase the number of consultants who can provide the operations that are required.

Deputy Leo Varadkar: To be honest, I am not familiar with the Norwegian figures. However, I know from the Irish Kidney Association that we are one of the few countries in the world which has more people who have had kidney transplants than the number of those who are on

dialysis.

3 o'clock

In respect of kidney donations, we are in the top tier of countries in the western world. Transplants are carried out in three hospitals, namely, the Mater, St. Vincent's and Beaumont. Recruitment is under way in all sites. While the Mater and St. Vincent's have been relatively successful in their recruitment campaigns, recruitment has been a challenge for Beaumont.

Marine Rescue Station

Senator Mark Daly: I thank the Minister for Transport, Tourism and Sport for coming to the House to take this Commencement matter. As I am sure he is aware, the Valentia marine rescue co-ordination centre is the busiest of our three centres. He may also have received a report on why it should be closed given that every Minister coming to his Department receives a report written by some official in the permanent Government advocating its closure. The issue I raise today concerns the appointment of a resident engineer to the centre. I understand the position was advertised and located in Cork. Malin and Dublin have resident engineers but even though Valentia is busier than those centres its engineer will be located 200 km away from it. The engineer will be responsible for maintaining VHF communications with a considerable number of sites along the Cork and Kerry coastline. The Joint Committee on Transport, Tourism and Sport discussed at length an incident that occurred during the last attempt by the Coast Guard Service to close Valentia and move its operations to Dublin. Galley Head communications network was down for six months. Within five days of it being repaired, it was the only receiver station to manage to pick up a distress signal from a ship that went down near Galley Head. The reason we were given for it not having been fixed was that the engineer had been out sick for six months. Yet a piece of infrastructure as vital as that was not repaired. It is hard to understand why the engineer who will be servicing our busiest marine rescue co-ordination centre will be based 200 km away while Malin and Dublin will have theirs on site in residence. Perhaps the Minister might enlighten us as to why Valentia is being discriminated against while Dublin and Malin will have their engineers on site.

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I apologise to the Senator for keeping him waiting and I thank him for raising the matter. The engineering branch of the Irish Coast Guard provides a national maritime safety telecommunications and responder alerting and notification service. This involves the provision of a wide range of diverse but specialised systems. All design, procurement, project management, and subsequent administration and maintenance are carried out in-house by the small number of staff servicing this area.

Due to the large quantity of systems, services and equipment, and the need to replace aged equipment to ensure service availability, the engineering section is undertaking continual programmes of equipment modernisation. The workload has grown considerably in recent years due in no small part to the continual evolution of services that the automatic identification system, AIS, provides and the proliferation of external users, including the Naval Service, the Commissioners of Irish Lights, the North Sea regional server and the Maritime Safety and Security Information System, all of which use the system for the interconnection and exchange of data.

9 June 2015

The role of an engineering officer covers a broad range of duties in terms of the management and operation of all technical aspects of the marine communications network. The engineering officer is required to diagnose and maintain a broad range of radio and telecommunications equipment used in maritime communications, responder alert and notification, vessel tracking technologies, and supporting infrastructure, including maintenance of all equipment employed in the national maritime communication networks; fault analysis across multiple wide-area telecommunication networks; identification and analysis of fault trends nationally and by equipment type; maintenance of radio site infrastructure, including antennae, masts, buildings, perimeter and access; maintenance of communications equipment at Coast Guard unit station houses, including equipment in boats and vehicles; co-ordination and management of multiple subcontractor and utility providers; and co-ordination and management of local spares and stock holding.

Additionally - this is an important factor in the requirement to fill the vacancy which arose in the Cork office - the engineering officer is responsible for the maintenance of communications equipment at Coast Guard unit station houses, including equipment in boats and vehicles and the co-ordination and management of multiple subcontractor and utility providers. The engineering officer reports to an electronics officer based in Dublin, who is responsible for the overall management and operation of all technical aspects of the national marine communications network.

Following recent amalgamations, there are currently approximately ten Coast Guard units throughout Cork and five in Kerry. A significant amount of travel throughout the region and out-of-hours availability is a necessary feature of the role. The Cork office continues to provide a good location for the overall fulfilment of the various engineering responsibilities and it is for this reason that the post is located in Cork.

The post became available on foot of the retirement of the previous incumbent. It has taken some time to fill the vacancy due to the need to comply with Department of Public Expenditure and Reform policy in filling public sector vacancies and also due to the requirements of the Public Appointment Service, PAS, recruitment process. The advertisement which issued from the PAS clearly indicated that the position to be filled was in the Cork office. I am happy to say that the recruitment process is now complete. The position has been offered to the successful candidate who is due to commence very shortly in the Cork office where the other Coast Guard staff are located.

Senator Mark Daly: I thank the Minister for his reply. It goes back to the earlier point I made that the engineer is based in Dublin, servicing the marine rescue co-ordination centre there and Malin yet the busiest station is in Valentia and the engineer will be based in Cork, 200 km away. While there are ten Coast Guard units in Cork and five in Kerry the requirement for maintenance of equipment is minimal compared to the important equipment at Valentia. If that equipment or the utilities coming into it suffer a catastrophic failure as stated in one report, prior to the new equipment being installed, nothing else works. If something goes down in Ballycotton, only Ballycotton is out of action; if something goes down in Valentia, everything from Cork to the Aran Islands goes out of action, hence the reason we believe an engineer should be living on the island and working there during the day but also available at short notice. That was the issue raised in Kerry about the position being filled. As the Minister is in the House I avail of the opportunity to congratulate him on his post but also to advise him that the two previous incumbents received reports on the reason Valentia should be closed. There is an agenda within the Department and the Coast Guard to close Valentia. Unfortunately, the Oireachtas

joint committee had to invite in the senior civil servants from the Department and take apart their reports line by line. When the facts were uncovered it was clear that the reports presented to this and the previous Government were at variance with the truth. When I was younger I watched “Yes Minister” but never thought I would see it in action but I did. If the Minister does have a report perhaps he would ask for the two previous reports and inquire what happened to them when there was an attempt to close the Coast Guard station at Valentia.

Deputy Paschal Donohoe: I thank the Senator for his comments. I have only briefly seen “Yes Minister”. I assure the Senator that the environment in which I work does not resemble it in any way. I accept the Senator’s genuine interest in the matter raised. I had the opportunity to visit Valentia and meet the management of the overall Coast Guard service. While there, one of the issues emphasised to me was that the advances that have taken place, following Government investment, mean that if any critical system for any catastrophic reason were not to work the same system and capacity can be deployed via the other two key stations in Malin and Dublin. If for any reason a systems failure were to occur, owing to the investment that has been put in place we have the capacity for the other two key stations to play a role in sustaining safety.

In respect of any reports I have received, I have no such report in front of me. I am aware of the debate that took place in the past in respect of Valentia. I was happy to visit the Coast Guard and see the unit which has been invested in and to attend an event to commemorate the 100 years of service that took place there. I look forward to many more years of service being provided there.

I understand where Senator Daly is coming from in respect of the specific point he put to me regarding the location of the engineer. The people who work in this area in my Department - whose only agenda, I assure the Senator, is to work with me to get the best value out of the money that is available to us while at the same time meeting the safety needs on our coasts and in our waters - have been clear that it is important that this person is based in Cork to service the other ten units within the county and region of Cork and to deliver the other needs that I have identified such as maintenance, fault analysis, maintenance of radio site infrastructure and other matters I detailed in my earlier contribution. The location was chosen for those reasons and it is a decision I support, given the expertise that went into making it. However, I will keep the Senator’s broader points in mind in the context of any future decisions or debate on the unit.

Sitting suspended at 3.16 p.m. and resumed at 3.30 p.m.

Order of Business

Senator Maurice Cummins: The Order of Business is No. 1, motion allowing two or more joint committees to hold joint meetings to consider the transatlantic trade and investment partnership, to be taken without debate at the conclusion of the Order of Business; No. 2, Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015 – Order for Second Stage and Second Stage, to be taken at 4.45 p.m. and adjourn not later than 7 p.m., with the contributions of group spokespersons not to exceed eight minutes and those of all other Senators not to exceed five minutes; and No. 3, statements on Yeats 2015, to be taken at 7.30 p.m.

and conclude not later than 9.30 p.m., with the contributions of all Senators not to exceed five minutes and the Minister to be called on to reply to the debate not later than 9.25 p.m.

Senator Darragh O'Brien: I welcome No. 1. It is a sensible idea that committees are set up to actually examine the transatlantic trade and investment partnership and to consider it in some detail. I assume the draft motion circulated earlier today regarding the ongoing matters of public concern with regard to IBRC, the Government, the Department of Finance and Denis O'Brien will not be moved today. Has the Leader any idea as to whether, when it is agreed, the motion will come into this House? While this is not the time for me to go through it in detail, I assume Members will have a proper debate in this Chamber with regard to matters that are of grave public concern and most fair-minded people will agree on the need to get to the bottom of this matter. However, the establishment of the inquiry and its terms of reference are important and as the Seanad has a role in this regard, perhaps the Leader could outline to me a timeframe. If he thinks it will be tomorrow or whenever, he may be able to provide me with an update but I assume from the Order of Business it will not be taken or debated today.

Senator Maurice Cummins: Yes.

Senator Darragh O'Brien: That is fine and Members can deal with that at another time.

I propose an amendment to the Order of Business that No. 73, motion No. 15, be taken today. The motion states, "That Seanad Éireann recommends that, should the Government proceed with the sale of the 25.1% stake in Aer Lingus, the monies received be used to reduce the savage cuts imposed on Aer Lingus Pension Scheme members." Members had a good debate on this the other day and at the time, Senator Bacik indicated her support for this type of mechanism. At the very least, if the Government has now decided by a vote in Dáil Éireann that the stake in Aer Lingus is to be sold, all the arguments that many Members made contrary to that are on the record of the House. I will not go over them as, unfortunately, the Government has made the decision against Members' wishes but that is as it is.

My point now is that the approximately €340 million for which the Government is selling this strategic State interest should be used to offset the savage cuts the Government has imposed on the pension scheme members in the airport. At the end of the day, this sale and the money the Government will receive could not have gone through without the cuts the Government made to the pension scheme. I refer to the 15,000 members, the deferred pensioners who were cut by up to 60%, long-service members whose pension benefits were torn asunder, the retired members, that is, people in their 70s, 80s and 90s who have lost six weeks' pay and the 5,000 existing members who have been moved out of a good pension scheme unilaterally and thrown into an inferior scheme.

If the Government is to get €340 million, instead of using it in its connectivity fund, whatever the hell that is, or instead of putting it into a fund to use for its own preferment prior to the general election, adding it to its slush fund, the Government should give the money back to the people from whom it took it. The Government should give it back to the deferred pensioners, to the retired pensioners and to the members of the Irish aviation superannuation scheme, IAAS. As the Government should give such a commitment here, I seek to have this debated and I seek the Seanad's support for the motion I tabled in the week before the recess, namely, "That Seanad Éireann recommends that, should the Government proceed with the sale of the 25.1% stake in Aer Lingus, the monies received be used to reduce the savage cuts imposed on Aer Lingus Pension Scheme members." That is fair and would go some way towards rectifying

a most grossly unfair situation that prevails in respect of the first pension scheme in the history of the State for which any Government introduced legislation to reduce members' entitlements. Consequently, I ask the Leader to accept that motion today.

Senator Ivana Bacik: Senator Darragh O'Brien addressed his question on the motion relating to Aer Lingus to the Leader, who I am sure will respond to it. I must state, however, that in the aftermath of what I said in the Seanad two weeks ago, I raised with the Tánaiste's office the issue of providing some form of redress to members of the Aer Lingus deferred pension scheme. I remain in contact with the Tánaiste in respect of the matter-----

Senator Darragh O'Brien: I appreciate that and I thank the Senator.

Senator Ivana Bacik: -----and I just wanted to place that fact on the record of the House. I think we are all in agreement in respect of the many representations we have received from people who have been so badly affected by what happened in this instance.

I accept that we will engage in a debate on another day on a motion concerning the commission of investigation into the Irish Bank Resolution Corporation. That said, I welcome the Government's announcement last week to the effect that such a commission would be established to investigate IBRC transactions. I also wish to place on record my commendation in respect of Deputy Catherine Murphy who, through her use of freedom of information and parliamentary questions, has unearthed a great deal of information regarding IBRC. I welcome that there is going to be a commission of investigation into transactions carried out by IBRC. I particularly welcome the fact the question of Department of Finance oversight in circumstances where there were more than €10 million worth of losses to the public will be examined. We all await with great interest the publication of the commission's terms of reference.

I understand that one of the matters before the Cabinet for decision today is the approval of media merger guidelines put forward by the Minister for Communications, Energy and Natural Resources, Deputy Alex White. I request that when those guidelines are approved, the House should engage in a debate on media mergers and concentration of ownership in media. This has become a matter of particular importance in the aftermath of the court case taken by Denis O'Brien and the order made by Mr. Justice Donald Binchy, which was clarified last week when the Seanad was not sitting. I am of the view that a number of issues concerning the concentration of media ownership in the hands of one individual should be discussed in the House. It would be useful to engage in a debate on the matter in light of the media merger guidelines submitted to the Cabinet for approval.

I also wish to request a debate on the Amnesty International report, *She Is Not a Criminal*, the launch of which I attended earlier today, and which report relates to Ireland's highly restrictive abortion law. It highlights the breaches of international human rights law facilitated by our highly restrictive abortion law, especially the eighth amendment of the Constitution. The report calls for the repeal of that amendment, a call I have made on many occasions. Repeal of the eighth amendment is Labour Party policy.

Senator Katherine Zappone: An extremely significant meeting is taking place in Geneva this week in respect of the impact of the Government's austerity measures on the lives of citizens. In that context and as Senators are aware, the Government is being examined by the UN Committee on Economic, Social and Cultural Rights. As a new narrative develops in the lead-up to the forthcoming general election in the context of the stabilisation of Ireland's finances

9 June 2015

as a basis for future fairness, it is imperative that parliamentarians and the Irish people take account of what the UN committee is saying. Otherwise we will only be treating the UN process as simply a paper-pushing exercise. A primary message coming from the committee is that any cuts made as emergency crisis measures must be temporary and that what was taken away must be restored. For example, the Irish Human Rights and Equality Commission and NGOs have put forward strong arguments in the context of demanding the restoration of the one-parent family income disregards to the levels at which they stood in 2012. One-parent families have become poorer since 2012 and the UN committee has not missed that fact.

My question to the Leader relates to how seriously the Government takes what various UN committees with responsibility for human rights say to us and why we, as lawmakers, are virtually excluded from having any oversight in respect of this country meeting its international human rights obligations. The Minister of State at the Department of Foreign Affairs and Trade, Deputy Sherlock, is reporting to the UN Committee on Economic, Social and Cultural Rights on the basis of a report compiled by all relevant Departments. However, we, as parliamentarians, have had no input whatsoever with regard to what the Minister of State is saying. In such circumstances, does what he is saying to the committee really mean anything at all? When questioned on RTE as to why the Government is not accepting the Constitutional Convention's recommendation to include economic, social and cultural rights in our Constitution, the Minister of State indicated that our corpus of domestic human rights law and EU law are sufficient to deal with those issues. I know at least one significant group in society, namely, one-parent families, which would vehemently disagree with his assertion.

Will the Leader please arrange a debate with the Minister of State, Deputy Sherlock, regarding the outcome recommendations of the UN committee in respect of Ireland? In the context of that debate, will the Leader ask the Minister of State how he intends to ensure elected representatives of the Irish State will be able to play a role in judging whether we are meeting our international human rights obligations? The Irish Human Rights and Equality Commission has called for the establishment of an Oireachtas committee on human rights and equality. That would be a huge leap forward and it fits with my own work in having a sub-committee on human rights set up under the justice and equality committee. The Minister of State, Deputy Seán Sherlock, referred to his establishment of an interdepartmental working group of civil servants on human rights, but it does not include one parliamentarian, apart from himself. That is not good enough.

Senator Sean D. Barrett: With regard to Senator Darragh O'Brien's amendment and Senator Ivana Bacik's response, there was more than €500 million in cash when the Government decided to sell Aer Lingus, for which the pensioners make a more deserving case than the shareholders of British Airways. I still oppose the deal. The document in the Oireachtas Library of a mere two pages is totally inadequate to address the economic issues involved.

I refer to the Taoiseach's visit to Kingsmill recently where he met Mr. Alan Black, one of the survivors of the massacre. At the time there was great goodwill and the hope that in that case and the Ballymurphy case, another site the Taoiseach visited on the same day, documents would be brought forward, but that hope is fading. I hope the Leader can make the case to the Taoiseach that the goodwill exhibited to him on that day be retained.

On an item of happier news, I note the election of Dr. Louise Richardson, a TCD graduate, as vice-chancellor of Oxford University. She attended the Ursuline Convent in Waterford. I am sure the Leader will agree that the possibilities for co-operation between TCD, Oxford, Wa-

terford and the Ursulines made for a great achievement by Dr. Richardson and perhaps she is a person we might ask to address the House in the future because she has achieved such a position of eminence in education. Great credit is due to the people of Tramore, her school, the people of Waterford and TCD that such an eminent honour has been attained by an eminent Irish scholar.

Senator Hildegard Naughton: I raise the issue of elderly patients being accommodated on trolleys in many accident and emergency departments across the country. A man aged almost 80 years was on a trolley in University Hospital Galway, UHG, for three days over the weekend before eventually being given a bed in the medical assessment unit. That is unacceptable. Everyone can appreciate that doctors and nurses do sterling work in hospitals. However, the accident and emergency department in UHG is not fit for purpose. It is one of the busiest accident and emergency departments in the country and has a wide catchment area. In addition, insufficient beds are available. I am conscious that the special delivery unit is to deploy a team to make specific plans and recommendations for units which are under particular pressure such as that in UHG. While I was informed by the Minister for Health recently that he hopes to include a new accident and emergency department in the forthcoming capital programme, which I support 100%, we need to plan for the future. I am informed that the hospital in Galway performs reasonably well in discharging patients who no longer need acute care. The issue, therefore, is a lack of beds. We need more, as the population is ageing and people are living longer. I would like to move beyond day-to-day management and have a constructive debate on the issue in the House. Will the Leader invite the Minister to come to the House to explore locations where beds are needed and to have a strategy in place under which long-term plans can be implemented? We need to start thinking long term, not just implement temporary fix measures.

Senator Paschal Mooney: Will the Leader ask the Minister for Finance on the next occasion he comes before the House to give clarity to the call made by the outgoing Governor of the Central Bank, Professor Honohan, which has been widely reported for the money due to be set aside for junior bondholders following the winding up of IBRC to go to the Exchequer and not be paid to the junior bondholders? Those who have followed the story in today's newspapers will have been fascinated by the exchange of e-mails between Professor Honohan and the assistant secretary in the Department of Finance. It seems on the face of it that there is a *prima facie* case for at least challenging the right of the junior bondholders to be paid, albeit the amount is small in the context of the overall figure of €32 billion. Some €300 million would go a long way towards addressing some of the inequalities in our society. I would welcome the Leader's view on the matter and also ask that he communicate my comments to the Minister and obtain some clarity on the Department's view on it, notwithstanding the content of the e-mails as published in today's newspapers.

I must confess that I do not enthusiastically embrace the report of Amnesty International on so-called human rights here. Mr. Lorcan Price, barrister for the pro-life movement, made clear in his submission in Geneva yesterday that there is nothing in international law to indicate that abortion is a human right. I am unashamedly pro-life. I do accept the complexities involved and I would like to think that I am more on the liberal side of thinking in this regard but when it comes to choice between the unborn and whether they live or die, somebody has to speak for the unborn. I believe our constitutional obligations speak for the unborn in that regard. I do not enthusiastically embrace the view that appears to be now growing that somehow abortion is a human right. There is nothing in international legislation to indicate this. In fact, it has been made clear that it is for individual states to decide how they address this issue. I want to put on the record that not everybody is enthusiastically embracing this report. I believe it is a

flawed report, which leads me to question my continuing support for Amnesty International, an organisation that I have proudly supported for decades and does wonderful work in other areas.

I second the amendment proposed by Senator Darragh O'Brien.

Senator Aideen Hayden: As a member of the Constitutional Convention, I was somewhat disappointed that the Government sought to push the presidential age issue ahead of other issues that, in my opinion, are far more core, including issues of economic, social and cultural rights and, in particular, the right to a home. Within that context and in the context of the rights of children, it was recently brought to my attention that in the case of child custody, including shared custody situations, the second parent is not entitled to rent supplement. This means that one parent - usually the father - is being put in the position of not being able to appropriately parent the child and to the child not having the opportunity of being parented by both parents, which matter is fundamental to the rights of children. It is unfortunate that, having gotten through the legal situation of the challenge to the constitutional referendum on the rights of children, we now find ourselves in the situation, in an improving economy, of children being deprived, in my opinion, of the right to be parented by both parents. This is a matter on which we need to have a debate with the Minister for Social Protection who has overall responsibility in this area.

