



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Dé Máirt, 24 Deireadh Fómhair 2017

Tuesday, 24 October 2017

Chuaigh an Leas-Chathaoirleach i gceannas ar 2.30 p.m.

Machnamh agus Paidir.
Reflection and Prayer.

Visit of Chinese Delegation

An Leas-Chathaoirleach: I welcome Mr. Wong, executive vice-mayor of the Hanjiang district of Yangzhou municipal city, in the company of Senator Horkan. He is very welcome.

Business of Seanad

An Leas-Chathaoirleach: I have received notice from Senator Gerald Nash that, on the motion for the Commencement of the House today, he proposes to raise the following matter:

The need for the Minister for Housing, Planning and Local Government to extend city status to Drogheda in the context of the national planning framework.

I have also received notice from Senator James Reilly of the following matter:

The need for the Minister for Employment Affairs and Social Protection to make a statement on the 23,000 female pensioners who are receiving reduced pension payments due to band changes and the marriage ban and how she proposes to address the matter.

I have also received notice from Senator Niall Ó Donnghaile of the following matter:

The need for the Minister of Education and Skills to outline the current point-system based entry process for A-level students from the North of Ireland who are applying for university places in this State and what subjects are not accepted for entry on certain degree courses; and to ensure that institutions in this State do not erect additional barriers to entry for students from the North because they sit a different examination.

I have also received notice from Senator Robbie Gallagher of the following matter:

The need for the Minister for Health to make a statement on the current state of ambulance response times in Cavan-Monaghan and the north-east region and to clarify what resources are in place for locating addresses and providing cover for active ambulances on a call-out.

I have also received notice from Senator Maura Hopkins of the following matter:

The need for the Minister for Health to provide an update on the provision of increased ground and air ambulance services in County Roscommon, as committed to in the programme for Government.

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

The need for the Minister for Transport, Tourism and Sport to provide funding for the repair of the Olympic swimming pool at the University of Limerick.

I have also received notice from Senator Catherine Noone of the following matter:

The need for the Minister for Finance to outline, in light of new studies showing that the incidence of obesity and diabetes among Irish men and women has increased steadily since 2010 and is projected to continue to do so, if he will consider ring-fencing some, if not all, of the annual €40 million which is expected to be generated from the sugar tax to tackle obesity in the same way that income from the plastic bag levy is used for environmental funding.

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

The need for the Minister for Defence to address the amount of money being spent on the purchase of new ships for the Irish Naval Service, and the dispatch of the *LÉ Samuel Beckett* to help the arms industry at the recent London arms fair.

I have also received notice from Senator Keith Swanick of the following matter:

The need for the Minister for Justice and Equality to consider legislation to protect front-line emergency workers.

I regard the matters raised by the Senators as suitable for discussion. I have selected the matters raised by Senators Nash, Reilly, Ó Donnghaile and Gallagher and they will be taken now. The other Senators may give notice on another day of the matters they wish to raise.

Commencement Matters

National Planning Framework

Senator Gerald Nash: I thank the Minister of State for coming into the Chamber this afternoon to respond to me on this important issue. It is not just an important issue for Drogheda but also for the entire north east region, the region that the Minister of State himself represents.

A month ago this week I sat down to pore over the draft of the national planning framework. This, as we are all aware, is the successor plan to the redundant and discredited national spatial strategy, which was published in the early 2000s. Across this glossy 150 page production from the Department of Housing, Planning and Local Government, there is not one single mention of Drogheda, which is by far Ireland's largest town. It is a very considerable achievement to draft a high-level document which will dictate on a statutory basis where jobs will be, where public services investment will go and where infrastructural development will be directed - for an entire generation - and fail to acknowledge even once the scale, size, population and, importantly, the potential of what is Ireland's contiguous population centre.

The population of the Drogheda borough area itself has been confirmed by the Central Statistics Office in the last census in 2016 as being in excess of 43,000, and the extension of the borough boundary into County Meath, which I proposed, would include an additional 6,000 to 7,000 people at least. They are people who are living in housing estates in the area known as Drogheda, County Meath. In some cases, services are being delivered on one side of the road by Louth County Council and on the other by Meath County Council. That is an entirely inefficient way to do business. The agglomerated urban area of Drogheda is already larger than Waterford city, and it is important to point out that the population of the area now far exceeds the population of Galway when that city was given city status back in the 1980s. This draft plan represents a golden opportunity to do the right thing for once in this country, when it comes to policy development. It goes without saying that I love my hometown - I know the Minister of State loves his as well - and I want to see it reach its full potential.

Leaving those emotions aside just for a moment, I have always taken decisions based on robust evidence, as I hope my record in public life proves. All the available evidence allows us to present a very strong case for the town of Drogheda to be designated as a city. The way to advance this ambition is through the national planning framework process. Yet bizarrely, if the Government's proposals are adopted, the Drogheda area will now be lumped in with areas of a population size equivalent to Wicklow town - meaning no disrespect to Wicklow town - or Tramore, or the 40 other population centres in this country ranked in excess of 10,000.

I am not asking for a favour, or making a special plea, for my home town and the area I directly represent. I am asking the Government to show that it is serious about transparent policy-making and accepting the evidence before it. I am asking that Drogheda takes its rightful place among the hierarchy of first-tier population centres, and is enabled to be the city that it can and should be.

An Leas-Chathaoirleach: I thank the Senator, and call on the Minister, Deputy Damien English.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): Thank you, a Leas-Chathaoirligh. I thank Senator Gerald Nash for raising the issue. I wish to address it by taking two approaches, referring first to the local government legislation, and then to the final consultation of the national planning framework, which is at draft stage. I have read the Senator's submission to that consultation, as have many others. It is important to say that people can make submissions up to 3 November and involve themselves in the process, which the Senator and many others have done.

The Local Government Act 2001, as amended, currently provides for three city councils, in Cork, Dublin and Galway. If an additional city council were to be established in law, it would have significant implications for the county in which the area concerned is situated, in particular as regard the loss of functions of the relevant county council. If the Local Government Act was to be amended to designate Drogheda as a city, this would have wide-ranging legal, financial, organisational and electoral implications, not only for Louth County Council, but also for Meath County Council, as it would be difficult to consider establishing a city authority without incorporating the County Meath environment. I acknowledge that Senator Nash has referenced this.

Drogheda has developed significantly in recent years, with a population of almost 41,000 in the 2016 census. It is by no means clear that fragmentation of local government structures

and resources in County Louth would be helpful to the continuation of that success. However, that is a decision under the Act that the Government looked at, and can be looked at again in the future.

I refer now to the national planning framework, NPF, and what we are trying to achieve there. The Government has published Ireland 2040 as a final public consultation draft national planning framework. Taking on board the submissions received, it is intended to finalise the national planning framework later this year, probably in December. The NPF will encourage large towns such as Drogheda, as well as Navan, Sligo, Dundalk, Wicklow and others, to grow more than the national average up to 2040, within the context of regional planning policies, to be expanded on through the regional spatial and economic strategy that is being prepared for each of the three regional assemblies and scheduled for completion by the end of 2018. I am meeting the regional assemblies on Friday to discuss this draft plan and to get their views. The regional strategy will be brought forward in 2018, which again is another place to have this conversation and this debate.

Key factors to be taken into account in framing these growth policies include the location of towns relative to city-region catchments; the scale of employment provision and net commuting flows; the accessibility of economic influence; the extent of local services, administration, education, particularly at third level, health, leisure and retail; the extent of the interdependencies or linkages between towns; and the commitment to, and the realisable prospects for, compact and sustainable growth. What we are trying to achieve here is to ensure regional balance.

I agree with the Senator that areas like Drogheda, Navan and Dundalk did not get just positioning in the 2002 spatial strategy and have not been developed in a proper way because of that. What we are trying to achieve with Ireland 2040 is to develop in a sustainable way to make sure that services, as well as the jobs and everything else, match the population of all our towns and villages.

As well as alignment with the ten-year national investment plan being prepared by the Department of the Minister, Deputy Donohoe, the national planning framework proposes an urban smart growth fund and new requirements for new urban area plans across administrative boundaries, as well as supporting the sustainable economic potential of the Dublin-Belfast corridor, of which Drogheda is a key urban component. I want to be very clear that we do focus in on those administrative boundary areas, such as the Meath-Drogheda boundary, and it is very complicated. The commission did recommend that we find new ways to be able to deliver services and to make decisions such as planning on those areas around those boundary areas as well. That is what we are trying to realise in the national planning framework: that we would have local authorities working together more closely around that process.

Taking all of the foregoing together, the policies and proposals contained in the draft national planning framework will support the development of Ireland's larger towns such as Drogheda, which has developed strongly in recent years within the existing local government structures and arrangements. The national planning framework is to help Drogheda realise its potential and not to restrict it in any way. I know the Senator has a concern that it is restrictive. It is not. Places such as Drogheda will flourish more under the new national planning framework. Again, it is only at draft stage. Final decisions have not been made and the closing date for submissions is 3 November, so I encourage all interested parties, including Members of this House, to share their views and comments by the closing date. I believe there will be a discussion in both Houses of the Oireachtas on the national planning framework. It is being discussed

at the Joint Committee on Housing, Planning and Local Government. Last week we had a frank discussion, and colleagues such as Deputy Fergus O'Dowd and others from my own area made the same arguments that Senator Nash is making about Drogheda. Again, this will be teased out over the next couple of months as well.

An Leas-Chathaoirleach: I thank the Minister of State. I call Senator Nash for a supplementary.

Senator Gerald Nash: I thank the Minister of State for his response. However, I do not agree with it. He has set out what he describes as many of the ways in which the development of the area can be assisted. I have been strongly of the view for a long time and am still firmly of the view that, given the Drogheda area in general has developed in spite of some of the legislative and administrative constraints around it, its location, and that much of the development area has been spread across the Louth and Meath administrative areas, on the basis of good planning and sustainable development, the Government should not reject the notion that the boundary of Drogheda would be extended.

The review was published a number of months ago, and I could not quite follow the logic. Looking at the entirety of the document, the logic should be that the borough boundary would be extended and the town would be of sufficient size then to enable it to be considered for city status in the context of the national planning framework. While one would understand and expect that from the logic of the document, bizarrely the executive summary concludes that the *status quo* should remain.

As far back as the 1960s, the Buchanan report proposed the idea that Drogheda would be considered as a counterbalancing population centre for Dublin. That can still be the case because the area has developed considerably in recent years. In fact, the agglomerated urban area, as it might be described, has grown by almost 80% in 20 years. That is notwithstanding the fact that it was a third tier population centre under the national spatial strategy. We should take the blinkers off and take a brave and courageous decision to ensure Drogheda can develop its potential properly by providing city status to an area where all the evidence suggests that should be the case.

An Leas-Chathaoirleach: I thank the Senator. I call the Minister of State for his response.

Deputy Damien English: I again take on board the views of Senator Nash. The national planning framework is still only at draft stage. We purposely stayed away from naming new cities or new large towns. This is about trying to plan this country in a sustainable way and to realise the potential of all these larger towns, be they Drogheda, Navan, Sligo, Athlone, Dundalk or Mullingar, by giving them the resources they need in a planned and sustainable way. Through the national planning framework, we will have to cater for an extra 1 million people living in this country and 8 million people living on the island as a whole. We have to cater for an extra 600,000 jobs and an extra 500,000 houses. The question is how we plan and grow that in the existing cities and large towns. There is a lot of potential here for Drogheda and we want to realise that through the national planning framework and I hope that is what we can achieve as well.

