



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Déardaoin, 4 Aibreán 2019

Thursday, 4 April 2019

Chuaigh an Leas-Chathaoirleach i gceannas ar 10.30 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Gnó an tSeanaid - Business of Seanad

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

The need for the Minister of State at the Department of Education and Skills with special responsibility for higher education to provide an update on the capital funding requirements of St. Angela's College in Sligo in the light of the merger of St. Angela's College and the National University of Ireland, Galway, NUIG.

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

The need for the Minister for Justice and Equality to provide an update on the provision of a Garda station to serve Castletroy in Limerick and the wider Limerick city east area.

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

The need for the Minister for Health to outline when the new model of care for the treatment of patients with lymphoedema will be finalised; and whether the necessary resources are being allocated for implementation of same.

I have also received notice from Senator Kieran O'Donnell of the following matter:

The need for the Minister for Transport, Tourism and Sport to make a statement on the plans in place by the National Transport Authority to meet the transport needs of rural areas along the N7, Limerick to Dublin road, including Birdhill, in the light of proposed changes by a private operator on the route.

The matters raised by Senators Feighan, Byrne and Colm Burke are suitable for discussion and will be taken now. I regret that I have had to rule out of order the matter raised by Senator Kieran O'Donnell on the grounds that the Minister has no official responsibility in the matter.

Nithe i dtosach suíonna - Commencement Matters

An Leas-Chathaoirleach: I welcome the Minister of State at the Department of Education and Skills, Deputy Mitchell O'Connor. I am advised that the matter in the name of Senator Feighan will be taken first.

Senator Frank Feighan: Yes, I will have to leave shortly.

An Leas-Chathaoirleach: Senator Byrne tabled the second Commencement matter.

Senator Frank Feighan: Yes, I am first.

An Leas-Chathaoirleach: As the Minister of State will reply to both Senators, there should be no difficulty. We will get through the Commencement matters quickly. The first matter was tabled by Senator Feighan who has the floor.

Senator Frank Feighan: I am delighted to see the Minister of State here. St. Angela's College in Sligo is the only-----

Minister of State at the Department of Education and Skills (Deputy Mary Mitchell O'Connor): I am sorry, but can we take the second Commencement matter first, please?

An Leas-Chathaoirleach: If the Senators are agreeable.

Deputy Mary Mitchell O'Connor: The reason I ask is I do not have the notes on St. Angela's College.

An Leas-Chathaoirleach: Senator Feighan has explained that he will have to leave.

Senator Frank Feighan: Yes.

Deputy Mary Mitchell O'Connor: I beg the Senator's pardon.

Senator Frank Feighan: It is all right.

Deputy Mary Mitchell O'Connor: I am really sorry, but a mistake has been made in the office. It had nothing to do with me, I hasten to add.

An Leas-Chathaoirleach: Are the Senators agreeable?

Senator Frank Feighan: It is agreed.

An Leas-Chathaoirleach: I, therefore, call Senator Byrne.

Garda Stations

Senator Maria Byrne: I thank the Leas-Chathaoirleach and welcome the Minister of State.

I am raising an issue I have raised in the past. At the time the initial Garda response to the call for a new Garda station in Castletroy to serve the greater east Limerick area was that a new station was not warranted. I have had discussions with senior gardaí in Limerick. I have also been in touch with and attended meetings organised by residents to discuss anti-social be-

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haviour and other issues in the area, in which there is a very young population. Following the discussions with senior gardaí, I understand the Garda is considering the question of whether a Garda station is warranted in the area. Therefore, I seek an update on the matter.

Castletroy has a huge student population of about 15,000. There are also many families living in the area which is expanding greatly outwards. Henry Street Garda station serves not only city centre areas but also all the way out as far as Montpelier and Castleconnel. Realistically, the station does not have the resources or manpower to service those areas fully. Recently there was a serious break-in, but, unfortunately, the people affected had to wait quite a while for assistance because there was no Garda car available to deal with the incident. Local and national politicians in all parties and all of the residents' associations support the call for a new Garda station. I also understand it now has the support of senior gardaí in Limerick.

Deputy Mary Mitchell O'Connor: I thank the Senator for raising this important matter and wish to advise her that I am answering on behalf of the Minister for Justice and Equality. She will appreciate that the Garda Commissioner is responsible for managing and controlling the administration and business of An Garda Síochána who holds primary responsibility for the effective and efficient use of the resources available to An Garda Síochána. He is responsible for the opening and closing of Garda stations. The Minister has no direct role in such matters. The Senator may recall that, as recently as December 2018, the Garda Inspectorate, in its report entitled Policing with Local Communities, confirmed that it was appropriate for the Commissioner to continue to hold this responsibility.

The Minister and the Department are informed that Garda management keeps under review overall policing arrangements, including the operation of Garda stations and the assignment of personnel throughout the State. Garda management has regard to various factors, including crime trends, policing needs and other operational strategies in place on a district, divisional and regional level. This ensures optimum use is made of Garda resources and that the best possible policing service is provided for the public. The Garda Síochána Building and Refurbishment Programme 2016-2021 includes a number of projects which reflect the agreed priorities of An Garda Síochána. Provision of a Garda station in Castletroy, Limerick, is not included in this programme. The Minister and I very much understand that people want to see a visible Garda presence in their own locality. In this context, the programme for Government commits to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, provide reassurance to citizens and to deter crime. A cornerstone of this commitment is the Government plan to achieve an overall Garda workforce of 21,000 personnel by 2021 comprising 15,000 Garda members, 2,000 reserve members and 4,000 civilians.

As the Senator will be aware, there has been an unprecedented level of investment in Garda resources across the State in recent years. The budgetary allocation to An Garda Síochána for 2019 amounts to €1.76 billion. Significant capital investment is also being made in An Garda Síochána. This includes a total of €342 million being invested in Garda information and communications technology, ICT, infrastructure between 2016 and 2021. Furthermore, the Government's capital plan 2016-2021 provides €46 million for investment in the Garda fleet to ensure that An Garda Síochána has a modern, effective and fit for purpose fleet.

With respect to Limerick, the Minister is informed by the Commissioner that the overall strength of the Limerick division as of the 28 February 2019, the latest date for which figures are available, was 589. In addition, some 86 vehicles were allocated to the Limerick division.

I understand the area referred to by the Senator is covered by Henry Street Garda station, which forms part of the Henry Street Garda district. I am informed by the Commissioner that the strength of the Henry Street Garda district, as of 28 February 2019, was 320, of whom 257 are assigned to Henry Street Garda station. There are 31 Garda staff and 15 Garda Reserve members attached to the district.

When appropriate, the work of local gardaí is supported by a number of Garda national units such as the National Bureau of Criminal Investigation, the armed support units, the Garda National Economic Crime Bureau and the Garda National Drugs and Organised Crime Bureau.

Since the reopening of the Garda College in September 2014, almost 2,600 recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide, 87 of whom were assigned to the Limerick division, including 52 probationer gardaí assigned to Henry Street Garda station. I would expect that the ongoing recruitment process will continue.

As to the question of where stations are located, as I have said, the Senator will appreciate that this is a matter for the Commissioner and that the detailed examination of the matter by the Garda Síochána Inspectorate concluded as recently as December 2018 that it is appropriate for the Commissioner to continue to hold this responsibility.

Senator Maria Byrne: I thank the Minister of State for her detailed response. I welcome all the new gardaí who have been recruited in Limerick and, on the other side, I congratulate the 26 members who were promoted. It is wonderful that they went for promotions and were successful. Some posts have to be back-filled, therefore, it is not quite the case that this station receives the number required because members are being moved from posts. The gardaí provide a wonderful service but this area is greatly expanding. The Minister of State might relay that point to the Minister and he might explain the position to the Commissioner. I have spoken to senior gardaí in the area and they are aware of how much the area is expanding. The gardaí have to cover the courthouse and prison visits. There are so many areas the gardaí from Henry Street Garda station have to cover that it is hard for them to be able to cover everything at the one time. Issues related to anti-social behaviour in the city centre arose recently. Gardaí that had been assigned to a Garda operation that was working had to be taken off that operation to be sent to other areas. This is an expanding area and it needs to be examined. Anything the Minister can do to impress on the Commissioner that this is area that really needs to be examined, I would welcome.

Deputy Mary Mitchell O'Connor: I will make sure I inform the Minister, Deputy Flanagan, of what the Senator has said. I will also take a copy of her contribution.

Third Level Institutions

Senator Frank Feighan: I am delighted to see the Minister of State and that she is taking this Commencement matter. St. Angela's College in Sligo is the only home economics college in the country and the need for capital funding for larger capacity classrooms-laboratories to accommodate students has never been greater. A national shortage of home economics teachers and a much more health conscious population is making this discipline more attractive than ever. In 2017, the number enrolling at St. Angela's College rose by about 20%, from 85 to 101, with another 10% increase in the intake last September.

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Although established as a college of education for home economics teachers, St. Angela's College has expanded far beyond its original remit and currently its profile of academic programmes of study also includes nursing and health studies, education, special needs education, theology, food and consumer studies, science, Irish, economics and social studies. The current number of students attending the college is more than 1,000.

With this significant increase in the number of students, there is clearly a pressing need to replace all the modular buildings, which currently comprise 30% of existing teaching space. Some of these buildings are more than 12 years old. Therefore, significant investment is needed for more buildings, larger lecture halls and increased specialist facilities.

Funding in the region of €4.3 million was approved for a link building project in 2010 but, unfortunately, in light of the recession, all capital funding was withdrawn. The link building project was aimed at providing a modern infrastructure with additional space for student activities. In 2017, the college received €340,000 in capital funding for infrastructural upgrades but apart from this and summer works funding for the annual maintenance of existing buildings, I understand no major capital funding has been allocated to the Sligo campus in more than a decade.

In an article in *The Irish Times* last year, Amanda McCloat, head of home economics at the college, made the very pertinent point that at a time of increasing obesity, the subject of home economics is more important now than ever. In the interview for that article Ms McCloat stated:

People are much more concerned about life skills now, more health conscious and health aware. They understand the components to have a better lifestyle, and one of the only places all of those components are taught is home economics.

In light of everything I have said, I ask the Minister of State to consider the pressing need for significant capital funding for St. Angela's.

Deputy Mary Mitchell O'Connor: I thank the Senator for raising this issue. I know he is very interested in it. He has spoken to me often about it and attended meetings on it. I met the president of the NUIG and the president of St. Angela's College in Government Buildings to discuss the issues around the backdrop of the merger between the St. Angela's and the National University of Ireland, Galway, NUIG. I pay tribute to this wonderful college in Sligo. St. Angela's is known the length and breadth of the country for its excellence in the teaching of home economics and also for its graduates, and I certainly want that to continue.

The Government recognises the important role played by St. Angela's College as a higher education institution, particularly in the field of teacher education. St. Angela's also plays a dynamic role in the economic and social development of the north-west region, including through its professional development and adult education offering. The Minister for Education and Skills, Deputy McHugh, and I are both aware of the challenges facing St. Angela's College - I have walked the campus - in regard to the buildings on its campus, including capacity challenges due to increases in student numbers in its home economic teacher education programmes. As Senator Feighan said the numbers have increased from 85 to 101, with plans to increase the numbers by a further 20%.

We have recently held meetings with St. Angela's College and NUI Galway on the wider incorporation issues, which includes discussions on capital investment. Officials from my Department and the HEA also conducted a site visit as recently as 15 March 2019 to assess current

facilities and to discuss the request by St. Angela's College to progress a major campus development project incorporating elements of both refurbishment and new build. It was agreed that an updated business case should be submitted by St. Angela's College to the HEA for approval. It is my understanding that this business case will be submitted shortly, if it has not been submitted in the past number of days.

From 2009 to date, St. Angela's College has received €2.06 million in capital funding. The Department approved funding of €343,000 to the college during the summer of 2017 and then €71,400 in 2018 for much needed refurbishment and repair. All of this funding has been drawn down.

With regard to the wider incorporation with NUI Galway, at the meeting with both institutions on 13 March, it was agreed that a five-year business and implementation plan for the incorporation of St. Angela's College into NUI Galway would be presented to the HEA. I am aware that this document was submitted to the HEA on Monday, 1 April and outlines a roadmap of milestone linked objectives for the delivery of the incorporation over a five-year timeframe. This plan has a number of funding objectives, including a capital element. Officials from the HEA and the Department of Education and Skills are currently reviewing the plan and they intend to follow up with both institutions in the coming weeks. As Senator Feighan will appreciate, decisions regarding the increased allocation of capital funding under Project Ireland 2040 for higher education projects must be based on the level of funding available and then in the context of competing demands. This is being managed very carefully in consultation with the HEA. The needs of St. Angela's College and other higher education institutions will be considered in this overall context.