Senator Marie-Louise O'Donnell: Approximately one month ago I highlighted the particular situation which I rise to highlight again today. There are many banks in Ireland other than IBRC. As IBRC is now to be dealt with by way of inquiry, I ask that Senators concentrate this afternoon on the bank of the people, namely, the post office. I ask that the Leader invite the Tánaiste and Minister for Social Protection to the House for a debate on social welfare transactions, the new forms for which should be withdrawn as they blatantly recommend payment of social welfare payments through the banks, thereby discouraging use of the post office yet again. Is the Labour Party and Fine Gael way of doing business one of capitulating to the banks? The Irish Postmasters' Union has said that all post offices will be under threat of closure if social protection transactions are taken from them. How dare the Departments of Social Protection and Communications, Energy and Natural Resources recommend that bank accounts be the best option. I would have thought that the Tánaiste and Minister for Social Protection and the Minister for Communications, Energy and Natural Resources, Deputy Alex White, would be arguing at the Cabinet table in favour of post offices rather than for capitulation to the banks. We have no faith in the banks. I have no faith in them but I do have faith in Irish post offices and do not like to see them downgraded. The post office is the greatest savings and savings certificate bank in the country. It offers the best rates. It does not rob customers and then ask them to pay back the robbers, as the banks did. If we do not retain post offices and their facilities as a major part of Irish society, we will have learned nothing. We have flittered away our sugar company, the lotto, our national resources, many of our national products, buildings and money to liars and thieves in valueless banks.

Senator David Norris: We are in flitters.

Senator Marie-Louise O'Donnell: I feel very strongly about this issue. Everybody is arguing about IBRC, but it will be dealt with in the investigation. Please pay attention to what is happening to post offices to ensure they are kept open in order that people will be able to use them as banks and that those who do not have bank accounts will be allowed to use them. They are a major and valuable resource and we will close them at our peril. We have already allowed upc to do this. I propose an amendment to the Order of Business that the Tánaiste and the

Minister for Communications, Energy and Natural Resources, Deputy Alex White, be invited to the House to answer questions on this issue. Imagine a Labour Party Minister doing this-----

An Cathaoirleach: Will the Senator clarify the amendment? Is she proposing it today?

Senator Marie-Louise O'Donnell: I am.

Senator Catherine Noone: I recently called on the Central Bank to consider abolishing 1 cent and 2 cent coins. I believe it is considering this suggestion. A trial was conducted recently in the south east. Based on the positive outcome of that trial, the Minister for Finance, Deputy Michael Noonan, should make a decision on the future use of the coins. It appears frivolous when one first looks at it, but I have been contacted by a number of businesses about the issue. One is a cash management business and there is a real shortage. Ireland has been minting copper coins at three times the average rate in the European Union, yet there is a consistent shortage of copper coins across the country. People value them so little that they put them on the mantelpiece or in jars in their homes and as a consequence they go out of circulation. This is causing a consistent problem for businesses and it is a hassle shared by them. Consumers do not care as much as businesses about this because they are such insignificant sums. It is senseless that we are bending over backwards to produce these coins given the cost of production. It costs 1.7 cent to produce a 1 cent coin; therefore, it is a cost to the taxpayer. It costs a little more than 2 cent to produce a 2 cent coin. The trial undertaken was considered a major success locally. It resulted in a high level of consumer and business satisfaction, with 100% of retailers and 85% of consumers who participated reporting satisfaction. It was reported recently that the Minister was considering this option. The results of the trial speak for themselves. It is clear that it would be a positive decision for the Department to take. I encourage the Leader to speak to the Minister about the matter in the near future.

Senator David Norris: I support calls for a debate on Amnesty International's report on abortion. I am a religious person and passionately pro-life, but that label does not belong to any single section of the community. If Senator Paschal Mooney seeks to speak for the unborn, that is fair enough because they cannot select somebody to speak for them-----

Senator Paschal Mooney: That is very unfair; I never said that.

Senator David Norris: -----but I am very happy to speak on behalf of those who manage to be born and have real problems, including fatal foetal abnormalities. We are always told by spokespersons that we must be frightfully sensitive and that we cannot tell the truth. I believe in telling the truth. It is outrageous that somebody who is carrying a foetus that has no head, that is only a mass of tissue with no nervous system and no capacity for thought or feeling and no prospect of ever having it - it is a lump of flesh, nothing more - should be forced to carry it to term, or that a victim of rape such as a 13 year old girl raped by a neighbour should be forced by the religious pretensions of third parties to carry a foetus to term. It is incredible arrogance on the part of the people concerned, many of whom are elderly, celibate priests. It is absolute nonsense and it is time that we faced up to the issue. Victims of rape and incest and people carrying foetuses with fatal foetal abnormalities should certainly have their position clarified.

4 o'clock

It is a human right for them to go on living a decent life and not to be terrified and put in misery by arrogant people for nine months.

9 June 2015

If she agrees, I second Senator Marie-Louise O'Donnell's amendment on post offices, as it is a subject about which I have spoken frequently.

Senator Mary Moran: It is a beautiful day, which is a good signal that it is State exam time again. It is a little late in coming, but the sun has come out today. For the first time in a couple of years, I thought we would go through the examinations without having a question raised about a paper. I wish to highlight a serious matter brought to my attention in recent days about the ordinary level maths paper. I read an article in *The Irish Times* about a recent University of Limerick study that, alarmingly, indicated that between 2003 and 2013, following the introduction of Project Maths, a student's mathematical ability when entering higher education had declined significantly. The report indicates that a B in a higher level paper in the leaving certificate examination now would have been the equivalent of a grade C ten years ago. This leads to discrepancies in the points awarded. I know many students who dropped from higher to ordinary level maths as late as Easter because they believed they did not need the subject or the extra pressure. We are trying to relieve additional pressure on such students. They thought they had a safe subject in ordinary level maths. However, they were confronted with almost the same question, give or take a few elements, as Question No. 9 on the higher level paper in 2013. To my mind, the same question should not appear on a higher level paper and an ordinary level paper two years later. The difference in the number of points for an A1 on a higher level maths paper is 125-----

An Cathaoirleach: This is more suited to a Commencement matter.

Senator Mary Moran: It is a very serious matter. There are 125 points awarded for an A1 in a higher level maths paper and 60 for an A1 in an ordinary level maths paper. The same question appeared on both papers. I am calling for a debate with the Minister for Education and Skills in order that she can clarify the issue. I will also take it up as a Commencement matter.

Senator Trevor Ó Clochartaigh: I have been taken aback by the statements from Senators Hildegard Naughton and Aideen Hayden due to their hypocrisy. They are calling for debates on issues of policy that the Government has been implementing for the past four years and which they fully support. I will return to this matter on another day.

It is approximately one year since Ms Catherine Corless brought to the attention of the world media the issue surrounding the Tuam mother and baby home. One year on, I commend *The Examiner*, Mr. Conall Ó Fátharta in particular, for a series of excellent articles published last week on the issues pertaining to the Bessborough, Tuam and other mother and baby homes. We had a number of Ministers, Government representatives, Deputies and Senators rightfully make statements last year in which they outlined their horror about what had been brought to light by Ms Corless in the Tuam area, in particular. Through the newspaper articles we have found that according to reports the State was aware of these burial grounds at least two years beforehand. It is apparent from freedom of information requests that internal reports in the HSE in 2012 had brought the issue to light. It was stated categorically that they should be brought to the attention of the Minister as a matter of urgency and that it could be a huge scandal. At the time, the Minister with responsibility for children, Deputy Charles Flanagan, told the Dáil that the deaths had brought the horrors of the mother and baby homes to the attention of the Government. He said the practices in mother and baby homes had not featured prominently in the various reviews and investigations that had dealt with many of the abuses inflicted on vulnerable citizens, many of them women and children. We know from freedom of information requests and the newspapers articles that at that stage the State had known about Tuam and

Bessborough mother and baby homes for nearly two years. The HSE had investigated both institutions in 2012 when it was examining the health authority's interaction with the Magdalen laundries. Last month, the Department of Children and Youth Affairs reiterated its belief that an audit of adoption records to ascertain the scale of illegal and forced adoption that occurred here would yield little useful information. I beg to differ, as do organisations such as Justice for Magdalenes and the Adoption Rights Alliance -----

Senator Aileen Hayden: Justice for the disappeared.

Senator Trevor Ó Clochartaigh: ----- and Catherine Corless whom I have spoken to on this issue and who is still being blocked from Galway County Council information that would help her ascertain how many bodies are buried in Tuam, how many death certs are available, how they correlate, how many records were falsified and how many illegal adoptions happened. I appreciate an investigation is ongoing, but we need information on the issue of access to records, what the Ministers knew in 2012 and why they did not act sooner. We need the Minister for Children and Youth Affairs to come into the House to clarify the situation. I would welcome a debate on this issue.

Senator Paul Coghlan: I welcome the Government decision to have a commission of investigation into IBRC and like others I encourage the Leader to provide for an early debate on the terms of reference for that. We are all well aware of the public's misgivings on the matter, despite nothing having been established, so to speak. However, the public and others are entitled to their misgivings. For all I know, there may be whistleblowers involved.

Full transparency is a refreshing approach when problems such as this arise. The Government takes the approach it has taken-----

Senator Darragh O'Brien: It has been jumping all over the issue of John Delaney for ten days.

Senator Paul Coghlan: This is not new for the Government. It has done this consistently. The public deserves a forensic examination and that is what the structure being put in place will provide for. Please God, we will have a report by the end of the year.

Senator Darragh O'Brien: Would it hurry up with the Fennelly report and all the other inquiries?

An Cathaoirleach: Senator Coghlan, without interruption.

Senator Paul Coghlan: We can go into the issue more fully and Senator O'Brien can go into his misplaced misgivings then. Judging by the smile on his face he probably has some. He is fully entitled to put forward those misgivings in the debate I am sure the Leader will oblige us with.

Senator Labhrás Ó Murchú: I too believe Amnesty International has crossed the line on the issue of abortion. I recall that when it first became a proactive advocate for abortion, I withheld my contributions. My reason for that was clear. I believe human rights are an entitlement of every person, but once it decided to exclude some people, I believe Amnesty International made a mistake.

Ar ábhar eile ar fad, mar is eol don Teach, tá tuarascáil amuigh i láthair na huaire maidir le stádas na Gaeltachta agus cad atá i ndán don Ghaeltacht amach anseo. Más fíor í an tuarascáil

seo, is drochscéal é don Ghaeilge agus don Ghaeltacht. D'fhéachamar i gcónaí ar an nGaeltacht mar thobar na Gaeilge, ach deirtear anois go bhfuil seans ann nach mairfidh an Ghaeltacht níos mó ná 15 bliain. Tá sé sin dochreidte. If we were told that the Rock of Cashel would collapse within 15 years, there would be an outcry. Every agency in the State would be marshalled and every effort made to ensure that would not happen. We are now told in the latest report that there may be no more than 15 years left for the Gaeltacht.

This is frightening when we consider the importance of the Gaeltacht. First, it is important in the context of the richness of its heritage. Our young people were able to visit the Gaeltacht to better their command of the language and the Gaeltacht was also the repository of the literature relating to the language. I am not being an alarmist when I say I believe this is an emergency on our doorstep. I ask the Leader to arrange for the appropriate Minister to come to the House as soon as possible to discuss this. I am not talking about papers, reports or committees, but about an emergency, if we believe - the report is specific on this - that the Gaeltacht will no longer exist in another 15 years. Nobody in this House or country would want to see that happen. Unless we do something radical, imaginative and comprehensive urgently, history will not be kind to any of us if we allow this to happen.

Senator Cáit Keane: I want to talk about the Rape Crisis Network Ireland. I believe that it is only by speaking about matters and highlighting them that one can make things better. When decisions are taken in order to save money then we must ensure that we all know why and that it is done for the good of the whole of society.

The board of Tusla has withdrawn its funding from the Rape Crisis Network Ireland. Tusla took the decision following its research and surveys which demonstrated that the RCNI had not performed in the way it had been expected to do. Perhaps that is so. I ask for a debate on the matter as to understand is to know and to know is to defend. A debate would allow us to decide for ourselves whether such funding was a waste of money, and whether the Rape Crisis Network Ireland had not performed up to scratch thus leading to the withdrawal of funding.

There is another side to the story. In terms of the method of reporting, the data service manager of the RCNI, Dr. Clíona Saidléar, has said that not everybody reports an incident to specialist services and many people are under the radar because they do not report it at all. There are also different methodologies for reporting. The collection of data cannot always be done by computer. One must take people into consideration, as well as computers. We all back the best use of available resources and must all ensure the best use is made of resources.

The data service manager in the Rape Crisis Network Ireland has said 64% of survivors coming to the 14 rape crisis centres in this RCNI report did not report to the gardaí. That is a huge number of people who did not report incidents to the Garda. Survivors are central to this issue. Dr. Saidléar stated: "The many experiences of survivors that build this evidence-base for change are only recorded here in the RCNI data system and are visible to the State in no other way." She said that if we do not incorporate the data provided by the RCNI then the Government will get a false picture. Such figures will look good on paper but the findings will be bad for the people who are raped, suffer domestic violence and everything else.

I want a full debate on this matter. I want to understand exactly how reporting is done, who reports, how statistics are compiled, and whether both elements are joined together. The aim of the Seanad is to flush out such matters in a debate. The board of Tusla took the decision to withdraw funding, not the Minister. I want to know how boards make their decisions.

Senator Marie-Louise O'Donnell: Hear, hear.

Senator Feargal Quinn: I support the comments made by Senators Ó Murchú and Mooney on the messages that have come from Europe on abortion. Let me remind Senators what happened in Britain. The Conservative Party in Britain discovered that a very large number of people were unhappy with the instructions from Europe and a referendum will be held to see if the country can temper such instructions. It is quite fair that we have been independent for almost 100 years and, therefore, make our own decisions. It is logical that views coming from Britain do not interfere with our decisions. The subject is worthy of debate. Senators Mooney and Ó Murchú clearly explained their opinions on the matter and I support their views but that does not mean we should not have a debate. The subject is worthy of a debate.

I also support Senator Noone's comments on the withdrawal of the 1 cent and 2 cent coins. The Central Bank asked me to travel to Wexford to act as an ambassador in an experiment where the coinage was withdrawn and this happened about a year ago. The experiment proved very successful. Instead of either rounding up or down a price both were done in order to get rid of the 1 cent and 2 cent coins. It does not make sense to have such coins but it makes a great deal of sense to have the 5 cent coin as the lowest unit.

Finland and the Netherlands never introduced the 1 cent and 2 cent coins and instead their lowest coin was 5 cent when they commenced using the euro. Such a move makes sense. The prices are still the same as they ever were. Whether a price ends with 96 cent, 97 cent, 98 cent or 99 cent, a price is rounded to the nearest 5 cent coin. There was no upping of prices. There were no criticism levelled that the initiative was used in such a manner. It is on that basis that we should support Senator Noone's call to abolish the 1 cent and 2 cent coins. The expense involved is outrageous. In fact, these coins cost far more to produce than others, but they are not used more than once or twice before they disappear out of sight. The Government should move on this issue. The experiment was conducted a year ago and received the support of the people of Wexford. A broader initiative is worthy of support.

Senator Michael Mullins: I support my colleague, Senator Hildegard Naughton, in her call for a debate with the Minister for Health on the capital investment required to be put in place to address the crisis we are seeing in accident and emergency departments at hospitals across the country. It is clear that the unit at University Hospital Galway, for example, is not fit for purpose, having never been designed to cater for the volumes attending it. A new building is needed and I urge the Minister to proceed with the project as a matter of urgency. The shortage of beds in many hospitals is leading to a situation where patients are left on trolleys for unacceptably long periods which is adding to the waiting lists for many procedures.

An equally significant issue that needs to be addressed is the difficulty in recruiting key medical personnel, including nurses, at many hospitals. Large numbers of our best and brightest are working in the health service in the United Kingdom, the United States, Australia and elsewhere. We need a debate with the Minister on what we can do to attract these people back to work in the health service. It should include an examination of issues such as tax incentives, relocation costs and any other issue that might be relevant. We are in a crisis because we cannot entice key medical personnel to work in the health service. These issues require a full debate with the Minister and I urge the Leader to organise it as soon as possible.

Senator Paul Bradford: I support the proposal made by Senator Ivana Bacik that we be given an opportunity to discuss, preferably with the Minister for Communications, Energy and

9 June 2015

Natural Resources, Deputy Alex White, the issue of media ownership and media dominance. Most of us in this House were reared in an era in which we had access to the *Irish Press*, *Irish Independent* and the RTE radio and television channels. Whether there was truth in the news or otherwise, it was fair and balanced and people knew what was behind the various editorial policies. We are now at a stage where a certain degree of media dominance is beginning to cause difficulty. That is why we need to hear from the Minister and have an opportunity to contribute to the debate. It is important to be aware, however, that should he decide to introduce restrictions, unless they could be applied retrospectively, they would not only be unhelpful but would probably copperfasten the current unsatisfactory position. The need for a debate arises not only from recent events but in the light of trends in recent years. These trends must cause concern for all of us who believe a fair, balanced and open press is necessary as part of a fair and open democracy.

On a lighter note, I listened with interest to the calls made by Senators Catherine Noone and Feargal Quinn to abolish one and two cent coins. We will shortly have a debate on the Yeats 2015 initiative. I am sure the poet who wrote about “add[ing] the halfpence to the pence” would not share the views of the two Senators of our currency.

Senator Colm Burke: I support Senator Michael Mullins’s call for tax incentive for doctors, particularly those who have given up jobs and gone back to college under the graduate entry programme. If I was to borrow money in the morning to set up a business, I would be entitled to write off the interest on those borrowings against the profits I make in the business. On the other hand, if I were to give up my job and borrow money to go back to college to study medicine, I would not be able to write off the interest against my earnings. That is wrong. I have received a very detailed submission from several junior doctors who had the initiative to sit down with some chartered accountants to discuss this matter. They prepared a detailed document about the net cost to the State but ignored the financial cost, which is a small amount. Between now and 2020 it would cost less than €5 million. There is a huge incentive for people who have given up their jobs and who want to remain here but are not entitled to currently to write off the interest on their borrowings against tax. That measure should be introduced, especially for people who have come in under the graduate entry programme and who have to pay full college fees to do medicine. It is wrong that we are not allowing that. I have sent a detailed submission to the Department of Finance and I am asking this House to support that submission and that it would be part of the Finance Bill for 2016 to ensure that junior doctors get some recognition that they are making a valuable contribution here. We are losing too many of them and once they leave, it is very difficult to get them to return. I support what Senator Mullins has stated.

Senator Mary M. White: I was privileged this morning to attend the press launch by SPARK, single parents acting for the rights of kids, announcing a major protest at 3.30 p.m. tomorrow outside the gates of Leinster House against the proposed savage cuts by the Tánaiste and Minister for Social Protection, Deputy Joan Burton, on one-parent families. This protest is in response to the most gendered cut in the history of the State as 98% of those on the one-parent family payment are women. Forty thousand lone-parent families are due to lose their entitlement this year once their youngest child is over seven. From this July, through no fault of their own, one-parent families will lose up to €80 a week. It is a fact that 65% of the least well-off and poorest children in Ireland live in one-parent families. The savage cut of €80 a week is as much as taking the bread for these children off the table.

I call on the Tánaiste, Deputy Joan Burton, not to proceed with these planned cuts until

improvements in affordable child care are in place such that they will enable women to participate socially and economically and, in so doing, develop their potential. As a member of Amnesty International, I propose an amendment to the Order of Business that the Tánaiste, Deputy Joan Burton, would come into this House to discuss the savage cuts she is proposing for these women and children.

An Cathaoirleach: Is the Senator proposing an amendment to today's Order of Business?

Senator Mary M. White: Yes.

Senator Jim D'Arcy: Aontaím leis an Seanadóir Labhrás Ó Murchú sa mhéad a dúirt sé faoin Ghaeltacht. Caithfidh gach rud is féidir a dhéanamh chun an Ghaeltacht a chothú. Ba mhaith liomsa chomh maith go dtiocfadh an tAire go dtí an Teach chun ráiteas a dhéanamh faoin ábhar seo mar tá sé práinneach.

I support Senator Labhrás Ó Murchú's comments about the importance of the Gaeltacht, and his call for the Minister to come into the House to allow us have a discussion on the matter. I know the Minister is every bit as keen as Senator Ó Murchú to protect and develop the Gaeltacht, so I hope we can have that discussion.