Pensions Reform

Senator James Reilly: The issue I wish to raise here today is one I raised on the Order of Business last week and it was dealt with in the Lower House as well. It is an issue that is not going to go away, namely, the inequity in our pension situation whereby at least 23,000 women are being disadvantaged by the pensions system in a manner which was brought about and exacerbated by legislation passed in 2012. I sought that the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, would come into the House to tell us how she is going to address the issue. I welcome the Minister of State, Deputy Damien English, here today who is responding on behalf of the Minister.

The points I made last week are worth making again. We have a bad history in this country in terms of the manner in which we treat women. It is unjust to have a system in place that punishes women for their act of generosity. They took time out from work to rear children, who are the future of our nation, and to care for the elderly and the vulnerable. It is an injustice that cannot be allowed continue. I am acutely aware that this situation has been ongoing for some time and it will cost a considerable sum of money to correct. As far as I am concerned there are two phases to it. One is the ongoing injustice that comes every month with the pension and the injustice of back-payments that are due and should be paid. Many of those affected are citizens who have stood by this country in the worst of times and they are coming to the last quarter of their lives. Some of them may not have a huge amount of time left although we are all living longer, which is good news. However, it is not good news if we start treating a subsection of people in our elderly population differently. When we had very little money in this country in the heat of the crash we ensured that victims of symphysiotomy were compensated. I was there as Minister for Health to make it happen. We also addressed the Magdalen laundries issue and established a commission of inquiry into the mother and baby home in Tuam. Those were all issues that primarily affect women. Men are affected as well but not to the same extent.

I wish to highlight one statistic that has emerged, namely, that 2.9% of men over 65 are living in consistent poverty while just 2.6% of women in that age group were living in consistent poverty. The percentage of women in that age group is a greater absolute number than the number of men. Neither situation is something of which the Government is proud or that we should allow continue. Both situations must be addressed. It certainly does not indicate that women over the age of 65 are doing better than men in terms of their incomes. Acknowledging that there is a big job of work to be done, what I wish to ask the Minister today is how long the review will take and how long it will be before action will be taken. How long will it be before the correction of this injustice to pensioners is addressed? Thankfully, we know unemployment is reducing in this country and, therefore, the burden on the Exchequer from that point of view should be less. We know that the Government is taking in more revenue. The least these women can expect is that the current situation is corrected as quickly as possible and a pathway is developed to address the outstanding back-payments, which is a considerable sum of money.

A loud and clear message needs to go out from here today and I hope it is one the Minister agrees with. I know in my heart she does. We cannot allow the injustice to continue just because we have difficulty in affording it. People can put up with a lot of hardship, and we do, when we are all being treated equally but in this republic of equal opportunities, people are not being treated equally. The individuals in question have done this country a great service and should not be punished any longer for doing so.

Deputy Damien English: I thank Senator James Reilly for raising this issue. The Minister, Deputy Regina Doherty, could not make it here today and sends her apologies. She has asked me to reply.

The State contributory pension is primarily for people with sustained contributions towards the social insurance fund, which is financed by PRSI on a pay-as-you-go basis. It rewards such contributions with greater entitlements and coverage for a range of benefits, including contributory pension entitlements. Entitlement is calculated according to a yearly average, whereby the total contributions paid or credited is divided by the number of years of one's working life. Since the contributory pension was introduced in 1961, the yearly average contributions test has been used in calculating the level of pension entitlement. The total contributions paid or credited is divided by the number of years of the working life from a person's entry into insurable employment up to the year prior to his or her reaching State pension age.

Payment rates are banded. For example, someone with a yearly average of 48 contributions will qualify for a full pension, whereas someone with a yearly average of 20 will qualify for a pension at 85% of the full rate. The purpose of this is to give higher pension entitlements to those who have made more sustained contributions.

The current rate bands applying to the State contributory pension were introduced from September 2012, replacing previous rates introduced in 2000. These rate bands more accurately reflect the social insurance contributions history of a person. Before the introduction of the current rate bands, a person reaching retirement age, having paid a yearly average of 47 contributions out of a maximum of 52, only qualified for the same rate of payment as someone with a yearly average of 20 contributions, regardless of his or her much more significant PRSI contributions record. A person with a maximum of 52 contributions, paid every year of his or her working life, received a weekly State pension of only €4.50 more than someone with a yearly average of 20 PRSI contributions. This did not seem equitable, and the new bands were introduced to more closely reflect a person's contribution history. Reversing the rates of these bands to the same percentages as were in place between 2000 and 2012 would carry an estimated total cost of approximately €73 million extra in 2018, and this amount would increase by an additional €10 million to €12 million extra each year thereafter. This is a significant cost that, if provided for, would obviously impact on other areas or items of expenditure.

Even with the changes in 2012, the rate bands are still highly re-distributive. For example, someone with only a 40% social insurance record gets an entitlement at 85% of the maximum contributory rate. It is the experience of the system that where a person gets a reduced contributory pension, he or she may generally be paid a higher rate under another scheme unless he or she has significant personal means. For example, he or she may qualify for the non-contributory State pension at up to 95% of the maximum State contributory pension rate or may qualify for an increase for a qualified adult payment, which is up to 90% of the maximum contributory rate.

The term "marriage bar" describes a rule that existed in most of the public service and some private sector employments, whereby women were required to leave their employment upon marriage. This practice was abolished in 1973 when Ireland joined the EEC. It is worth remembering that most public servants recruited prior to 1995 paid a reduced PRSI rate and so they are not generally entitled to the State pension. In such cases, the marriage bar would not be expected to have impacted on State pension entitlement, as they would not have qualified for that payment had they remained in public sector employment. As the "marriage bar" was a rule rather than a legal prohibition, married women affected by it could take up other employment, and in that way could have qualified for a State pension had they wished.

It is expected that the total-contribution approach, TCA, will replace the yearly average approach for new pensioners from 2020. The aim of this approach is to make the rate of contribu-

tory pension more closely match contributions made by a person. An important element in the final design of the scheme will be the position of women who have gaps in their contribution records as a result of caring duties. The Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, intends to finalise a proposal on this before the end of the year and then engage in public consultation that will provide an opportunity for people to submit their views on it. The Minister understands the concerns of the Senator, and I am informed that she has asked her Department to prepare a report on the 2012 rate bands issue as soon as possible to determine what options may be available in dealing with the issues and the likely costs involved. The Minister will be bringing the report to the Government as soon as it is ready. I do not have any further news on the timeline for the Senator just yet.

Senator James Reilly: I thank the Minister of State for his response. I must emphasise that addressing this injustice - that is what it is - cannot be put on the long finger.

Women need a strong signal from the Government that this matter will be addressed. We are all realistic and understand there are limits with the public finances. It is intolerable for women, however, that every time they collect their pension, they continue to be discriminated against. This is the most urgent issue. Will the Minister of State give a timeline on when this will be addressed? Will he outline a pathway, which could cover several budgets but certainly not more than two, to address those who are due back-payments?

Deputy Damien English: I do not have timelines yet but when the memorandum goes to the Government it will outline timelines and pathways to resolving this issue. While the majority of those affected are women, it must be remembered it affected men's contributions too.

I will relay the urgency of the matter to the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, as well as the Senator's concerns. It needs a speedy resolution.

Third Level Admissions Entry Requirements

Senator Niall Ó Donnghaile: I raised this Commencement matter because the issue in question is coming to the fore. Many students, educationalists and teachers in the North are noticing and falling foul of a particular anomaly where there is a difference in the recognition of the A-level grading system by institutions in the South. This has only been exacerbated by Brexit. Students are genuinely concerned about their ability to access courses in the South. Will the A-level grades they achieve in the North be treated with the limited degree of equality they have currently? Will they instead fall victim to Brexit and be put at a greater disadvantage?

Several teachers and academic institutions have raised another issue concerning the A-level PE subject in the North. It is not accepted by universities in the South for entry into courses at degree level, including, rather strangely, sports courses. That is a bit like A-level history not being accepted for a history degree course. Over the past several years, the top academic schools in the North have put a large emphasis on the importance of PE, not just in a young person's personal development but also as a significant science-based subject. A-level PE is recognised as a core subject by Queen's University Belfast and other major universities in the North for entry into a medical degree. I am sure the Minister of State will appreciate that these anomalies are quite difficult and cause students problems. I look forward not only to hearing the Minister of State's response today but working with her, her Department and her officials in trying to

rectify some of these issues.

Minister of State at the Department of Education and Skills (Deputy Mary Mitchell O'Connor): Gabhaim buíochas leis an Seanadóir as ucht a cheist. Déanfaidh mé gach iarracht í a fhreagairt.

I thank Senator Ó Donnghaile for raising this issue of entry requirements for students from Northern Ireland wishing to study in one of our higher education institutions, HEIs. I may need extra time on the follow-up question, especially concerning the PE question the Senator asked.

In seeking entry to a higher education institution, a student must ensure that he or she meets the basic subject and level requirements for entry, first, to the institution and, second, to the course of study. It is only then that the points achieved through the Central Applications Office, CAO, are used to determine the allocation of places.

On the first part of the Senator's question, which focuses on the points system for applications through the CAO, the process for A-level students applying for entry to a HEI is similar to a candidate sitting the leaving certificate. A-level applicants are scored on the basis of their best four results. Up to 180 points are available for each of the first three results, with up to 60 additional points available for the fourth subject. For universities, those results must include four A-levels from a single sitting or three advanced GCEs A-level and an advanced subsidiary GCE AS-level in a different subject from the same or preceding year.

For institutes of technology, other than Dundalk IT, and other HEIs offering Quality and Qualifications Ireland, QQI, higher education and training awards, applicants are scored on the basis of a maximum of four different subject results at A-level or AS-level in a single year or a combination of A-level results from a single year with the best AS results from the same or preceding year. Dundalk IT provides for the scoring of four subjects but offers a maximum of 175 points for each of the first three subjects, with a maximum of 75 points for the fourth subject.

The maximum number of points that can be achieved is 600. This is comparable to the maximum points achievable by a student undertaking six subjects in the leaving certificate. An additional 25 bonus points are available for both leaving certificate students and A-level students achieving certain minimum grades in mathematics subjects. This gives a maximum possible score of 625 for both A-level and leaving certificate candidates. Further information on the CAO process is available on the CAO website and in the CAO handbook.

On the second part of the Senator's question and the entry requirements set down by the HEIs, for the four National University of Ireland, NUI, constituent universities, UCD, UCC, Maynooth University and NUI Galway, the Senate of the NUI determines basic matriculation requirements. Each university may also prescribe additional requirements, either generally or in respect of particular faculties.

Outside the NUI constituent universities, Trinity College Dublin, the University of Limerick and Dublin City University all require six distinct recognised subjects at GCSE or advanced GCE A-level. Generally, at least two of these must be at a GCE A-level C grade or above. Trinity College currently excludes the GCSE or advanced GCE A-level subjects of physical education, general studies and media studies from the subjects recognised for matriculation and eligibility for points accumulation under the CAO process. While physical education is not currently an examination subject at leaving certificate level, the roll-out of an examinable version of the curriculum is under active consideration within the Department. Higher education

institutions are autonomous bodies. Management of their academic affairs and issues relating to the delivery of courses, including entry requirements, are matters for individual institutions.