I look forward to working closely with St. Angela's College and NUI Galway in the future to progress and fulfil the aims of their incorporation.

Senator Frank Feighan: I thank the Minister of State for her reply. It is nice to hear that departmental officials have visited St. Angela's College on 15 March 2019. I look forward to seeing a proposal from St. Angela's College and NUI Galway to try to draw down funding for the best way to go forward. I think we are moving in a significantly positive direction. I again thank the Minister of State for her reply.

Deputy Mary Mitchell O'Connor: I thank Senator Feighan for raising this matter. I know he has been on the case and will continue to ensure that it is a top priority in the Department of Education and Skills.

Health Services Provision

Senator Colm Burke: I welcome the Minister of State, Deputy Catherine Byrne, to the House. This morning I wish to raise the need for treatment services for persons with lymphoedema. As the Minister of State is aware lymphoedema is a condition of painful swelling in body tissue. It can affect any part of the body but usually develops in the arms and-or legs. Once lymphoedema has developed it is a lifelong condition. The best model of care is for patients to have local access to drainage, bandaging and compression garments. It can occur genetically or following cancer treatment, in particular breast cancer.

Approximately 15,000 to 16,000 people in this country have lymphoedema. I understand a

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model of care has been agreed in the past month following a report that was produced in March 2018 but finally signed off in the past month. The question now is about the implementation of that model of care. My understanding is that if the model of care is introduced it will generate savings of approximately €13 million per annum in real terms. Rather than people being admitted to hospital for treatment, this is a proposal for continuous care where it deals with issues as they arise and ensures that there are services at a local level for patients. This model is about ensuring that the 15,000 to 16,000 people with this condition stay out of the hospital system but have appropriate care that meets their needs as they arise.

Progress has been made about agreement on a model of care, now the next step is the implementation of this model. I am asking the Minister of State about the planned implementation of this model of treatment.

Minister of State at the Department of Health (Deputy Catherine Byrne): I thank Senator Burke for raising the subject of the model of care for lymphoedema and giving me the opportunity to address the House on the matter on behalf of the Minister for Health, Deputy Harris.

Lymphoedema as outlined by Senator Burke is a chronic and progressive swelling of body tissue due to a failure of the lymphatic system. Some of the main risk factors include undergoing extensive surgery, chemotherapy or radiotherapy and-or being overweight or obese. The prevalence of lymphoedema is expected to increase due to our ageing population and increasing cancer incidence and survival rates.

As Senator Burke may be aware, the HSE established a working group to make recommendations for the development of a national integrated model of care for the prevention, assessment and treatment of lymphoedema in accordance with evidence-based practice. The report of the work group proposed a model of care for a lymphoedema treatment service involving specialist and non-specialist care being provided in a community setting, with links to acute services. It advocates the establishment of an integrated treatment structure between acute and primary care services, including the development of specialist lymphoedema clinics in primary care settings, with in-reach services to acute care as required. In general the model seeks to encompass best practice in prevention and early detection, assessment, treatment and support and education and research. The model of care has been completed by the working group and can be viewed on the HSE website from earlier this week. I am advised that it is in the process of being formally approved by the HSE.

On receipt of confirmation that the model of care has been approved by the HSE, the Department of Health will consider the recommendations which it sets out. The Minister for Health, Deputy Harris, is eager for progress to be made on the development of these vital services. In this context, the Minister has instructed the Department of Health to work with the HSE to examine steps which could be taken to facilitate commencement of the implementation of the model of care. Funding allocations for the implementation of the model of care will be considered in line with the HSE's national service plan for 2019. This plan envisages a phased implementation of the model within existing resources.

Officials from the Department of Health and the HSE working group met with representatives of Lymphoedema Ireland last year to discuss lymphoedema services and the development of the model of care. We look forward to further interactions with Lymphoedema Ireland as we work to improve services for lymphoedema patients.

The Minister for Health is determined that progress can be made in 2019 towards improving services for patients with this condition. He is committed to working with the HSE and all stakeholders to ensure that equitable access to high quality lymphoedema services is available to all those in need.

Senator Colm Burke: I welcome the decision by the Department. The Minister of State will be aware that the model of care has been published. Lymphoedema Ireland has worked hard to get it to this stage. It is important that what happened to the GPs in terms of the hard work they did to introduce new ways of dealing with issues to reduce costs does not happen in this regard. This is about saving money and, therefore, it is important that this plan should not be left on a shelf. I intend to follow up on this matter. Regarding savings and better services provision to patients everything should be done to implement this plan at the earliest date.

I accept the Minister of State's response that this model of care was only signed off in the past few weeks but it is important that signing off on it is not seen as progress and that the plan does not remain on a shelf for 12 months or two years. That is not what I want to happen and I know it is not what the Minister of State wants to happen either. I know she wants it implemented. It is important that the Department and the HSE work with Lymphoedema Ireland on the implementation of the model of care plan that has been signed off.

Deputy Catherine Byrne: I again thank the Senator for raising the issue and I have listened carefully to his concerns. As stated in my reply, the Minister is determined that the process will commence as soon as possible. I do not have exact dates for the Senator but I will bring his concerns to the attention of the Minister and ask that the Senator be updated on what is being done to further the process of bringing into being this model of care for those suffering from lymphoedema. I know a number of people in my constituency who suffer from it. I will bring the Senator's concerns to the attention of the Minister and ask that a more comprehensive response be forwarded to him.

Senator Colm Burke: I thank the Minister of State.

Teachtaireachtaí ón Dáil - Messages from Dáil

An Leas-Chathaoirleach: Dáil Éireann has passed the Health Service Executive (Governance) Bill 2018 considered by virtue of Article 20.2.2° of the Constitution as a Bill initiated in Dáil Éireann, to which the agreement of Seanad Éireann is desired.

Dáil Éireann has passed the Thirty-eighth Amendment of the Constitution (Dissolution of Marriage) Bill 2016, changed from the Thirty-fifth Amendment of the Constitution (Divorce) Bill 2016, to which the agreement of Seanad Éireann is desired.

Dáil Éireann has passed the Companies (Amendment) Bill 2019, to which the agreement of Seanad Éireann is desired.

Sitting suspended at 11.05 a.m. and resumed at 11.30 a.m.

An tOrd Gnó - Order of Business

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Senator Jerry Buttimer: The Order of Business is No. 1, statements on transport matters, to be taken at 12.45 p.m. and to conclude no later than 2.15 p.m., with the contribution of group spokespersons not to exceed eight minutes and all other Senators not to exceed five minutes, and the Minister to be given no less than seven minutes to reply to the debate; and No. 2, Judicial Appointments Commission Bill 2017 - Committee Stage (resumed), to be taken at 2.15 p.m. and to adjourn at 4.45 p.m., if not previously concluded. I welcome the students from sixth class in Donabate Educate Together who are here today.

An Cathaoirleach: Tá fáilte roimh go léir. They are very welcome. I call Senator Ardagh.

Senator Catherine Ardagh: I also join in welcoming students from the Educate Together class. I hope that they enjoy their day today.

There is a lack of nutritional care for those suffering with cancer. We all know that cancer does not discriminate and it will probably darken the door of all our families at some stage. Some 36% of cancer patients experience unintentional weight loss during their treatment, yet one third of these were never seen by a dietitian or provider with any nutritional support, as shown by a new survey by the Irish Society for Clinical Nutrition and Metabolism, in collaboration with University College Cork. These findings state that there is a significant gap in care that needs to be addressed relating to nutritional needs of those in receipt of cancer treatment. It pointed out that poor nutritional intake and weight loss in cancer patients is linked to a higher risk of complications, a poorer response to treatments such as chemotherapy, and more worryingly to a reduced survival rate. I call on the Minister for Health to look at this report and see what can be done to increase funding to address the needs of those with cancer, especially their nutritional needs.

With regard to the Rebuilding Ireland home loan scheme, after much deliberation, the Central Bank reflected that it has no immediate concerns about the State-backed scheme. It is understood that the numbers participating in the scheme equate to 3% of first-time buyer loans issued by regulated financial institutions. Many young people who take part in this scheme find it difficult to secure financing through more traditional banks. This scheme is a great opportunity to allow them to buy their first home. It particularly affects young people. I call on the Minister for Public Expenditure and Reform, in light of the Central Bank's recommendations and comments, to re-fund the scheme and to issue a directive to local authorities to reopen it. There is significant demand for the scheme from young people and it is incumbent on the Minister to do this. Many young people cannot secure finance through the more traditional means because they lack a deposit. They often lack a deposit because they are paying substantial rents. Many people fall in a lacuna which this scheme seems to address. I ask the Minister to reopen the scheme in light of the Central Bank's recommendations.

Senator Victor Boyhan: I wish to raise two issues relating to Rebuilding Ireland. I welcome the changes to the employment permit scheme for construction sector workers from outside the European Union. Credit for that is due to the Minister for Business, Enterprise and Innovation, Deputy Humphreys, and the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy. It is positive in that it recognises that additional people are needed. The purpose of the scheme is to maximise the benefits of economic migration while minimising the risk of disturbing the labour market. A new list of people who can come in under this scheme was announced yesterday, including civil engineers, quantity surveyors, construction project managers, steel and metalworkers, welders, pipefitters, glaziers, scaffolders, crane drivers, etc. There is a substantial array and that is only some of them. That is a positive message.

It needs to be kept under constant review. Some of those have caps on them, ranging from 200 to 300 employees. There is a particular shortage of plasterers and bricklayers in the country. That is only one aspect. We also need to access training programmes and apprenticeship training to have our own people involved in that. I welcome that.

Late last night, the specific targets in Rebuilding Ireland for the delivery of social housing for 2019 were formally published and should now be on the Department's website. Having a copy in front of me, I can confirm that there are only 6,545 houses to be built directly by the 31 local authorities. That is a little disappointing but it is better than the previous years. We have to crank it up. Those of us on all sides and none in politics have to work together to keep the pressure on the local authorities to deliver. More resources from the Department and Exchequer are needed to build social and affordable housing on State lands. I look forward to a debate on the Land Development Agency, LDA. We still do not have the necessary legislation underpinning the agency. The target for overall delivery in 2019, whether the rental accommodation scheme, RAS, affordable or social housing, or other aspects and partnerships, is for more than 27,000 houses this year. If we deliver on that target, that will be a success. As I have said repeatedly, I have no political ideology or hang-up about who builds or owns these houses. We need to deliver homes for people who want them. They must be affordable to purchase and rent. There are two positives today and politicians need to be vigilant to keep the pressure on to ensure these targets are met.

Senator Grace O'Sullivan: I will speak on the marine area in which I know the Cathaoirleach is very interested. This morning I read about the stranding of sperm whales off the west coast. I spoke to Dr. Simon Berrow from the Irish Whale and Dolphin Group. He and two other scientists will go to Sligo today to take tissue samples from the sperm whale. It is quite unusual to have this number of strandings of the largest toothed whale species in the world off the west coast of Ireland in such a short space of time. Dr. Berrow is working with the Department of Agriculture, Food and Marine and the local authority on the issue. They will support him to take the samples.

It raises a number of questions for me. I wonder about the health of our oceans. Why are these huge mammals ending up in such numbers on the Irish coast? In recent weeks 1,100 dead dolphins have washed up on the coast of France which is also of great concern. What impact is sonic testing as part of oil and gas exploration in our marine environment having on these species? I have spoken in the House a number of times about the impact sonic testing has on the food chain and particularly on the zooplankton which is the base species for the different marine creatures up the food chain.

I ask the Leader to seek this information for me. Where is the Government's oceans Bill? It was promised by the Tánaiste when he was Minister for Agriculture, Food and Marine in April 2016 and there is no sign of it. We have not heard about it in the House for many months. Will the oceans Bill include a comprehensive plan for an ecologically coherent network of marine protected areas, MPAs, as outlined in my motion that was debated in the House almost a year ago? We are obliged by European law to have marine protected areas designated. Descriptor 11 in Annex 1 of the EU marine strategy framework directive covers ocean energy and noise, meaning that in order for our waters to be considered in good environmental status "Introduction of energy, including underwater noise, is at levels that do not adversely affect the marine environment."

Can we honestly say this is the case in our country? Can we say that the offshore gas and oil

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exploration is inherently compatible with the commitments we should have to protect our seas and ocean? Are we making a mockery of our commitments under the Paris climate agreement because this all relates to climate change? I would like answers to these questions. I do not ask for a Minister to come to the House because, to be honest, I do not know which Minister to ask to come. These questions fall across so many Ministers in different Departments. I just seek answers to my questions to give me some kind of lead as to where to go next.