The report by the professors in the University of Limerick, Dr. Máire Ní Ríordáin and Dr. Ailish Hannigan, into mathematics in post-primary schools is worrying in that there seems to be some slippage. It is too early to say whether Project Maths is the cause of this because this is the first year in which every student did Project Maths. It may be the case that there is an over-emphasis on activity rather than on drills. Both are needed. If it is the case that a C grade would have been a D grade some years ago, *a fortiori*, would a D grade today have been an E grade? The problem started when long division was taken out of fourth class and put into fifth class as shorthand in respect of our problems in mathematics.

An Cathaoirleach: Has the Senator a question for the Leader?

Senator Jim D'Arcy: At a time when we are giving bonus points for mathematics and standards are declining, there are laws of inverse proportions. Is it fair to students of other subjects that people who are achieving a relatively lower standard in their honour are getting a 25% bonus and getting a lift up into courses in university? When one includes someone, one is excluding someone else.

An Cathaoirleach: The Senator is over time. The Senator can make those points during the debate.

Senator Jim D'Arcy: I would like a debate on this.

Senator Marie-Louise O'Donnell: We have a Minister who is rewarding failure.

Senator Thomas Byrne: I second the important amendment proposed by Senator White. I wish to speak about IBRC, the commission of investigation, the role of the Seanad and all the issues that have brought this to a head this week. It is very important to remember that under the commission of investigation legislation, the Seanad has the same role as the Dáil. This commission of investigation cannot go ahead without the Dáil and Seanad approving the draft terms of reference and the statement of reasons for this commission of investigation. It is really important that we take our responsibilities as Senators and as a House of the Oireachtas under this legislation very seriously and that we have a full, frank and proper debate on these terms

of reference. If possible, a delegation from the Seanad should meet the Minister for Finance to discuss the terms of reference. It is probably too late for that because he has already published them. We are all too keen in this House to denigrate ourselves and put ourselves down as second-class, but in this case we are not second-class. We are first-class and are equal to the Dáil, but that entails a significant requirement to take that responsibility and equality very seriously. I understand the Leader has possibly changed things but it appears we are throwing in a draft motion and it will be approved without debate. This will not be acceptable.

The Seanad should be ashamed of itself for, by and large, staying silent when an attack was made by Mr. O'Brien on parliamentary privilege, which encompasses the reporting of what is said in Parliament. We should have been asserting our rights - the rights of the Houses of the Oireachtas which are exercised on behalf of the people. Most Members of this House were completely silent. Only my party leader, Deputy Martin, took it upon himself to show leadership on this issue on behalf of both Houses while the Taoiseach stayed completely silent, opening bottle banks and giving out about Sepp Blatter and John Delaney. That is exactly what happened last week.

What happened last weekend in respect of Deputy Catherine Murphy's contribution in the other House was a disgrace. We could not sit last week to discuss it to assert it and assert our rights. Let us be honest. There is no superiority of powers when we talk about the separation of powers. There is a difference. The courts have no role in what we say in here and that was acknowledged very clearly and succinctly by the judge last week. We can say whatever we like in here and we should be standing up for that right and the right of the media to report it and not be relying on some nonsensical excuse that we must wait for a court case. We did not have to wait for it. We should have been asserting our rights here and standing up for the people, which is really what those rights are about.

Senator Pat O'Neill: We, as a nation, often have a lot to be proud of. I would like the Leader and maybe you, a Chathaoirligh, to write a letter to the Minister for Defence congratulating our Defence Forces on the magnificent humanitarian job they are doing in the Mediterranean Sea at present. The Naval Service has saved over 1,000 people.

We had debate here on the crisis in the Middle East recently and I think it is time for another debate. People in desperate situations do desperate things. These people are taking their lives in their hands by being conned, cajoled and told that they will get safe passage to Europe. They are suddenly being abandoned on ships that are not capable of bringing humans, let alone animals, across a sea.

It was a brave decision by the Department of Defence and the Minister of the day to send the *LE Eithne* to the Mediterranean. What proves it had to be done is that we have saved over 1,000 people. A total of 1,000 people have lost their lives already. It is time for a debate. We see the ongoing problems in Syria, Libya, Somalia and parts of west Africa. These people are doing desperate things to try to better their lives. It is time that we, as a House, try to influence the Minister for Foreign Affairs and Trade, the EU and the United Nations to intervene in what is a desperate situation around north Africa. The Leader or the Cathaoirleach should write a letter of congratulations to the Minister for Defence or the Brigadier General of the Naval Service to congratulate him on what has been a magnificent achievement by the Irish Defence Forces in recent weeks in the Mediterranean.

Senator Martin Conway: I could not but agree with Senator O'Neill. That would be a

most appropriate course of action. I had the pleasure, as part of the justice committee, to visit the *LE Eithne* some years ago. I am sure Senator O'Neill and others would agree with me that it now behoves us to offer some of these people asylum in this country. We have saved the lives of 1,000 people. Let us now give them a life and welcome some of them to our shores. However, before we do that we need to get our house in order when it comes to direct provision, because that is something we should be ashamed of. Certainly, we could not be proud of it.

I agree with my colleague on the other side, Senator Byrne, in terms of IBRC. We were all horrified with what went on and the carry-on that took place. None of us should be tiptoeing around judges, business people, the media or anyone else when it comes to this House and what is constitutionally protected in terms of privilege. Hopefully, we will not see an example of what happened over the bank holiday weekend, when the national broadcaster felt it necessary to gag itself on what is reported in these Houses. We cannot have a situation where the national broadcaster gags itself in terms of reporting what is said in this House. That fundamental separation of the Judiciary and the Oireachtas is important. The constitutional right to report what is said in this House is very necessary.

Since I am talking about the media, I agree with Senator Bradford and others in terms of having a sensible debate on the media. Rights bring responsibilities and we have a new style and type of media now. Newspapers are becoming freesheets to a large extent. One cannot go into any hotel, guesthouse or railway station but one can pick up free copies of the national newspapers. In the hotel where I stay in Ballsbridge I can get the three main national newspapers at the reception free of charge. Many people read them on the Internet and of course we have social media. I think we need-----

An Cathaoirleach: Senator, you are over time.

Senator Martin Conway: I will be finished shortly.

An Cathaoirleach: You will not have a minute anyway, Senator.

Senator Martin Conway: We have expertise in this House with the likes of Senator O'Donnell, who would contribute handsomely to such a debate.

Senator Darragh O'Brien: Senator Conway is covering all the bases this afternoon.

Senator Paschal Mooney: Senator Conway should keep going. We are here all evening.

Senator Martin Conway: We need a new code of ethics in terms of the media and social media.

An Cathaoirleach: Senator, are you looking for a debate on the issue?

Senator Martin Conway: I am looking for a debate.

Senator Darragh O'Brien: Senator Conway should be sure to mention Senator Bradford. We may need him later.

Senator Martin Conway: The media is an evolving product and environment. We need to evolve with it and keep a close check on it.

Senator Marie-Louise O'Donnell: I have done all the evolving that I intend to do.

9 June 2015

Senator Maurice Cummins: I am glad that the week's break did people so much good. They are coming back here invigorated by the few days they had off, judging by the Order of Business to date.

Senators O'Brien, Coghlan, Byrne and Conway referred to the IBRC motion. The Minister for Finance, Deputy Noonan, will be in the House tomorrow evening from 9 p.m. until 11 p.m. to debate the motion. I am sure Members will welcome that.

Senator Darragh O'Brien spoke about Aer Lingus pensions. He made valid points in this regard during the debate we arranged with the Minister for Transport, Tourism and Sport at Senators' request.

Senator Bacik welcomed the establishment of a commission of investigation into IBRC and called for a debate on media merger guidelines. The latter point was also raised by Senators Bradford and Conway. I understand the matter was discussed by the Cabinet and I will attempt to arrange a debate on it with the Minister for Communications, Energy and Natural Resources. Senator Bacik also referred to an Amnesty International report which calls for the repeal of the eighth amendment of the Constitution. Senators Norris, Mooney, Ó Murchú and Quinn also referred to the report, some agreeing with it while others were totally opposed to it.

Senator Zappone referred to the UN committee on economic, social and human rights and called for a debate with the Minister of State at the Department of Foreign Affairs and Trade, Deputy Sherlock. I will bring the matter to the Minister of State's attention and try to arrange a debate in the House at a later stage.

Senator Barrett referred to the Taoiseach's visit to Kingsmill. I understand the Taoiseach is doing his best to address the request from relatives in this regard. The Senator also congratulated the new vice-chancellor of Oxford University, Louise Richardson, who comes from Tramore, County Waterford. She will be the first woman vice-chancellor for Oxford University in 700 years. She studied in Ursuline Convent in Waterford and in Trinity College Dublin. I am delighted to say that the Ursuline sisters live behind my house, which is located in Ursuline Court.

Senators Naughten and Mullins spoke about the problems arising in the emergency department in Galway University Hospital. I suggest that the Senators might table a Commencement matter to debate the issue with the Minister for Health, who personally attended the House to take three Commencement matters today. He comprehensively addressed the issues raised with him.

Senator Darragh O'Brien: In the Leader's opinion.

Senator Maurice Cummins: Senator Mooney spoke about the €300 million claimed by junior bondholders and Professor Honohan's statement. He suggested that the Government should burn the bondholders. The Government has burned junior bondholders to the tune of €5 billion already but the Senator may be able to put his question to the Minister, Deputy Noonan, tomorrow evening.

Senator Hayden referred to difficulties with rent supplement. I will invite the Minister for Social Protection to address the matter in the House. Senator O'Donnell spoke about post-offices and the payment of social welfare through banks. We had a debate on that issue as recently as 2 April at the request of Senators. The Minister of State at the Department of Social Protec-

tion was in the House for the debate but only six Senators spoke on it. The Minister of State dealt with the issue comprehensively. I ask Members when they amend the Order of Business to consider whether the issues in question were discussed less than one month previously.

Senator Paschal Mooney: Senator Ó Domhnaill was clearly not aware of that.

Senator Maurice Cummins: Senators Noone, Quinn and Bradford spoke about getting rid of the 1 cent and 2 cent coins. Senator Quinn spoke about the pilot project in Wexford, which was very positive. People had no problem with getting rid of these coins. Eventually the Department of Finance will need to take a decision. It seems crazy that they cost more to produce than they are worth. I am sure the Department will take cognisance of the pilot project that happened in Wexford.

Senator Ó Clochartaigh mentioned the Tuam mother and baby home that Senator Naughton first brought to our attention here last year. He questioned when the State knew about the burial grounds. As has been rightly pointed out, an investigation is ongoing in that regard and we should await the result of that investigation.

Senator Paul Coghlan suggested that the commission of investigation into IBRC will provide forensic examination of events and I am sure we all hope that will be the case.

Senator Ó Murchú spoke about the life of the language in Gaeltacht areas and the suggestion that it has only 15 years of a lifespan left, based on a recent report. This is a matter that Senator Jim D'Arcy also addressed. I would not be as pessimistic. The Gaelscoileanna are doing a wonderful job throughout the country. More and more young people are speaking the Irish language.

Senator Trevor Ó Clochartaigh: They are not in the Gaeltacht.

Senator Maurice Cummins: The Senator should let me speak. Even though I am speaking in English, I agree that we should have a debate and I will ask the Minister to come to the House to have a debate on that very serious report.

Senator Keane spoke about funding for Rape Crisis Network Ireland. She expressed concern over the number of women who do not report rape, which is dreadful. She called for a debate and I will certainly try to arrange a debate on that very serious matter.

Senator Quinn spoke about the Amnesty International report. He rightly pointed out that we make our own decisions, especially when it comes to abortion.

Senator Mullins spoke about the difficulty in recruiting consultants and bringing our own people back. He is right that we need some mechanism to employ more consultants. Even though many posts have been advertised in recent months, we are not getting the consultants. I heard Senator Ó Clochartaigh interjecting when that matter was being discussed. Sinn Féin wants to tax people out of existence and we would not be able to attract many consultants.

Senator Trevor Ó Clochartaigh: It is more of an issue of the USC and the rates paid to nurses.

Senator Maurice Cummins: We are working on that also.

Senator Trevor Ó Clochartaigh: It is the rates nurses are paid that has driven them out.

9 June 2015

Senator Maurice Cummins: Senator Colm Burke spoke about writing off interest on borrowings for medical students and junior doctors. It is certainly a matter that should be addressed.

Senator Darragh O'Brien: If it can be done for Mr. Denis O'Brien, it can be done for them.

Senator Maurice Cummins: Senator White spoke about SPARK and cuts to the one-parent family payment. I think we addressed that during the debate on the Social Welfare Bill. If needs be, we can arrange a further debate on the matter.

Senator Jim D'Arcy spoke about Project Maths. That matter also has been raised previously and he called for the Minister to come in and debate it. Senator Byrne raised the commission of investigation but he did state that people can say whatever they like in this House. While they certainly can say whatever they like, at the same time no one should abuse privilege.

Senator Thomas Byrne: Yes, I agree but it is not a matter for the courts.

Senator Maurice Cummins: It is important that the Senator should have finished that sentence, that Members cannot abuse privilege under any circumstances.

Senator Thomas Byrne: It is not a matter for the courts, it is a matter for the House.

Senator Maurice Cummins: Senator O'Neill raised the great work of the Defence Forces and the crew of the *LE Eithne*. He congratulated all involved on their humanitarian effort and I am sure all Members agree with that. The Senator also called for a debate on the issue with the Minister, Deputy Charles Flanagan. Senator Conway addressed some of the items which I addressed earlier.

An Cathaoirleach: Senator Darragh O'Brien has proposed an amendment to the Order of Business: "That No. 72, motion No. 15 regarding Aer Lingus be taken today." Is the amendment being pressed?

Senator Darragh O'Brien: Yes.

Amendment put:

The Seanad divided: Tá, 14; Níl, 19.	
Tá	Níl
Byrne, Thomas.	Bacik, Ivana.
Daly, Mark.	Brennan, Terry.
Mac Conghail, Fiach.	Burke, Colm.
Mooney, Paschal.	Coghlan, Eamonn.
Norris, David.	Coghlan, Paul.
Ó Clochartaigh, Trevor.	Comiskey, Michael.
Ó Domhnaill, Brian.	Conway, Martin.
Ó Murchú, Labhrás.	Cummins, Maurice.
O'Brien, Darragh.	D'Arcy, Jim.
Quinn, Feargal.	Hayden, Aideen.
van Turnhout, Jillian.	Higgins, Lorraine.

Seanad Éireann

White, Mary M.	Keane, Cáit.
Wilson, Diarmuid.	Moran, Mary.
Zappone, Katherine.	Mulcahy, Tony.
	Mullins, Michael.
	Naughton, Hildegard.
	Noone, Catherine.
	O'Donnell, Marie-Louise.
	O'Neill, Pat.

Tellers: Tá, Senators Paschal Mooney and Diarmuid Wilson; Níl, Senators Paul Coghlan and Aideen Hayden.

Amendment declared lost.

An Cathaoirleach: Senator Marie-Louise O'Donnell has proposed an amendment to the Order of Business: "That a debate with the Tánaiste and Minister for Social Protection on measures taken by her Department to have social welfare recipients transfer their banking arrangements from post offices to banks be taken today." Is the amendment being pressed?

Senator Marie-Louise O'Donnell: Yes.

5 o'clock

The Seanad divided by electronic means.

Senator David Norris: Under Standing Order 62(3)(b), I request that the division be taken again other than by electronic means.

Amendment put:

The Seanad divided: Tá, 17; Níl, 18.	
Tá	Níl
Bradford, Paul.	Bacik, Ivana.
Byrne, Thomas.	Brennan, Terry.
Cullinane, David.	Burke, Colm.
Daly, Mark.	Coghlan, Eamonn.
Mac Conghail, Fiach.	Coghlan, Paul.
Mooney, Paschal.	Comiskey, Michael.
Norris, David.	Conway, Martin.
Ó Clochartaigh, Trevor.	Cummins, Maurice.
Ó Domhnaill, Brian.	D'Arcy, Jim.
Ó Murchú, Labhrás.	Hayden, Aideen.
O'Brien, Darragh.	Higgins, Lorraine.

9 June 2015

O'Donnell, Marie-Louise.	Keane, Cáit.
Quinn, Feargal.	Moran, Mary.
van Turnhout, Jillian.	Mulcahy, Tony.
White, Mary M.	Mullins, Michael.
Wilson, Diarmuid.	Naughton, Hildegarde.
Zappone, Katherine.	Noone, Catherine.
	O'Neill, Pat.

Tellers: Tá, Senators David Norris and Marie-Louise O'Donnell; Níl, Senators Paul Coghlan and Aideen Hayden.

Amendment declared lost.

An Cathaoirleach: Senator Mary White has proposed an amendment to the Order of Business: "That a debate with the Tánaiste and Minister for Social Protection on the impact on women and children of cuts in social welfare be taken today." Is the amendment being pressed?

Senator Mary M. White: Yes.

Amendment put:

The Seanad divided: Tá, 14; Níl, 19.	
Tá	Níl
Byrne, Thomas.	Bacik, Ivana.
Cullinane, David.	Brennan, Terry.
Daly, Mark.	Burke, Colm.
Mooney, Paschal.	Coghlan, Eamonn.
Norris, David.	Coghlan, Paul.
Ó Clochartaigh, Trevor.	Comiskey, Michael.
Ó Domhnaill, Brian.	Conway, Martin.
Ó Murchú, Labhrás.	Cummins, Maurice.
O'Brien, Darragh.	D'Arcy, Jim.
Quinn, Feargal.	Hayden, Aideen.
van Turnhout, Jillian.	Higgins, Lorraine.
White, Mary M.	Keane, Cáit.
Wilson, Diarmuid.	Moran, Mary.
Zappone, Katherine.	Mulcahy, Tony.
	Mullins, Michael.
	Naughton, Hildegarde.
	Noone, Catherine.
	O'Donnell, Marie-Louise.

	O'Neill, Pat.
--	---------------

Tellers: Tá, Senators Paschal Mooney and Diarmuid Wilson; Níl, Senators Paul Coghlan and Aideen Hayden.

Amendment declared lost.

Question put: "That the Order of Business be agreed to."

The Seanad divided: Tá, 22; Níl, 9.	
Tá	Níl
Bacik, Ivana.	Byrne, Thomas.
Brennan, Terry.	Daly, Mark.
Burke, Colm.	Mooney, Paschal.
Coghlan, Eamonn.	Ó Clochartaigh, Trevor.
Coghlan, Paul.	Ó Domhnaill, Brian.
Comiskey, Michael.	Ó Murchú, Labhrás.
Cummins, Maurice.	O'Brien, Darragh.
D'Arcy, Jim.	White, Mary M.
Hayden, Aideen.	Wilson, Diarmuid.
Higgins, Lorraine.	
Keane, Cáit.	
Moran, Mary.	
Mulcahy, Tony.	
Mullins, Michael.	
Naughton, Hildegard.	
Noone, Catherine.	
O'Donnell, Marie-Louise.	
O'Keeffe, Susan.	
O'Neill, Pat.	
Quinn, Feargal.	
van Turnhout, Jillian.	
Zappone, Katherine.	

Tellers: Tá, Senators Paul Coghlan and Aideen Hayden; Níl, Senators Paschal Mooney and Diarmuid Wilson.

Question declared carried.

Transatlantic Trade and Investment Partnership Trade Agreement: Motion

Senator Maurice Cummins: I move:

That, notwithstanding anything in Standing Orders, two or more joint committees, in accordance with their orders of reference, may hold a joint meeting or meetings in this Seanad to consider the Transatlantic Trade and Investment Partnership, TTIP, an EU-US trade agreement currently under negotiation.

Question put and agreed to.

Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015: Order for Second Stage

Bill entitled an Act to amend the Garda Síochána Act 2005 to provide for the establishment and functions of a body to be known as An tÚdarás Póilíneachta or, in the English language, the Policing Authority for the purpose of overseeing the performance by the Garda Síochána of its functions relating to policing services; to amend the provisions of that Act relating to the Garda Síochána Ombudsman Commission and the Garda Síochána Inspectorate; and to provide for related matters.

Senator Martin Conway: I move: “That Second Stage be taken today.”

Question put and agreed to.

Garda Síochána (Policing Authority and Miscellaneous Provisions) Bill 2015: Second Stage

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

Minister for Justice and Equality (Deputy Frances Fitzgerald): Senators will recall that when I assumed my present office I committed to delivering a sea change in the oversight of policing. Since then I have worked with the Cabinet committee on justice reform to deliver a comprehensive programme of reform of the oversight governance and accountability of An Garda Síochána. The overall objective of this programme is to ensure that the confidence of the public in the Garda Síochána is maintained and to bring forward necessary changes, so that the high quality and respected service of the Garda Síochána can be maintained, developed and enhanced to better meet the realities, requirements and expectations of 21st century policing.