If the Senator wishes to ask me more about the PE questions, I am very willing to answer.

An Leas-Chathaoirleach: I may not be able to allow the Minister of State that time under Standing Orders but we will do our best.

Senator Niall Ó Donnghaile: I thank the Cathaoirleach and the Minister of State. I appreciate the forthright way in which the Minister of State gave me those details and I may write to her for further information. While appreciating that the institutions are autonomous bodies, it seems surreal that an A-level in PE is not recognised in applying for certain subjects, particularly when it is now much more science-based than what we would have understood it to be in the past. The Minister of State has provided useful information. We should look at this further and use the Minister's good offices to engage with the further education institutions about how they open their doors in a much more inclusive way across the Thirty-two Counties and beyond to ensure that more people can avail of their first-class education.

An Leas-Chathaoirleach: I suggest that the Senator has a meeting or engage in correspondence on the matter.

Deputy Mary Mitchell O'Connor: I am keen to answer the specific question regarding physical education. In assessing subjects from the GCE or GCSE UK qualifications for the purposes of NUI matriculation, PE is a recognised subject. However, it may not be combined with sports science for the purposes of matriculation. Trinity College Dublin has determined that the content of certain courses does not meet its requirement for entry. These are physical education, general studies and media studies. The recognition of subjects for matriculation purposes is reviewed regularly as changes are made to the A-level curriculum. From 2018, four new subjects will be added to the approved list for admissions to NUI constituent universities and Trinity College Dublin, namely, moving digital arts, digital technology, environmental technology, and software systems development. While the higher education institutions have ensured to the greatest extent possible that the points system provides a transparent basis for access through the CAO in terms of specific entry requirements, all students are advised to check the individual higher education institution and course requirements.

Ambulance Service Response Times

An Leas-Chathaoirleach: I welcome the Minister of State, Deputy Finian McGrath.

Senator Robbie Gallagher: I welcome the Minister of State and thank him for his visit to the Holy Family school in Cootehill yesterday, which went down very well. Everyone enjoyed the occasion and we look forward to a new facility there sooner rather than later.

I raise the issue of ambulance delays, particularly in rural Ireland. One might ask what chance ambulance crews have if they do not know where they are going. How can they quickly and efficiently find their way to patients in rural locations specifically? Does the national ambulance strategy have a protocol on the matter in place? A number of incidents over the years have led local communities, especially in rural Ireland, to wonder how the service is directing its ambulances and how the crews are assisted in reaching an emergency once it has been called to it.

Two incidents last July involving the same unfortunate family in County Monaghan illustrate this point in starkest detail. A 44 year old husband and father suffered a cardiac arrest on 9 July in Ballybay town, but he had to wait one hour and 15 minutes for an ambulance to arrive at the scene. 999 was immediately called and CPR was carried out. A defibrillator was immediately brought to the scene and telephone contact was maintained with the emergency services throughout. A full hour after the initial emergency call and the commencement of CPR, a strong pulse was identified, but a further 15 minutes elapsed before the ambulance arrived, having travelled from Navan via a diversion through Dunshaughlin in County Meath. Despite the best efforts of all involved, 15 minutes later the man was pronounced dead in an ambulance on Main Street, Ballybay, before he could be transferred to Cavan General Hospital.

On Tuesday, 18 July, the late man's father, who was in failing health, required an ambulance due to a dangerously high temperature. At 2.32 a.m., his wife telephoned the doctor on call and outlined her husband's condition. She was put through to ambulance control, which informed her that an ambulance was in Shercock approximately seven miles away. She gave directions, the location's Eircode and so on, but no ambulance arrived. A full hour later, their son drove towards Shercock to bring the ambulance to the house, but encountering no ambulance, he returned to the house. Following a series of phone calls to the doctor on call, they discovered that the ambulance was sitting outside a local shop and totally lost, with no satnav or contact telephone numbers for the patient, resident or family after having travelled from Monaghan town. One hour and 25 minutes later, the ambulance arrived to a traumatised household. The gentleman was transferred to Cavan General Hospital and diagnosed with pneumonia.

There have been numerous incidents throughout the country of delays of this nature, including one in Dundalk recently where a young man bled to death after waiting more than 40 minutes for an ambulance.

HIQA has advised that best practice is to have a dynamic deployment of ambulances rather than a strategic placement of vehicles and for the nearest vehicle to attend the scene, and that this is what we are moving towards. In many areas, however, people are left with little ambulance cover, including in counties Monaghan, Laois and Sligo, an entire county that is only covered by two vehicles.

This is a serious issue and it must be addressed. When accident and emergency units in local hospitals were closed, including in Monaghan, we were promised a beefed-up ambulance service. Unfortunately, that has not proven to be the case. Clearly, a lack of services and personnel is causing this problem. We cannot allow a situation like the one in Ballybay to happen again. We need clarity from the Department of Health on this point.

Minister of State at the Department of Health (Deputy Finian McGrath): I thank the Senator for his initial comments. I was delighted to visit the Holy Family special school in Cootehill yesterday and to announce that, at long last, there will be funding for a new school. Planning and design is under way and I hope that building will start in early 2018. I wish the school well. As the Senator knows, the staff are fantastic and great people who have an amazing relationship with the young people with disabilities. I commend them on, and thank them for, their great work.

This Commencement matter is an important one. The two incidents the Senator mentioned were serious and I welcome the opportunity to address the House on the broader issue.

Ambulance response times in August for the north-east region were below target. However, I understand that the National Ambulance Service, NAS, is working to address the issue, including by working closely with the Northern Ireland Ambulance Service to improve response times for patients in Border counties. Ambulance response times are helpful for performance measurement, but it should be recognised that a sole reliance on response times does not provide a comprehensive picture of modern ambulance service performance. Response time performance is being globally reviewed in terms of whether it is the only appropriate measure of patient care. While rapid deployment and timely arrival are accepted, patient outcome indicators are being viewed as a more appropriate measure of patient care and experience. A key performance indicator, KPI, group chaired by Dr. Philip Crowley, national director of quality improvement, has developed KPIs in line with patient experience and outcomes and these have been submitted for implementation. This is in keeping with current international trends. I have been advised by the NAS that it is improving regional coverage and deployment across rural areas. It is moving away from ambulance provision from fixed bases to dynamic deployment, as urgently needed in the two cases mentioned by the Senator. This means that resources can be used across a region in order that, if demand increases in one area, other resources can provide cover, as required.

With regard to locating addresses, the NAS computer-aided dispatch system identifies both the incident location and the nearest available resource. The system also utilises an automatic vehicle location system which enables the dispatcher from the National Emergency Operations Centre, NEOC, to direct the responding resources to the incident. The NAS is implementing a new vehicle system which will include a navigation tool. This will allow responding crews to view the same mapping system currently available to NEOC dispatchers to provide directions to incidents. This system will be rolled out during 2017 and 2018.

The capacity review published last year identifies particular difficulties in serving rural areas such as this region. The capacity review indicated that the only practical way to improve first response times in rural areas was through voluntary community first responders, CFR, schemes. The NAS continues to work with local CFR groups across the north-east region to enhance services. I am advised that, in August 2017, 25 CFR groups were operating across the north-east region.

The capacity review also examined overall ambulance resource levels and distribution against demand and activity. Implementation of the recommendations made in the capacity review will require a multi-annual programme of phased investment in ambulance manpower, vehicles and technology. An additional funding of €7.2 million was provided in 2016 for the NAS, including €2 million in development funding. In 2017 an additional sum of €3.6 million was made available which included €1 million to fund new developments. I can confirm today that additional funding will be made available for the continued development of the NAS in 2018 and that this will be set out in the national service plan 2018.

Senator Robbie Gallagher: Unfortunately, the experience of the family I described does not match the statement made by the Minister of State, but I hope the future will look much brighter for others. The family contacted the Minister for Health at the time through my office and sought a meeting with him. Unfortunately, he was not available but directed us to the National Ambulance Service with a view to arranging that meeting. I would appreciate it if the Minister of State could use his office to assist us in that regard.

Deputy Finian McGrath: The Senator has raised a number of crucial issues. First, on the

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matter of services in rural Ireland, as far as I am concerned, people living in rural Ireland have the same rights to an ambulance service and good quality health services as people living in urban areas. This is a very important matter when it comes to discussing strategic health service plans the length and breadth of the country. Speaking as a Minister of State, what happened to the family in question was unacceptable and I know that the Senator is aware of other similar incidents. In answer to his question I can confirm that I will bring his concerns to the attention of the Minister for Health and make this a priority issue. I will also raise the other issues brought up by the Senator in this very important debate. We are talking about people's lives and have to make sure people living in rural Ireland, who are citizens of the State, are entitled to the same health service and have the same rights and protections as the rest of us.

An Leas-Chathaoirleach: I thank the Minister of State and the Senator.

Message from Dáil

An Leas-Chathaoirleach: The following message was received from the Dáil:

Dáil Éireann has agreed, on this 18th day of October 2017, to amendments 1 to 29 and 31 made by Seanad Éireann to the Criminal Justice (Victims of Crime) Bill 2016. Dáil Éireann has not agreed to amendment 30 and desires that Seanad Éireann should not insist thereon.

Sitting suspended at 3.25 p.m. and resumed at 3.30 p.m.

Order of Business

Senator Jerry Buttimer: The Order of Business is No. 1, Legal Metrology (Measuring Instruments) Bill 2017, Committee and Remaining Stages, to be taken at 4.45 p.m.

Senator Catherine Ardagh: Today I wish to raise the tracker mortgage scandal. How the banks have treated those who were entitled to be on a tracker rate is absolutely horrendous and morally reprehensible. There seems to have been systemic abuse of customers by banks and this seems to have been endemic, across the board and nationwide. Banks seem to have been acting in an orchestrated fashion and collectively they have deprived thousands of customers of their contractual tracker rate and have placed others on the wrong rate. If customers treated banks in this way they would be trodden down with High Court writs and untold grief in the blink of an eye. It is not acceptable that banks can treat customers in this way. Thousands of families have been overcharged, many have lost their homes and immeasurable anguish and distress has been caused to them by the banks.

My party colleague, Deputy Michael McGrath, has been raising this issue for many years now and has stuck with it. It was only when customers who have been affected presented last week to the Joint Oireachtas Committee on Finance, Public Expenditure and Reform, and Taoiseach, and many radio shows were contacted that the Government Press Office decided to take this on board. We are only now seeing a response from the Government. The Government has been in power since 2011-----

Senator Jerry Buttimer: Not correct.

Senator Catherine Ardagh: -----and has done absolutely nothing-----

Senator Máire Devine: And the homeless.

Senator Catherine Ardagh: -----to address this matter.

An Cathaoirleach: Please allow the speaker order and if there is somebody to be corrected that can be done at a later stage when the Leader responds.

Senator Catherine Ardagh: The €5 million communications unit has taken heed of callers to “Liveline” and of victims who presented to the finance committee. What we really need to see now is action and not more rhetoric. We need to see action by the banks and we need to see the Government ensuring that pressure is being put on the banks to ensure that these customers are compensated and that they are given adequate redress.

I would like to welcome back Ibrahim Halawa who has been detained for four years without a fair trial. I would like to commend the Department of Foreign Affairs and Trade, and his family, particularly his sisters who have been campaigning tirelessly over the past few years. I would like to give him a céad míle fáilte home. The Fianna Fáil group is delighted to see him home. Go raibh maith agat.