An Cathaoirleach: I call Senator Conway-Walsh. I could not see her indicating earlier and I skipped her. She was hiding behind Senator Boyhan for a while.

Senator Rose Conway-Walsh: That is no problem. I am attending the meeting of the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach this morning. We have discussed insurance in this House many times. Linda Murray is the owner of Huckleberry's Den play centre in Navan. She has told us that she cannot get insurance. She has 25 days left before she will have to close her centre or the play centres have to come up with an insurance plan. I have spoken previously about the insurance crisis in companies such as play centres, pet farms and other such operations. It is obvious that we have an entire market failure in insurance.

Legislation, including the Judicial Council Bill, which is going through the Houses, should make some difference, but we need to treat it like emergency legislation. I do not say that lightly. The number of job losses and businesses closing because they cannot get insurance is excessive. I ask for co-operation from all parties in the House to prioritise this legislation and treat it like emergency legislation. For example, in Britain insurance for the trains that go around shopping centres for kids is approximately €1,500; here it is €33,000. Bowling alley insurance ranges from €10,000 to €25,000 without any claims.

The secrecy in the insurance industry has not changed since the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach was prompted to prepare the insurance report in 2016 that gave rise to the other reports and recommendations. It has not worked. The Central Statistics Office figures for motor insurance, for example, do not capture what is happening. We also tried to tease that out today. There is a lack of data and there is secrecy. This is evident from what happened last week in the High Court. In February IPB made a High Court application to have its hearings otherwise than in public and for Dorothea Dowling, who was cited, to be excluded from the room. Last Friday Mr. Justice Meenan denied IPB's application for a secret hearing and emphasised the requirement for justice to be done in public. I commend the judge on doing that.

We are not tackling what is going on in the insurance industry. I ask that we treat the legislation relating to insurance as emergency legislation. I ask for co-operation from across the House to ensure it is taken as quickly as possible.

Senator Colm Burke: Yesterday the Chairman of the Oireachtas Joint Committee on Health, Deputy Harty, and I went to the site of the national children's hospital and met the people in charge there. Real progress is being made on that building project. Some 420 people are working on that site, but when the structure is completed and the various services are being put in, 2,500 people will be required to work there. It will be a major demand for people with the expertise, including electricians, plumbers and IT people. I agree with Senator Boyhan on the need to ensure we have enough people available in the building industry. We also need to ensure we have enough people in training in the various services. We need to do much more to

continue to deal with the growth in the building industry. As regards the housing market, we need to look at how to deliver at a faster pace than over the past three or four years. Real progress is being made in local authorities but some are still not responding to demand in a timely manner. The process of getting sites and approval for building is taking too long in some local authorities and, subsequently, in the Department. We need to expedite the whole process to deliver at a faster rate but we also need to look at the cohort of people who do not qualify for local authority houses and cannot borrow to buy. We need to do something serious for that cohort because the current rental structure is inadequate, there is a lack of security and there is no long-term leasing. If I lease something to somebody in the commercial market for five years, they are then entitled to a 20-year lease with five-year rent reviews and, as tenant, they are responsible for internal upkeep. We need to move to something like that for residential accommodation and now is the time to deal with it, so it is important that we have a debate on it here.

Senator Kevin Humphreys: I am delighted to hear people mentioning the housing crisis and the delay in the delivery of further social and affordable housing. I campaigned for three years on the issue of short-term lets. I was disappointed that the implementation date for the new regulations was to be 1 June but I am now hearing rumours that it will be further delayed. I ask the Leader to urgently seek confirmation that the new regulations on short-term lets will go ahead on 1 June.

The figures for fire defects in apartments and homes the length and breadth of this country are starting to come in. Approximately 130,000 homes are affected by fire defects from the build period 2000 to 2008 due to self-certification and non-regulation. The Fine Gael-led Government was not in power in that period but nobody in either House should walk away from these 130,000 families. Something needs to be put in place to assist them in dealing with it because if they have to vacate their homes, we will add huge numbers of people to housing lists.

I propose an amendment to Standing Orders because of my concern relating to BusConnects, the metro and the proposed infrastructure spend of Irish Rail. On Friday morning there was a dawn raid in my own local area, in which eight residents received hand-delivered letters telling them their homes may be demolished for a metro station. Infrastructure is important but this was known for a year and a half. However, because there are eight local council tenants, nobody had told them. That is very disappointing and I want to discuss BusConnects, the metro and funding for Irish Rail at length so I propose an amendment to Standing Orders-----

An Cathaoirleach: I assume the Senator is proposing an amendment to the Order of Business.

Senator Kevin Humphreys: Yes, I propose an amendment to the Order of Business so that statements on transport matters, which were to commence at 12.45 and finish at 2.15 p.m., will continue until 3.15 p.m. to allow the Minister adequate time to respond to Members' contributions. On every occasion the Minister has come into the House on this issue he had insufficient time to respond to Members.

An Cathaoirleach: I am glad the Leader sees the funny side.

Senator Michael McDowell: I was not expecting a proposal to amend the Order of Business but I support it very strongly because the issues are of some significance.

An Cathaoirleach: Is the Senator seconding the proposal?

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Senator Michael McDowell: Yes, I am seconding it.

Senator Jerry Buttimer: Shock, horror.

Senator Kevin Humphreys: It is not a funny matter that the residents in my local community were told their houses were to be demolished. I wish the Leader would stop treating the issue with contempt. The constituency is that of the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy. If it was Ranelagh, it would not have happened.

Senator Jerry Buttimer: The Senator cannot exactly speak on the matter, after what the Labour Party did.

An Cathaoirleach: I suggest the Leader saves his ammunition until he is called on to respond.

Senator Michael McDowell: I was not expecting this proposal. The Leader may laugh but it is not a laughing matter. Now that it has been made, I accept it and it is the correct thing to do because allotting one and a half hours to discuss transport is a sick joke. This is especially the case, given the fact that the Order of Business provides plenty of time for bad legislation to be further progressed. I accept that it is a happy coincidence in that regard but coincidence it is, and I support it.

People might think the BusConnects programme is all parochial and is all about people's front garden, their trees and things like that but it is a triumph of engineers who do not know what they are doing but who will make the situation in Dublin far, far worse. Most Members of this House would know the Lower Rathmines Road. It is proposed to make it into a one-way road out of the city centre. I have to declare a ludicrous interest in this. All the traffic that goes into the city down the Lower Rathmines Road at the moment is supposed to go past my front gate in future and feed into the traffic at Ranelagh. That is a recipe for absolute chaos and it is not just a matter for leafy Ranelagh. There is a very narrow place beside the old Meath hospital called Long Lane, which comprises mainly artisan's cottages scattered along a winding road down which one would have difficulty getting a truck. Heytesbury Street is to be cut off and Long Lane, which is almost a residential boreen, is to be made the main traffic artery into the city centre.

Senator Rónán Mullen: The Senator makes it sound almost bucolic.

Senator Michael McDowell: This is a recipe for sheer chaos. I have given two instances but anybody who lives in the areas in question would see how draconian the proposals are. It is very interesting that the Minister for Transport, Tourism and Sport, under whose auspices this is being planned, claims the right to put in objections to various aspects of the NTA's policy proposals. Who is in charge in this country? This sort of question is why we need to discuss this matter further.

I agree with what Senator Conway-Walsh said about insurance claims and the paralysing effect they are having. When we were Ministers, Mary Harney and I did something in the form of the Personal Injuries Assessment Board, PIAB, and bringing in laws against making false and exaggerated claims but there has been huge slippage since then. I do not usually like talking about cases but I see in the papers today that some kid got €30,000 for going over a fence into a building site. What sense is there in our law when things like this happen?

Senator Jerry Buttimer: Hear, hear.

Senator Michael McDowell: The legal profession blames the insurers and the insurers blame the legal profession and the judges but we have a thing in this country called “the Government”. Many taxi drivers are charged €4,000 per annum for their insurance, which is €80 per week before they put petrol or diesel in their cars to get out on the road. That is crippling and the figures given by Senator Conway-Walsh for kiddies’ trains speak for themselves.

The Government must act on these matters. The time for setting up commissions and that baloney is over. We need action now.

Senator Joe O’Reilly: I wish to speak about the matter which was addressed by Senators Conway-Walsh and McDowell, namely, insurance. I was struck yesterday when I heard on the radio in my car people from the pre-school sector on the Sean O’Rourke’s show and the evening programme later who said they would have to close pre-school services, *12 o’clock* with the loss of jobs and causing great inconvenience for parents. Another woman was on the radio to say openly that she would not be able to insure her pre-school and would have a large number of children in attendance without insurance. It is chronic. The business environment is particularly chronic. Small businesses everywhere are threatened by the multiples and Internet sales. Rates are also a huge issue for them. When one adds the current level of insurance premiums required to keep a small business going, it is not viable. It is very serious. In a county like mine car insurance is almost a form of tax on work, given the lack of public transport, including rail services, except along the main thoroughfare. It is a real problem. There is an obvious issue with awards, a matter which was addressed well by our colleague, Senator Lawlor, last week. It needs to be addressed. Insurance companies’ internal costs must be looked at also, as must the idea of criminalising the making of false claims. There is a whole agenda that needs to be addressed. While there is a discussion taking place at the finance committee today, we have a separate role as a House of the Oireachtas and must address the issue. I note for the Leader, allowing for the fact that we had a discussion at some level last week, that the issue is too serious to ignore and leave it at that. I ask that we again have a long and thorough discussion on the problem of the cost of insurance.

An Cathaoirleach: I thank the Senator.

Senator Joe O’Reilly: I am not exaggerating. Last week I came across a small business which had cumulative insurance costs of approximately €8,000. It will not be able to stay open when one puts rates on top of it.

An Cathaoirleach: I remind Senators that while group leaders have three minutes, other speakers have two. Some Senators seem to think they are leaders all the time and want three or four minutes, but I have to be fair.

Senator Paul Gavan: In the first three months of the year 11 Palestinian children were murdered by occupying Israeli forces. The fatalities included two children who were shot dead during the great march of return protests on 30 March. A volunteer medic was killed in Bethlehem last week. I quote the head of Defence for Children International as follows: “Israeli forces are killing Palestinian children with live ammunition at alarming rates yet the international community stands by as Palestinian children are killed with impunity.” During protests near the perimeter fence of the occupied Gaza Strip, Israeli soldiers shot Bilal al-Najjar. Hit in the abdomen, Bilal died in hospital on the same day 17 year old Adham Nidal Sakr Amara

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was shot in the head with live ammunition. It is likely that Adham was struck by an exploding bullet, according to medical sources who stated the object that had struck him appeared to have detonated on the lower half of his face. In all sincerity, how many children does Israel have to murder with impunity before the Government takes meaningful action? Is there no limit to the number of children it can gun down before we do something meaningful? We were happy to expel ambassadorial staff from Russia last year on just the word of Britain. There are 11 more children dead, but it makes no difference. Words are not enough at this stage, as everyone here knows. I have not heard a single Member disagree on the horrors being inflicted on the Palestinian people. It does not seem to matter what Israel does or to what lengths it will go. The Government will do nothing in concrete terms. We need the Israeli ambassador to be expelled and to send a message to the world that we are no longer prepared to pretend this is not happening.

Senator Gabrielle McFadden: I ask the Leader to find out what the situation is with the Informal Adoptions (Regularisation) Bill 2019. It is a Labour Party Private Members' Bill in the Dáil that is with the Minister for Children and Youth Affairs, Deputy Zappone. It is about the informal adoptions which took place. St. Patrick's Guild and the Rotunda Girls Aid Society provided for the fostering and boarding out of children prior to the commencement of the Adoption Act 1952. Subsequently, they were registered as adoption societies under the Act. The files of both organisations would clearly show that some children were irregularly and informally adopted and, therefore, wrongly registered. This raises issues for people now in the context of inheritance, medical records and so on. They want to regularise their position. Some can do this because the paperwork is available to facilitate it, but others cannot. The Labour Party's Bill seeks to deal with that issue. I ask the Leader to check at what stage the Bill is at in the Dáil and request the Minister to come to the Seanad for a debate and discussion on it. It is an issue for many throughout the country, including some who do not yet realise it. It is a vital matter. I would appreciate if the Leader made those arrangements.

Senator Paul Daly: I second the proposal of Senator Humphreys to amend the Order of Business.