As part of the justice reform programme the Government held, for the first time, an open

and independent selection process for the position of Garda Commissioner and the two positions of Deputy Garda Commissioner. Legislation was introduced and enacted to strengthen the role and remit of the Garda Síochána Ombudsman Commission, GSOC. A Commission of Investigation, being chaired by Mr. Justice O'Higgins, has been established and is currently examining matters in the Cavan-Monaghan Garda Division. The terms of reference are fully in line with those recommended in the Guerin report. The independent review mechanism is also under way. Earlier today I announced that I have appointed retired High Court Judge Mr. Justice Roderick Murphy to independently oversee the issuing of responses to complainants. I felt it was important that the review mechanism was seen as independent from beginning to conclusion. The Protected Disclosures Act 2014 has amended the Garda legislation to allow Garda members to make "protected disclosures" to GSOC in confidence in respect of alleged Garda misconduct. The Freedom of Information Act 2014 extends to the Garda Síochána. The Garda Professional Standards Unit, GPSU, on the operation of the fixed charge processing system, penalty points, was published and in response we now have an independent oversight authority for the processing of penalty points.

In November 2014, the Garda Inspectorate published a comprehensive report on crime investigation making a number of short-term, medium-term and longer-term recommendations. The recommendations under way include a review of crime counting rules by the CSO, the establishment of a data quality team in An Garda Síochána, reorganisation within An Garda Síochána, the establishment of a new criminal justice steering group to provide greater co-ordination between all the bodies operating under the criminal justice system, as mentioned in the Toland report. There is also the establishment of a new Garda incident recording process and a very significant development, given that this is the year when the EU directive on victims will be transposed into legislation, a victim support office in every Garda division where certain gardaí have this as a particular task and focus. Recently I held a round table with all the victims groups, all of whom were very supportive of this initiative by the Garda Síochána. In addition, the Government has also focused on resources.

Last September, this Government reopened the Garda college for new recruits for the first time since 2009. Three hundred have already started their training. The first 99 have attested and are working in communities nationwide. We promised seamless ongoing recruitment and we are delivering on that promise. Some 250 more recruits will enter the Garda college in the coming months. Significantly, each intake will comprise 125 recruits, an increase from the 100 recruits taken in as part of the first three tranches since recruitment recommenced last September. This ramped-up recruitment signifies the determination of Government to delivering an effective, responsive police service to protect our communities and respond to emerging crime trends. Crime trends vary over time, therefore particular responses are needed. The additional recruitment will bring to 550 the total number of gardaí who will have been recruited by the Government between September 2014 and 2015.

Senator Paschal Mooney: I would be grateful if I could have a copy of the Minister's contribution.

Deputy Frances Fitzgerald: I apologise to the Senator. I will arrange for that. Obviously there is a need for the delivery of reforms and efficiencies. For example 125 gardaí are returning to front-line policing as a result of civilianisation of Garda immigration functions at Dublin Airport. In addition, due to reforms in rural policing, the Garda Commissioner estimates that 61,000 more man hours and woman hours are available for front-line services following recent decisions.

9 June 2015

To date, this Government has invested nearly €29 million in new Garda vehicles since 2012, and they have been coming on stream in recent times. The various reforms have been done by way of context for the establishment of the new policing authority which we are discussing.

The establishment of an independent policing authority is at the core of the Government reform programme and represents one of the most far reaching reforms of the Garda Síochána since the foundation of the State. The authority will provide a new independent and dedicated forum for the public oversight of policing services in Ireland. It will also provide a new engine to drive reforms of the policing system and practices, to ensure that the Garda Síochána is fit to address the ongoing and emerging challenges of modern policing. The new authority will have extensive functions, many of which are currently exercised by the Government or the Minister for Justice and Equality. In particular, these functions will be concerned with overseeing the governance, structures and performance of the Garda Síochána in the policing area.

The Bill proposes that the authority will, in particular, have responsibility for overseeing the performance by the Garda Síochána of its policing functions under a broad range of headings, nominating persons for appointment by the Government to the posts of Garda Commissioner and Deputy Garda Commissioner, appointing persons to the ranks of Garda superintendent, chief superintendent and assistant commissioner - and removing them for reasons related to policing services; appointing persons to senior positions within the Garda civilian staff, determining Garda priorities in policing services, approving the three year Garda strategy statement, approving the annual Garda policing plan, establishing a Garda code of ethics, and promoting and supporting the continuous improvement of policing in the State. The Bill also enables the authority to request GSOC and the Garda Síochána Inspectorate to initiate an inspection or inquiry or to examine Garda practices or procedures. It has the independent right to ask GSOC or the Garda Inspectorate to investigate a particular area.

The legislation has been developed taking into account the outcome of an extensive process of consultation. This included the consultation process I hosted in Farnleigh in June 2014 and the detailed consideration of the Bill by the Joint Committee on Justice, Defence and Equality. The provisions of the Bill are generally in line with the general scheme which was published in November 2014 and which was broadly welcomed by the joint committee in the course of its pre-legislative scrutiny.

The proposals in the Bill have been prepared in close consultation with the Office of the Attorney General, taking full account of the requirements of the Constitution. In particular, consideration has been given to the fact that, under Article 28, as interpreted by the courts, there are restrictions on the extent to which it is open to the Government to delegate important functions relating to the Executive power of the State to another body. Overall, the proposals for the policing authority are designed to strike the right balance between, on the one hand, the exercise by the authority of effective and meaningful oversight of the policing functions of the Garda Síochána and, on the other hand, the retention by Government of essential residual powers in policing, in accordance with what is appropriate under Article 28. In recognition of the constitutional position of the Executive in policing, the Bill provides that a number of authority functions will require the co-agreement of the Minister.

An important issue dealt with in the Bill is national security which is a vital function of government. The Garda Commissioner will continue to account fully to the Minister and the Government on security matters. For the first time the Bill contains a definition of security services. The purpose of the definition is purely to determine which functions of An Garda

Síochána will be overseen by the Minister for Justice and Equality and the Government rather than the policing authority. It is important to bear in mind that the Bill does not seek to confer further security-related powers or functions on An Garda Síochána. The definition contains an exclusion for lawful advocacy, protest or dissent, which is an important point. The definition was carefully considered in close consultation with the Office of the Attorney General. It encompasses, among other matters, functions linked with offences under existing legislation, including offences under the Offences Against the State Acts, 1939 to 1998, and the Criminal Justice (Terrorist Offences) Act 2005, as well as espionage and sabotage.

I will set out the position on the chairperson designate and the membership of the authority. Following a process undertaken by the Public Appointments Service in seeking expressions of interest, the Government has nominated Ms Josephine Feehily as chairperson designate of the authority. She has been assisting in the preparation for the establishment of the authority. The selection process for the eight ordinary members of the authority will be undertaken shortly by the Public Appointments Service. This will allow the authority to commence operations as soon as possible after the Bill is enacted.

I will now set out the specific contents of the Bill. The Bill comprehensively amends the Garda Síochána Act 2005, the principal Act, to incorporate the authority into the existing Garda legislative framework. To facilitate Senators, I have arranged for the circulation of an unofficial consolidation of the principal Act which includes the amendments proposed in the Bill. I realise Senators may not have received the document, but I am organising it.

Senator Paschal Mooney: We still have not received a copy of the Minister's speech.

Acting Chairman (Senator Diarmuid Wilson): In fairness, she has requested copies from her officials.

Senator Paschal Mooney: I am sorry. I am not in any way reflecting on her personally.

Deputy Frances Fitzgerald: My apologies. I am unsure why it has not happened.

Senator Paschal Mooney: There is a great deal to absorb.

Deputy Frances Fitzgerald: I appreciate that. If we could have a couple of copies circulated, it would be helpful in the first instance.

Senator Paschal Mooney: I am sorry; I did not mean to interrupt. By the way, this is not confined to the Minister's Department and it happens more frequently than it should in this House. Perhaps there should be a greater awareness in advance that copies of speeches will be needed.

Acting Chairman (Senator Diarmuid Wilson): Perhaps that is something we can take up with the Committee on Procedure and Privileges. In fairness to the Minister, she has asked an official to obtain copies.

Deputy Frances Fitzgerald: My apologies if copies have not been circulated. I will also arrange for it to be e-mailed to Senators.

Part 1 of the Bill contains the Short Title provisions, as well as definitions and repeal provisions. Section 4 contains a definition of security services for the first time. This is required to help to identify the relevant functions of the authority. As it will not have functions in respect

of security services, it is important to provide clarity around what it is comprehended by security services. As I have said, the definition does not expand existing Garda powers in the field of security and provides for a specific exclusion relating to lawful advocacy, protest or dissent.

Section 5 sets out for the first time policing principles which are intended to underpin the provision of policing services in the State.

Part 2 gives the authority a significant role in the appointment and removal of senior Garda personnel. Sections 8, 9 and 12 make provision for appointments to senior ranks. In particular, under sections 8 and 9, the Government will make appointments to the ranks of Commissioner and deputy commissioner but solely on the recommendation of the authority. The Government will be obliged to accept the authority's recommendations but may and only in exceptional circumstances and for substantial and stated reasons ask the authority to nominate another person for appointment. Under section 12, the authority will make appointments to the ranks from Garda superintendent to assistant commissioner. I imagine Senators will be aware of the significance of these changes, for which people have been calling for some time.

Sections 10, 11, 13 and 14 deal with removals. While the Government will retain the power to remove the Commissioner or a deputy commissioner, the authority will be able to recommend removal from these positions on grounds related to policing services. It will be able to remove an assistant commissioner, a chief superintendent or a superintendent on grounds related to policing services. The Garda Commissioner will be required to obtain the consent of the authority for the summary dismissal of a member of An Garda Síochána not above the rank of inspector.

Section 15 continues the current arrangements for the recruitment of Reserve members, with a requirement for consultation with the authority rather than the Minister.

Section 16 requires the authority to publish, within 12 months of its establishment, a code of ethics for Garda members and civilian staff. Again, this is a significant issue.

Section 17 requires approval for the number of appointments of Garda civilian staff to be given by the authority. Furthermore, the authority will directly appoint Garda civilian staff equivalent to or above the rank of chief superintendent.

Part 3 sets out the roles that will be undertaken by the Minister, the authority and the Garda Commissioner. Under section 18, the authority will, subject to the prior approval of the Minister, determine and from time to time revise priorities and performance targets for An Garda Síochána in performing its functions related to policing services. It also inserts a new section 20A into the 2005 Act to allow the Minister to set priorities and performance targets related to security services. Again, this new provision is important.

I have mentioned that the three-year strategy has to be approved. Sections 21 and 22 make provision for the three-year report on the efficiency and effectiveness of the management and deployment of Garda resources and the yearly report of the Garda professional standards unit, respectively, to be submitted by the Commissioner to the authority rather than the Minister.

Section 23 enables the Minister, following Government approval, to issue a directive to the authority on policing services. It also allows the authority to recommend to the Minister that a directive be issued to the Garda Commissioner on policing services.

Section 24 modifies the functions of the Garda Commissioner as set out in section 26 of the principal Act to reflect the relationship between the Garda Commissioner and the authority on policing services. The position is being changed in this regard. In particular, the Commissioner will be required to assist and co-operate with the authority in the performance of its functions.

Section 25 provides a role for the authority in seeking the views of the public on matters concerning policing services. Again, this is an important measure. There can and will be public meetings at which gardaí will be asked by the authority to report on various issues. It will be at the discretion of the authority to decide when it will hold public or private meetings.

Part 4 makes provision for amendments to allow the transfer to the authority of the functions of the Minister related to joint policing committees. This is another area where we will see the transfer of authority and responsibility to the policing authority rather than them residing with the Minister. The same applies to CCTV schemes for the purposes of securing public order.

Part 5 deals in detail with the accountability of the Garda Commissioner for the exercise of his or her functions. The amendment to section 40 is key because this is where we specify that the Commissioner will report to the authority on policing services.

We also deal in the Bill with the secondment of personnel between An Garda Síochána and the Police Service of Northern Ireland.

Part 7 allows for the establishment of the authority, its membership and functions. Section 62 provides that the authority will comprise nine members to be appointed by the Government. The chairperson will be appointed directly by the Government, while the other eight ordinary members will be appointed by the Government from a panel following the holding of a selection competition to be run by the Public Appointments Service. I emphasise that a resolution of both Houses of the Oireachtas agreeing to the appointments will be required. That is a significant power for both Houses. The section also provides that the chairperson designate will become the first chairperson of the authority. It also provides for the ordinary members designate of the authority to be its first ordinary members. Clearly stringent procedures will have to be put in place if there is any question of removing a member of the board. The Bill provides for this in particular circumstances. Various other provisions in section 62 permit the authority to hold public as well as private meetings. The legislation requires the authority to hold one meeting in public with the Garda Commissioner every three months. Provision is also made for attendance at meetings by the media and for the public broadcasting of meetings. This will ensure public accountability of policing.

Part 8 includes amendments to the provisions of the principal Act relating to GSOC and the Garda Síochána Inspectorate to take account of the establishment of the authority. The key amendments include a requirement in section 45 for GSOC to promote mediation and informal resolution of appropriate complaints and, as I have noted, a provision in section 48 to enable the authority to request GSOC to investigate matters related to policing services. Section 49 enables the authority, subject to the consent of the Minister, to request GSOC to investigate any behaviour of the Garda Commissioner in the context of his or her functions related to policing services that leads it to believe he or she may have committed an offence or behaved in a manner that would constitute serious misconduct. Section 52 allows the authority to request GSOC to examine practices or procedures of An Garda Síochána in policing service matters.

Part 9 contains various miscellaneous provisions.

9 June 2015

The establishment of the new policing authority will bring about a fundamental change in policing, but this is not an end in itself. The ultimate aim of the Government's justice reform programme is to ensure the country has the police force it deserves. A number of reports in recent times highlighted key areas in need of reform. We have received responses on the reports from the Garda, but the reforms will not happen overnight. Some are short-term, whereas others are medium-term or longer-term reforms. We have, however, commenced implementation of the recommendations. We want a force that operates to the highest professional standards and is fully capable of dealing with existing and future challenges. The authority will play a pivotal role in achieving the Government's objective of reforming policing. This will be beneficial not only to the public but also the men and women who serve in An Garda Síochána. I commend the Bill to the House.

Senator Paschal Mooney: I thank the Minister for her comprehensive explanation of this substantial legislation. It is unprecedented in the history of the Garda to take away the direct channels of communication between the Garda and the Government since the foundation of the force. We support the establishment of the policing authority in that context. The Bill also brings us into line with what is happening on the rest of the island of Ireland, given that the police authority in Northern Ireland has played an important role in establishing the credibility of policing among the Nationalist population that had always regarded the RUC as a biased and sectarian force. Establishment of the police authority in Northern Ireland has proved to be a positive development, particularly since the Good Friday Agreement, in that an increasing number of Catholics, notwithstanding the fragility of the peace process, have joined the PSNI. I am also pleased that the Bill establishes opportunities for secondment between the North and the South, although if memory serves me correctly, I do not think this has been successful in the past. Perhaps the Minister might clarify the current level of integration. The relationship and level of co-operation between the Garda and the PSNI appear to be at an all time high, but I am interested in learning how secondments have operated heretofore.

Despite the Government's appointment of a chairpersons to the authority, I understand it is yet to agree a budget for it. Concerns have also been expressed that the Bill has been watered down. The Garda Commissioner's accountability to the authority has been reduced; human rights will not now form part of the remit of the authority and it will have reduced powers of oversight over the resources of An Garda Síochána.

Fianna Fáil's first priority in the justice area is to ensure the Garda has the necessary strength and technology to provide a first class police service. We are committed to increasing Garda numbers to 14,000 and maintaining them at this level. I understand the Garda Commissioner has stated services would be undermined if numbers were to drop under 13,000. When asked about the issue, she stated, "In terms of the overall numbers - do I believe we have enough? It's challenging." Numbers will continue to decline, despite new Garda recruitment, as numbers struggle to keep up with retirements. The Commissioner has informed the Government that she needs more than 500 recruits per year to ensure the force will have the capacity to combat crime.

I am aware from speaking with friends in the force that morale in the Garda is at an all time low. I am sure the Government hopes the establishment of the policing authority will go a long way towards restoring morale. New gardaí enter the force on what can only be described as a miserly salary of €23,171, in contrast to the starting salary in 2009 of €27,100, plus a rent allowance of €4,000 until it was abolished by the Government. The current Garda recruitment process commenced in late 2013 and, although it attracted more than 20,000 applications, only 300

have since been recruited, with a further 200 announced in April. I am sure the Minister fights at the Cabinet table for increases in her budget. In the context of the spring economic statement and the improvement in Exchequer figures in recent months, I hope there will be more flexibility in the budget to allow her to increase this miserly salary. We are training police officers to a high degree of skill and competency in a complex world of technology and cyber crime, but we expect them to keep us safe in our beds for €23,000 per year. That is not acceptable. It would not be acceptable in another business and it is a real problem in An Garda Síochána.

I understand the Minister has been operating in the face of a difficulty for her mother and I hope everything goes well.

6 o'clock

I will not go into the detail regarding what the authority will be responsible for but I was interested in the Minister's references to the definition of national security and the changes that will take place in that regard. Unfortunately, I have not had an opportunity to reflect on what the Minister said because we have only just received a copy of her speech. It seems that the Garda Commissioner will continue to account fully to the Minister and Government with regard to security matters and that the Bill continues the definition of security services, the purpose being to determine which functions of An Garda Síochána will be overseen by the Minister and Government rather than the policing authority. It is important to bear in mind that the Bill does not seek to confer any further security-related powers or functions on An Garda Síochána. Perhaps we might have an opportunity to tease this out on Committee Stage but in light of the ongoing threat to the security of this State both from internal and external forces, this is a particularly significant aspect of the legislation in that it seems that on a casual reading of it, the relationship between the Garda Commissioner and the Government will continue and that the policing authority might not have any insight or any significant role in the context of national security issues. I would support that view. This matter should be retained between the Garda authorities and the Government of the day.

Some concerns have been expressed. Dr. Vicky Conway, who is a senior lecturer in law at the University of Kent, has said she is concerned that the new legislation will not be enough to end what she calls the cycle of scandal, reform, scandal, reform that has beset the force and has stated that the Bill appears to be watered down. The general scheme of the Garda Síochána (Amendment) Bill published last November contained a provision that a function of the policing authority was "to hold the Garda Commissioner to account for policing matters". The provision is not contained in the current Bill. In addition, in the section on accountability, the general scheme stated that "the Garda Commissioner shall account fully to the authority for any aspect of his or her functions relating to policing matters". In the final Bill, this is changed to a reporting function, with the Bill stating that "the Garda Commissioner shall report to the authority with regard to policing services".

Dr. Conway said that a second area of concern was the removal of the following function in the general scheme that related to monitoring and addressing human rights compliance by the Garda Síochána relating to policing matters. She has said that this provision has been deleted and this is equally as significant as the issue of the Commissioner. The Minister should reflect again. This is a significant deletion and one that is worthy of more debate.

A third matter of concern is the authority's role in budgets and oversight. In the general scheme, the authority would ensure that Garda resources were used to "maintain the highest

9 June 2015

level of efficiency and effectiveness". In the final Bill, this is changed to providing "advice to the Minister" before each financial year with regard to the resources likely to be required. Again, this is a significant change because it is a cop-out for the Minister of the day. Instead of providing what is nearly an obligation to maintain the highest levels of efficiency and effectiveness, all it can now do is advise the Minister before each financial year. That is a cop-out, particularly in light of the current debate in An Garda Síochána about the status of its technology. The technology used by An Garda Síochána is outdated and according to the gardaí operating the system, it is hindering the effective function of the force in carrying out its duties. The chief inspector of the Garda Síochána Inspectorate has said that gardaí urgently need investment in technology to operate efficiently. Robert K. Olson said that gardaí need computer-aided dispatching, a records management system and an integrated human resources management system. He said he was very concerned about the lack of tools available to gardaí to do their work and he expressed the hope that resources would be found to upgrade systems in the force.

While the Minister has pledged the resources necessary to upgrade the Garda ICT system, we have yet to see any action on the issue. Again, this might be an opportunity for the Minister to respond and tell us what the state of play is regarding the upgrading of the technology. I wish to put it on the record that it is totally unacceptable for any Government to ignore the need and obligation to ensure that we have the state-of-the-art technology in place to combat crime because of the increasing complexity of crime. It is no longer about somebody breaking a window and breaking and entering or committing public order offences. We are now dealing with highly sophisticated criminals. I do not in any way criticise the efficiency of the gardaí but they do not have the necessary tools to make them even more efficient in combatting crime, which is completely unacceptable.