An Cathaoirleach: I call on Senator Craughwell.

Senator Gerard P. Craughwell: Go raibh maith agat. I want to congratulate the Ombudsman for the Defence Forces on the publication of the 2016 annual report. Over the period the ombudsman received 82 complaints which is a reduction of 35% since the peak of 2012. Some 67 complaints came from enlisted ranks, with an additional 15 coming from the commissioned officers ranks. During 2016, 137 cases were under review and 24 of these were brought to a final conclusion.

While it is great to see a reduction in the number of complaints going to the ombudsman, I have to ask if this is because there is a real improvement in the Defence Forces. I find it hard to credit that it is, given the outcome of qualitative and quantitative surveys which were damning of the Defence Forces.

The time has come for the Minister of State at the Department of Defence to step down. He has presided over the wanton destruction of the Defence Forces. Please do not tell me that this was all about the financial crisis. When Ireland had nothing and citizens were faced with mortgage rates of over 18%, soldiers could buy houses. I know because I was one of them.

Renmore Barracks in Galway and Custume Barracks in Athlone, both barracks of the 4th Infantry Brigade which has since been disbanded, were hives of activity. Recruit platoons were constantly in training. The training depot in Athlone was a hive of activity for potential non-commissioned officers. The Army Ranger Wing was the envy of many countries. What have we done?

I recall muster parades in Galway where every morning every section had a corporal, every platoon had a sergeant, and every company had a company sergeant and company quartermaster sergeant. When the officers went on parade, every unit had its full complement of lieutenants and second-in-command and captain and a commandant in charge of the company. The

battalion had an adjutant, a second-in-command and a lieutenant colonel. Today, we have units that are so grossly understrength that it is not funny. If we look at the 28th Battalion officers alone, there are two lieutenants out of 11, three captains out of eight and two commandants out of five. The 27th Battalion in Dundalk has three lieutenants out of 11, one captain out of eight and four commandants out of five. The 7th Battalion in Cathal Brugha Barracks in Rathmines has one lieutenant out of 11, three captains out of eight, four commandants out of five and one lieutenant colonel.

Last year, 72 commissioned officers left the Defence Forces. Of those, 57 left well ahead of their retirement age. The Minister of State often talks about the great recruitment that has taken place in the Defence Forces. Between 2013 and 2017, 2,496 young men and women were enlisted in the Defence Forces but a massive figure of 872 have already left service.

It seems clear that the Minister of State does not understand what is happening. It seems clear that he does not understand the difference between establishment and the number in station. He must step down. The Air Corps is 30 pilots short, three ATFs short, and 1,000 technicians short. The navy is short 25 engineering officers. Over the last couple of years, 2010 to 2017, 384 officers left the Defence Forces voluntarily, including one lieutenant general, one major general, one brigadier general, 15 colonels, 44 lieutenant colonels, 161 commandants, 136 captains and 25 lieutenants.

Losses in the other ranks were no different. Some 4,064 experienced servicemen left the forces, including 29 sergeant majors, 36 quartermaster sergeant majors-----

An Cathaoirleach: Senator, you are well over your time.

Senator Gerard P. Craughwell: Thank you. I am just about finished, a Chathaoirligh.

An Cathaoirleach: That is more like a Second Stage speech, Senator.

Senator Gerard P. Craughwell: The figures are 183 company sergeants, 133 company quartermaster sergeants, 603 sergeants, 547 corporals and 1,815 privates. The Defence Forces are in crisis and need rebuilding from the ground up.

An Cathaoirleach: Thank you. I call Senator Conway-Walsh.

Senator Rose Conway-Walsh: He was bound to run out of breath at some stage.

(Interruptions).

Senator Rose Conway-Walsh: I want to talk about the Leader programme. As Members will know, the Leader programme is an investment programme which is worth €250 million. The current programme runs from 2014 to 2020. In particular, I want to talk about the removal of €10 million from that programme for this year to be put into the local improvement scheme, LIS. I have no problem with money being put into the local improvement scheme - in fact, it is desperately needed for all the private roads in rural Ireland to be repaired. I remember working in Mayo County Council where the budget was cut over a number of years, by both Fianna Fáil and Fine Gael, by €100 million. During all that time it was a challenge trying to get money for the local improvement scheme. We had hundreds of roads that desperately needed to be repaired and could not be because the budget was not there.

However, the way that this allocation was made, and its announcement at the National Ploughing Championships, gave the impression that €10 million extra was being given to rural Ireland for the local improvement scheme. What the Minister for Rural and Community Development, Deputy Michael Ring, omitted to tell people was that he was taking this money from the Leader programme's budget for this year and putting it into the LIS. In fact, what he said, when the LIS funding was initially announced at the National Ploughing Championships, was that it was only right and fair that some of the motor tax, excise duty on fuel and local property tax paid by people in rural areas be invested in the repair of shared laneways. However, what he omitted to say was that the true source of the funding was the Leader programme.

The Leader programme is desperately needed across rural Ireland for investment in communities and in the start-up of small businesses to provide employment. It is not going to be done by things being shifted around. On the face of it, one might wonder, if it is not going to be spent here, why not have the flexibility to spend it somewhere else. However, the real problem, as we know, is that Leader has turned into a bureaucratic nightmare. It was taken from the development companies, politicised, and put into the local authorities. The Minister and the Government were told at the time that this was a wrong step by Europe and by the hundreds of people who gathered in community halls right across this country. The programme is desperately needed and must be run efficiently. There is a programme to realise the potential of rural Ireland with about 270 actions.

Forget about giving the illusion of investment in rural Ireland. We need investment in rural Ireland and not just the illusion of it, as in this case and many other cases. I would like the Minister to come to the House to explain why he was not upfront in telling people the source of this money and to give guarantees that the local improvement scheme will be funded properly in the years ahead.

An Cathaoirleach: Go raibh maith agat. I call Senator Grace O'Sullivan.

Senator Grace O'Sullivan: Thank you, a Chathaoirligh. Like my colleague in Fianna Fáil, I am delighted to be speaking today about the return home, at long last, of the Irish citizen Ibrahim Halawa, whose joyous welcome from his family, well-wishers, members of the Government and others made for really happy scenes at Dublin Airport earlier today. Ibrahim's strength in the face of such adversity and his evident joy at being united with his family and being back home in his country are testament to his character. Having been held captive myself for a tiny fraction of the time Ibrahim was, during my days with Greenpeace, I can only imagine what he has gone through over the past four years. He is home now and he has been declared innocent of any and all charges, as have his sisters. I raised the issue of Ibrahim's detention in my first speech in the Seanad last year, as part of a Commencement debate with the then Minister for Foreign Affairs and Trade, Deputy Charles Flanagan. In that speech, I questioned the Government's approach to securing Ibrahim's release after 1,046 days of detention without trial at that time. Today we are celebrating the release of Ibrahim Halawa but there will be the temptation to see it as a vindication of the wait and see approach.

Senator Fintan Warfield: Hear, hear.

Senator Grace O'Sullivan: We cannot forget the sterling campaigning work of so many organisations, including but not limited to Amnesty International Ireland, the Union of Students in Ireland, numerous campus and secondary school groups, SIPTU, People Before Profit, the Green Party, including Deputy Eamon Ryan, who went to see Ibrahim during the summer as

part of the Oireachtas delegation, the Labour Party and many others who campaigned and lobbied for Ibrahim's release. The Green Party was in touch with our colleagues in the European Parliament to help to publicise the case there. The hard work and relentless focus of Ms Lynn Boylan, MEP, cannot go uncredited. The approach of these groups was not a softly softly one but one that reflected a justified outrage that any foreign government would consider it acceptable to mass detain protesters without trial for years. Ireland, of all countries, should be first to decry this outrage, whether it involves Irish citizens or not.

I recognise the work of the Irish media, which fulfilled their duty in publicising the case of Ibrahim Halawa through the years. The patience, diligence and strength of Ibrahim's family, especially his remarkable sisters, Somaia, Omaima and Fatima, who I met on a number of occasions, bears a special mention. With their intelligence, empathy and decency evident throughout and their now considerable experience of politics, perhaps we will see them in this House.

We cannot forget the work of the ambassador and the Minister, Deputy Coveney.

I am putting it to the Leader that we formally welcome the return to Ireland of Ibrahim Halawa.

Senator Fintan Warfield: Hear, hear.

Senator Aodhán Ó Ríordáin: Hear, hear.

Senator Ivana Bacik: I join others in welcoming the return home of Ibrahim Halawa. There were very joyful scenes at Dublin Airport. I commend all those who played a part in securing his release. An Oireachtas cross-party delegation that included the Labour Party leader, Deputy Brendan Howlin, among its members went to Egypt at the start of the year. It is worth commending everyone involved in securing his release while noting that his detention went on for far too long. It raised all sorts of issues and questions around the Egyptian justice system. It is a very good day to see him released finally.

Senator Paul Coughlan: Indeed.

Senator Ivana Bacik: I join Senator Ardagh and others in speaking about the tracker mortgage scandal. Clearly this gives rise to very worrying issues around the dealings of the Central Bank of Ireland with the banks, in particular on the issue of the delay. I understand the Central Bank of Ireland commenced its investigation two years ago. However, there is a sense of urgency about dealing with the issue now because people saw at the public hearings of Oireachtas committees individuals who were deeply and prejudicially affected by the banks' actions. There is a concern that greater urgency must be shown in dealing with the banks. It is simply not enough to call them in and to expect voluntary compliance with codes. More teeth must be given, if necessary, to the Central Bank of Ireland in pursuing banks which are guilty of these types of behaviours towards their clients.

I commend the Irish Penal Reform Trust which launched an excellent report today entitled *Progress in the Penal System: A Framework for Penal Reform*. This is a groundbreaking report, setting up a series of criteria by which we must judge our penal system. I was glad to see the references to the Joint Committee on Justice and Equality's report on the penal system from 2013 and the progress made since then. I commend the Irish Penal Reform Trust on its work and I recommend the report to colleagues.

I welcome the vote taken by the Joint Committee on the Eighth Amendment of the Constitution last week not to retain the eighth amendment in full. I hope the joint committee will go on to recommend full repeal of the eighth amendment. It is good to see the committee working in public. It is important that debate is conducted in a respectful fashion and that issues around abortion and termination of crisis pregnancy are dealt with in a respectful fashion. Unfortunately, we saw in recent days some very distasteful and offensive comments by a Member of this House, Senator Mullen, around the anniversary of the tragic death of Savita Halappanavar. I condemn the words he used which were condemned subsequently by friends of Savita's family.

Senator Gabrielle McFadden: Hear, hear.

Senator Tim Lombard: Last night in Kinsale I was privileged to attend the launch of a publication, *Doing Business in Kinsale*, which is a joint initiative of 80 businesses in the town that want to highlight what it has to offer. At a time of uncertainty, with Brexit looming, this is an important step for Kinsale. I believe other towns can work on this initiative. There are many positive things in this publication, which shows exactly what Kinsale can harness in areas like education and tourism. Obviously, hotel and catering events are well noted in the publication. If we are to get over the outcome of Brexit, we need to band together and sell the product we really have, which is the actual people on the ground. This internationally floated publication is doing that and will, in many ways, ensure Kinsale thrives. More towns can learn from what has happened with this publication. I recommend to my colleagues in this House that they should promote this kind of interaction between communities. Publications like *Doing Business in Kinsale* could be produced in every town and village to promote County Cork and Ireland as a whole.