I raise an issue that I have raised on many occasions. It is a topic we try to avoid as much as possible because it is becoming such a nightmare. I refer to Brexit and its effect on the beef sector. Fianna Fáil moved a Private Members' motion in the Dáil last week which was accepted by the Government. Will the Leader bring the Minister for Agriculture, Food and the Marine to the House immediately to inform us as a matter of urgency what action he intends to take on foot of the motion and off his own bat to help the sector? According to figures released this morning, the beef sector is haemorrhaging €3.7 million a week, given the prices being received today by comparison with those received in 2015, prior to the referendum on Brexit. We hear commentary on a hard or a soft Brexit, the dates for which seem to be ever-moving, but the fact is that for the beef sector, Brexit has happened and it has been a hard one. There is no light at the end of the tunnel. We need immediate Brexit mitigation funding. There is no need for the Minister to come here to tell us again that he has been talking to the European Commission and that there will be funding in place, if and when Brexit is triggered. It has happened for the beef sector and many others, too. I do not want to highlight one sector when others are also suffering. Funding to get the sector off its knees and enable it to survive is needed immediately, not on some fictitious date the House of Commons may or may not decide if it ever gets its act together.

On a related matter, I read this morning that Brazilian farmers are beginning to register

cattle at birth, although it is not yet a legal requirement for them to do so. They are getting their ducks in a row and ramping up their sustainability and traceability systems. They see the opening coming which will be the last straw in the accumulating perfect storm for the Irish beef sector. Will the Leader bring the Minister to the House, not for questioning but in order that he can tell us the what, when, where and how of his action to get the beef sector back on the road?

Senator Pádraig Ó Céidigh: Níl agam ach dhá nóiméad as I am not the leader of our technical group by a long shot. I am very happy with the leader we have. On Senator Gavan's point, none of us condones violence of any nature. We never have and never will, in any place or at any time. I would expect and assume that all Members support that because we are a peaceful society and we try to create a peaceful world. I have not heard anything else from anybody in this House at any time in my almost three years here. Regardless of where it happens and who causes it, whether it is in the past, present or future, that is our stance.

I strongly support Senator Conway-Walsh's very good contribution on insurance. I am involved in business. It is flipping killing us. I would say everybody here agrees with that. I ask the Leader to impress this on Government and on the individuals and Ministers involved, as was supported by my colleague. It is crippling our country, our business, schools, preschools and so on.

I am a member of the Oireachtas Joint Committee on Transport, Tourism and Sport. We are going through a particular stage at the moment. I ask the Leader to impress on Government to consider introducing a corporate governance audit every five years on voluntary organisations that get at least €1 million of State funding over a five-year period. The Institute of Directors in Ireland carries out these audits on behalf of businesses. I really believe we should do something like that for any voluntary organisation that gets at least €1 million over a five-year period, and that it be done every five years. That would ensure overall good, proper corporate governance and would give us a sense that the whole organisation was being run as it should be, with flexibility and rotation of directors. It is an initiative that is well worthwhile and would help protect taxpayers' money.

An Cathaoirleach: Measaim go bhfuil an Seanadóir ina chigire iontach. I call Senator Devine.

Senator Máire Devine: Whenever BusConnects occurs, it will need its own schedule given that the greater Dublin area is involved. Already 30,000 submissions have gone in for phase 1 and they obviously have not gotten through those. Phase 2 is open for submissions on 30 April and I would imagine there will be as many if not more submissions. It would be a seven-year plan if it was implemented tomorrow but it merits a lot more discussion in this Chamber.

I want to talk about the survivors and the families of the victims of the Stardust disaster. Colleagues are all aware of the tragedy of the 40 young people looking for romance that night who died in the fire in Artane. The Attorney General has said, as has the Taoiseach, that they will consider a new inquiry based on new evidence. On Tuesday, the Sinn Féin MEP, Lynn Boylan, and the families of the tragedy marched on Kildare Street and handed in new evidence to the Attorney General. That new evidence was in a 400-page submission including experts from the Grenfell Tower disaster, the 9-11 disaster and the Hillsborough disaster. They have all given new opinions on what happened at Stardust. The working class families of Dublin want a response. They want a new inquest. They believe they have been badly served and that justice has not been done. I ask the Leader to contact the Office of the Taoiseach to see if the

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Attorney General is prepared to begin a new inquiry given the new evidence that was lodged two days ago.

Senator Alice-Mary Higgins: All sides of this House have pride in the role the Irish Naval Service has played in the past in search and rescue missions in the Mediterranean. Since 2015, the Naval Service has been involved in rescuing over 18,000 people from the Mediterranean. Some 16,800 of them were rescued when Ireland had a bilateral arrangement directly focused on search and rescue. In 2017, the Minister of State, Deputy Kehoe, came to this House and announced his intention to change from that direct focus on search and rescue to co-operation as part of Operation Sofia. I was one of those who expressed concern at the time. The Minister of State directly said that transferring to Operation Sofia would result in the redeployment of the Irish Naval Service from primarily humanitarian search and rescue operations to primarily security and interception operations. We warned that the cost would be felt in people's lives and in an increase in the numbers dying in the Mediterranean. We have seen an increase in the numbers dying in the Mediterranean. More than 721 deaths at sea occurred in June and July 2018. In September 2018, one in five migrants drowned or disappeared when trying to cross the Mediterranean Sea from Libya. The figures are very stark and the impact is very stark.

We have now been told that Operation Sofia will abandon search and rescue altogether. The very small focus that was there will be gone and the Irish Naval Service will not be participating in any form of search and rescue under Operation Sofia. We have seen the Naval Service members themselves speaking about their concern. I was very moved by Brian Fitzgerald, a branch commander on the *LÉ Eithne*. He spoke about a woman who had given birth after they rescued her. He held that baby in his arms one hour after it was born and said, "I do not know where your mother has come from and I do not know where you are going at this moment, but at this moment you are safe in my arms." He said making a difference is one of the reasons people join the Defence Forces and that, in terms of making a difference, this had been second to none.

I ask the Leader to invite the Minister of State, Deputy Kehoe, to this House to tell us what the plans are for new humanitarian missions that the Irish Naval Service may undertake in the Mediterranean. Will we be engaging with the English navy in respect of the coast of Turkey, for example? Are there other options, either on our own or bilaterally? It is not enough for us to know what happens and turn our backs. It is certainly not enough for us to leave this issue to Libya, the Libyan coastguard and the deeply inhumane conditions, condemned by the UN, that prevail in Libyan detention centres. I know that the Leader feels strongly about this himself and I ask him to bring the Minister of State, Deputy Kehoe, to the House to discuss how we can move forward in a compassionate way.

Senator Rónán Mullen: I do not know if it is possible to judge between different horrors but if there is anything worse than young people being shot and killed in conflict zones, it is perhaps the use of rape and sexual violence against women and children, which is part of the human story and seems never to have gone away as something that happens in a systematic fashion as a weapon of war. It has been a common thread in so many conflicts in recent years. I want today to raise the need for proper international mechanisms to find justice for victims in as far as is possible. Trafficking and sex slavery involving innocent civilians has become endemic, as we know, and was endemic as a means for ISIS to terrorise Christians and other religious groups. Colleagues will recall in particular its treatment of the Yazidi minority in the early days of the conflict. To this day, more than 3,000 Yazidi women and girls are still missing after they were abducted in late 2014. Those still alive are suspected to be in Syria. Once I met a Yazidi man on a train in France and we struggled to find a language in which to communicate.

What he told me about experiences that had befallen people he knew is stuff that I never, ever want to hear again.

Those who wage what they describe as a holy war in the name of their religion have shown no compunction about using depraved tactics, as we know. There has been some international recognition of the scale of the issue in recent years with the award of the Nobel Peace Prize in 2019 to Dr. Denis Mukwege, a doctor who assists victims of these practices, and Nadia Murad, a woman who was tortured and raped during the genocide committed by ISIS. Unfortunately, there are not adequate international legal mechanisms to achieve justice for these atrocities. The International Criminal Court can, theoretically, deal with cases of planned sexual violence but it is a treaty-bound court and lacks the jurisdiction to investigate crimes and mount prosecutions since it does not have jurisdiction in Syria or Iraq. There is no other international or regional criminal court that can deal with prosecutions but there are alternative options that the Irish Government needs to raise. It would be possible for the UN Security Council to establish an *ad hoc* tribunal to prosecute ISIS fighters who were responsible. There is a precedent for this from the 1990s and the international criminal tribunals established for Rwanda and the former Yugoslavia are two such examples. UN Security Council Resolution 2379 has mandated an investigative team to collect and preserve evidence for future prosecutions. As the next logical step the Security Council could establish an international criminal tribunal for ISIS that is modelled on the precedents from the 1990s with a tailored mandate.

There has been a lot in the news recently about stripping people of citizenship in terms of ISIS fighters and so forth. That is just a populist, quick-fix solution. Genuine justice needs to be brought to bear on those who have committed or aided and abetted such horrific crimes against women and children. I ask the Leader whether he agrees with me that this is an issue on which Ireland could take a lead.

Senator Jerry Buttimer: Yes.

Senator Rónán Mullen: We are currently campaigning for a seat on the UN Security Council for the 2021-22 term. It seems to me that this is an issue that Ireland should be loudly raising with other UN member states as part of our campaign and it is an issue that we should stress if we are successful in getting membership of the Security Council. Go raibh míle maith agat.

An Cathaoirleach: Agus anois an cigire.

Senator Jerry Buttimer: Ní cigire mé, a Chathaoirligh - múinteoir scoile, b'fhéidir. I dtús báire, bronnaim mo bhuíochas ar gach Ball a ghlac páirt san Ord Gnó. I thank the 15 Members of the House who contributed to the Order of Business today.

Senator Ardagh raised a very important issue in the context of the Irish Society for Clinical Nutrition and Metabolism, in terms of its interesting survey that was published. As those of us who have family members who have affected by cancer know quite well, the issue of nutrition and diet is very important in cancer treatment and care. As the report indicates, we have 33 dietitians in the country with three clinical specialists. As the Senator referenced with different figures, there is a huge amount of work to be done in terms of education, informing people and working with people. I commend Dr. Aoife Ryan in UCC on her report. There is a need, as I think we would all agree, for continuing investment in dietetic services. To that end, I would be happy for the Minister to come to the House to discuss the matter because it is an important

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part of cancer care and treatment. It is also important that we recognise that it is about allowing people who are undergoing treatment to be able to access and access proper nutritional care.

Senators Ardagh, Boyhan and Colm Burke raised the issue of the Rebuilding Ireland home loan scheme. I fully agree that the news issued today by the Central Bank is to be welcomed. It has no immediate concerns about the contribution of State moneys. It is important that the Departments of Public Expenditure and Reform and Housing, Planning and Local Government end their talks and, as Senator Colm Burke said, that we allow for people who need to have access to finance, where they cannot get it from the banking institutions, to avail of home loans for building. I would be happy to have the Minister come to the House on that matter. It is a very important issue. I welcome the response made by the Central Bank. I certainly hope that we can see the home loan scheme being restored because it is an important asset, particularly for young people and first-time buyers who cannot get on the property ladder themselves.

Senator Boyhan made reference to the issue of the Land Development Agency. I am happy for the Minister to come to the House to discuss the matter raised by the Senator.

Senators Boyhan and Colm Burke raised the need for the extension to the employment permit scheme, which I welcome. This week, Senator Colm Burke and I met members of Nursing Homes Ireland from Cork. There is a deficit of staffing and a skills shortage in that sector. It is important that as we reach full employment, the Government would consider access to employment from outside of the EU as a way to having people employed in a very important number of sectors. We have done it in other areas so we can do it in this area. Equally, it is incumbent on Government to progress, promulgate and advertise the apprenticeship scheme that has been commenced by the Minister of State at the Department of Jobs, Enterprise and Innovation, Deputy Halligan.

Senator Grace O'Sullivan raised the important issue of sperm whales. The points she made are very relevant, not least in the context of our discussion as an Oireachtas of the report compiled by the Oireachtas Joint Committee on Climate Action. There also is a need for the oceans Bill to come back but I have not got a date for the Senator. She made the important point that the issue of our oceans is of absolute importance. I know we have had legislation on microbeads but the ingestion of plastics and other materials is a huge concern and has an adverse effect on sperm whales, as mentioned by the Senator today.

The national marine strategy framework is the overarching policy for our use of marine areas for sustainability. The answer to the Senator's specific question is one that falls between a number of Ministers, namely, the Minister of State, Deputy English; the Minister for Transport, Tourism and Sport, Deputy Ross; the Minister for Communications, Climate Action and Environment, Deputy Bruton; the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy; and the Minister for Agriculture, Food and the Marine, Deputy Creed. I will ask the Minister of State, Deputy English, to check whether this issue comes under his remit. I know that he spoke at a conference on oceans that was held in Galway last year but I will revert back to the Senator on the matter.