I praise An Garda Síochána for the manner in which it has carried out its public duties over a long period of time against the most intolerable of circumstances in the context of what we have just discussed here concerning technology and resources. In particular, I praise the manner in which An Garda Síochána in my part of the world handled the visit of the Prince of Wales and the Duchess of Cornwall. It did a remarkable job and many of the gardaí, who I knew because they were drafted in from my part of the county, were working 24-7 to ensure that the visit would be peaceful and without threat, not only to the royal visitors but also to the public. They are to be applauded for that. Equally, last weekend with all of the hype that surrounded the Ireland-England football game, the manner in which the gardaí went about preparing for any eventuality was borne out when there was no trouble whatsoever, which is as it should be for a football game between two neighbouring and friendly states. Despite the fact that Ireland will always want to beat England, that everybody will want to beat England in any sporting international and the boredom of the match itself, one must again give praise to An Garda Síochána at all levels for ensuring that the citizenry who visited and those who live in the city of Dublin were protected at all times from any eventuality.

The gardaí are to be applauded for the job they do but for goodness sake, will the Minister give them the tools to carry it out more efficiently?

Acting Chairman (Senator Diarmuid Wilson): I welcome the Minister of State at the Department of Arts, Heritage and the Gaeltacht, Deputy McHugh, to the House. He is very welcome in familiar territory.

Senator Martin Conway: I also thank the Minister for her contribution, which was, as always, thorough and detailed and which provided this House with the respect it deserves. I

also join with the rest of my colleagues in wishing the Minister well in a difficult time and in welcoming our old colleague and friend, the Minister of State, who is doing an exceptional job and who has been in office for almost a year. I believe he has gone from having reasonable Irish to fluent Irish so an-mhaith, a chara.

This legislation is ground-breaking. I welcome Senator Mooney's general support. His reservations are important and well-founded. I urge the Minister to take his reservations on board on Committee Stage because we want this Bill to be enacted with the support of all Members of the House. I have not heard Senator Ó Clochartaigh's views on it yet but I have no doubt that they will be constructive as the Senator is always constructive in his criticism and praise.

I am just back from a visit to Portugal with the Oireachtas Joint Committee on Justice, Defence and Equality. The visit looked at how Portugal has dealt with the decriminalisation of the possession of soft drugs. What Portugal has done is very impressive and the results speak for themselves. It has given me a greater understanding of the issue and shown me what is possibly a new and alternative way of doing business. We need to look at that given the fact that 25% of court time in this country is taken up with people charged with the possession of soft drugs. A young man of 18 or 19 who is caught with a small quantity of cannabis or another of these dreadful things may, in 20 years' time when he is trying to do something having moved on with his career, finds that he has a criminal record because he was caught and brought to court for possessing a small quantity of soft drugs. We need to look at how we deal with these matters. The 25% of court time spent on this issue could be spent on better things.

As part of the trip to Portugal, I was most struck by a visit to the headquarters of the Portuguese police authority - their equivalent of Phoenix Park. They have spent €187 million in recent times building a state-of-the-art facility as the headquarters for their police force. Even though the country required bailouts, it deemed the position the police held in society as being of such significance that it warranted the investment, difficult and all as times were. Even pre-1974 when the country was a dictatorship, the police were highly respected and had the confidence of the community. That has remained the case to this day. Although all members of the police carry guns, there have been only six shootings in ten years, one of which was fatal.

I would like to think our police force would receive that type of support. Communities throughout the country have a huge regard for An Garda Síochána. The fact that the police force is unarmed is a significant cultural aspect of the Garda Síochána, in that it has not been found necessary for all police to be armed. We would like that to continue but we need to live in the real world. We live in a violent period in world history. We have seen gun crime in Dublin get out of control. Thankfully, the issue in Limerick has been dealt with very successfully. The Bill is an incremental first step in the right direction to constitute the police force properly and in a professional way. The approach to date has been *ad hoc*, and while the majority of members involved did a superb job, proper control mechanisms were not in place and there was not a proper delineation between the Government and the police force. If nothing else, the structures in place were blurred. The enactment of the Bill should eliminate any blurriness, bring about a crystallisation of what the relationship should be, and ensure it is carried out in a much more professional and businesslike manner.

We have seen what has been proposed in the legislation in terms of the appointment of superintendents and deputy commissioners, for example. We have also heard from the Minister what will be involved in removing such people from their positions and the role of the Government. All such terms are clearly identified in the legislation. One will have a different narra-

tive depending on one's position and how one views the debacle we have seen within An Garda Síochána and its relationship with the Government in recent years. Some call it misinformation and others refer to a misunderstanding, but what will emerge as a result will be far better than what we have had. Perhaps we would not see reform of this scale as quickly if it were not for what has happened. To her credit, since the Minister for Justice and Equality, Deputy Frances Fitzgerald, came to office, to facilitate her having a total focus on justice both in terms of the Department and the introduction of legislation on An Garda Síochána, the defence element of the portfolio was taken over by the Minister for Agriculture, Food and the Marine. Much effort has gone into introducing the Bill in terms of research and wide consultation.

The Oireachtas Joint Committee on Justice, Defence and Equality has made its views known. While not all the views of the committee were taken on board, a majority of them have been accepted. I am very happy with the legislation, but like much legislation, it is evolving. In ten years time the Garda Síochána will have other demands that we could not even imagine today. Who would have thought ten years ago that social media would play such a significant role in society? We saw how social media were used in the situation in Scotland when the poor, unfortunate Irish girl lost her life. We have seen other forces internationally engage with social media. The upgrade of the IT systems in Garda headquarters currently reflects the new reality. I commend the Minister on having the initiative to make significant resources available to the Garda to set up a new IT unit. It is ridiculous that one could not e-mail a Garda station in this country but now the Garda is working on that. ICT is a cornerstone of any operation. The PULSE system was groundbreaking technology at the time of its introduction, but unfortunately the system has not been upgraded because the money was not available to fund the development of the ICT system.

The Minister has done phenomenal work but Commissioner O'Sullivan has hit the ground running in terms of bringing back the type of regard and respect we all want the Garda Síochána to have in the wider community. I compliment both ladies on what they have done in the past 12 months, which has been most impressive. This country has been well served by them and will be well served with the Garda authority and An Garda Síochána.

Senator Katherine Zappone: I welcome the Minister, Deputy Fitzgerald. She began her remarks this afternoon by indicating her commitment to deliver a sea change in the oversight of policing in the State. She also outlined her commitment to delivering a comprehensive programme of reform in the oversight, governance and accountability of the Garda Síochána. I acknowledge what the Minister said and commend her on largely delivering on those commitments in a very impressive way. The Bill represents a key element of that process.

However, I have concerns about one aspect of the Bill, which I expressed previously in respect of the work of the Joint Committee on Justice, Defence and Equality in terms of the establishment of the policing authority. The Minister also indicated in her opening remarks that it is critical that confidence is maintained in the Garda service and the establishment of the policing authority is a key aspect of that. For that confidence to be maintained, the new policing authority must be fully independent. A primary and critical element of the independence of the policing authority is a merit-based recruitment process for the members of the policing authority board, including the appointment of the chair. The new policing authority should be independent from its inception but should also be seen to be independent as well as impartial. As the Minister outlined in her remarks and as Members are aware, the chair's appointment followed an open process undertaken by the Public Appointments Service, but that process was to seek expressions of interest and on that basis the Government has nominated a chair-designate.

The legislation sets out a different process for selecting ordinary board members. The Minister referred in particular to section 62D where an open selection process is set out for a selection competition for the purpose of identifying and recommending to Government in a selection process carried out by the Public Appointments Service where it first identifies and agrees with the Minister various criteria, which are listed in the Bill. The Public Appointments Service goes through the process and can add criteria in agreement with the Minister. It subsequently goes through a process of selection and identification of the members which are ultimately recommended to the Government. The appointment of the chair is a different process from the one that is undertaken for the ordinary members. The question I would like to ask the Minister at this stage is what is her rationale for the difference in approach between the appointment of the chair and the ordinary members. It is important that we hear what her rationale is, particularly in the light of the critical issue of the independence of the board of the policing authority.

Has the Minister given any consideration to some aspects of the model implemented under the Irish Human Rights and Equality Commission Act? She brought the legislation through both Houses and the model is very rigorous. It has a couple more stages to what has been suggested for the policing authority, including a selection panel to be managed by the Public Appointments Service. It is not so much that element to which I want to draw attention but the fact that the process was the same for the chief commissioner and the ordinary members of the Irish Human Rights and Equality Commission. What is the rationale for the difference in approach in this case, particularly in the light of my concern about the independence of the board? If there is a different approach, in the Minister's view will the policing authority be viewed as being absolutely independent of the Government and be seen to be so?

Senator Ivana Bacik: I welcome the Minister of State, Deputy Joe McHugh, and the opportunity to speak about the Bill. I am delighted that the legislation has been introduced in the Seanad, something which is always worth noting. The legislation which is welcome provides for significant reform in the governance, structures and performance of An Garda Síochána. This reform is long overdue and represents long-standing Labour Party policy. The legislation provides us with an opportunity to catch up and make good the missed opportunity that was the Garda Síochána Act 2005. Like many others, I made the point that a Garda authority should have been introduced at the time. It was a missed opportunity, but it is most welcome that the Government is now addressing the matter.

I thank the Minister for Justice and Equality, Deputy Frances Fitzgerald, for making available to us, as she had said she would, a consolidated version of the 2005 Act, which will be amended by this legislation. On that note, I have a minor technical quibble with the titles of its sections. When one tries to read it, alongside the 2005 Act, some of the provisions refer to amendments of the principal Act. For example, section 11 reads, "Amendment of section 12 of the Principal Act". In fact, section 10 amends section 11 of the principal Act but instead uses a substantive title concerning the removal of the Garda Commissioner, deputy commissioner and so on. There is an inconsistency in the titles of sections that makes it a little more complicated to deal with. A consolidated version would, therefore, be most welcome.

The Minister has referred to this legislation in the context of the package of policing reform measures she has been introducing and that the Government has introduced. I am particularly delighted by her announcement of the appointment of a retired judge in the context of the independent review mechanism. This development is welcome. Recently in the House we debated the GSOC amending legislation which was welcomed. Many of us have also welcomed the new Garda recruits or the renewal of the Garda recruitment process and the fact that the freedom

9 June 2015

of information Acts have been extended. There have been some very welcome developments. However, we also need to acknowledge the many structural flaws in and problems with existing policing structures, as identified in the Garda Inspectorate's report last year and referred to by the Minister. The Oireachtas Joint Committee on Justice, Defence and Equality also conducted hearings on the matter when we heard in some detail from the members of the inspectorate about the difficulties they had identified. Clearly, these matters are being addressed.

In the justice committee's 2014 report, to which the Minister also referred, on the 2005 Act we made a number of important recommendations. I am really glad that the Bill has taken these recommendations into account. Many of them will be implemented in this legislation. We recommended that the selection of nominees to the Garda authority become the responsibility of the Public Appointments Service. I am glad to see that this has been done, although I take on board Senator Katherine Zappone's comments in that regard. Ms Josephine Feehily is an excellent recruit as chairperson designate of the policing authority and I have welcomed her appointment in the House.

We also recommended that members of the proposed authority be removed for stated reasons but only by way of a Government resolution passed by both Houses of the Oireachtas. It is welcome that that recommendation has been adopted.

In terms of the membership of the authority, we did not recommend a specific number of number but pointed to the 13-member model in Scotland which we saw as useful. However, having nine members also makes sense.

One of our recommendations was that consideration be given to the inclusion in the new Garda authority of groups to represent current societal issues. I welcome the inclusion in section 44 of the legislation of the proposed new section 62D which sets out specifically the criteria for the appointment of ordinary members of the authority. In particular, they should have knowledge of and experience in matters connected with human rights and related matters. It also stipulates that work undertaken by voluntary or other groups or bodies with local communities and so on should be taken into account. This provision meets in a more detailed and elegant fashion our concern that there be a broad reflection of Irish society and certain expertise in the authority. We will probably debate these issues in more detail on Committee Stage.

We recommended that sections 9, 10 and 13 of the 2005 Act be amended in order that the appointment of senior officers would become the responsibility of the policing authority. I am glad that measure is being introduced and that the authority will be required to account to the Houses of the Oireachtas. I note that there is provision in this legislation that the authority will be accountable to Oireachtas committees, in particular the Committee of Public Accounts.

We recommended that the Garda authority have the power to refer matters to GSOC and the Garda Inspectorate. It is welcome that these recommendations are being implemented in this legislation.

There are a number of very important provisions dealing with matters such as a code of ethics which are hugely welcome. Also, there are the general provisions as regards the functions of the policing authority which fit with what was recommended by the Oireachtas Joint Committee on Justice, Defence and Equality. I am conscious of the fact that we also recommended in 2014 - it is a matter about which we have talked in the House before - the formation of an overall criminal justice inspectorate to oversee and supervise the administration of all aspects

of the criminal justice system. This development may be further down the line. However, it very welcome that we will finally have a policing authority which, as I said, has been a long-standing policy of my party. It comes ten years after the hugely reforming 2005 Act. All of this shows that the Government is dealing with many legacy issues concerning inadequacies in the governance and accountability structures for policing. It is welcome that we are addressing the matter.

As others have done, I acknowledge the important and often dangerous work done on a daily basis by members of An Garda Síochána. The Bill will genuinely assist, help and support those members who carry out their functions with such diligence. I welcome the legislation and look forward to the Committee Stage debate.

Senator Trevor Ó Clochartaigh: Cuirim fáilte roimh an Aire Stáit. Tá mé sásta go maith go bhfuilimid ag déanamh plé ar an mBille seo inniu. Caithfidh mé a rá, áfach, gur mór an trua é go raibh orainn tamaillín a chaitheamh ag fanacht leis. Caithfear a rá freisin, i gcomhthéacs an réimse fada a bhaineann le riaradh agus cur i bhfeidhm cúrsaí dlí agus cirt sa Stát seo, go raibh cúlra trioblóideach go leor ag baint leis an reachtaíocht seo agus go bhfuil muinín an phobail imithe i léig, i ndáiríre, mar thoradh ar sin. Tógfaidh sé tamall an mhuinín sin a thógáil arís. This Bill is a small step in the right direction, albeit one that requires some tweaking.

Sinn Féin has consistently called for the establishment of an independent policing authority. Such an authority is central to the reform of policing. An independent policing authority formed an integral part of our reform document published last year, following all of the submissions made in this state and given the experiences of our team who negotiated the changes in policing in the North. Therefore, establishment of a policing authority is welcome.

There are a number of provisions in the Bill which are commendable. The consultations and co-ordination with joint policing committees, in particular, are welcome. The creation of Garda performance targets is also commendable, as is the establishment of a code of ethics for the Garda. The overall objective in holding An Garda Síochána to account and providing for effective oversight is what is needed. Unfortunately, there are a number of missed opportunities. The Bill should have ensured the policing authority would be truly independent in carrying out its functions. I note its limited independence in the appointment of the Garda Commissioner and deputy Garda commissioners. We support the recommendation of Transparency International that the authority have an unrestricted ability to appoint and remove senior officers of An Garda Síochána, irrespective of rank. Sinn Féin believes an independent member of the Judiciary, as appointed by the Chief Justice to do so, not the Minister, should be responsible for the final determination of disputes about whether a particular matter relates to policing or security services.

In a number of areas the Bill should be amended to remove the requirement that the authority should seek the consent of the Minister before exercising a particular function. The requirement that the authority should seek the consent of the Minister before approving the annual report, as well as the Minister's - as opposed to the Garda Commissioner's - involvement in setting Garda priorities limit the independence of the authority and undermine its purpose.

I note the membership of the authority. Sinn Féin has called for a 21-member authority to allow for a diverse membership that is representative of society. Such an authority would comprise 12 ordinary members who are representative of society and nine political members elected based on the d'Hondt method. The chairperson should also be elected by the ordinary members

as opposed to being appointed by the Minister.

The absence of political representation on the authority is a mistake. Political representation, as in the North, would ensure public accountability and help to develop confidence in the policing authority. The make-up of this political representation, as proposed by Sinn Féin, would not compromise the independence of the authority, as it would ensure an inbuilt independent majority of 12 members at all times.

Sinn Féin welcomes the establishment of the policing authority. However, the challenge remains to ensure that the authority is truly independent in the exercise of its functions. We believe in a new beginning for policing similar to what happened in the Six Counties. We want an open and transparent policing service that is representative of all residing in the State. It needs to be a service that is strengthened, sustainable and capable of delivering on the needs of a modern force, helping to rebuild public confidence in our justice system. The Bill goes some of the way to creating such a service. However, as I have outlined, the authority could be strengthened in a number of ways, particularly regarding its independence and oversight responsibilities. Sinn Féin will seek to make such amendments on Committee Stage.

The Minister raised the issue of rural policing when she was here. Members of An Garda Síochána have recently brought to my attention their concern with the new rostering system which they feel does not suit rural areas. In Connemara, for example, due to reduced numbers in urban areas, such as Salthill, gardaí on a regular basis are being brought in from the rural stations to service the core needs in the urban stations, which leaves the rural stations without cover on many occasions. I believe part of the issue relates to the new rostering system that has been introduced. That is what gardaí on the ground are telling me and we need to debate the matter again at another juncture.

I recognise that there have been quite a number of Bills, as mentioned by Senator Bacik. However, when the Freedom of Information Bill came before us, it was quite detrimental that justice systems, such as the refugee and asylum system, were not brought under the remit of that Act as called for by the Ombudsman and the Ombudsman for Children. I hope we revisit that decision. In addition the Ombudsman's remit should be extended.

Cé go gcuirimid fáilte roimh an reachtaíocht seo, tá sé i gceist againn teacht chun cinn le leasuithe ar Chéim an Choiste. Tá súil againn go dtógfaidh an tAire ar bord na leasuithe sin. Táimid ag tacú leis an mBille ar an gCéim seo.

Senator Paul Bradford: I welcome the Minister of State, Deputy McHugh, to the House. I want to make some brief observations on the legislation, to which I give a general welcome. I concede I do not have the expertise in responding to the legislation that the party spokespersons have. They are obviously members of the Joint Committee on Justice, Defence and Equality and went through the matter in the pre-legislative stage in great detail. I am looking at it more from a layman's perspective.

When we are attempting to fix a problem, we should not forget as a society and country that our people have been generally very well served by the Garda Síochána and the forces of law and order over many decades, and their record speaks for itself. There have been difficulties of course and the matters in spring 2014 come to mind and much of the new legislation probably stems from that. We must acknowledge that the record of the Garda Síochána since its inception has been very positive.

When we discuss accountability and transferring powers to new authorities and structures, the initial response is that it is obviously very positive and something we should welcome. We also must acknowledge from a political perspective that the elected Members of the Dáil vote for Ministers to head each Department, including the Department of Justice and Equality, and they work with Ministers of State on the whole. It was a strong tradition in this country that a Minister was accountable for every decision made within his or her Department and within all the agencies under the aegis of that Department. That was the tradition of politics and public administration.

Across virtually every Department there is such decentralisation of decision-making and such a transfer of power and accountability that while it may seem positive and a sharing of responsibility, accountability is becoming ever more difficult to define. We have all contacted Ministers across all Departments making representations and raising queries on behalf of the public only to be informed that the Minister has no responsibility and that the matter is the responsibility of a particular agency. When I first arrived in this House many moons ago, if I had a question for the Department of Health, the Minister would respond to virtually every question be that in the Dáil or Seanad.

Senator Martin Conway: It should be like that again.

Senator Paul Bradford: We are now told that the Minister has no responsibility and it is passed on the HSE. The same applies in other Departments. While setting up authorities, and transferring powers and responsibilities from the Minister's desk elsewhere initially sounds very positive we must reflect on the downside that we always need political accountability.

This can be contrasted with the system in countries such as the United States where every position of responsibility from president to dog catcher is voted upon by the people. There is a very clear chain of command between citizen and politician and the buck stops with someone. However, we are arriving at a political place where it is impossible to know where the buck stops. Notwithstanding the perhaps desirable improvements which will flow from this legislation I am a bit worried that it adds to this chain of new commands where everybody is in charge but nobody is accountable.