An Cathaoirleach: I thank the Senator for his brevity.

Senator Robbie Gallagher: As a result of the inequality in the present system of teachers' pay, young people who have qualified as teachers since 2011 are losing €6,000 per annum by comparison with those who qualified before that year and they have lost €30,000 to date. We learned yesterday that the Association of Secondary Teachers in Ireland, ASTI, has joined the Irish National Teachers Organisation and the Teachers Union of Ireland in rejecting the public service pay agreement. In fairness to the ASTI, it has decided to stay on to work hard to find a resolution to this issue. We are beginning to see the effects of this problem in our classrooms. There is a shortage of teachers. Unqualified personnel are being asked to stand in to teach some subjects. Clearly, that is not on. It is affecting young children who are in dire need of proper teaching. We have been aware for some time that many younger teachers book flights as soon as they are qualified so they can teach in Dubai or somewhere else where they can get much better terms and conditions. I would like the Leader to invite the Minister for Education and Skills to chart out for us his plans to address this issue before it becomes more serious.

Senator Pádraig Ó Céidigh: Tacaím leis an méid a bhí le rá ag an Seanadóir Gallagher. We have a huge crisis in education. If we did not have so many retired teachers coming back into the education system, it would be totally falling apart.

I ask the Leader to invite the Minister for Transport, Tourism and Sport to this House to make a statement on the possible impending sale of parts of Galway and Foynes docks to private foreign investors. Who are the investors in question? What are their plans and objectives? How much are they paying for these assets? Who are their advisers in supporting this potential sale? Who else would benefit from it? How can the Minister ensure the public good is pro-

tected and maintained in the context of this impending sale?

An Cathaoirleach: I thank the Senator for his brevity. As Senator Conway is not here, I will call the next Fine Gael representative on the list, who is Senator Byrne.

Senator Maria Byrne: I would like to highlight the EPA's report on all the raw sewage that is being pumped into our waters without being treated. It is alarming that some of the many treatment plants that have been put in place are not being operated properly. According to the report, over 500,000 tonnes of raw sewage is being pumped into the water on a daily basis. We should bring the Minister to the House to account for this serious problem, which is causing many people to become ill and to develop various ailments.

Senator Máire Devine: I join other Senators in welcoming Ibrahim Halawa home after four years of wrongful detention.

Senator Fintan Warfield: Hear, hear.

Senator Máire Devine: I wish him, his family, his friends and his community the very best for the future.

On Monday, Ireland was found to be in violation of European laws. The European Committee of Social Rights found that this violation was the sub-quality of much of our social housing stock. Ireland is in breach, therefore, of Article 16 of the European Social Charter, which is legally binding. In essence, it is housing that is unfit for human habitation. We all know from various clinics, as councillors or just from talking to people in our local areas, how desperate it is as a result of problems with damp, mould and sewage. In particular, the people in Dolphin House in Rialto have been quite vocal and brought this case to Europe. The council official saying it is probably condensation and advising the person to open the window will not cut it anymore after this ruling. Will the Leader invite the Minister to the House to discuss this and the correcting of the failures of this Government and previous Governments to take sufficient and timely measures to ensure the right to housing of an adequate standard? A significant number of families are involved. The Government is obliged by legislation to act with haste to take steps to address this violation. I would welcome a statement on the matter.

Senator Aodhán Ó Ríordáin: As has been said, this weekend marks the fifth anniversary of the death of Savita Halappanavar. While I do not intend to deal with the eighth amendment here, as an Oireachtas committee is dealing with that issue, I ask you, a Chathaoirligh, to ask Senator Mullen to apologise for his recent comments in the media relating to the death of Savita Halappanavar.

An Cathaoirleach: I have received correspondence on this matter as Cathaoirleach. I did not hear what he said but it did not happen in the Seanad Chamber.

Senator Aodhán Ó Ríordáin: May I ask-----

An Cathaoirleach: I have made a rule that once it is outside my jurisdiction in this Chamber, I cannot interfere.

Senator Aodhán Ó Ríordáin: With the greatest respect, this individual has insulted the name and the family of a dead woman. He did so deliberately and in a callous manner. He also did so with a veil of Christianity which, for me, is quite repugnant to anybody who holds the Christian faith in any type of respect. I suggest that a letter be sent from you, a Chathaoirligh,

to Senator Mullen regarding his comments and that he be asked to apologise in the Chamber to the Halappanavar family for what he said. Perhaps we can get back to debating the eighth amendment in a respectful tone, which is what Members of this House should be doing and not insulting a dead woman, particularly in the week of her anniversary.

Senator Ivana Bacik: Hear, hear.

Senator Martin Conway: In the first instance, I commend the Government on the work it is doing on the tracker mortgage scandal. It is time the State stood up to the banks, which we bailed out, and dealt with them in an appropriate, heavy-handed manner, akin to the manner in which the banks have treated people. What is good for one is good for the other. Given the way the banks have treated people over the years, they need to receive the same medicine.

When the Chamber first opened in this premises, I commended the fact that it was bright, airy and disability friendly. I regret, however, that the new temporary entrance to Leinster House is like an obstacle course. I found it extraordinarily difficult to navigate what I describe as a maze of steps, ropes, glass and prefabs. It is like a building site and certainly is not disability friendly. Perhaps the Cathaoirleach and the Leader would talk to the facilities personnel about making it disability friendly. This House has a responsibility to lead the way in terms of access, be it permanent or temporary.

Senator Lorraine Clifford-Lee: I wish to raise the pyrite issue and to ask the Leader to invite the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, to the House to discuss it. More than 20,000 houses in Ireland have been contaminated with pyrite. Many of them are in north County Dublin but they are also spread across the country, including some in County Mayo. The pyrite remediation scheme has only approved approximately 1,300 homes for repairs and only about half of them have had the repairs carried out to date.

This is not acceptable.

Only the most badly-affected homes have been approved. There is a cohort of people in the middle and they have been in limbo for the past ten years. Their homes and lives have been badly affected by this but their cases are not being approved for repair work. Their homes are crumbling around them and are deemed worthless. They are unable to move on with their lives. It is putting a strain on their families. They cannot do renovation work on their houses. They cannot put on an extension. I have spoken to parents who have not had additional children because they have been unable to extend their houses to accommodate their families. Others have put off starting families. Some cannot do any painting work because they do not know if or when the call will ever come that their house will be repaired.

I call on the Minister to attend the House and discuss this issue. It affects 20,000 families throughout the country. Many lives have been destroyed by this. A person's home is his or her safe sanctuary. If their houses are falling down around them, it is difficult for these families to do anything else in their lives. It is affecting them badly. The Minister needs to allocate more funding, employ more people and extend the scheme. He should ensure that every house contaminated by pyrite will be remedied rather than the application process merely rubber-stamped and abandoned. I appeal to the Leader to address this issue.

An Cathaoirleach: Senator James Reilly is next. Sometimes it is difficult. Approximately 20 people raised their hands at the start of the Order of Business. I am trying to be as fair as I can to everyone and to pick them in the order I spotted them.

Senator James Reilly: Your acuity of vision is legendary, a Chathaoirligh.

I wish to raise an issue relating to the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy. People will know that there has been a major problem in the country in the past ten or 15 years with building estates and housing estates being taken in charge. We have a situation whereby companies went bust during the recession. I am not here to score points about that; I am here because I want to have this issue addressed. I understand the Minister is in the process of addressing this by bringing in a taking-in-charge Bill.

Under Fine Gael much building work has taken place and far more is due to take place. There are people throughout the country who are looking at derelict sites in their estates. They can see roads that are unfinished and green spaces left untended and neglected. Yet, the council or local authority cannot or does not have the power to take the areas in charge. The interesting thing is that with many of these developers when a cash bond is involved they are given up to be taken in charge quickly. However, when the nature of the bond is a guarantee or an insurance bond there seems to be tremendous lethargy. I hope the Minister will examine that as he is formulating this legislation.

I call on the Minister to attend the House to tell us when the legislation will be ready and enacted. I emphasise that we need this in place before many of the new houses, which are so badly needed, are built. Our citizens should not have to go through years of living in half-finished estates not properly taken in charge.

Senator Victor Boyhan: The Minister for Children and Youth Affairs, Deputy Katherine Zappone, is this week in receipt of the report from the expert technical group on the mother and baby home issues in Tuam. The story has been covered by all the national media today. The Department has confirmed that the Minister is in receipt of this critical and highly informative report. The report is technical in nature. Clearly, the Minister is going to need time to reflect on it. I understand that the report is with the Attorney General as well. Therefore, it has not been dealt with or considered by Cabinet. Through my contacts I am led to believe this is the position today. It is an important report. We have debated the matter at length in this House.

Will the Leader facilitate a debate, when appropriate? Clearly, people need to discuss it. It is a sensitive issue and affects many people, including the extended families of those affected. Their considerations and sensitivities are of primary concern at this stage. When appropriate, will the Leader ask the Minister, Deputy Zappone, to attend the House and update us on the matter? While I am on that point, it is also important to note that the Bar Council has today announced that the historian, Catherine Corless, who carried out all the work which led to this initial investigation is to be bestowed with its human rights award in recognition of her amazing work. It is a great honour that the Bar Council should decide to bestow that human rights award upon her. It is important that we in the House know that.

I thank the Leader for arranging for a slot on the Order of Business next Thursday to deal with the Criminal Justice (Victims of Crime) Bill 2016. Hopefully we will have a short opportunity to tease out some of the issues with the Minister.

Senator Fintan Warfield: The Irish labour market is a scary place for young people. It is a savage place. Young people are essentially being deprived of citizenship. The long-term outlook for the cost of precarious work to society is huge. People have an entitlement to citizenship and if we consider ourselves republicans we, as politicians and political activists, have

to deal with it and have to listen to young people. Subsidised payments, the minimum wage, a living wage, punitive levels of welfare, collective bargaining and the access of unions to workplaces were all discussed during a National Youth Council of Ireland meeting in Dublin this morning. As it stands, the State is essentially subsidising employers by allowing precarious work, which favours the company against the worker. The full employment which we are moving towards cannot be like the full employment of the septic tiger. Now is the time to focus on the quality, not the scale, of labour market interventions. Surely we are best positioned now to determine what works best.

We also cannot ignore the links between productivity and job quality. A decent job pays well for both the employer and for the worker. The proposed Government legislation to deal with zero-hour contracts has been confirmed by the Minister for Employment Affairs and Social Protection. It would ban zero-hour contracts except in sectors which prefer casual work. This legislation will therefore fail to strike at the heart of the problem. In fact, it will enable the *status quo* and promote precarious work. I ask for the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, to appear before the House to further discuss her proposed Bill.

Senator Ray Butler: I welcome the Minister bringing in the banks on the issue of tracker mortgages. I want to speak about the tourism and hotel industry and about keeping the 9% VAT rate in the budget for 2018. A rise of 1% would result in €70 million per year to the Exchequer. When I met tourism officials three or four years ago, they promised to keep their prices right if the 9% rate was maintained. We need to bring in the tourism and hotel industry officials around the Dublin area.

Senator Diarmuid Wilson: Hear, hear.