Senators Conway-Walsh, McDowell, O'Reilly and Ó Céidigh all touched on the very important issue of insurance. The cost of insurance is a major issue for businesses, consumers and community groups. The Minister of State, Deputy D'Arcy, has been proactive about the matter. We have seen a reduction in some of the motor insurance costs. The Minister published the cost of insurance working group report with the employer public liability report last year

in 2018. We all accept that there is a real need to reduce the costs for businesses, which was spoken about here this morning. Equally, the Judicial Council Bill must come back and be concluded. It is worth noting that the Government enacted legislation on insurance in terms of the Insurance (Amendment) Act, the Central Bank (National Claims Information Database) Act and the new Personal Injuries Assessment Board (Amendment) Act. In addition, the Government has proposed amendments to a Sinn Féin Bill proposed by Deputy Pearse Doherty. There is work being done. Insurance costs are frustrating and annoying and we need to see the cost of claims reduced.

Senator McDowell referenced an claim reported in a newspaper this morning. The award baffles me and there are many awards that baffles many of us who watch from afar. There is a continuing piece of work to be done on the matter.

I know Senator Conway-Walsh is not here but I want to wish her a very happy birthday today. I am sure she is gone celebrating with Senator Devine and maybe we will all join her later.

Senator Colm Burke raised the issue of the visitation to the national children's hospital yesterday. We do hope that the work continues there. When the hospital is completed it will be a flagship hospital for children not just in Ireland or Europe but across the world. I thank the Senator for his work on the issue at the Joint Committee on Health. I agree with Senators Colm Burke and Boyhan that there needs to be a continuing progression and a faster building of social housing but also of housing in general. We need to incentivise and consider ways we can expedite the building of more housing.

Senator Humphreys raised the important issue of BusConnects and the eight people he referenced in his contribution this morning. It is a very serious matter and one that we take seriously on this side of the House. We certainly do not engage in hilarity in terms of the people that he referenced.

Senator Kevin Humphreys: I accept the Leader's apology.

Senator Jerry Buttimer: I was not apologising at all.

Senator Kevin Humphreys: I accept the Leader's apology.

Senator Jerry Buttimer: We were not hilarious. What is hilarious is the tying up of the matter.

Senator Kevin Humphreys: I accept the Leader's apology.

Senator Jerry Buttimer: I have been in contact with the Minister's office and been informed that he is prepared to extend his contribution on transport by 30 minutes.

Senator Michael McDowell: His contribution to the debate.

Senator Jerry Buttimer: Indeed. I thank the Senator for the clarification. I was looking at my notes, which contain a suggestion the Minister is wont to making lengthy contributions.

An Cathaoirleach: The contribution of the Minister cannot be controlled by the Chair. If he speaks for an hour-----

Senator Jerry Buttimer: The Minister is prepared to extend the time allocated for statements on transport by 30 minutes.

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Senator Diarmuid Wilson: Will he just make a statement on transport, or will judicial appointments form part of it?

Senator Jerry Buttimer: Is the Deputy referring to the Judicial Appointments Commission Bill or the Judicial Council Bill?

Senator Diarmuid Wilson: Will he discuss that issue in the extra half an hour?

Senator Jerry Buttimer: I am sure he can work it out with the Minister for Justice and Equality, Deputy Flanagan. Perhaps they might dovetail-----

Senator Diarmuid Wilson: He has such knowledge of it, or perhaps I should say an impact or interferes-----

Senator Jerry Buttimer: There are many people who never before had such knowledge of the Judicial Appointments Commission Bill.

The point the Cathaoirleach has made about BusConnects is very important, as Senator Devine said. When the chairperson of the NTA, Ms Anne Graham, appeared before an Oireachtas committee this morning, she said more than 30,000 submissions had been made on the plan. Work on revisions to the proposed network is ongoing. The NTA will engage in a further public consultation process in September. There have been three consultative processes to date. It is an important matter. To be fair to the Minister for Transport, Tourism and Sport, despite what some Members might suggest, he has been very willing to come to the House to discuss various transport issues. The contributions of Members to the debates on transport requested have been less than adequate.

Senator Máire Devine: I will change that today.

Senator Jerry Buttimer: I thank the Senator. It is appreciated.

Senator Diarmuid Wilson: Senator Devine is an inspiration to us all.

Senator Jerry Buttimer: If Senator Humphreys accepts the offer of an extra half an hour for the debate, it might go some way towards getting answers.

Senator Michael McDowell: What exactly is the Leader saying?

Senator Jerry Buttimer: I am proposing that we extend the time allocated for statements on transport by 30 minutes.

An Cathaoirleach: Senator Humphreys indicated that he would propose an amendment to the Order of Business. For now we will let him reflect on what the Leader has just said.

Senator Jerry Buttimer: The other issue Senator Humphreys raised related to fire safety defects and general safety issues in apartments and houses must be taken very seriously. Self-certification and a lack of regulation are matters worthy of debate in this House. I am happy to invite the relevant Minister to come to the House for such a discussion. I have spoken to officials in his office about the matters and hope to be able to schedule a debate on them in due course.

Senators Gavan and Ó Céidigh referred to the ongoing conflict in Palestine and Israel. As Senator Ó Céidigh rightly said, we all condemn violence whatever form it takes. To be fair to

the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Coveney, he has been proactive in dealing with the issue. I will be happy to have him come to the House to discuss it in due course.

Senator McFadden asked about the status of the Informal Adoptions (Regularisation) Bill 2019, but I do not have an answer for her now. I will be happy to liaise with her on the matter and invite the Minister for Children and Youth Affairs, Deputy Zappone, to come to the House to discuss it.

Senator Paul Daly referred to the beef sector and Brexit. The Minister for Agriculture, Food and the Marine, Deputy Creed, was in the House recently to discuss the beef sector and agriculture matters more generally, but I will invite him back for a further discussion. As the Senator knows, we have been engaging with the Minister who has been engaging with the Commissioner in Brussels, Mr. Phil Hogan. I do not think Brussels can announce a package of supports for Ireland before Brexit actually happens. That said, the issue is important. The Senator is correct in saying Brexit will hit the farming sector hard. The Minister has been very active in dealing with the matter. I will be happy to invite him back to the House in due course.

Senator Mullen referred to the Yazidi people, some of whom met Pope Francis recently. The Yazidis which are a religious minority are experiencing brutal treatment. I share the Senator's concerns, particularly about the treatment of women and children. We can, through the Minister of State at the Department of Foreign Affairs and Trade, Deputy Cannon, play a role in dealing with the matter, particularly if we succeed in our objective of securing a seat on the UN Security Council. I will be happy to invite the Minister or the Minister of State to come to the House to discuss the matter.

An Cathaoirleach: Senator Humphreys has proposed an amendment to the Order of Business, "That No. 1 conclude not later than 3.15 p.m." The Leader of the House, whose correct title is Treoraí an Tí, rather than Ceannaire, has proposed an amendment to the amendment, to the effect that No. 1 conclude at 2.45 p.m. Is the amendment to the amendment agreed to?

Senator Kevin Humphreys: I acknowledge the Leader's response to my amendment and the spirit in which he has proposed his amendment. I am happy to withdraw my amendment if the Minister will be in the House for the additional half an hour, as indicated by the Leader. I hope the Minister will make a substantial contribution to the debate. I also acknowledge that the Leader meant no insult to the eight families on Townsend Street when he was giggling and laughing as I made my point about their predicament.

An Cathaoirleach: I understand the Senator was somewhat perplexed, but Senator McDowell seconding the proposed amendment was the cause of the entertainment. Is the amendment, as amended, agreed to? Agreed.

Senator Jerry Buttimer: In the event that the debate on transport concludes before 3.15 p.m., we should allow the subsequent business to begin immediately, without a break.

An Cathaoirleach: Is that agreed? Agreed.

Order of Business, as amended, agreed to.

Sitting suspended at 12.40 p.m. and resumed at 12.45 p.m.

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Transport Matters: Statements

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I am delighted to update the House on issues relating to public transport. Senators will have their own views on the challenges and opportunities we face in transforming our public transport network and services and I look forward to hearing those views. I would like to think we can all agree on some basic first principles. We all agree on the need to improve public transport, the important role improved public transport has to play in meeting our climate challenge and that better cycling and walking infrastructure is needed to encourage greater take-up of active travel. I am glad that on each of these issues there is significant work under way to translate those principles into action. I do not doubt for a second that when we consider the best way forward, there will be different views and priorities. Discussions such as this are useful as a means of listening to different views and perspectives.

On the need to improve public transport, everyone in the House knows the ambitious range of projects contained in Project Ireland 2040. I was in the House last September to give an overview of those projects and I have been back a number of times since then to discuss various related issues during Commencement matters raised by Senators.

The increased numbers of people choosing to use public transport is welcome. Last year, almost 7% more people made a trip on taxpayer-supported public transport than the previous year. Those increases bring challenges, just like the 1 million increase in population and 600,000 additional jobs projected in Project Ireland 2040 will bring challenges, even if those challenges are fundamentally positive.

We are responding in a number of ways. We are increasing the funding available to the NTA to invest in, and expand, public transport services and infrastructure on an ongoing basis. Those levels of increased funding can be viewed on the ground through measures such as increased services, an expanded fleet and new initiatives throughout the country. Public service obligation, PSO, bus services have been expanded by the NTA in co-operation with the operators across the country and a new operator has also entered the PSO bus market under contract with the authority. In rural Ireland, funding for Local Link services has increased from € 12.2 million in 2016 to €21 million this year. This has enabled the introduction of new regular commuter services, improvements to demand responsive services and the piloting of new evening services. We funded increased bus purchases with the PSO bus fleet in Dublin expanding by approximately 15% in the past two years, while new buses have also been added to the fleets in other cities. This year, we will add more buses to the PSO fleets, as well as continuing to replace older buses with newer ones.

We have funded increased rail services across the greater Dublin area commuter rail network by introducing 10-minute DART services and expanding services on the major commuter lines. I acknowledge we face capacity pressures on the greater Dublin area commuter rail network and the NTA and Iarnród Éireann are currently looking at options to introduce additional fleet in the short term. We have also significantly increased the amount to support the maintenance and renewal of the heavy rail network nationwide, which will increase this year by approximately 23% to almost €200 million. That means the heavy rail network is being funded at the steady state level, which represents significant progress and will benefit passenger journey experiences across the country.

With regard to light rail, we have funded the extension of the Luas green line to Broom-

bridge and we are now funding a capacity enhancement project which will deliver additional capacity on the line. This current project provides for the extension of 26 current trams on the green line to 55 m and the purchase of eight additional trams. That will increase capacity by approximately 37% compared to today. The extended trams will start to arrive this year and those arrivals will continue over the next 24 months.

Each year, we are looking to improve public transport across the country but we know we need to do more. That is where the three big projects which Project Ireland 2040 will deliver come into play. Senators will be aware of BusConnects, DART expansion and MetroLink. Each of these is a significant project and together they will impact hundreds of millions of passenger journeys each year. I hope and expect that, notwithstanding people's views on particular aspects of each, everyone here supports the ambition.

BusConnects will be rolled out across all our major cities, starting in Dublin. This programme will have a transformative effect on the operation of bus services and will improve bus journey times by 40% to 50%; provide a bus service that is easier to use and understand; enable more people to travel by bus than ever before; and provide a network of cycling infrastructure that will enable more people to cycle across the city. BusConnects Dublin was subject to extensive consultation both last year and this year and there was a fantastic level of engagement from the public in response to those consultations. Of course, that engagement was not always 100% supportive of every detail of individual proposals, but I have been encouraged by the approach adopted by the NTA in seeking out people's views. I have no doubt that those views will inform and be reflected in revised proposals as they are developed by the authority later this year. BusConnects is a national programme of improvements to our bus system. As we develop transport strategies in Cork, Limerick and Waterford, the potential of BusConnects programmes in those cities will be central, while in Galway, my Department, through the NTA, is working with the city council as it begins implementation of its transport strategy.

With regard to DART expansion, the plans are to electrify the existing commuter rail network and radically improve the level of service on the northern, Maynooth and Kildare lines. Another part of this programme is the need to significantly increase the greater Dublin area rail fleet by approximately 300 carriages and the NTA and Iarnród Éireann expect to initiate that tender process this year.