I am sure we will go through this in greater detail with the Minister on Committee Stage. However, I wanted to put that on the record because it is something I have seen over recent decades in this place. It is becoming increasingly difficult to find who is in charge and where to pin accountability. I do not say that in a negative fashion. The public elect Members of the Dáil, who in theory elect a Taoiseach, who appoints a Cabinet, which is approved, on behalf of the people, by the Houses of the Oireachtas. Across all Departments those people should be responsible and accountable. However, we are actually moving away from that.

I would certainly welcome very much a Garda code of ethics. We should not need a new authority to have such a code. The new system for appointment of a Garda Commissioner appears relatively transparent, and if that is how it transpires, I would welcome it.

The Bill states that the principal Act will be amended to give the authority a role in the training etc., and provision of powers and duties to the reserve members of the Garda Síochána. I raised the matter with the Minister, Deputy Fitzgerald, approximately 12 months ago. Whether it is the Garda, the Minister or the Government, we have all failed to advance the reserve force to the successful body of men and women it could be. One of the pluses may be that the new au-

9 June 2015

thority will focus on that sort of thing. A large number of people could play a very constructive role in the Garda reserve force if they could be encouraged to join, but we need to work on that.

I welcome the possibility of the local authorities becoming more hands-on in conjunction with the new authority regarding local policing, community CCTV, etc. The joint policing committees work well and if we can expand them, all the better.

I welcome Part 6 of the Bill on co-operation with other police services and the particular reference to our friends across the Border. It is also welcome that the legislation will allow for the policing authority, with the approval of the Government, to appoint members of the PSNI to the ranks of An Garda Síochána at a level not above assistant Garda commissioner and not below superintendent. This is a senior level in the force. Reading this Part of the Bill again causes me to pose the question of where we are exactly in the appointment of people from outside the force to positions within it at that level. This relates to positions that require particular expertise. It is a little like the old argument my former colleague Austin Deasy was wont to make on many occasions about the appointment of people from outside the public service to particular ambassadorial roles in certain embassies of strong commercial importance to the country. We should reflect on the possibility of appointing people who are not members to the Garda force at certain senior levels. It is something which could prove useful. Perhaps this is being considered in other legislation or perhaps it is included elsewhere within the ambit of the legislation. Section 39 allows me to reflect on the issue.

I will take up the issues raised more fully with the Minister on Committee Stage. In her absence I give a general welcome to the proposed legislation. I concede that I am far from expert on the matters raised, but I outline my concerns to the effect that while new authorities sound very progressive, no word is abused more in politics than “progressive”. The authority sounds progressive, but I sound a word of caution because the more we remove decision-making from the Minister, the Cabinet and the Oireachtas, the more we remove the concept of someone being held accountable.

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Joe McHugh) (Deputy Joe McHugh): I thank all of the Senators who contributed to the debate. I am pleased that the Bill has attracted a significant degree of consensus, in particular on the establishment of the new policing authority. As the Minister for Justice and Equality, Deputy Frances Fitzgerald, mentioned in her introductory remarks, the Government’s overall objective is to maintain public confidence in An Garda Síochána and ensure the service it provides is of the highest quality. Significant progress has been made in implementing the Government’s comprehensive justice reform programme. This is an area to which it attaches the highest priority. The establishment of an independent policing authority is at the core of its reform programme and it is designed to substantially improve the accountability of An Garda Síochána. In addition to strengthening Garda accountability, the new authority will provide an independent forum for the public oversight of policing services in Ireland and a new engine to drive reforms of the policing system and practices. This will contribute significantly to ensuring An Garda Síochána will be fit to meet ongoing and emerging challenges in 21st century policing.

The Bill reflects many of the relevant recommendations contained in the Oireachtas joint committee’s review of the Garda Síochána Act 2005 published in October 2014. In particular, provision is made for the policing authority to initially operate in shadow format. Further recommendations of the Oireachtas joint committee are being considered, including the establishment of an overarching criminal justice inspectorate along the lines of the model adopted in

Northern Ireland. The authority will be independent in carrying out its functions and will have extensive powers in key areas such as the appointment and removal of senior Garda personnel.

As the Minister explained, arising from the requirements of the Constitution, a number of the functions of the authority will be exercised on the basis of co-agreement with the Minister. In addition, as indicated by her, a large body of reforms have been undertaken within An Garda Síochána and there will be a central role for the policing authority in supervising their implementation.

The Minister is grateful for the support expressed for the Bill in this House. I hope, given the level of consensus demonstrated, that it will be possible to have it enacted quickly. I appreciate that there may be certain aspects of it that Senators will wish to discuss in more detail. Certainly, the Minister will be happy to address specific issues that may be raised today or in the future. She intends to introduce on Committee Stage a limited number of amendments, principally related to governance and other matters of a technical nature, to sections 37, 43, 44 and 46. She is also looking at the introduction of amendments with regard to the informal resolution of less serious complaints made against members of An Garda Síochána. In addition, it is possible that, for technical reasons, there may be some further amendments brought forward.

I extend my personal condolences to the family of the late Sergeant Michael Galvin and his colleagues in An Garda Síochána on their recent tragic loss. As the Acting Chairman is aware, it is a very difficult time for the family and the force in County Donegal and the wider Sligo-Leitrim area.

I am keen to express my gratitude to the Senators who have supported the Bill and look forward to its passage through the House. Ba mhaith liom mo bhuíochas a ghabháil le achan Seanadóir a thug tacaíocht i dtreo an Bhille. Tá mé ag súil go mór leis an turas reachtaíochta fríd an Teach seo.

Question put and agreed to.

Acting Chairman (Senator Michael Comiskey): When is it proposed to take Committee Stage?

Senator Martin Conway: Next Tuesday, 16 June 2015.

Committee Stage ordered for Tuesday, 16 June 2015.

Sitting suspended at 6.50 p.m. and resumed at 7.35 p.m.

Yeats 2015: Statements

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): It gives me great pleasure to be here today to outline to the Seanad the celebrations of Yeats Day 2015 and surrounding events. Yeats Day 2015, which takes place this coming Saturday, celebrates the 150th anniversary of the birth of the Nobel Prize winning poet, William Butler Yeats. The key focal point for the celebrations is a four-day Yeats Festival from 11 to 14 June, centred in County Sligo, which was the inspiration for much of his poetry. This weekend will be the

9 June 2015

high point of Yeats 2015 - a year of tribute to W.B. Yeats, which includes visual art, poetry, drama, street performance, music and family events. The initiative has been embraced across the globe. More than 40 countries are marking Yeats Day with cultural events taking place in cities such as Melbourne, Vienna, Montreal, Berlin, London, New York, Singapore, Shanghai, Paris and Madrid. Events include a range of concerts, readings, talks and screenings with a host of well-known personalities taking part, including Sarah Jessica Parker, Matthew Broderick, Adrian Dunbar, Joanna Lumley, Edna O'Brien, Orla Kiely, Gabriel Byrne, Colum McCann and many more. This global response shows the incredible reach of Yeats's poetry and writing.

Yeats 2015 forms an important part of the official decade of commemoration celebrations. The funding of €500,000 provided by my Department is part of a wider allocation of €22 million for a number of flagship commemorative projects, including a GPO interpretive centre, the development of Kilmainham Courthouse and Jail and the redevelopment of the storage warehouse at the National Archives Project. The celebrations of Yeats 2015 are intended to capture the wonder of his work and to understand what inspired him. Yeats 2015 partners span the literary, cultural, historical and academic worlds. Through Yeats 2015, Ireland is making a statement to the world about its rich cultural heritage and our contemporary cultural wealth. Yeats 2015 celebrates the poet's work and showcases Ireland as a dynamic, inspiring and creative place.

I would like to look ahead to some of the highlights of this weekend's range of activities in Sligo. One of the key focal points will be the poet laureate event this Saturday in Knocknarea. This once-off event is a wonderful idea that will gather the poets laureate from Ireland, England, Scotland, Wales, Northern Ireland and London to pay tribute to W.B. Yeats. The laureates have never performed together in Ireland so it promises to be a really special evening. President Michael D. Higgins, who is patron of Yeats 2015, will be in attendance at this event and I also hope to go along myself. I will also be attending the Great Yeats Birthday Party at Lissadell House, which will include a dawn cycle race, a hat party, special poetry readings in the house and an hour-long play by the Curlew Theatre Company.

In particular, I am looking forward to unveiling the audio-visual history project produced in collaboration with the National Library and awarding prizes in the Yeats poetry competition which has been sponsored by Newstalk. Lissadell is, of course, deeply associated with Yeats and I am sure it will act as the perfect location for his 150th birthday party. Indeed, I think it is only when one visits Lissadell and looks out across the lake and the beautiful landscape that surrounds it that one can begin to appreciate the profound impact of this environment on Yeats's work. Like Patrick Kavanagh in Monaghan and Seamus Heaney in Ulster, Yeats's work is Sligo and the county will certainly come alive in a celebration of his work this weekend. Another key event is the unveiling of "Clay and Wattles Made" - an architectural competition run by IT Sligo. The winning entry will create a temporary cabin on the Lake Isle of Innisfree for the summer months as a special tribute to the poet's well-known poem named for this picturesque location. There are many other events taking place in Sligo over the weekend and if they have not already done so, I would certainly encourage Members of the House to come along and check them out.

A series of other commemorative initiatives are marking Yeats 2015. As a special tribute, the Central Bank has issued a limited-edition Yeats-inspired €15 coin on 3 June while An Post will issue a new commemorative stamp on 11 June to honour the poet's 150th birthday. Iarnród Éireann is also set to partner with Yeats 2015, displaying some of Yeats's best-known and lesser-known poetry on DART trains for the month of June. It is also hosting a poetry carriage on

the 11:05 a.m. service from Connolly to Sligo on Yeats Day with live readings, which certainly promises to liven up what would otherwise be a run-of-the-mill train journey. The 2015 Great Music in Irish Houses Festival promises to portray Yeats's influence on the musical world by offering audiences an array of vocal and instrumental works from the classical music tradition inspired by the poet. A distinguished line-up of musicians from Ireland have been invited to perform with four distinctly different performances taking place in historic venues in Dublin. In this context, the Dublin Musical Saunter takes place on 14 June at Dublin City Gallery, the Hugh Lane Gallery; the National Concert Hall; the Dublin Writers Museum; and The Chapel Royal at Dublin Castle. The Irish Film Institute will present Alan Gilsean's special screening of "A Vision: A Life of WB Yeats" on 13 June. There will also be a series of free lunchtime short film screenings across the month of June entitled "Images from a Past Life: W. B. Yeats in Film." In Galway, Coole Park will host a special fancy dress family day celebrating Yeats with the Coole Harmonies choir and uilleann piper Eugene Lamb.

Coole Park was the home of dramatist and folklorist Lady Gregory, friend to Yeats, and was the centre of the Irish literary revival.

Senator David Norris: To pull it down.

Deputy Heather Humphreys: William Butler Yeats, George Bernard Shaw, John Millington Synge and Sean O'Casey all came to experience its magic. Yeats described it as the most beautiful place on earth, and many of his great poems were written at or about Coole.

On Sunday, 7 and 14 June, guided walks will be offered at 3 p.m. through the magical landscape that Yeats loved so well and celebrated in his poetry.

Our national cultural institutions are also playing a significant role in the Yeats 2015 events from poetry readings at the National Gallery of Ireland to talks on Yeats by the National Library and a unique event dedicated to Yeats planned for the National Concert Hall in September. There are a range of innovative and inspiring events taking place.

The National Library of Ireland holds an award winning, permanent exhibition of the life and work of Yeats. Since the opening of the exhibition in 2006, more than 0.25 million people of all ages and nationalities have delighted in that experience.

I wish to formally acknowledge the work carried out by the national steering committee for Yeats 2015 chaired by Senator Susan O'Keeffe, with involvement from key and noted people from the fields of the arts, culture, tourism and other supporting industries. I also wish to acknowledge the work of Mr. Ian Brannigan and his team at the Western Development Commission, which is administering the Yeats 2015 programme. The range of events is a fitting tribute to a great man who left a lasting mark on our cultural and national heritage. He was a poet, a politician and a man deeply rooted within the very soil of this island. He is a man in whose work we can all trace life's cycle, from the optimistic dreamer of youth through the trials of life to the realism of older age and hope for the renewal of life.

Yeats 2015, and the events planned in Ireland and around the world, will do a tremendous job in celebrating and commemorating the life, work and achievements of W.B. Yeats as well as show-casing Ireland as a dynamic, creative and inspiring place. I thank the Senators for providing me with the opportunity to speak about Yeats 2015 in the House this evening.

Senator David Norris: I feel I am being advanced to an unusual degree because this is,

9 June 2015

after all, not just Yeats's evening but Senator O'Keeffe's evening. I thank the Government for providing this opportunity for us to speak of one of the great Members of this House as well as a poet. W.B. Yeats was someone who took up the cause of divorce when it was extremely unpopular, who spoke of the Anglo-Irish minority as no little people and was a remarkable figure here. He also produced the first and most beautiful coinage this State has ever seen, so he was a remarkably practical man for a poet.

He is remembered in this House also because of the wonderful portrait of Constance Markievicz that hangs on the Seanad staircase. When I see that I always think of those beautiful lines of Yeats that I am sure Senator O'Keeffe was going to, and may well, quote:

The light of evening, Lissadell,
Great windows open to the south,
Two girls in silk kimonos, both
Beautiful, one a gazelle.

In the manner of many families of what I call the Gaelic descendancy, my great aunt, after she left Alexandria, was governess to the Gore-Booth girls in Lissadell and although she had an impeccable Gaelic ancestry, she was a complete Union Jack waving, God save the Queen British imperialist. I think that browned off those two girls so much that they went off and got pistols and became revolutionaries so I claim a certain level of a family interest in this but, unlike that other female scion of the revolution, Maude Gonne, they did at least have some Irish blood. Maude Gonne did not have a titter of Irish blood. She first saw Ireland from the inside of the Curragh Camp where her father was a colonel in the British army. She did not have a word of Irish, and she started an organisation called Inghinidhe na hÉireann. Irish history is full of this kind of drivel and rubbish, much of it racist, from these English people like Pádraig Pearse, but I will not go into that; I will talk about Yeats.

I was fascinated from a young child with the marvellous musicality of Yeats's verse. There was a swing and a melody to it, despite the fact that Yeats was notorious for having a tin ear. He could not tell the difference between the original Dixieland one step and the national anthem, but he had a wonderful sense of poetry which remained with him throughout his life.

Yeats was one of the great figures of world literature. One of the things I love about him was when somebody telephoned him - I think in 1922 - to tell him he had won the Nobel prize, his immediate response was, "How much is it?". He was immensely practical. He could make world-class poetry out of utter dross. The nonsense of the Theosophical Society, Madame Blavatsky, bangs that go bump in the night and all that kind of stuff provided him with a vocabulary about the perne in a gyre and all that wonderful, spine-tingling imagery. He was like Rembrandt, who had old buckets and scuttles and bits of oars around the studio, but he could make great art out of them, and Yeats was the same.

Yeats also came from a wonderful family. His father, Jack Yeats, was a most brilliant portrait artist and his brother, who I do not believe has been properly assessed in terms of art, is one of the great modern artists.

Yeats founded the Abbey Theatre, another thing for which we have to be grateful to him, but there is always a little bit of humour underneath it. I remember speaking at a planning confer-

ence in Sligo at which one of the planners told me that he had applied, in triplicate, as Béarla agus as Gaeilge, for permission to construct a small dwelling house of mud and wattles made, with provision for nine bean rows, on the “Lake Isle of Innisfree”. It was turned down with a bang by Sligo County Council, who said it would constitute a gross insult to the visual amenity of County Sligo. So much for attempting to realise a poet’s dream.

When I think of Lissadell I also think, very sadly, of the way his family were treated by this State. We do not have a good record in rewarding the figures of the literary renaissance, possibly because, and this came into my mind listening to the Minister, they were all Protestant. O’Casey was a Dublin working class Protestant, Synge - ascendancy, Shaw; Yeats, Lady Gregory, and what a tragedy that is. There were walking tours round the gardens of Coole, and that is because the house is not there any longer. It was deliberately pulled down by the State.

I remember the two old girls in Lissadell, Gabrielle and Aideen, who were wonderfully innocent, lovely creatures, and the way they were harassed by the trustees of the estate. Timber was taken out of Lissadell. I remember the way they were imprisoned in the house. I am sorry the Sinn Féin representative is not here because I remember hearing some squalid little Shinner from Sligo saying on the wireless that it was a pity about the Gore-Booths that they left the people there during the Famine with the green grass running down their lips. The Gore-Booths, like my Gaelic Irish family, bankrupted themselves feeding and looking after the people-----

An Cathaoirleach: The Senator is over time.

Senator David Norris: I am just finished. They should be saluted and remembered. They were wonderful people, and Constance and Eva Gore-Booth were in a remarkable tradition, which was memorialised by probably the greatest poet this country has ever seen and somebody we are honoured to have had as a representative in Seanad Éireann.

Senator Eamonn Coghlan: The Minister is very welcome to the House. I am delighted to have an opportunity to speak about the celebration of the 150th anniversary of the birth of William Butler Yeats, which takes place next week, 13 June. I commend Senator O’Keeffe, and her hard-working committee, on all the work she has done to create Yeats 2015. It is a year-long national and international celebration of the life and works of this great poet.

Believe it or not, I can somewhat recall 50 years ago being a young 12 year old boy in secondary school studying a little of “The Lake Isle of Innisfree”. My mother told me at the time that William Butler Yeats was not from Sligo but was from Dublin.

Senator David Norris: Sandymount.

Senator Eamonn Coghlan: He was from Sandymount, Dublin 4. My mother was born and raised on Bath Avenue in Sandymount in Dublin 4 and she was very proud that William Butler Yeats was from her neighbourhood. This past weekend I had the opportunity to visit Yeats country, including Lissadell and Mullaghmore, and I saw some wonderful and beautiful scenery. Although he was of Anglo-Irish descent, William Butler Yeats as a young poet came to think of Sligo, where he spent much of his youth and childhood, as his spiritual home. Its landscape became over time, symbolically, his country of the heart. It was the inspiration for many of his great works. For this reason, a large part of the celebrations will be rooted in Sligo but events will be held nationwide and around the world. There will be events in the National Concert Hall in Dublin and the National Library of Ireland, along with the education programme and the Yeats Among Schoolchildren competition.

9 June 2015

The Minister mentioned that from this Thursday to Sunday, the Yeats Day festival will take place in various venues throughout Sligo and Ireland, and a programme of activities will be held in over 20 venues in Sligo town and county over the four days. There will be poetry readings by laureates and national poets who have never performed together in Ireland. These include Paula Meehan, Carol Ann Duffy, Gillian Clarke, Liz Lochhead, Aisling Fahey and Sinead Morrissey. As the Minister mentioned, President Michael D. Higgins, patron of Yeats 2015, will attend this event. Other guests include Edna O'Brien, Eimear McBride, Ambassador Dan Mulhall, Keith Hopper and Professor Meg Harper.

William Butler Yeats was also a great patron of the arts. Perhaps Members know that his brother, Jack Yeats, competed for Ireland in the 1924 Olympic Games and won a silver medal for The Liffey Swim, a painting category on sports that was part of the Olympics up to 1948. We know he had a great interest in the arts and politics. One of his greatest works, "September 1913", explores these interests and there is bitterness in the tone of the poem. In response to the Dublin Municipal Corporation refusing to build a gallery for the Hugh Lane collection, he wrote:

What need you, being come to sense
But fumble in a greasy till
And add the halfpence to the pence
And prayer to shivering prayer, until
You have dried the marrow from the bone.

It is powerful stuff.

Senator Norris has mentioned that in 1904 Yeats founded, along with Lady Gregory, the Abbey Theatre. Our colleague, Senator Mac Conghail, is the current director of that theatre. In 1899, Yeats, Lady Gregory, Mr. Edward Martyn and Mr. George Moore established the Irish Literary Theatre. Yeats declared, "We hope to find in Ireland an uncorrupted and imaginative audience trained to listen by its passion for oratory and that freedom to experiment which is not found in the theatres of England and without which no new movement in art or literature can succeed". What a noble aspiration.

In 1922, Yeats was appointed a Senator in the first Irish Seanad and he was reappointed for a second term in 1925. In a speech during a debate on divorce all those years ago that was regarded as one of his supreme public moments, he said: "It seems to us a most sacrilegious thing to persuade two people who hate each other to live together and it is to us no remedy to permit them to part if neither can remarry." In December 1923, Yeats was awarded the Nobel Prize for Literature; he was chosen that year for his always inspired poetry, which in a highly artistic forum gives expression to the spirit of a whole nation. It was after he received the prize that his best work emerged.

I congratulate the Senator on the hard work put into this, and that knowledge, experience and passion has been invaluable. I commend the Minister and the Department on highlighting the importance of this year's celebration, as well as providing the funding to go towards costs.