Senator Ray Butler: It is not good enough to see bed prices rising up to anything between €300 and €600 per night. The prices of drink and food are going through the roof. When beds cannot be sold for €300 to €600 the prices are dropped to absolutely nothing online to get rid of them. They are conning people. One sees bottles of Heineken for €6 and pints of Guinness for €7 to €10. There is a new aspect now, a famous stroke, where prices are put up when the bell strikes midnight because the proprietors are paying for extensions. They say it is the only way to get money. The price of a pint of lager can be €7 to €10.

Unfortunately, there is a huge urban-rural divide. There are rural hotels down the country which give great value. It is totally different in Dublin. Rural hotels are giving great value to try to keep their doors open, but here in the greater Dublin area there is a system of ripping people off. If the industry cannot behave and charge people proper prices, we cannot stand behind the 9% VAT rate in the greater Dublin area. I would like the Minister to come in here to discuss this issue because it gives us a bad name internationally when tourists from the United States and Germany come here and see these prices. They must be horrified by what is taking place. Let us bring in representatives of hotels, as we did with the banks, and tell them they must play the game or we will increase the rate of VAT.

Senator Aidan Davitt: I rise in anticipation that His Holiness Pope Francis will visit in the third week of August, with the possibility that Croke Park will facilitate a celebratory mass on 26 August. I suggest we invite Pope Francis to address a joint sitting of the Houses.

An Cathaoirleach: I suggest the Senator write to the Committee on Procedure which will

deal with the matter if it can be done.

Senator Paul Coghlan: I do not know if the Leader saw a totally biased and one-sided article by Kitty Holland which appeared in *The Irish Times* today. Ms Holland argues for abortion on demand regardless of circumstances and criticises the Joint Committee on the Eighth Amendment of the Constitution for taking a vote last week recommending repeal of the eighth amendment but not in full. I would argue differently. Ms Holland wants total repeal and full abortion with no regard for the life of the unborn. I regard the article as disgraceful and I am surprised and disappointed that a responsible and respected newspaper such as *The Irish Times* has allowed such a lack of balance and objectivity.

Senator Ivana Bacik: On a point of order, that is not what Ms Holland says in the article.

An Cathaoirleach: Please allow the Senator to continue without interruption.

Senator Paul Coghlan: I read the article and I am giving my interpretation. I hope *The Irish Times* will act immediately to correct this appalling and outrageous situation.

An Cathaoirleach: I am minded to make a ruling on this issue. A committee has been established and to the best of my knowledge it is all-party. It is not appropriate to raise similar issues in the House day in and day out. I will consider the matter. I may decide that, while the committee is sitting, ably chaired by one of our colleagues, and until it completes its report, Senators should not debate or comment on the issue in the House. We should have the common sense to allow the committee members, whichever side they are on, to do their work. Perhaps the House can have a debate when the report has been completed. I will inform Senators of my decision tomorrow. As someone who has chaired a number of committees in my time, I regard it as inappropriate for comments to be made in the House on a committee that is actively doing a certain job. It is wrong that some people are trying to take two bites of the cherry.

Senator Paul Gavan: I refer to today's protest outside the Oireachtas by the trade union, Unite, relating to English language teachers. I was unable to join the protest because I was attending a committee meeting but I understand the concerns of the protestors. I ask the Leader to request that the Minister come to the House to debate this issue. The protest was called to raise concerns about the qualifications and quality assurance (amendment) Bill, the scheme of which was published this week. According to the Unite trade union, the Bill leaves English language teachers behind. Members of the union are angry but not surprised that the draft legislation does not make a single reference to teachers and focuses instead on facilities.

It is disgraceful that the Minister for Education and Skills, Deputy Richard Bruton, declined an offer to meet Unite to discuss its concerns. The message from Unite activists is simple: they are asking that the Minister and his officials engage with workers, listen to their concerns and ensure these concerns are reflected in the forthcoming qualifications and quality assurance legislation. They want the Department to stand up for workers and regulate employment standards in the English language teaching sector.

I am especially bothered by the Minister's response that this matter is one for the Workplace Relations Commission because it is a private sector issue. I am sorry but the Oireachtas regulates the private sector in all sorts of ways and the Minister's comment is an abrogation of his ministerial duty. I know the Leader is a passionate trade unionist and perhaps he will comment on the Minister's refusal to meet Unite on the issue. This decision seems to follow a disappointing pattern given that the Taoiseach, in his previous ministerial role, also refused to meet trade

unions regarding the Workplace Relations Commission or accept representations from them.

Bogus self-employment is a major issue for the workers in question. I ask the Leader to ask the Minister to come to the House for a badly needed debate on this issue.

Senator Catherine Noone: I wholeheartedly agree with Senator Butler's comments on the 9% VAT rate, which is an issue I have raised numerous times.

There is an issue around potentially extending free GP care to children aged under 12. We should have a discussion on any potential changes in that regard with the Minister for Health, Deputy Simon Harris, before it becomes an issue. It appears that GPs are struggling to deal with the cohort aged under six. We need to examine the issue and come up with some solutions so that the system works for patients and doctors.

When will the Public Health (Alcohol) Bill come before the House? I am tired of hearing rumours about when it is coming. There is intense lobbying. As politicians, we have to stand up to big business and implement policies which look after our citizens. Big business does not have any interest in ensuring the health of citizens when it comes to our harmful relationship with alcohol. Businesses are interested in profits. They have no place in health care policy and should not pretend to care about it because they care about profits.

There was a helpful briefing from Alcohol Action Ireland today. I will not go in to all of the details. A poll was carried out by the industry which showed that a certain number of people do not support or are not concerned about the Bill. An alcohol group has done some research which found 74% of people support Government intervention to reduce alcohol consumption, 92% agree that alcohol consumption in this country is too high and 78% are concerned about children and their exposure to alcohol.

I will not say any more about that, other than to say I want the Bill to come before the House soon. I do not accept any of the excuses I have heard. I do not care whether something is going on between Fianna Fáil and Fine Gael. We will get used to the fake news and everything else.

If people have issues with the committee it might be helpful were they to write to it, and that will be entered into the committee's correspondence. There is a lot of grandstanding going on inside and outside the Houses. It would be helpful if people communicated with us directly.

An Cathaoirleach: I thank Senator Noone for the suggestion. I certainly will not allow grandstanding here.

Senator David Norris: I welcome the release of Ibrahim Halawa. I also support my colleague on the Fianna Fáil benches who suggested that His Holiness Pope Francis should be invited to address the joint Houses of the Oireachtas. I say this as the person who initiated the invitation, and got the invitation unanimously through both Houses and the Committee on Procedure.

With regard to the banks and tracker mortgages, I have to laugh when I hear Fianna Fáil and Fine Gael squealing about it now. Where were they when I tabled a motion condemning the Bank of Ireland for unilaterally, at the instigation of the state of Israel, closing down the Ireland Palestine Solidarity Campaign's bank account? It neutered it and it has gone nowhere. Since then I have discovered that the same bank, namely, the Bank of Ireland, has unilaterally, at the instigation of a foreign power, closed down the bank account of a diplomatic mission accredited

legally to this country. Where are we going? To whom are these people accountable?

I listened to and watched them as they came out smugly from Government Buildings. Where do they come from? There was an English person, an Australian person and a Dutch person. 1916 how are you. We are being ruled from the colonies. It is absolutely laughable.

The chief executives of these companies should be in jail. They are robbers. They are thieves. They have engaged in an exercise of mass theft against the people of Ireland who rescued their bloody banks when their improvidence brought them to their knees. Some time ago I listened to a Minister say, "At least nobody died." Of course they did. People were driven to such harassment that they took their own lives. They became seriously ill. They lost their homes. They lost their families. How could this go on for ten years? It is unspeakable.

The question of looking after individuals should be taken away immediately from the useless, pusillanimous Central Bank which has shown itself to be toothless and useless. They have a clear conflict of interest. They have been looking after the welfare of the banks and citizens. Its power should be taken away and given to an independent group to specifically look after the welfare and rights of the citizens.

Senator Frank Feighan: I would like to echo Senator Davitt's sentiments. It is a wonderful idea that the Pope could address the Houses of the Oireachtas if he comes to this country. We have been very successful in this Chamber. The Scottish First Minister, Nicola Sturgeon from the Scottish Nationalist Party, addressed us recently and she was like a rock star. It sends out a signal from the Seanad that we welcome leaders of countries and groups into the Seanad. It would open up the debate that we need.

Last night I followed the progress of a car-jacking on social media. It started in south Dublin, where a man armed with a gun car-jacked three cars. I commend the professionalism and bravery of the Garda. A very confusing situation, where an armed man was in a shopping centre in Citywest, was handled very seriously. I felt that it was wonderful that these men are there to protect the people and the country. I was very impressed that at a very difficult time, when no one knew what was going on, they were so professional, brave and focused in sorting out what looked like a very difficult situation. I hope that we do not have situations like that in the future. The Garda deserve every resource that we can give it.

Senator Neale Richmond: Today the Taoiseach met Mr. Emmanuel Macron, the French President, for the first time in an official bilateral meeting. It was a wonderful opportunity to establish a very strong Franco-Irish alliance in the post-Brexit era. A number of key issues were discussed. There are a great number of areas where Ireland and France continue to work strongly together, both internationally and also within the European Union, such as reform of the Common Agricultural Policy and trade.

One area that is crucially important to this country is energy security, and I am asking the Leader to bring this up with the Minister for Housing, Community and Local Government, Deputy Eoghan Murphy. There is a requirement for a foreshore licence for the Celtic interconnector coming from France to Ireland, which would give us a level of energy security post-Brexit. Once the UK leaves the EU we will have no direct source of energy coming into the country apart from through the UK. Our best opportunity to resolve that will come from our next nearest EU neighbour, which will be France, so I am therefore asking the Leader to take this issue up with the Minister to ensure that this process is expedited and resolved as soon as

possible.

Senator Gerry Horkan: On the issue of the tracker mortgages, I am the Vice Chairman of the Committee on Finance, Public Expenditure and Reform, and Taoiseach. There are four Senators on the committee: Senators Conway-Walsh, O'Donnell, Paddy Burke and myself. The committee has done great work in the last number of weeks, particularly in exposing this issue and allowing people to come in and tell their personal stories. While I accept the point that committees do their own work and that we should let them get on with it, equally we have had statements in this Chamber on everything from flood prevention to Catalonia to the Irish language. We should ask the Leader to arrange statements on the tracker mortgage issue to allow the wider Seanad membership to contribute. We can make statements and ask questions of the Minister because it is a scandal. I am not going to go over the points that other Senators have made. People have lost their homes and their lives. Thousands of people have been affected. The banks are saying that everything is fine and that it will all be sorted. I believe 40 out of 3,500 have been sorted with Ulster Bank. There is still a lot of work to be done. It would be timely if the Leader could arrange for the Minister for Finance and for Public Expenditure and Reform to attend the House so that we can have a debate about this issue, which is so important for so many people.