MetroLink is the third of the big three projects and Senators will all be aware that the NTA has published a preferred route for public consultation. This route reflects the consideration given by the NTA and Transport Infrastructure Ireland, TII, to the 8,000 submissions it received last year during consultation on what was known as the emerging preferred route. A key imperative in the MetroLink project has always been to deliver a new north-south cross-city link and deal with the capacity issues on the Luas green line. The major change in the preferred route is the method by which the NTA and TII propose to deal with those issues. They intend to immediately move forward on two fronts: to develop MetroLink from Charlemont to Swords and to complete the green line capacity enhancement project which is under way and introduce further capacity enhancements in the medium term. They now propose to defer the third element of the previous proposal, which is to tie in the metro with the existing Luas green line and extend metro services southward along that line.

In so-called megaprojects such as this, the importance of this period of front-end planning is well recognised internationally as being crucial to a project's overall success. It is also important that we approach projects such as this in as open and transparent a manner as possible

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to deal with some of the misinformation and confusion which can arise. I welcome the scale and depth of public engagement with the project so far and commend the NTA and TII on the proactive way in which they have engaged with communities and the public at large. A series of further public information sessions is planned for this round of public consultation, and a large volume of information has been published on the MetroLink website. I recognise that there are still issues which require consideration and consultation with different groups and the NTA and TII are committed to doing just that. Once they have completed their consultation process, they will develop a business case, as required under the public spending code, which will be submitted for the approval of Government before it proceeds to planning in 2020.

Turning to the second of the three principles that I referred to at the start of the debate, we face a significant challenge to reduce our national greenhouse gas emissions. Public transport has its part to play in meeting this challenge. The range of projects and programmes we have just talked about are not just required to deal with increased population and demand. We need an improved and expanded public transport system if we are to attract more people to choose sustainable transport options over the private car. Even though public transport emissions themselves are not significant in the wider context, we also need to show leadership on the issue. That is why we have ended the purchase of diesel-only buses with effect from this year for our PSO bus fleets in urban areas and are funding ongoing trials to determine the most suitable technology for the medium and long term. I am glad that the increased funding available to support the PSO bus fleet means that every year we are able to meet the steady state target of bus replacement. That means that each year, we pull older and dirtier buses out of the fleet and replace them with greener and cleaner buses. That will only improve as we end the purchase of diesel only buses in the urban areas from now on. Iarnród Éireann, supported by my Department, has successfully secured funding under the climate action fund to pilot hybrid technology on some diesel engines, which, if successful, has potential for the wider diesel rail fleet.

The third principle I referred to earlier was the role and potential of active travel. By active travel, I mean walking and cycling, which together comprise approximately 16% of all commuters according to the latest census. There has been a significant increase in the number of people choosing to cycle as part of their commute and we know we need to support the development of new and improved cycling infrastructure.

There has been a significant increase in the number of people choosing to cycle as part of their commute. We know we need to support the development of new and improved cycling infrastructure. That is why I have increased funding this year by approximately 30% and will further increase the level of funding over the next couple of years. It is why I have asked the National Transport Authority to establish a new delivery office to focus on the timely delivery of cycling infrastructure in line with the increased levels of funding available.

I realise there has been delay in the roll-out of several big cycling projects in recent years, but I am pleased to report that this year we have seen several very important projects get under way or scheduled to start. Here in Dublin, the Royal Canal greenway phase 2 is *I o'clock* under construction. Phase 3 will start later this year and phase 4 will start early next year. This will be a fantastic segregated cycle track from the outer suburbs right into the heart of the city. Several other important projects are due to start this year, including the Clontarf to city centre route, the Fitzwilliam route and the Dodder greenway. Yesterday we saw the NTA present Dublin City Council with a recommended option for the long-awaited Liffey cycle route. These improvements will follow through in the other cities too as the NTA works with the local authorities to develop their cycle networks in accordance with published plans.

I am pleased to say there are projects under way and planned in Cork, Galway, Limerick and Waterford. Moreover, I am informed Waterford will later this year see the roll-out of a public bikes scheme.

Senators will recall that, with regard to more rural areas, last year I published the greenways strategy. I expect to announce shortly the details of projects that will be awarded funding under the new strategy.

I hope Senators can see that my Department is working on an ambitious programme across all modes of public transport. Obviously, we need to ensure that the money is spent wisely and well. Ultimately, we need to ensure the taxpayers gets value for their hard-earned money. My Department has long had responsibility for significant capital expenditure programmes. Obviously, we have well-developed monitoring and oversight systems in place. We recognise that these mega-projects bring unique challenges. We need to keep our governance arrangements for the years ahead refreshed and effective. I assure Senators that my Department is keenly aware of the need to maintain appropriate oversight as these projects take shape over the course of this year and beyond.

I hope there is much we can agree on today. Where there is disagreement, I expect it be on matters of detail rather than substance. We need a better public transport system and the investment planned by this Government will deliver exactly that.

Senator Mark Daly: I thank the Minister for coming to the House to outline some of the issues. I was briefly going through his speech and I highlighted how much of it related to Dublin and how much related to the rest of Ireland. I do not think there is a great balance to be honest.

I am keen to focus briefly on one issue that comes in under transport. I have put in a question on organ donation twice in the past month. The first answer I received said the data could not be given out because of data protection reasons and that the data could not be shared with doctors and nurses. I highlighted to the Minister's office that in reality the Minister has already shared the information held by the driving licence registry with private companies, including car companies, toll road companies, the Courts Service and many others. In fairness, the Minister came back and said that if the HSE asks for the information, he would be most willing to give it. Unfortunately, the HSE and the Minister for Health came to the Houses yesterday and said they did not want the information. This is despite the fact that 1 million people have indicated that they would like to be organ donors. If families know that their loved ones want to be organ donors, it increases the organ donor rate by 92%. The next time the Minister is at a Cabinet meeting he might encourage the Minister for Health in this regard. If we had such a system in place the numbers would go from a 50:50 chance of a family donating an organ when asked by a doctor to a 92% donor rate. I imagine that is worth doing.

The Minister brought up several issues. The issue of congestion in Dublin is pressing because it is costing approximately €358 million annually. By 2033, we estimate it will cost €2 billion. The plans outlined by the Minister are designed to alleviate this but we need an implementation process, a national infrastructure commission and especially a Dublin transport commission to ensure delivery. Such measures have been proposed by Fianna Fáil.

The issue of motor insurance is of major concern and represents a growing cost, as is the issue of driving licence tests, especially in rural Ireland. An applicant can wait up to 29 weeks in some places to do the driving test. Major punishments await those driving without an ac-

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panied driver who has a full permit. In any event, we have to be balanced and the fact is we simply do not have enough driving licence testers. The Minister must hire more because 29 weeks is far too long for someone to be without access to a car in a rural area. In such places a person's job will depend on him getting to work. I note the Minister referred to first principles and the issue of cycling and walking infrastructure. That is of little use in 90% of the country because people have to drive to work or take public transport, if it is available. If a person cannot do his driving test, he will be unable to get to work at all.

The Minister raised the issue of climate. We discussed the issue of Dublin Airport in the House yesterday. This is a global issue in the transport industry. The amount of emissions coming from the airlines industry must be tackled in a global way. Under our 2020 climate change targets we were to reduce emissions by 20%, but at the moment we have reduced them by only 1%. While we have the ambition, we are not implementing it when it comes to climate change.

I call on the Minister to address the extraordinary amount of money that is being spent on infrastructure in Dublin, as it should be. We have high numbers of commuters. Commuting time will increase further, adding to more congestion. We have to look at remote working, although I realise that is a matter for a different Department. I have friends who live in Cavan. We all know people who are commuting from one hour to 90 minutes. Some go by train but many go by car, thus adding to the congestion. We should reflect on spending billions on infrastructure in Dublin, as they do in other cities. Basically, that is the way the world is going. Places like Boston, Atlanta, London and Berlin are becoming engines to which people commute for an hour or 90 minutes. We do not have similar train infrastructure to allow people to get in from more remote areas. I am talking about the likes of Wexford. People commute from there but they use the car because the trains in some instances are full already or are simply not up to standard and do not get people to the city on time. If people could get to Dublin faster by train on an ongoing basis and have better visibility and a plan, then it might work. That is the way the world is going. We cannot fight the tide. We have to run with it but we should give people an option as well. Instead of getting into a car and being stuck in traffic for two hours, people could get into a train and go directly to Heuston, Connolly and Pearse. That option would then alleviate the congestion which would in turn ensure that our climate change targets were being met. However, we need an implementation process under a national infrastructure commission and a Dublin transport commission.

We are debating implementation but there are many things we can do. I have received numerous representations on the question of driving licence test instructors. That is something the Minister could address in order that people do not risk driving while using an inadequate licence. People should be appropriately trained and tested by driving licence instructors. They should be given the opportunity to drive the car legally and not have to take a risk. The Minister must hire more people for this to ensure people need not wait 29 weeks in some places to do the test.

Senator Michael McDowell: I welcome the Minister to the House and thank him for his contribution. There are several issues I want to raise with him. Firstly, the Taoiseach has recently said that he is open to considering rerouting the southern leg of the MetroLink proposal to other suburbs of Dublin. I think he mentioned the axis running by UCD. Is the Minister's Department considering such an option? If so, will there be a consultation process about this?

Secondly, I wish to raise the BusConnects proposal. I appreciate that one cannot make an omelette without cracking eggs and a great deal of NIMBYism arises in some quarters in re-

sponse to proposed change of any kind. That said, it is only when one looks at the small print of the proposals that one becomes aware of some of the more significant features of the BusConnects programme currently under discussion. Precisely what is involved is not very clear from the published materials. One has to have some technical expertise to understand some of the implications. During the Order of Business today I gave two examples which relate to my own area. One of these was the proposal to turn Rathmines Road into a one-way system leading out of town and rely on Ranelagh Road and Charleston Road, right outside my house, as the means of getting into town from Rathgar, Rathmines and Ranelagh. It is not practical. Ranelagh Road cannot take the volume of traffic that would be diverted to it. I do not see any consideration of the knock-on effects of the proposed bus corridors in the BusConnects programme. I do not see any analysis of how much extra vehicle activity will take place in Ranelagh as a consequence, or whether Ranelagh can sustain it. That is just one example.

I looked at this single route further and discovered that closer to the city centre it is proposed to make Heytesbury Street into an area for local access only and divert traffic down a very small road. The Minister may or may not know this road. It is called Long Lane. It is effectively a lane at the northern side of the Meath hospital. It is narrower than this Chamber. It is very narrow.

Senator Kevin Humphreys: It is substantially narrower than this Chamber.

Senator Michael McDowell: It is substantially narrower than the width of this Chamber, let alone its length. I can only describe it by saying that if a truck went down it there would be a major crisis. This is proposed as the relief route for traffic going into the city. These are just two instances. Looking at the route running past my gate I began to wonder if this could actually be sustained. It does not involve taking any of my property from me, but can the road network sustain all this additional traffic? I very much doubt it.

When I looked at Long Lane, far away from leafy Ranelagh and towards the city centre, I said to myself that this is not a sustainable proposal. I do not see the analysis determining that it is sustainable. It is all very well for engineers to say where the bus route will run and decide that traffic will have to go hither and thither to make it possible, but we have to examine whether the remaining routes can actually sustain the diverted traffic. The analysis seems to be deficient. It seems to be concentrated solely on what the planners want to do with the assumption that the rest will cure itself somehow.

I want to raise a few other issues with the Minister. Anybody who drives in the city centre sees that electric scooters are proliferating. I approve of them and I do not think they are all that dangerous. Some people on racing bikes are twice as dangerous due to the fact that they go at great speed along congested routes with their heads down. The Minister's Department must come to a conclusion one way or another. Are they going to be permitted or not? By my reading of the road traffic legislation their use is illegal. I may be wrong about that but I think I am right. They should not be in a grey area.

I fully accept what has been stated here about driving tests, especially in rural Ireland. A student aged 18 or 20 who graduates and gets a job while living somewhere where he or she has to travel 15 miles to work will find this impossible without motor transport. There are no taxis or buses. There are no means of doing it. Perhaps someone can cycle five miles each day, but one cannot cycle 15 or 20 miles to get to work every morning. For a huge number of people it is not an option.

The procedure for getting a full licence should be made easier. In addition to increasing the number of driving tests and reducing the waiting list, we should consider approved courses which drivers can attend for three or four days. They could be examined and tested in an intensive process. This would allow drivers to spend, say, a week on concentrated learning at an approved motor college, get their licences and start work. I fully accept the Minister's view that unaccompanied drivers are unacceptable. They can be lethal. However, it is unrealistic to think that people can live in rural Ireland if they face long delays in getting their licences. If they fail the test the first time around it is a disaster. They have to reapply and wait for a long time.