Senator Sean D. Barrett: I welcome the Minister and thank her for the speech and the investment being put into the 150th anniversary of the birth of William Butler Yeats. When

Seamus Heaney won the Nobel Prize, he quoted from the Yeats speech of 1923, when he stated: “I consider this honour has come to me less as an individual than as a representative of Irish literature. It is part of Europe’s welcome to the Irish Free State.” Yeats was not famous for modesty but it is interesting that he saw that as an honour for the country. He mentioned, in particular, his friends in saying, “Think where man’s glory most begins and ends and say my glory was I had such friends”. He had in mind Lady Gregory and John Millington Synge, who inspired him so much in his theatrical interests. It is interesting that Heaney continued that reference and chose pretty much the same themes when he accepted the Nobel Prize for Literature in the same building and the same podium in 1995.

Senator O’Keeffe knows much about this. The honour for Yeats is that an entire county has called itself after him. In the 1950s recession, those who founded the Yeats school in Sligo and drew such scholars, including Helen Vendler and Seamus Heaney, whose Nobel Prize saw its genesis there, were remarkable in their vision for the commemoration of this poet. They were Frank Wynne, Canon Tom Wood, Fr. Tom Moran and T.R. Henn, a native of Sligo and one of the first directors of the school. It is interesting that in the summer there will be a reunion of the famous directors of the Yeats school, as the scholarship has gone worldwide, linking with Japanese Noh plays and extensively through the best universities in North America and the UK. It is a remarkable achievement of scholarship, so well commemorated by the people who inherited and cherished the landscape which inspired Yeats in Sligo. Thanks is due to volunteers like Jim McGarry and the others I mentioned. John and Michael Keohane had a wonderful library of Yeats books in their bookshop but, alas, it was a victim of what may be termed the “supermarketisation” of traditional book stores. That is a pity, as we need places where younger people can be inspired by the poet.

Yeats wrote to Ezra Pound, as recorded by David Fitzpatrick, about what it was like to be a Senator. He warned Pound not to take up a seat in the Senate in the unlikely event it would happen. He indicated that meetings are dominated by old lawyers, old bankers and old businessmen. Senator O’Keeffe and I share the problem of trying to figure out what bankers were up to in Ireland and we recognise how William Butler Yeats felt about them. The banks in Sligo did endow the Yeats Society building, which is a fine headquarters and a great centre of scholarship, with lateral links with Sligo’s institute of technology and St. Angela’s College.

8 o’clock

Also, Yeats did some service to the State in the area of banking by helping to design the currency, as Senator Norris mentioned.

We need a society that cultivates the type of creativity that Yeats sought, especially in this House. He spoke against censorship and the then rules on contraception, as well as on divorce, partition, prison conditions and public safety. He was concerned in the early days of the State, as the Irish Boundary Commission came to its unsatisfactory but probably inevitable conclusion, that we were setting up barriers between North and South. He did not expect to see a united Ireland in his lifetime, but he hoped that we would always be open-minded enough not to set up barriers between the two parts of Ireland. He said in the Seanad, “we are assembled here no longer in a Nationalist or Unionist sense, but merely as Members of the Seanad”. It is to the credit of W.T. Cosgrave, first President of the Executive Council of the Irish Free State, that he nominated him to be a member of this House with those noble goals in mind.

One thinks of the great phrases such as “peace comes dropping slow”. Seamus Heaney

9 June 2015

was at the end of the peace process and Yeats got his Nobel Prize at the end of the Civil War: “Was it for this the wild geese spread/ The grey wing on every tide”. We must always try to make this country a better place. That is why we are here, and few people inspire us as much as W.B. Yeats. I am delighted the Government is honouring him and I thank the Minister for her presence tonight. I also echo the thanks to Senator O’Keeffe for the work she and her friends in Sligo have done to keep the name of a great poet alive and constantly growing. Each year at the end of July and the beginning of August, scholars go to Drumcliffe and see where his ancestor was the rector. It is a wonderful part of an Irish contribution to a worldwide culture and I am delighted this House is honouring it.

Senator Susan O’Keeffe: I welcome the Minister. I hope the Cathaoirleach will give me a small-time indulgence, given that I have been allowed to escape from the banking inquiry committee room along with Senator Barrett. We make rare appearances in the Seanad now. However, I will try not to take the indulgence too far.

I particularly thank the Minister’s Department and the former Minister, Deputy Deenihan, for their support since the launch of Yeats Day in 2012. It has been great to partner with the Western Development Commission to deliver a year-long celebration of Yeats throughout the country and across the world. I especially thank President Michael D. Higgins as the patron of Yeats 2015 and, as Senator Barrett mentioned, the Yeats Society in Sligo which has flown the flag for Yeats for almost 60 years and which had the vision and foresight to say that it wanted to celebrate Yeats and that he ought to be celebrated. Its members have continued to do so over that period. Perhaps no other Irish writer has been feted simultaneously by the English poet laureate and the other national poets of Wales, Scotland, Northern Ireland, London and Ireland as Yeats will be in Sligo on 13 June, his 150th birthday. It sums up his importance in Ireland and the world that this event is a high point among high points this week, this month and this year.

The man with silver hair who wore silver buckled shoes was a great poet, but also an unlikely champion of the Irish nation. Arguably, William Butler Yeats devoted a large part of his 79 years to the building and strengthening of the Irish identity. Indeed, the citation for his Nobel Prize from the Swedish Academy in 1923 said that his poetry gave expression to the spirit of the nation. In this Yeats 2015 year of celebration we have a responsibility to salute one of the great writers and thinkers of the past two centuries and to reconnect with his inspiration and his work. This year of celebration opens a door to the world of Yeats, to encourage us to see beyond the leaving certificate curriculum and the dog-eared pages that many of us threw out when the leaving certificate ended. It extends an invitation to see beyond the caricature, to reconnect with his inspiration and language and to appreciate him in a new, multicultural 21st century Ireland. Very simply, it extends an opportunity to choose a new way of perceiving his work and his vision, not always perfect but rich and many layered.

At the turn of the 20th century the Irish spirit was troubled. Ireland was out of touch with its identity and desperate to establish its independence. At 35 years of age, Yeats was no classic revolutionary. He was not to be found manning barricades or polishing a gun. He went about it in a different way. He sought to give the troubled nation a powerful voice through its actors and writers. His keen understanding of the richness of Ireland’s history and culture came from the time he had spent as a boy in his beloved Sligo. His mother was from Sligo and Yeats described the county as his spiritual home. In Sligo he experienced a type of wild freedom he would never again enjoy in his life. He listened to the storytellers and the sailors, he heard the myths and legends, he climbed the sacred mountains of Ben Bulbin and Knocknarea and he fished in the rivers and streams. He loved the water and the wildness of the natural environment and these

would be his bedfellows for the rest of his life.

Armed with this knowledge and his love of writing, Yeats sought to reveal to his new generation of the 20th century the wealth and complexity of our culture and history. Together with his muse and mentor, Lady Gregory from Coole Park, one of the most beautiful places with which he is associated, he worked to found the National Theatre, the Abbey Theatre, a place to articulate a voice for Ireland by speaking to its past and wrestling with its present to build a future that would instil in Ireland a sense of pride and identity. Yeats and the other writers who gathered around him created the Irish literary revival and thus were part of shaping the new 20th century nation which seized its moment at the GPO in 1916. By then the Abbey Theatre was already ten years old.

However, for his great contribution to the creation of our nation, Yeats has been almost reduced in this country to the leaving certificate perennial question of whether it will be a Yeats, Heaney or Dickinson question on paper two in the English examination. Other nations boast of their great writers. France has Proust, Germany has Thomas Mann, England has Shakespeare and America has Mark Twain. In Ireland we have let the larger part of Yeats's life and work languish and be misunderstood, at best, and, at worst, be forgotten. There is a school of thought that concentrated on his eccentricities, such as his interest in the spiritual and the occult and his Protestant upbringing. Even his name was a little posh. Somehow, he was not one of us, not even like us and certainly not of the Ireland that so famously danced at the crossroads and prayed in the church. It was relatively easy to sweep Yeats away, as something out of the ordinary rather than as someone quite extraordinary.

Despite this, we call on Yeats more often than we know. He lines and his thoughts are in our DNA. "A terrible beauty is born" is for many a formidable thought. Of course, it is part of his great work "Easter 1916", but many do not know that. Yeats had the capacity to crystallise a momentous thought in a single sentence, allowing us to cherry-pick his greatness and abandon the rest. Phrases such as "fumble in a greasy till", "add ... prayer to shivering prayer", "peace comes dropping slowly" and "Tread softly because you tread on my dreams" are among many of the quotes often used, but some have lost their original meaning or context.

Yeats was no dusty icon. He liked a glass of claret and he owned a dog. He loved the steamboats owned by his grandfather, whom he greatly admired. He loved to fish and row his boat. He chose to wear black clothes in his younger years, and the silver buckles of his later years were as deliberate. He first trained to be an artist but abandoned it in favour of writing. He was a canny businessman and his attention to detail was often an annoyance to those who worked alongside him.

As my time is limited, I will speak a little about this year. Senator Barrett has referred to the need for young people to engage. The educational project at the core of Yeats 2015 has engaged with more than 100,000 national schoolchildren. Every national school in the country has taken part in this project. His sisters Lily and Lolly - Susan and Elizabeth - have their own festival this year, as they have had for the past two years. The work of his brother, Jack Yeats, is on exhibition once more in The Model in Sligo and the work of his father, John, will be exhibited in the National Gallery later in the year. There will be readings, exhibitions, poetry and song in Cork, Kerry, Kildare, Monaghan, Galway and Dublin. Yeats and James Joyce knew each other and both of their festivals, Yeats 2015 and Bloomsday, will acknowledge their relationship. We have events taking place in Belfast, Chicago, Singapore, Slovakia, Vienna, Korea, Australia, Paris, London and Atlanta, to mention just some of them.

9 June 2015

I thank the Leader of the House for allocating time to talk about Yeats, and I am sorry I have run out of time for my contribution. I acknowledge that this year is also the year of design, Irish Design 2015, and we are collaborating with the Crafts Council of Ireland this year. It is important for us to do that. Next Monday the Speaker of the House of Lords, Baroness D'Souza, will be hosting a special Yeats event. It is appropriate for us, therefore, to celebrate Yeats tonight. When Prince Charles visited Sligo recently, he acknowledged Yeats by visiting the famous grave at Drumcliff and received the world's first William Butler Yeats rose at NUI Galway. The Indian Government has gifted a bust of the Nobel Prize-winning Indian poet, Rabindranath Tagore, which will be unveiled in Sligo in July.

We are celebrating Yeats around Ireland and the world. As Seamus Heaney said, Yeats had a marvellous gift for beating the scrap metal of day-to-day life into a ringing bell. In 2015 we have a chance not just to hear that bell ring but also to help it ring out across the world.

Senator Paschal Mooney: This is a welcome opportunity to speak about the huge number of activities and events taking place to mark the birth date of William Butler Yeats. He is not somebody removed by history but a person who sat on these seats and contributed to debates in this Chamber, the walls and ceiling of which resounded to the sound of his voice. He is very much part of our recent history. The Minister and Senator Susan O'Keeffe referred to the love he had for Sligo. Like Patrick Kavanagh in County Monaghan and Seamus Heaney in Ulster, Yeats's work is Sligo.

Perhaps it might be useful for future generations if I were to outline Yeats's biography. He was born in Sandymount in Dublin and of Anglo-Irish descent. His father, John Butler Yeats, was a descendant of Jervis Yeats, a Williamite soldier, linen merchant and well known painter who died in 1712. Jervis's grandson, Benjamin, married Mary Butler from a landed family, the famous Butlers of Ormond in County Kildare. At the time of his marriage John Yeats was studying law, but he abandoned law to study art at Heatherleys art school in London. His mother, Susan Mary Pollexfen, came from a wealthy merchant family based in Sligo who owned a milling and shipping business. Soon after William's birth the family relocated to the Pollexfen home at Merville in Sligo to stay with his mother's extended family. The young poet came to think of the area as his childhood and spiritual home. Over time, its landscape became his symbolic country of the heart.

The Butler Yeats family were highly artistic. William's brother Jack became an esteemed painter, while his sisters, Elizabeth and Susan Mary, who were known to family and friends as Lolly and Lily became involved in the arts and crafts movement. That is the context in which Yeats came to embrace Sligo and its environs, although he also ventured into County Leitrim. We have always cast envious eyes across the county boundary into Sligo because it rarely acknowledges the fact that he also drew inspiration from County Leitrim.

I had an interesting experience approximately 20 years ago while I was investigating events in the life of one of my heroes, Charles Stewart Parnell. We hear about the Redmondites in Waterford, but if I had lived during that period, I would definitely have been a Parnellite. I discovered that Parnell and his wife had been married in Steyning, a village in west Sussex not far from Bognor Regis, where I have family connections. When the children were small, we used to visit once or twice a year. I also visited Brighton where Parnell and Katharine O'Shea lived after they were married. There is only one street in Steyning, with a large manor house at one end. A plaque on the wall of the house revealed that Yeats had lived there in 1938, just prior to his death in 1939. It is strange that I never saw another reference to this village, but

he must have made an impact, given that a plaque was erected to commemorate him. I visited the village to investigate the activities of Parnell and was astounded to find that another famous Irishman lived in the same village.

We cannot fully celebrate this year of Yeats without Lissadell being a central part of the activities. It was where he wrote his most famous poem about two girls in kimonos like gazelles. Only last week I was invited by Eddie Walsh and Constance Cassidy, the owners of Lissadell, to attend the launch of the special events taking place on Saturday. I stood at the actual window that had inspired Yeats's poem. Just like I am aware of his presence in this House, Lissadell reminded me of the continuum of history. I cannot praise highly enough what Eddie and Constance are doing in Lissadell. They have transformed the tourism potential of County Sligo and the north west. Several years ago, while I was chairman of Fáilte Ireland, the Yeats trail was launched by Fáilte Ireland north west. The late Seamus Heaney was in Sligo for the launch and I was honoured to be involved. We saw great promise in establishing Lissadell as a central part of the Yeats trail, but then the court case happened, Lissadell was shut down and that aspect of what was to be an important aspect of the tourism product of County Sligo and the north west was shut down with it. It has now reopened thanks to the marvellous work done by Eddie and Constance to enhance it as a tourist product and it is a must see place for anybody interested in Yeats, Constance Markievicz and our history. It is vital to the story of Yeats. Senator Susan O'Keeffe has done outstanding work on the project and I wish her continued success in her endeavours.

I will conclude by making a connection with County Leitrim. One of Yeats's most famous poems was about Glencar. Leitrim County Council has done an extraordinarily good job in making Glencar accessible to what will be a significant number of visitors interested in the connection with Yeats. His poem about it is long but I will only read one verse:

Where the wandering water gushes
From the hills above Glen-Car,
In pools among the rushes
That scarce could bathe a star,
We seek for slumbering trout
And whispering in their ears
Give them unquiet dreams;
Leaning softly out
From ferns that drop their tears
Over the young streams.
Come away, O human child!
To the waters and the wild
With a faery, hand in hand,

9 June 2015

For the world's more full of weeping than you can understand.

I wish those involved in the Yeats weekend the most outstanding success, both at home and abroad.

Senator Maurice Cummins: The first Montessori school in Ireland was established in 1920 in the Mercy Convent in Waterford owing to the interest and influence of the Mother Superior, Mother de Sales Lowry. Madame Montessori visited the convent in 1927 and an address, suitably worded for the great occasion, was read by Ms Winnie Cummins, later Sister Redemptoris, who died in 2013 at the age of 99 years. Winnie Cummins happened to be an aunt of mine. One might ask what has this to do with Yeats. The same Winnie Cummins was part of the welcoming party when W.B. Yeats visited the Mercy convent in 1926. Yeats, as a Senator, was a member of a Government committee that was investigating the state of Irish education at the time. The school in Waterford had a reputation for modern and enlightened teaching systems and using the Montessori method which placed an emphasis on spontaneity and self-expression.

My aunt had a vivid recollection of Yeats's arrival and recalled that he walked up the convent drive attired in a long frieze coat, slouched hat and spats. As he approached she overheard someone make the comment: "Look at him now with his spats and he hasn't the religion of a cow". This disparaging remark referred to Yeats's known interest in mysticism and spiritualism which aroused considerable disapproval, even hostility, in the conservative religious climate of the 1920s.

According to Raymond Cowel, in his book *W. B. Yeats*, the poet was impressed by the educational methods he observed in the school and the balance that was struck between intellectual, practical, aesthetic and spiritual values. It was following his visit to St. Otteran's school, which was part of the Mercy Convent, and his experience in the Montessori and senior classes that he wrote his poem "Among School Children", which begins with the stanza:

I walk through the long school room questioning;
A kind nun in a white hood replies;
The children learn to cipher and to sing;
To study reading books and histories;
To cut and sew, be neat in everything
In the best modern way - the children's eyes
In momentary wonder stare upon
A sixty-year old smiling public man.

That is an example of how Yeats often took, as a starting point to a poem, an everyday occasion in his life.

On my recent visit to Taiwan, I visited a university which was celebrating the 150th anniversary of the birth of Yeats. The university has an excellent society that places great importance in the works of Yeats. Indeed, Yeats was offered a three-month contract in Taipei with a £1,000 fee, which was a very considerable sum in those days. He refused the offer as his son was said

to be very unwell at that time. These are but a few occasions where the name of Yeats crossed my path.

As has been mentioned by many members, Yeats was a Member of this House. His son was also a distinguished Member of the House.

Senator Norris spoke of the musicality of Yeats's voice. Certainly, the musicality of Senator Norris's voice was clearly evident here today in his few words.

Like others, I join in thanking Senator O'Keeffe and her committee and wishing them every success with the excellent programme of events that they have put in place. I also thank the Minister for providing €500,000 of funding for this year's events.

Yeats's great love of Maud Gonne is well documented. It is fitting that when his coffin was returned to his beloved Ireland in 1948 that it was met by Seán MacBride, who was the Minister for External Affairs and a son of Maud Gonne.

Senator Trevor Ó Clochartaigh: Cuirim fáilte roimh an Aire. Mar a dúirt daoine eile, táimid ag comóradh 150 blian Dé Sathairn seo, an 13 Meitheamh, breith William Butler Yeats. Guím gach rath ar an bhféile agus tréaslaím leis an Seanadóir O'Keeffe as an obair iontach atá sí ag déanamh.

I commend Senator O'Keeffe, all of her committee and everyone involved with the Yeats 2015 event which aims to celebrate and commemorate the life, work, influence and achievements of W.B. Yeats. It is fitting that there is a celebratory and cultural programme that aims to showcase Ireland as a dynamic, inspiring and creative place.

Sinn Féin welcomes the cultural events that have been planned. I look forward to them, particularly the events in the west. I am especially happy with the work that has been done at Thoor Ballylee. I am pleased that the venue has been reopened and with its programme of events. Senator Healy Eames has also been involved with the project and I extend congratulations to her.

In a previous life I filmed in and around Thoor Ballylee, not about Yeats, but another poet called Antoine Ó Reachtabhra, or Raftery the poet. Before Yeats visited the place, Antoine Ó Reachtabhra wrote about the beauty of the place in his song called Máire Ní hEidhin. In the first verse he said:

‘S ag gabháil chun an Aifrinn dom le toil na nGrásta,
bhí an lá ag baisteach ‘gus d’ardaigh an ghaoth
casadh an ainnir dhom le hais Chill Tártain
agus thit mé laithreach í ngrá le mnaoi.
D’umhlaios síos go muinte mánla
‘s de réir a cáilíocht do fhreagair sí;
‘s dúirt an ainnir liom, “Béidh m’intinn sásta
agus gluais go lá liom go Baile Uí Laí.

9 June 2015

It is probably that kind of inspiration and mysticism in the area that drew W.B. Yeats to the magical place that is Thoor Ballylee.

Yeats 2015 is a great moment to celebrate and promote creativity in Ireland, to support the artistic and cultural heritage which emanates from this island, and to help inspire another generation of artists. Now more than ever there needs to be a genuine investment in the arts and to ensure it is meaningful.

William Butler Yeats is not just one of the most omnipresent Irish literary figures, he is also one of the most recognisable, celebrated and feted Irishmen in our history. Yeats endeavoured to encapsulate something of the national character of Ireland. His early works were heavily influenced by the Gaelic revival and he, in turn, influenced that movement through his poetry and plays. The reasons and motivations for Yeats's use of Celtic themes can be understood in terms of the author's sense of Irishness, an overriding personal interest in Celtic mythology and folklore and his keen interest in the occult. Immersing himself in the rich and varied world of Celtic folklore and myth, Yeats contributed to the world of poems and plays that embraced native legends while promoting his own sense of nationalism.