Senator Kieran O'Donnell: I support Senator Horkan's proposal that there be a debate in this House on tracker mortgages. We need to expand that debate. Of the 13,000 people affected, 3,300 have been repaid to date, while a further 7,000 plus need to be repaid post-haste. We need to look not only at tracker mortgages but also at the wider group of those impacted. We need to look at the mortgage interest rates being charged *vis-à-vis* those being charged elsewhere in Europe and whether we need to update the regulation of banks. There is a sense of *déjà vu*. The public is outraged. The issue has touched a raw nerve because in 2008, when the public was putting money into the same banks to rescue them, they were coercing people to go off tracker mortgages. In effect, they were expecting them to go out the back door and not to be able to come in the front door once the fixed rate had run its course. As a House, we need to make a firm statement. We should have statements on the issue with a view to looking not only at resolving the tracker mortgage issue but also the wider matter of regulation of banks in Ireland. The banks have gone native again and we cannot allow that to happen. This is something about which everyone feels strongly. We must have a functioning banking system, but we must also have a system that is fair to the consumer.

Senator Jerry Buttimer: I thank the 26 Members who contributed on the Order of Business. I join Senators Grace O'Sullivan, Catherine Ardagh, Ivana Bacik and David Norris in welcoming Ibrahim Halawa home. I pay tribute to all those who campaigned, whether they were Members of the House, NGOs, Members of the European Parliament, the previous Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, and the current Minister, Deputy Simon Coveney, as well as Ibrahim's family and friends for their unwavering support for him in the quest to bring him home. We all recognise that the time from the release date to today was inordinately long, but we welcome him home and hope he can be afforded the privacy to spend time with his family, acclimatise to being back in Ireland and get his life back together. The issue was placed into context this morning when it was outlined that some of his colleagues were in college, while others had graduated and that he had to restart his life. I wish him well and hope he will be given the time to do that. I commend everybody who has been involved in the effort to have him released and returned to his family. I hope and wish he can live a normal, happy and contented life. I certainly hope he will be afforded the opportunity to do so.

Senators Catherine Ardagh, Ivana Bacik, Martin Conway, Ray Butler, Gerry Horkan, and Kieran O'Donnell raised the issue of tracker mortgages. It is one about which we can all speak with one voice. Senator Kieran O'Donnell perhaps hit the nail on the head; we cannot allow the banks to go native again. They cannot be allowed to go back to their old ways. They have a duty to work with people. We all know people who have been affected. That is why the Government lost patience. I commend Senators Gerry Horkan and Kieran O'Donnell and other members of the finance committee for their work. Many of them raised the issue and it is now critical that people be recompensed and can get their lives back. In that context, last week I referred to the importance of mental health and quality of life issues, in addition to the loss of money, a family home or an investment property. The banks must be held to account. Senator David Norris is correct that we need to see people being held to account and I hope we will see that happen. The Government had lost patience and called in the banks. It is acting and the banks will now be held to account.

I remind Senator Catherine Ardagh that it is her party leader who was the Minister for spin. In the four years he was Minister for Health and Children he spent €30 million on 115 reports.

Senator Catherine Ardagh: Is it €5 million a year?

Senator Jerry Buttimer: He ran out of the Department with his tail between his legs and consigned Mary Harney there for years.

Senator Catherine Ardagh: No new funds-----

Senator Jerry Buttimer: I will repeat it for the Senator again. Her great leader, her guru, spent €30 million on 115 reports and created the HSE, the bureaucratic quango that her people now have to say is in charge of the health system.

Senator Lorraine Clifford-Lee: Five million euro on PR.

Senator Diarmuid Wilson: That is outrageous.

Senator Jerry Buttimer: Where we have agreement collectively-----

Senator Diarmuid Wilson: There is no agreement on that.

Senator Jerry Buttimer: Gabh mo leithscéal-----

Senator Lorraine Clifford-Lee: Five million euro per year. It will probably be twice the amount next year.

An Cathaoirleach: The Leader should not engage in argy-bargy with Senators.

Senator Jerry Buttimer: I would remind Senator Wilson of his leader's famous list for the 2011 Seanad election before he comes back to me with anything.

Senator Diarmuid Wilson: That is an outrageous comment. The Leader should withdraw it.

Senator Jerry Buttimer: I agree with all Members of the House that we must ensure-----

(Interruptions).

An Cathaoirleach: If there are any more interruptions, I will suspend the House for 15 minutes. We have a very busy meeting of the Seanad CPP this evening. This is outrageous. Sometimes the Leader actually draws fire from the other side because of his remarks. I ask him to continue and to try to direct his remarks through the Chair.

Senator Jerry Buttimer: I will. Senator Wilson knows I meant no ill-will towards him in my remarks. He knows well what the list was about, however.

On a serious note, we must ensure the banks are held to account and that there can be no return to them going native. They must recognise that they are dealing with customers, people, or citizens of our country. Their actions affect customers materially and in health-related, personal and social ways. They must be held to account.

Senator Gerard P. Craughwell: They could not care less.

Senator Jerry Buttimer: The point is that they have to care now, and they will be held to account.

Senator Paul Coughlan: Hear, hear.

Senator Jerry Buttimer: That is the bottom line. Senator Craughwell never ceases to amaze me. He is a firm advocate of the Defence Forces and is nominated by one of the unions, which is his prerogative. There are issues in the Defence Forces being addressed by the Minister of State, Deputy Paul Kehoe. I realise Senator Craughwell is seeking election to other positions, and if he is successful he will have a key, pivotal role regarding our Defence Forces, as he knows well. I commend him on his service in the past. We have had many a fine discussion on that. The Minister of State, to his credit, has been a very fine Minister for Defence.

Senator Gerard P. Craughwell: Giving out medals.

Senator Jerry Buttimer: He has engaged in the reform of the Defence Forces.

Senator Gerard P. Craughwell: Destruction.

Senator Jerry Buttimer: He has introduced revised pay scales for general service recruits and privates. These initiatives have been implemented. Newly qualified three-star privates and their Naval Service equivalents will see an increase in their pay to €27,000, representing an increase of over €5,000.

The Minister of State has also announced a range of measures relating to contracts, promotions and the working time directive, aimed at further increasing the attractiveness of the Defence Forces as a career option, as the Senator knows well from his engagement with him. It was the Minister of State who got Cabinet approval for ongoing, evolving recruitment of naval and defence personnel.

Senator Gerard P. Craughwell: Some 30% are walking out before-----

Senator Jerry Buttimer: Further to that, bearing in mind that some Members of the House do not like to hear good news, there is additional funding of €25 million in budget 2018-----

(Interruptions).

Senator Jerry Buttimer: -----and €98 million for capital projects, including major equipment that the Senator knows well is very important to the work of our Defence Forces.

Senator Gerard P. Craughwell: This is grossly unfair because the Leader knows I cannot respond.

Senator Jerry Buttimer: He did contribute and I did not interrupt him.

An Cathaoirleach: With all due respect, Senator Craughwell had three minutes of Independent group time and he commandeered four. He should let the Leader respond. He may raise the matter again in another way.

Senator Jerry Buttimer: I am surprised the Senator did not mention or commend to the House the increase in the number of personnel in the Defence Forces under this Government and its predecessor. Let us have a fair debate on the issues. There have been issues over pay and there was the effect of the FEMPI legislation, which has been reversed. There have been issues over the recruitment and retention of personnel but the Minister of State and key people in the Defence Forces are addressing them. I would be happy to have a debate on the matter in the House. However, the Senator should not call on the Minister of State at the Department of Defence to resign when the opposite should be the case. He has been one of the most prominent and proactive defence Ministers in modern times. I do not like the fact that Senator Craughwell called for his resignation today. It does not do anything to further the debate about improving the terms and conditions of, as well as the recruitment to, our Defence Forces.

Senator Gerard P. Craughwell: I am shocked.

Senator Jerry Buttimer: Senator Conway-Walsh raised the issue of funding for the LEADER programme. I could not hear from what she quoted.

Senator Rose Conway-Walsh: I quoted from the Minister's press release and from that of the communications unit.

Senator Jerry Buttimer: The amount of funding for Leader between 2014 and 2020 will be €250 million. It is a multi-annual programme and the €250 million will be drawn down over that period. The Senator is correct that the local improvement schemes are important to rural areas. That is why there is a stand-alone Ministry at Cabinet level under Deputy Ring. That is why there will be investment in the Leader programme and projects under it approved across the country. In County Mayo, the Minister will work closely with the Senator to ensure projects are delivered. If she has a list of them, I would be more than happy to go with her to have those projects prioritised. I know it is an important matter for her and her local community. I commend her on her volunteerism and work in the community. It is an example of what we should all be doing.

The Minister is committed to the Leader programme and the Government is committed to ensuring the local improvement schemes are in place and funding for them is available. If the Senator has a particular issue, I would be happy to bring it back to the Minister's attention for her.

Senator Rose Conway-Walsh: I want to respect the rules of the House but the Leader missed my point. The point I made was that we need new investment, not the illusion of new investment, in rural areas.

An Cathaoirleach: The Senator has made her point.

Senator Jerry Buttimer: We are not delusional about the Leader programme. We have actual budgets for Leader and the local improvement schemes being approved and implemented for every community in the four corners of the country. If the Senator has an issue, I would be happy to raise it with the Minister. I agree with her that we need investment in rural areas. That is why we created a stand-alone Ministry for rural areas and there will be investment across areas outside of Dublin.

Senator Bacik raised today's report from the Irish Penal Reform Trust and the eighth amendment. I agree with the Cathaoirleach that there is a committee under the chairmanship of Senator Noone who is doing a good job. There are divergent views on the eighth amendment. I have not seen the article to which Senator Coghlan referred or heard the remarks of Senator Mullen. It is important, no matter one's viewpoint, that we have a temperate debate on the matter.

The members of the committee take their responsibility seriously. The Cathaoirleach's earlier comment that we should not have a discussion on it was fair. We should allow the committee to do its work. Whatever the committee brings back to the Government will be a matter for it in the fullness of time. Equally, the Government has said a referendum will be held on the eighth amendment. Ultimately, that will be a matter for the people. They will make their decision in a calm and reflective manner that befits a modern society in deliberating and, ultimately, voting on a matter. I trust the people. I trust Oireachtas Members at the committee in question to do their job seriously. However, as the Cathaoirleach said, we should allow the committee do its work and then we can have a debate on that again.

Senator Lombard commended all involved in last night's publication of *Doing Business* in Kinsale. Like Senator Conway-Walsh, he said it is about prioritising areas, promoting business and providing jobs. That is the important point.

Senators Gallagher and Ó Céidigh raised the issue of pay equality in the education system. I accept their points but I must remind the House that last year the Minister for Education and Skills, Deputy Bruton, concluded an agreement with the teachers' unions which included a 15% to 22% pay increase for newly qualified teachers. Under the agreement, the starting point for a new entrant coming out of college in January next year will be €35,600. I accept the financial emergency measures in the public interest, FEMPI, legislation cuts had an adverse effect. We are now beginning to restore pay. I remind Senator Gallagher that it was his party in government that caused the country to go into chaos. The policies that they started, under a Taoiseach of his party, left us where we were. Now we are back appointing more teachers and recruiting more staff in schools, and the Senator will welcome that.

I have not got the information for Senator Ó Céidigh regarding Shannon-Foyne and Galway ports. The Senator might be best advised to seek a Commencement matter where he might get the answer faster, but the issue the Senator raised is an important one.

Senator Byrne raised the issue of the Environmental Protection Agency, EPA, report today on sewerage and the need for investment by Irish Water in public wastewater services. That report today illustrates the need for Irish Water, and those who opposed Irish Water should read that report and explain how they can now pay for the required investment.