Can the Minister confirm that all of the bus corridors in BusConnects will be open to taxis? That is not clear. We have to plan for more use of taxis in urban areas. I am fully in favour of what the Minister has in mind for bikes, but they do not suit everybody. We need more taxis. Since the deregulation of taxis there has been a massive expansion in taxi availability and use. We have to plan for more and more taxis as part of public transport, not just more and more buses.

Several projects for new Luas lines to Lucan and places like that were planned. Some of them had gone a significant way through the planning process. Are they completely dead ducks? I would also like to ask the Minister about the east-west underground DART proposal on which CIÉ, Irish Rail or whoever elaborated to a very significant degree. Is that now effectively dead? If it is not, why has Dublin City Council been refused planning permission for bridges on the basis that they might interfere with it? We need some up-to-date information. Have all those new Luas projects been abandoned for the foreseeable future? Is the underground DART proposal in suspended animation, or is it not being pursued? We must have clarity on these issues.

Senator John O'Mahony: I welcome the Minister and thank him for his update on transport matters. He spent much of his presentation on the issues in Dublin - the increased demand for public transport and the plans to increase services on the DART, the Luas and so on. As it is an important matter that can be controversial, I will defer to my urban colleagues in that regard.

The Minister also referred to increased investment in rural links, from €12 million to €21 million, which is welcome. Nevertheless, one of the reasons there is so much congestion in, say, Dublin is that the transport routes in other parts of the country are not near where they need to be. As a result, most people from rural Ireland drive when they have to travel to Dublin. There are also issues with transport in rural Ireland that need to be addressed. Rail travel from the west has improved substantially on the Galway and Sligo lines, but there is severe overcrowding on these services, especially at peak times. Will the Minister comment on the plans in plans to increase services in order that more people from rural Ireland will be able to use public transport, something might also ease the congestion in Dublin?

The Minister referred to the NTA engaging with Galway City Council to create a traffic plan for Galway city. In some ways, at times the traffic in the city is even more severe, albeit on a smaller scale, than in Dublin. Gridlock is a daily occurrence. Will the Minister provide an update on the engagement on or when the strategy will be finalised?

The Minister addressed the Joint Committee on Transport, Tourism and Sport on preparations for Brexit, legislation for which was passed in the weeks leading up to St. Patrick's Day. While everybody hopes the legislation will not have to be implemented and that there will not be a no-deal Brexit, will the Minister outline the more long-term strategies? I asked him a similar question when he appeared before the committee. It appears that, whether there is a crash-

out or some form of a deal, the United Kingdom will leave the European Union and it would be a shock to everybody if it ultimately was to remain in it or had a change of mind.

The trans-European transport network, that is, European funding for transport connections in Europe, will affect congestion and other issues in Ireland. A review has been promised, but in the original plan the west of Ireland was not included, although the European Commissioner has guaranteed that the matter will be reviewed before 2023. Owing to Brexit, the Government is very much on top of matters through its involvement in the development of the western arc. The Minister might comment in that regard.

Another matter within the Minister's remit is one that was covered at the transport committee yesterday. The CEO and the chairman of Sport Ireland expressed their frustration at not getting answers from the Football Association of Ireland, FAI, on governance issues, recent appointments and issues surrounding a loan from the previous CEO. In the other House last week the Minister indicated that Sport Ireland was engaging with the FAI and that it would provide him with a report on these issues. In the light of yesterday's meeting, will he comment on the concerns raised by the agency that deals with the FAI and other sports bodies?

Senator Máire Devine: Cuirim fáilte roimh an Aire. By 2045, the population of cities worldwide is projected to grow to 7 billion, of a worldwide total of 10 billion, which would account for 70% of the total population. According to the CSO's figures, there is no reason for Dublin to be exempt as at least 3 million people will live in Dublin by 2045. Planning for the future of the cities and transport, therefore, is vital to unclog their arteries which have been clogged to the detriment of rural areas, where there appears to be little availability of transport services. Transport is vital to have healthy cities and for our health and well-being. We must get it right when planning for the future. Nevertheless, in planning for the future in the area of transport, like planning in other areas, we must keep the environment and climate change as priorities. I am a member of the Joint Committee on Climate Action which produced a report last week. Sinn Féin has been instrumental in adding to the chapters and recommendations made on transport. Our alternative report contained further recommendations on transport. Given that we believed carbon tax was a scéal eile because it was not feasible, our report concentrated on transport, particularly in rural areas.

My fair city, Dublin, which is the capital city suffers from the worst congestion which has the most significant impact on the economy, jobs, housing and people. How we travel around the country and in cities is one of the largest challenges, but it provides an opportunity to tackle climate change and take climate action. The transport sector is second only to agriculture in the hierarchy of those who pollute the environment, with 20% of emissions last year from the transport sector, yet efforts to reduce that figure have thus far been abysmal. We will not reach our 2020 EU targets for renewable transport; in fact, we will fall far short of them, given that we have only achieved 1% of the reduction target for 2020.

Sinn Féin is often wrongly accused of being populist or protesting without offering alternatives. In response, I offer our alternative report, together with the good work done at the climate action committee, to which I am sure the Minister and every Department will refer when planning for the future. We believe electric transport is the way forward but there are a minimal number of electric vehicles on the road. Some Sinn Féin Deputies have test driven electric vehicles for weekends and have found them innovative and novel, but also quite efficient and fit for purpose for travelling the country. The problem is, as we all know, that the strategy for charging points is very poor and a mind set would need to be overcome to suggest one should

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have the confidence to take a journey without expecting to be abandoned in the middle of nowhere in the dead of night. We need to roll out a strategy to make electric charging for vehicles more publicly available.

The cost of electric vehicles is prohibitive. The €5,000 grant does not come near making electric vehicles an alternative for ordinary families who are considering changing from diesel. We were told, a few years ago, that diesel was the best thing going and then, all of a sudden, we found out the lies and falsehoods of the car manufacturing companies that had hidden the damage diesel is doing to our environment.

We need significant change and more investment to attract people to buy electric vehicles. The cost is too prohibitive. Unfortunately, a carbon tax is going to come in at some stage and that will be punitive because people cannot afford to move away from polluting cars to what we call green cars. That is unfair and a lot of effort needs to be made. With Government intervention, electric vehicles could be sold at a loss that would eventually represent an overall gain in years to come.

There is no future certainty on the ownership of the public charging infrastructure for electric cars after the regulator decided, in 2007, that it should no longer be held by the ESB. Who will build, own and sell electricity through public charging for electric vehicles? Without public charging opportunities, people will have little confidence in purchasing electric cars and that confidence needs to be built so there is investment.

There is also the vital required investment in the electricity grid to support electric vehicles. At the moment, the grid could not cope with mass charging. The ESB estimates a need for an investment of €300 million to get 275,000 electric vehicles or heat pumps on the road. How will the electricity to supply electric vehicles be generated? What will be the mix in how our electricity is produced in the future? Electricity currently comes from fossil fuels, which we are going to have to do away with. As electricity generation is dominated by fossil fuels, what are the alternatives and in what will we invest?

We have debated our energy sources time and again. I keep saying that we cannot try and curb our use of an energy source without offering a real alternative. Where is the Government policy to develop compressed natural gas for heavy goods vehicles? That can be extracted from indigenous biogas but there is no policy in this area despite the State having one of the best resources of biogas in the EU. Establishing biogas or renewable gas can deal with farm waste and produce renewable gas to displace fossil fuels, which can power transport for Ireland. We need greater imagination on renewable energy in this State and this Government has very little to show for its eight years in office.

We need to change our lifestyles. It is a challenge for each of us but we need to change in positive and uplifting ways, rather than in response to punitive measures. We will never get anywhere if we go down the punitive road and nobody will change or feel positive or excited about a future that is quite different to what we grew up with in the past and what we have at present.

As there are gaps in dealing with those highly-dependent car users in the State, electric vehicles must be made affordable. Anything the Minister can do to promote that would be most welcome.

We need specific investment in Bus Éireann to effectively redress the shortcomings in rural

transport. The alternative report by Sinn Féin I mentioned earlier proposes that the fastest, most efficient and practical measure we can introduce is to reduce transport emissions, address the significant deficits in existing public transport services and prioritise improvements in State-wide infrastructure.

We have a large over-reliance on cars. We are getting somewhere with the cycle lanes and I welcome the proposed Liffey cycle route. Can the Minister comment on the greenway route from Heuston to Kilmainham? I objected to its establishment at the time because the proposed Garda headquarters was going to overpass that due to security issues although that decision was successfully overturned. Can the Minister comment as to when construction on that might be commenced? Can he comment on the idea that we will work towards free public transport in this city and if that is on his radar?

We extended this discussion because of BusConnects. I have been involved with BusConnects since its inception and there have been many workshops, public meetings and much concern has been expressed by residents. Speaking parochially, the areas of Mount Brown and Kilmainham are already in distress, shall we say politely, on foot of the construction of the national children's hospital. The area will be further punished by the introduction of bus corridors, which will cause issues for access to their homes, to the national children's hospital for deliveries and patients and, obviously, the stymying of local access. There are 30,000 submissions on phase 1 and there will be a similar amount on phase 2. The project would take seven years to complete, were it to start tomorrow. It will perhaps be a few years in the tweaking. Perhaps the Minister will comment on the people who were initially asked to do an overall map of what BusConnects would like but who had no knowledge of the areas or the roads involved. It seems as though those people just sat at a computer and drew lines. The roads are named wrongly. They have articulated trucks going down impossibly small streets, which does not seem feasible. I appreciate there is more work to be done on it but some local knowledge would not have gone amiss.

Senator Kevin Humphreys: There must be a certain amount of public confidence all areas of processes relating to bus corridors, MetroLink and greenways. My confidence in the process was undermined when eight residents of Townsend Street were notified that their houses may be demolished to make way for a new metro station. Transport Infrastructure Ireland, TII, the National Transport Authority, NTA, and Dublin City Council have known that for quite a considerable amount of time but only due to investigations and questions asked that I asked did the NTA tell me on Friday morning that those residents were going to be informed of that by way of a type of dawn raid, as letters were put through their letter boxes telling them they may be losing their homes.

The TII and Dublin City Council is to meet those residents next week but it has created a significant amount of distress for the families and individuals involved and the amount of time it took to inform those residents has also undermined public confidence. That delay in informing them prevented those families making a submission to the earlier stages of MetroLink. I am extremely disappointed in the manner this has been handled and I ask the Minister to investigate why it happened. Is it only because it is an inner city community that they were ignored? It seems to have been widely known in the three organisations that these homes would be demolished yet no conversation was held with the particular families.

I will move on to College Gate because my time is restricted. College Gate is the apartment block that has to be demolished in connection with building the station, along with a public

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facility, namely, Markievicz swimming pool, though I accept the NTA and TII are trying to find an alternative location in which to build a swimming pool. It is important that community facilities be maintained in the city centre. The proposals for Tara Street and the MetroLink were published online. One of the reasons they cannot move the station to an alternative route is a main trunk sewer and the possible damage that would be done by tunnelling underneath the sewer. The sewer has been relined and has probably been there since before the foundation of the State so it probably needs to be replaced in any case, and this should be considered as part of the project. It would open up an opportunity to relocate the station without the destruction of College Gate apartment block. I urge the Minister to have a conversation with his officials on this proposal and to look at this aspect of the project again.

The alternative proposal to MetroLink is to tunnel up to and underneath Ranelagh to provide a train park. I would like some reassurance that this is not just an effort to sideline the issue until after the next general election at the request of several Government Deputies, only for the initial proposal to follow after the election. The NTA has indicated that it wants to go on further and that, perhaps, it will build the line in 20 years. As I said to the assistant CEO, I did not know that “perhaps” was a technical term. I would like much more detailed information on this.

The reimagining and the reorganisation of our buses are important and BusConnects affects more than just Dublin. It affects several other cities and towns and there need to be full disclosure and information on this. Many routes and corridors are being planned on the basis of CSO figures for origin destinations and on how people travel. I would like the information held by the NTA to be published so that we can get a better understanding of the plans. My understanding is that the authority has mined the latest census and carried out an in-depth analysis of origin destinations and mode of transport. It is important to have this information to enable us to understand the routes and the corridors that are planned and I would greatly appreciate it if it was made available. We could then have a positive input into it. We have to reorganise public transport in our major urban areas to serve the majority of citizens. As the Minister said, it will be difficult.