As we all know, Yeats also drew hugely on certain places in his poetry and Sligo was one of the main constants throughout his life's works. Sligo not only gave Yeats a sense of home, it also gave him confirmation of superiority of scenery and artistic sensibilities. The serenity and beauty of Sligo also had a huge influence on Jack Butler Yeats who dedicated many paintings to the area, including *Leaving the Far Point*, *The Sea and the Lighthouse* and *The Metal Man*. Therefore, it is great to see that Yeats 2015 will focus on events to take place in Sligo, Galway and across the globe.

In Yeats's later works, particularly around the revolutionary period, his poetry and plays became full of the intensity of his emotional experience during that period. They are often a subtle insight into his assessment of that revolutionary time. His play "Cathleen Ni Houlihan" was one of the great pieces of nationalist writing of the time. As Yeats said himself in an interview published in the *United Irishman*: "My subject is Ireland and its struggle for independence."

In December 1923, Yeats became the first Irish person to be awarded a Nobel Prize in literature. He was keenly aware of the symbolic value of an Irish winner. The award prompted him to write the following to Sir John O'Connell: "I consider that this honour has come to me less as an individual than as a representative of Irish literature, it is part of Europe's welcome to the Free State."

Yeats's first major collection of poetry, in the aftermath of winning the Nobel Prize, was called *The Tower*. The collection was a supreme achievement and has been hailed as one of the most important books of the 20th century. Next door to the Oireachtas is housed the National Library's fantastic exhibition on the life and works of William Butler Yeats where many of the notes and works of Yeats are on display.

Yeats's work as a Senator was commendable and I hope that Yeats 2015 will highlight that part of his life. In the Seanad, Yeats operated as a true Independent. He was political but detached from parties. His commitment to theatre and the arts followed him into the political sphere. He worked to make the Abbey Theatre the first state-endowed theatre in any English-speaking country. The Seanad of Yeats's day was able to initiate legislation. Yeats took advantage of that situation to try to recover the Hugh Lane paintings for Ireland.

Yeats was also true to his independence in the Seanad. He railed against the banning of divorce and claimed that it would alienate Irish Protestants from the State. He also famously weighed in against the new censorship laws against immorality in literature that were being brought in under the Free State.

It is William Butler Yeats's commitment to the arts for which he is most celebrated and remembered, and it is his commitment that I am sure we will all celebrate in the coming year. Yeats 2015 is an opportunity to bring arts and culture closer to the people. I look forward to attending the events of Yeats 2015 and I hope it enjoys great success.

We can all be a little bit parochial on these occasions. Therefore, I shall recite a poem that springs to mind when I think of Yeats. It is his poem "At Galway Races" which reads:

There where the course is,
Delight makes all of the one mind,
The riders upon the galloping horses,
The crowd that closes in behind:
We, too, had good attendance once,
Hearers and hearteners of the work;
Aye, horsemen for companions,
Before the merchant and the clerk
Breathed on the world with timid
Breath.
Sing on: somewhere at some new moon.
We'll learn that sleeping is not death,
Hearing the whole earth change its tune,
Its flesh being wild, and it again
Crying aloud as the racecourse is,
And we find hearteners among men
That ride upon horses.

Guím gach rath ar an bhféile.

Senator Lorraine Higgins: I am delighted to speak in the House today ahead of Yeats Day 2015. As has been mentioned by several of my colleagues, this earmarks the 150th anniversary of W.B. Yeats's birth, a man who is widely acknowledged as one of the greatest poets the English language has ever known. What a gift his poetry and legacy have been to the people of Ireland, capturing the myths and beauty of our landscape and transporting them right across the world through the weight and majesty of his words.

9 June 2015

Much has been made of Yeats's strong links to Sligo, rightly so – I look forward to visiting the newly opened Lissadell House over the summer and perhaps even climbing Knocknarea if I feel brave enough or energetic enough on the occasion - but as a Galway East-based Senator I feel it is very important also to highlight the links to my own locality, in particular Gort and its surrounding area. Yeats famously kept a summer home at Thoor Ballylee just outside Kiltartan. It is a Norman tower quite close to Gort. He purchased it in 1917 and restored it. It was one of the inspirations for many of his celebrated collections, in particular *The Tower*, which featured some of his best known and best loved poems, including “Among School Children”, whose closing verse always bears reciting:

The body is not bruised to pleasure soul.
Nor beauty born out of its own despair,
Nor blear-eyed wisdom out of midnight oil.
O chestnut-tree, great-rooted blossomer,
Are you the leaf, the blossom or the bole?
O body swayed to music, O brightening glance,
How can we know the dancer from the dance?

Thoor Ballylee is of huge historical significance to the Irish people and artistic and literary communities in this country and around the world. As such, it is very much now the key driver of tourism in the south Galway area. I am hugely proud of the work that has been done by the community of Gort and the local Yeats committee, including Sr. DeLourdes, Karen, Colm, Rena, Ronnie, Senator Healy Eames, and everyone else who has been involved in the surrounding area, to preserve and celebrate Yeats's local legacy.

I am also very proud to have campaigned for vital funding for the restoration of Thoor Ballylee after extensive flooding in 2009 and 2010. I raised the matter in the Seanad on several occasions in the past. I look forward to the future development of the site, as research has indicated that as with Drumcliffe in Sligo, tourists would spend a lot more time at Ballylee if facilities were in place. I therefore urge the Minister, Deputy Heather Humphreys, to liaise with her colleague in the Department of Transport, Tourism and Sport to ensure that in the years ahead Fáilte Ireland gives priority to Thoor Ballylee and gives it the attention and investment it deserves as a key part of Ireland's cultural history. We have seen the fantastic success of the Wild Atlantic Way in the past year and there is no reason a similar route could not be plotted for cultural landmarks throughout the west and north west, of which Thoor Ballylee is most definitely one.

I commend Senator Susan O'Keeffe on her work on the committee and everybody else who has been involved with the Yeats Day, the weekend and also Yeats 2015. There is no question but planning such celebrations is a huge undertaking. A huge amount of effort, enthusiasm and energy goes into it. To have developed such a vibrant and diverse programme of events is something that each and every person who is involved with it should be very proud. I extend my sincerest congratulations to each and every one of those involved.

Senator Fidelma Healy Eames: I wish to start by thanking Senator Maurice Cummins for scheduling the statements, which are very significant in the week in which we will celebrate the

150th birthday of W.B. Yeats which takes place on Saturday.

It is a very special time for us in Galway. I note in particular what Senator Lorraine Higgins has said. We will reopen Thoor Ballylee, Yeats's ancestral home this Saturday. I am chair of the voluntary committee which has worked tirelessly against all the odds to reopen Thoor Ballylee. It was closed in 2009 due to flooding. It was in the ownership of Fáilte Ireland but it wants no more to do with it. Last September in this Chamber, as chair of the committee I was granted a licence to take over the tower, by the Minister of State, Deputy Michael Ring. It is only from then on that we have made progress to bring about the opening on Saturday.

The tower is opening against all the odds and sadly with no help from the State this year or any share of the €500,000 invested in the Yeats 2015 commemorative fund. That has dismayed the local committee. People have asked why that is the case. Thoor Ballylee is an iconic building, a national treasure. The Norman tower Yeats bought in 1917 is also an iconic building in and of itself yet the State was prepared to let it fall into ruin. We do not understand that, given the very valuable literary heritage of Yeats's own life and work. He spent many summers there in the 1920s. According to Yeats scholars, he is reputed to have written his best works there with *The Tower* in 1928 and *The Winding Stair* in 1933.

The question I have for the Minister is what value the State puts on our heritage given that it is prepared to let a building as important as Thoor Ballylee go to ruin. I only echo the concerns of local people. Thoor Ballylee would not be opening on Saturday but for the voluntary work of people such as Ronnie O'Gorman, Sr. DeLourdes, Colm Farrell, Rena McAllen, Deirdre Holmes, Joe Byrne, Angela Guillemet, Sharon Brennan, Mary Callanan and others. We are dismayed that the Minister would not meet the committee either in Galway or Dublin. It is not easy for me to say that in the House. Senator Susan O'Keefe has been more than helpful. She has come down to meet us and she has supported us all the way on the matter.

In a funny way Yeats predicted that Thoor Ballylee might fall into ruin. He bought the tower for his wife George. He wrote:

I the poet William Yeats
With old mill boards and sea-green slates,
And smithy work from the Gort forge,
Restored this tower for my wife George.
And may these characters remain
When all is ruin once again.

It has been our goal to ensure that would not happen, because the tower is iconic. It is a national treasure with an incredible international reach that is carrying the words of Yeats worldwide. It is a total shame to see the number of people who go there on cold days to find it closed. As of Saturday, we will reopen it and we will announce that we will keep it open for the summer season from 11 a.m. to 6 p.m. each day, manned by volunteers. I spoke to the Minister of State, Deputy Simon Harris, who has responsibility for the Office for Public Works, OPW. He said the OPW is not in a position to take over the tower from us once we get it back on its feet until such time as it is declared a national monument. That is up to the Minister for Arts, Heritage and the Gaeltacht, Deputy Heather Humphreys. We must apply to the Minister for that

9 June 2015

designation. I ask the Minister to be open to granting it.

Yeats' scholars around the world are jubilant that we are reopening the tower. But for the support we received from around the world we would not have been able to reopen it. One of our benefactors is a man called Joseph Hassett. He has given us €31,000 to mount an exhibition. However, that will take time because we must ensure the building is dehumidified for example. We had an auction last Sunday week when we raised approximately €14,000. I do not have the final figure. One of the items that made the largest amount and became a national story was the autobiography of Maud Gonne. Interestingly, the lady who donated the biography was sitting in her bed reading *The Irish Times* on a Saturday and heard we were looking for items. She had a letter from Maud Gonne to her aunt, who bought the book. The aunt had such admiration for Maud Gonne, who was so admired by Yeats. He proposed to her three times and she turned him down each time. She said she did not regret it for one minute because every time she turned him down his poetry became better as a result. The biography made €5,200. Another item at the auction was a first edition of a book by John Millington Synge which made €1,000. We are operating on a wing and a prayer in trying to keep Thoor Ballylee open. I urge the Minister, in honour of Yeats' and this anniversary year, to let us spread the legacy around the country. As Senator Higgins said, we have an amazing legacy here.

An Cathaoirleach: The Senator is way over time.

Senator Fidelma Healy Eames: We have the opportunity to co-market Sligo, Dublin and Galway through the Wild Atlantic Way and let us do that. I commend Senator O'Keeffe on the year she has had and long may the work continue. However, we should not forget Thoor Ballylee as part of the national picture.

Senator Michael Comiskey: I welcome the Minister to the Seanad this evening. I thank her for coming to the House to discuss Yeats Day. I also thank Senator O'Keeffe for the hard work she has put into all the celebrations that have taken place.

I am very proud to be contributing to the debate as a Senator from Sligo-Leitrim. William Butler Yeats has contributed so much to our Irish rich literary history and culture. He was very much a Sligo man despite having been born in Dublin. It is only right to celebrate and acknowledge all his achievements on the 150th anniversary of his birth. Yeats Day will be celebrated as part of Yeats day festival taking place in various locations in Sligo this week. Yeats Day is a central pillar of the Yeats 2015 programme, which encompasses many events across Ireland and across the world in 2015.

I acknowledge the vital funding provided by the Department of Arts, Heritage and the Gaeltacht towards the programme of events scheduled for Yeats 2015. The Department has assigned €500,000 for the programme and it is intended that additional funding will be secured through philanthropic donations and sponsorship.

It is very appropriate to discuss Yeats in this House owing to the time he spent here as a Senator. He served as a Free State Senator from 1922 to 1928. Throughout his time in the Senate he spoke passionately about matters of social and cultural significance. In 1926 he was involved in designing new coinage for the State. He consistently defended the arts and was very much ahead of his time in defending divorce and opposing the Censorship of Publications Act.

I pay tribute to Yeats, the first Irishman to be awarded the Nobel Prize for literature. He was a prominent driver behind the Irish literary revival in the early 20th century. His writing vastly

enriched our literary culture. I come from very close to the Isle of Innisfree. We can sail daily to the Isle of Innisfree on the waterbus, the *Rose of Innisfree*, which is great for visitors coming to the area. A few miles north of where I come from we can visit Glencar waterfall, mentioned by Senator Mooney. It is very fitting that recently a new visitor centre was opened and we can now enjoy a cup of tea and an ice-cream while having a chat about Yeats in the beautiful coffee shop opened there.

I again thank the Minister for coming to the House.

Senator Hildegarde Naughton: I also welcome the Minister to the House. Coming from the west, I feel a particular connection to Yeats and am delighted to have the opportunity to speak tonight.

He was, of course, our national poet and regarded as one of the foremost figures of English literature in the 20th century. He was also the first Irish recipient of the Nobel Prize in literature. Later Irish laureates were George Bernard Shaw, Samuel Beckett and Seamus Heaney. As we know, Yeats also served with distinction for two terms as a Member of the Free State Senate.

It is appropriate to remember Yeats, particularly in the lead-up to next year's anniversaries. One of his foremost famous poems, "Easter 1916", probably summarises the feelings of many Irish Nationalists at the time. There was initial shock at the supposed foolhardiness of the Rising, which he had advised against. This is followed by the poem's close, a tribute to all the heroic men and women who participated and brought about a new era in the nation's life.

Some of my colleagues already mentioned the Yeats summer home, Thoor Ballylee, which was regarded by the Nobel laureate, Seamus Heaney, as the most important public building in Ireland. Its close association with Yeats makes it an iconic landmark for the area and for the country, and a resonant site for literary pilgrims across the globe. It is set on the bank of the Streamstown River, a tributary of the Cloone River near the market town of Gort in County Galway.

Today Thoor Ballylee is often referred to as Yeats's tower because in 1916 Yeats fulfilled a long-held dream to establish his own house in the west. He bought the tower for just £35 and Yeats and his architect, Professor William A. Scott, spent several years restoring it and the associated cottage and outbuildings. It was rechristened as Thoor Ballylee. A verse inscription in stone in the wall celebrates its restoration as well as foretelling its ruin.

From 1921 to 1929, Yeats and his family spent many summers here. Its constant damp made it impractical for winters, but in the summer Yeats's wife, George, was often to be found fishing from the tower. It is possible to drop a line out of the window straight down into the river that runs alongside.

Unfortunately the flooding in 2009 and 2010 extensively damaged the building and it has remained closed until now. This happened at the worst possible time with the country in the midst of the most severe financial crisis since the foundation of the State. Fáilte Ireland previously provided significant funding to Thoor Ballylee and I hope that now the economy has stabilised and tax revenues are again increasing the State will be in a position to make a contribution to its upkeep, as this is a site of enormous international significance.

I thank the Yeats Thoor Ballylee Society for its work in restoring the tower, a gratitude which is shared by Senator Healy Eames. I am delighted to see it being reopened for the 150th

9 June 2015

anniversary of Yeats's birth. I encourage my colleagues and any citizens listening to this debate to check out the www.yeatsthoorballylee.org website for a full outline of the unique heritage of Thoor Ballylee and upcoming events.

I join my colleagues in congratulating Senator O'Keeffe on her Trojan work in commemorating Yeats over the past 12 months.

Senator Jim D'Arcy: I will start where Senator Naughton concluded in congratulating Senator O'Keeffe on the great work she is doing for Yeats 2015. I acknowledge the work of Senator Healy Eames and others on Thoor Ballylee where Yeats wrote one of his great poems, "Meditations in Time of Civil War", with the memorable lines:

More substance in our enmities

Than in our love;

I think we have moved on from that; I hope we have.

There is no doubt that Yeats is our outstanding poet even though he wrote what I regard as the most self-pitying line in poetic history. Forget about Shelley's:

I fall upon the thorns of life!

I bleed!

or even Gerard Manley Hopkins's:

No worse, there is none.

Pitched past pitch of grief,

in "No Second Troy" Yeats wrote:

Why should I blame her that she filled my days

With misery,

I am with you there, Willie.

(Interruptions).

Senator Jim D'Arcy: I do but jest.

Yeats was a romantic and he imagined a new Ireland. He was a bit disillusioned in September 1913 when he wrote, "Romantic Ireland is dead and gone", but 1916 changed all that. When he wrote, "A terrible beauty is born", the vision he had for Ireland is as valid now as it was then. He saw it as a return to an imagined Celtic twilight. When I was in school, he was referred to as an Anglo-Irish poet. He was an Irish poet. He was one of our own - Irish.

Senator Ó Clochartaigh said he would be principally remembered for his contribution to the arts. I would say he was probably the most political poet I know. He made a great contribution to political thought and life. In a Seanad debate on 17 October 1924 relating to the Boundary Commission, he stated, "I have no hope of seeing Ireland united in my time, or of seeing Ulster won in my time; but I believe it will be won in the end, and not because we fight it, but because

we govern this country well". He said that "we can do that, if I may be permitted as an artist and a writer to say so, by creating a system of culture which will represent the whole of this country and which will draw the imagination of the young towards it".

My favourite Yeats poem is "He Wishes for the Cloths of Heaven", which reads:

Had I the heavens' embroidered cloths,
Enwrought with golden and silver light,
The blue and the dim and the dark cloths
Of night and light and the half-light,
I would spread the cloths under your feet:
But I, being poor, have only my dreams;
I have spread my dreams under your feet;
Tread softly because you tread on my dreams.

Sir Walter Raleigh, eat your heart out. Yeats spread his dreams under our feet. His words are as valid today as they were then, which is the mark of great words. Ar dheis dé go raibh a anam dílis.

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys) (Deputy Heather Humphreys): I thank my colleagues for their valuable contributions to this discussion. I mentioned Lissadell House and I also wish to pay tribute to Edward Walsh and Constance Cassidy for the tremendous work they have done at this house. It is certainly a labour of love and an absolute credit to them. I have visited it and what I love about it is the fact that it is once again a family home. It is a house that is being lived in and is now full of energy and enthusiasm. I wish them well and I look forward to going there on Saturday.

I was very pleased to have been in a position to provide €500,000 in funding to the Yeats 2015 celebrations, particularly at this time of careful economic considerations. I assure the Senator that the State supports heritage buildings in many different ways and there is a range of funding opportunities, including Heritage Council grants and buildings At risk grants in my Department, along with others that were available over the past year. Somebody mentioned about my being unable to meet the Yeats Thoor Ballylee Society committee. Unfortunately, I could not do so due to diary commitments. However, I commend the work of the voluntary committee. The Department funding of €500,000 was aimed at developing a programme of events to celebrate and commemorate the 150th anniversary of Yeats's birth.

Yeats is unique, not only as Ireland's first winner of the Nobel Prize for literature in 1923 but as a figure of the time in which he lived, which shaped this island as much as it shaped his writings. He lived through the 1916 Rising and the War of Independence and provided much of the cultural backdrop for that emerging State, co-founding the Abbey Theatre, which opened its doors in 1904, and driving the Irish literary revival, which was also known as the Celtic Twilight after Yeats's collection of 1893. He left his mark on the Irish political scene from membership of the IRB to becoming a Senator - speaking in the first Parliament and helping to design the Free State's first currency. He was a respected voice of debate in matters ranging

9 June 2015

from divorce to the impact of the First World War. Yeats was very much aware of the potency of Irish culture. Upon being awarded the Nobel Prize, he said “I consider that this honour has come to me less as an individual than as a representative of Irish literature”.

His collection *Responsibilities* contained the phrase “in dreams begins responsibility”. Yeats gave us many dreams of an Ireland rooted deep in its mystic past and set us on a path of literary and cultural richness. It is our responsibility to honour that legacy and celebrate this man. We have spread his legacy around the world and his works are honoured across the globe with his poetry appearing on the London Underground. I visited Emory University in Atlanta in the US last year. The esteem in which Yeats is held there is huge and they are so proud of their Yeats papers and first editions, which I was fortunate to view.

I thank the Members and the Leader for the opportunity to speak today on the celebration of Yeats Day and the wider events of Yeats 2015. I commend Senator O’Keeffe and her hard-working committee for their great work on Yeats 2015, which is being celebrated not just nationally but internationally. It would be appropriate to conclude with some poetry.

Though I am old with wandering
Through hollow lands and hilly lands,
I will find out where she has gone,
And kiss her lips and take her hands;
And walk among long dappled grass,
And pluck till time and times are done,
The silver apples of the moon,
The golden apples of the sun.

An Cathaoirleach: When is it proposed to sit again?

Senator Eamonn Coghlan: Tomorrow at 10.30 a.m.

The Seanad adjourned at 9 p.m. until 10.30 a.m. on Wednesday, 10 June 2015.