I have not seen the issue Senator Devine raised about the European Union finding Ireland in breach of Article 16, but the issue of social housing is one that was also raised on the Order of

Business. I would be happy to have the Minister, Deputy Eoghan Murphy, come to the House on the matter.

Senator Ó Ríordáin referred to Senator Mullen's comments. No matter who one is, one should not use the death of Savita Halappanavar for one's own end, and I am not saying Senator Ó Ríordáin is doing so. It was a tragedy and we all mourn her loss. We remember her on the eve of her anniversary. I hope that her family will be left to grieve and to get on with their lives. We should always remember her. I have not seen Senator Mullen's article and I cannot comment on it.

In response to Senator Conway, the issue of the new Chamber and the new entrance is a matter for the Committee on Procedure and Privileges, CPP, or the Office of Public Works, OPW. I am sure the Cathaoirleach and I can raise it at the CPP on the Senator's behalf. It would be disappointing if it was not disability friendly and accessible for those with disabilities.

I thank Senator Clifford-Lee for raising the important issue of pyrite. The previous Government and this Government have done work on the issue but obviously there is more to be done. I would be happy to have the Minister, Deputy Eoghan Murphy, come to the House. The matter the Senator raises is critical, especially for families with young children who in some cases have had to leave their homes or who are uncertain about their future in them. The Senator is correct to raise it but she might be quicker raising it as a Commencement matter. The point the Senator makes is a good one and I will make a list to give to the Minister.

Senator Reilly raised the issue of unfinished housing estates and the issue of bonds and developers and taking in charge. I would be happy to have the Minister, Deputy Eoghan Murphy, come to the House.

Senator Boyhan raised the important report that is with the Minister, Deputy Zappone. Whereas Members will be aware the report is with the Department, it is going to Cabinet. When it comes back from Cabinet, having been cleared by the Attorney General, I would be happy to have a report on the matter of what it contains. I congratulate Ms Catherine Corless on the well-deserved accolade being paid to her for her work on human rights.

Senator Warfield raised the issue of young people in terms of both the proposed zero-hour contracts legislation and the issue of quality and the future labour market. I would be happy to have the Minister come to the House in this regard.

Senators Butler and Noone referred to the issue of the 9% VAT rate. Some Members of the House did not want to see it kept in its entirety. I am glad it was kept. It is about the retention of jobs. It is about promoting Ireland. Equally, it is about ensuring that we have a competitive retail and hospitality sector. Both Senator Noone and Senator Butler are correct in raising the issue of a two-tier country. Certainly, the value in Dublin is a lot different from that outside of the M50 or the Red Cow Inn. It is a matter that should be addressed by the stakeholders in the sector.

Senators Davitt, Feighan and Norris referred to the invitation to be extended to Pope Francis. It is a matter for the CPP and the Dáil. I am happy to lend my support to his visit. Certainly, the visit of His Holiness Pope Francis to Ireland is a welcome one. On a personal level, I certainly hope that he will travel north and meet both unionists and nationalists, Protestants and Catholics, in the North of our country. The symbolism and the importance of that trip north would be huge in the history of our country. Today, Fr. Tim Bartlett visited the House. I happen

to be a former seminarian colleague of his in Maynooth. He is working hard on the visit. I hope that Pope Francis comes to Ireland, that his visit is a positive one and that he communicates a positive message to all of us on the island of Ireland.

Senator Coghlan raised the matter in regard to *The Irish Times* and I would be happy to defer to him on that.

I was not aware of the protest today to which Senator Paul Gavan referred. There is a need for quality control in training and the teaching of English as a foreign language, TEFL. On the Senator's point, I hope there will be engagement and dialogue to enhance the legislation. I will be happy to ask the relevant Minister to ensure that will happen.

Senator Paul Gavan: I thank the Leader.

Senator Jerry Buttimer: Senator Catherine Noone raised the issue of free GP care and related matters. The potential challenge has been well documented and I will be happy to have the Minister for Health come to the House to discuss the matter. According to my schedule, the Public Health (Alcohol) Bill to which the Senator referred will be before the House in November, although I cannot give Members an exact date. Certainly, this side of the House is not holding it up. Yesterday I attended the policing forum in Cork at which Mr. David Lane of the local drugs and alcohol task force made a very strong presentation on the need for publication of the Bill. As the former Chairman of the Oireachtas committee that dealt with the Bill during the pre-legislative scrutiny stage, I very much want to have it enacted. As I said, this side of the House is not delaying it, rather it wants it back in the House as soon as possible. My information this morning was that it would be before the House in November, but I will have to return to Members on the issue.

Senator Frank Feighan raised the issue of social media and referred to the car-jacking in Dublin yesterday. I commend all emergency service personnel, including first responders, and An Garda Síochána for the way they handled the car-jacking and the chase that ensued. It was reckless behaviour that put people's lives at risk. It illustrates the importance of An Garda Síochána and the support we should give it.

Senator Neale Richmond raised the important issue of energy security following the United Kingdom's departure from the European Union. He also referred to the issuing of foreshore licences. I hope we can have a debate on the matter of energy security and welcome the meeting today between the Taoiseach and President Macron. It illustrates the need to build new alliances. As the Senator said, the Franco-Irish relationship is one that must be progressed. As a country, we must make sure we are at the heart of Europe, which is what today's visit was very much about.

Senators Gerry Horkan and Kieran O'Donnell referred to the work of the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach.

I welcome Ibrahim Halawa home and thank all Members of the House for their co-operation this afternoon.

Order of Business agreed to.

24 October 2017

Senator Jerry Buttimer: Notwithstanding the order of the House today in respect of No. 1, Legal Metrology (Measuring Instruments) Bill 2017, I propose that Committee Stage only be taken today.

Acting Chairman (Senator Gerry Horkan): Is that agreed? Agreed.

Legal Metrology (Measuring Instruments) Bill 2017: Committee Stage

SECTION 1

Question proposed: "That section 1 stand part of the Bill."

Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen): My apologies. Unfortunately, we cannot take Report and Final Stages today. When the Bill was initiated some time ago, my Department had a different name - Jobs, Enterprise and Innovation - and is now the Department of Business, Enterprise and Innovation. That change must be given effect in the Bill, but the legislation is straightforward enough and we will return to it. If it is okay with Members, we will just take Committee Stage today. We have had great co-operation from them on the Bill to date and I am sure that we will have it again. This is just a case of an error that was not spotted, but that is what happens when one improves things. Sometimes, one forgets what one's own name used to be. My officials are working to ensure that the changes relating to my Department's former name are made in the Bill. We will return to Report and Final Stages in the near future. The changes will not take too much time and we will be able to get the Bill through.

I thank Senators for facilitating this technical Bill's passage through the Seanad. Last Thursday, I presented it to the Seanad for a Second Stage discussion. As I outlined last week, this Bill is required in order to transpose Articles 1 and 3 of Directive 2014/32 EU of the European Parliament and the Council dated 26 February 2014 on the harmonisation of the laws of member states relating to the making available on the market of measuring instruments under the recast directive. The remaining 52 articles of the directive will be transposed into Irish law by way of ministerial regulation under section 3 of the European Communities Act 1972.

The purpose of the directive is to establish a requirement that measuring instruments must satisfy with a view to their being made available on the market or put into use. The Bill applies to the putting into use of measuring instruments that are set out in the Schedule to the Bill. These instruments are water meters; gas meters and volume conversion devices; fuel dispensers, for example, for petrol; measuring systems on road tankers; measuring systems for loading road tankers; measuring systems for milk; automatic weighing instruments; taximeters; material measures of length and capacity serving measures; and exhaust gas analysers. For all these instruments, the requirements of the recast Directive 2014/32 EU apply for the purpose of levying taxes and duties and fair trading, except for exhaust gas analysers which is for the purpose of protecting the environment.

I want to make it clear to the Seanad that this Bill does not represent any change in policy and is merely required to transpose the recast directive into Irish law. These measuring instruments are the same ones as are currently subject to this type of regulation. The deadline for the transposition is overdue and in light of this the technical Bill was prioritised in the spring-summer legislative programme by the Chief Whip's office which was published back on 17

January 2017. My Department has also consulted with the Oireachtas Joint Committee on Business, Enterprise and Innovation which decided on 21 June last that, given the urgency to have the Bill enacted, it would not undertake pre-legislative scrutiny of the Bill. I want to take this opportunity to thank the Seanad Members on that committee for their input.

By way of background to the Bill, the Attorney General's office has advised that the optional provisions in Articles 1 and 3 of the directive must be transposed separately through primary legislation by means of a standalone technical Bill. A Schedule is attached to the Bill, setting out the categories of measuring instruments and prescribed uses to which the directive applies. All of the other articles of Directive 2014/32 EU can, however, be transposed by way of a ministerial statutory instrument, SI, by making regulations under section 3 of the European Communities Act 1972. The Bill and the SI should both come into effect on the same date by way of a ministerial commencement order.

Legal metrology is primarily concerned with measuring instruments used in trade which are themselves legally controlled. The main objective of legal metrology is to assure citizens of correct measurement results when used in trade and in commercial transactions. As I said, this is a short technical Bill to transpose Articles 1 and 3 of the directive. There are no technical changes arising from the Bill affecting the instruments concerned. The aim of the 2014 recast directive is to improve compliance with existing legislation relating to harmonised products in this area. The only additional burden on operators will be the requirement to have a more detailed and standardised itinerary of instruments. My officials have been in formal contact with the European Commission on a quarterly basis, via our permanent representation in Brussels, to update them on the transposition of the directive.

More recently, since the Bill commenced going through the Houses of the Oireachtas on Friday, 14 July, my officials have been updating the Commission officials informally on a weekly basis, given the possible infringement proceedings and a formal reasoned opinion from December last year. The swift passage of this technical Bill through the Dáil was started by the Tánaiste, Deputy Frances Fitzgerald, just before the summer break on Friday, 14 July 2017, on Second Stage. I handled the Committee Stage in the Dáil on Wednesday, 28 September and the Report and Final Stages were taken last Wednesday, 18 October, by my colleague, Deputy Helen McEntee, Minister of State with responsibility for European affairs. This shows clearly that we were making all efforts to transpose this overdue directive into Irish law as soon as possible.

I want to again acknowledge the supportive approach taken by Members of the Dáil, who did not table any amendments to the Bill. I also welcome the approach taken by the Seanad. As soon as the legislation has been changed it will be back here again. I do not expect any obstacles or delays on the Final Stages when it comes through the Houses. I know that the Seanad will make some time for this so that we can finalise the Bill.

I thank the Senators for their co-operation and apologise for the error. We obviously have to have everything correct when we are putting a Bill through the Houses.

Question put and agreed to.

Sections 2 to 4, inclusive, agreed to.

Schedule agreed to.

Title agreed to.

24 October 2017

Bill reported without amendment.

Acting Chairman (Senator Gerry Horkan): When is it proposed to take Report Stage?

Senator Jerry Buttimer: Next Tuesday.

Acting Chairman (Senator Gerry Horkan): Is that agreed? Agreed.

Report Stage ordered for Tuesday, 31 October 2017.

Acting Chairman (Senator Gerry Horkan): When is it proposed to sit again?

Senator Jerry Buttimer: Tomorrow at 10.30 a.m.

Acting Chairman (Senator Gerry Horkan): Is that agreed? Agreed.

The Seanad adjourned at 5 p.m. until 10.30 a.m. on Wednesday, 25 October 2017.