As regards improvements that impact on climate change, small steps can sometimes generate confidence that a Government is going in the right direction and in this context I welcome the Minister’s commitment to cycling and pedestrians. Pedestrians often lose out and I hereby restate my commitment to them. I also ask him to examine the possibility of encouraging taxi drivers to convert to EVs, following several European and American cities which have given a commitment that their taxi services will be electrified by 2023. We have an opportunity to make a similar commitment and to assist drivers to convert. It would act as a public information medium to show citizens how efficient electric vehicles are. In 2018, there were a total of 9,084 taxi licences in Dublin and 1,163 in Cork, 520 in Galway and 399 in Limerick. Momentum Dynamics has constructed wireless charging infrastructure for buses and taxis and many European cities have taken this on board. There is an opportunity for Ireland to show a little bit of leadership by being first adapters. This infrastructure is more efficient and less polluting. It allows taxis to charge at waiting stations at airports, train stations and hotels where a wireless connection has been constructed to allow cars to recharge and have a far greater range.

In 2004, Councillor Andrew Montague proposed the public bike scheme for Dublin, which the Minister will acknowledge has been successful, and he announced its expansion to Waterford. At the moment, local authorities depend on public advertisement and their own resources. Last year, 4.4 million journeys were taken on public bikes across Ireland, which is welcome, and they are now part of our national transport infrastructure. Several people now come into

Dublin by train, pick up a Dublin bike and commute for the rest of their journey around the city. We cannot continue to ask local authorities to carry the full cost of this. Will the Minister recognise that the free bike schemes are a form of public transport when considering subsidies to public transport? I ask him to consider a small subvention to local authorities to help them maintain and increase the free bike schemes around our city.

Much of the discussion has concentrated on the Dublin area but I recognise the contribution Irish Rail has made to emissions nationwide, with a 36% decrease. Irish Rail has a long history of developing infrastructure on time and within budget. It looks like there will be a delay to BusConnects and the metro system. In that context, I ask the Minister to look at re-profiling the Department's spend to assist Irish Rail to put in electric infrastructure across the country. There is a lead time of between three and four years for fully electric trains and a commitment to the electrification of routes. If we started to order electric trains now, we could electrify parts of our lines for those developments.

I also ask the Minister to consider investment in double-tracking the Galway to Athenry line as a priority, and to consider a second platform for Oranmore, which is important. Cork needs seven new stations to support its development, including park and ride sites, while the Kent Station investment-----

Acting Chairman (Senator Diarmuid Wilson): Before Senator Humphreys gets to the rest of the country, his time is up. He has put quite a few questions for the Minister and we are going to be tight on time.

Senator Kevin Humphreys: I will finish. We are looking at regional development and the encouragement of people to go and live in developments in other cities and towns. It is key that we should have major investment in Cork, Galway, Limerick and Waterford.

That is the end of my tour of the country. Transport is one of our major challenges in regard to climate change, after agriculture. I ask the Minister to engage further. If there are no further speakers, I ask the Chair to give me more time later because the Minister is present.

Acting Chairman (Senator Diarmuid Wilson): The Senator can only speak once, as he well knows. His time is up. In fairness to the Minister, there are quite a few questions and he will not have time to answer them all. Senator Grace O'Sullivan has been gracious in allowing Senator Conway to speak ahead of her. I call Senator Conway.

Senator Martin Conway: In the first instance, I thank my friend and colleague, Senator Grace O'Sullivan, for facilitating me as I have a diary clash. I welcome the Minister to the House. It is important that we would discuss transport on a regular basis in the House. I agree with many of the sentiments expressed by Senator Humphreys, particularly in terms of Irish Rail. Irish Rail gets kicked around quite a bit, unjustifiably in many cases, but its commitment both to emissions reductions and improved customer service is commendable. We had an interesting briefing session with the company in Buswells Hotel on Tuesday. The newly appointed chief executive, Mr. Jim Meade, and his senior management team were in attendance and they were very open in dealing with concerns, whether local, regional or national. Their open door policy is something that should be emulated by other companies, semi-State and otherwise.

I use public transport all the time. Given I am probably the only Member who cannot drive, I understand more than anybody the importance of good quality public transport. It is appropriate that we acknowledge the contribution made by some private operators, in particular private

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bus companies. For example, when I started in the House, the latest opportunity to get back to Ennis at night was the 6 o'clock train. Now, people can travel back to Ennis on an hourly basis until midnight thanks to John O'Sullivan's Dublin Coach green bus, which has revolutionised the opportunity for people to commute to various parts of the country, particularly Ennis and County Clare. I commend him and his team on the work they do.

One issue I want to raise with the Minister, about which I spoke to him briefly on Tuesday, is the situation with the Clare Bus company, which up to now has been providing the Local Link service in Clare. Unfortunately, for some reason, it does not seem to have been successful in tendering for the latest round of this project. It has been acknowledged by many, including the NTA, that the Clare Bus company is a model of how to provide local link services for vulnerable people, in particular people with disabilities, older people and so on. I am baffled, to say the least, as to why its contract has not been renewed.

Tendering is important and when we are spending public money, we should know where it is going and how it is being spent to ensure we get best value. However, we need to also get best value in terms of quality service, local knowledge and keeping jobs in rural communities, which are also important. I respectfully suggest that perhaps that has not been taken into consideration by the NTA when awarding this particular contract.

While I have the greatest respect for our neighbours in Limerick, I wonder whether they would have the required expertise, not through any fault of their own, but they do not have the local knowledge of the client base that the Clare Bus company has. I worry whether they have the connectivity with the people on the ground that the Clare Bus Company has. I am baffled and I do not know why the company was not awarded this contract. It does not make sense and it does not add up. There is something missing somewhere. I would appreciate it very much if the Minister could give me feedback as to how this situation can be resolved. Many people in County Clare are upset by this decision, including myself. Answers and clarity are needed.

To be frank, the decision needs to be reversed. While the Minister will tell me the NTA is independent and should be allowed to do its work independently of Government, which is correct to a degree, the social responsibility falls on Government. The HSE and other organisations are seen as independent, and perhaps that is a conversation for another day, as I would like to see a situation where Ministers have a lot more influence over those types of operations. When something does not make sense and does not add up, there is nothing wrong with a Minister telling the NTA that is the case. He should at least get feedback and an explanation of how it happened and, more important, how it can be reversed.

In conclusion, as somebody who uses public transport all the time, I commend the men and women who run and work in our public transport companies, including Bus Éireann and Iarnród Éireann, and private bus companies. The social responsibility they take upon themselves in helping vulnerable people is commendable. They are heroes on the roads and they are not acknowledged often enough for the work they do on a daily basis in keeping this country, this nation and our citizens connected.

Senator Grace O'Sullivan: I welcome the Minister. I will start off with a sweetener. One day last weekend, at 8.30 a.m. or 9 a.m., I was stopped by two gardaí near the beach in Tramore and breathalysed. I was asked my permission to be breathalysed, which I gave, and I successfully passed. In fairness to the gardaí, they were most courteous and professional in their approach. I commend the Minister on his legislation in this regard.

Transport is the bitter pill for me. I sat on the Joint Committee on Climate Action for the past nine months until we gave birth to the report which was published last week. The greenhouse gas emissions from the transport sector in Ireland are increasing and I cannot see how that will change. The Minister said we can probably agree on four basic principles. Principles are not enough with regard to climate change; we need action and we need it now.

When examining the transport system, in particular the congestion and the timetabling, many aspects of it are inefficient, ineffective and broken. For example, I refer to the Clonmel to Waterford train service. The first train leaves Clonmel at 10.38 a.m. Waterford is home to the Waterford Institute of Technology, the Central Technical Institute and a number of academic institutes, which means many people work in Waterford, yet that train leaves at 10.38 a.m. That is ludicrous but that is indicative of many other rail services in this country. We just do not have enough of them. My first request is that the Minister examines the efficiency and effectiveness of the rail network in delivering freight and passengers to their destinations in the urban centres.

We agree public transport has to be increased but how exactly is the Minister going to do that? How is he going to incentivise transport in this country where people are addicted to their personalised vehicle? When I am travelling, I see individuals operating in their cars. *2 o'clock* We see an increase in investment in cars. While I welcome the investment in electric cars, we do not have the infrastructure to support that network so we have this phenomenon called charging stress, I think, where people get into a dilemma that they will not be able to reach their destination with the EV system. We need better support in that regard. My big questions relates to how we are going to bring the public to the public transport systems that are in place now, and how we can increase the numbers using public transport into the future. There has been some increase but not enough.

The Minister did not mention sea transport and I thought as an island nation and with Brexit looming that it might be an area he would address. How can we move people away from aviation and have an attractive way for people to use sea transport? There will be an increase in the freight lines with Brexit coming on. Regardless of Brexit, one of the interesting discussions I have had with people over recent months related to the mechanisms to get freight and passengers around the UK by bypassing it one way or another and having better transport mechanisms from Ireland directly to the Continent, including to France, Rotterdam Europoort or Zeebrugge in Belgium. What is being done in that regard to support freight industry and transport people by sea?

The Minister said that BusConnects will be rolled out across all major cities. As Senator Humphreys noted, Project Ireland 2040 involves regionalisation and moving away from the congestion and overpriced living in Dublin and highlights the importance of developing infrastructure in regional centres. The Minister stated the programme will be rolled out, that it will be transformative, and that the services “will be...”. It is all aspirational. We start off with the principles and now we go into the aspiration. It is not happening and it needs to happen, for the climate strikers who have been outside Leinster House and outside the local authorities around the country. We need action. We do not need any more aspiration. We need that seismic shift. Senator Humphreys referred to the electrification of Irish Rail. Can the Minister show us the path from where we are now? Rather than a slow, step-by-step approach, is there a possibility for a seismic shift into electrified system? Can the Government move Irish Rail directly from the infrastructure that is in place to an electrified system within a short timeframe? We bypass an intermediate stage of continuing to use fossil fuels and go right to electric. That would show commitment to our climate change targets.

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On rural bus routes, I have had a few people contact me about the circular route. They find it is not working for them in terms of efficiency and getting from A to B. If they leave from one place, they almost have to do a round trip to get to the other. It is not efficient for users and the Minister might look into how he could make it more so. On cycling, the world's largest cycling conference, Velo-city, is coming to Ireland in June. This is going to be great from a tourism perspective but also to encourage cycling. Is it possible to front some investment in advance of this conference to underpin its success? There is a disparity between the number of males and females who are cycling. Would the Minister look into this and into how he could invest in increasing the numbers of girls and women cycling?

Senator James Reilly: I welcome the Minister again. We had a long discussion here yesterday on another mode of transport. I welcome much of what he said in his contribution. Having listened to other speakers talk about aspiration, we as a Government would be the first to be criticised if we did not have plans in place before we acted. Nobody is more frustrated than I at the time it has taken to bring metro to any sense of reality. We have been talking about it since before 2000. When I was in government in the midst of a financial crisis, I fought to have it maintained rather than killed off altogether. I am delighted the Minister said that the project will go to planning next year. So much hinges on that for people on the northside of Dublin city and out to Swords and the airport. For example, four master plans have been developed by Fingal County Council which will result in 18,000 jobs in Airside, Swords. This will be marketed by IDA Ireland and Fingal County Council to foreign direct investment companies. There will also be room for 3,000 houses, 1,100 of them at Fosterstown. This is an area in which there has been significant expansion in population. It has the youngest population in Ireland and possibly in Europe. The people are highly talented and mobile and they want to stay in the area, live there and contribute to it, but they want to be able to access the city for work. There are nearly as many people coming out from the city to work in Fingal as there are going back in. This infrastructure is critical and I welcome that the Minister has stated again that planning will come next year. I certainly hope it will be expedited and that there will be no further delays.

Electrification of the line to Balbriggan and on to Drogheda would be welcome and would have a massive impact on Balbriggan and all the stations in between such as Skerries, Rush and Lusk, and Donabate. However, people will be concerned that the DART trains will be full before they get to them. There will have to be a significant increase in the number of trains running and in the length of carriages. The Minister has alluded to this.

Other Senators have talked about electric scooters but the electric bicycle is certainly worth considering for longer journeys that one would not necessarily want to undertake on a daily basis. I welcome the greenways, which I have raised here time and time again. I have asked that the Minister for Finance make at least €200 million available for them. It is very important not just in terms of the environment and tourism but in terms of community and family. There is no safe place to go cycling with the kids as a family around Dublin city or around the north county. We have called for greenways and I know that Fingal County Council has plans for different sections to run from Sutton all the way to Balbriggan. This would be a massive boon. We have something unique, as I have said previously, in that we have a railway station in each area so if people are tired of cycling they can park their bikes and take the train back into town. It is also an offering that Fingal would have for Dublin Airport through which nearly 32 million people passed last year. These are huge opportunities that are very important for community and health, and for connecting up to the environment.

This brings us to the whole issue of climate change. I am aware that this debate is not about

climate change but the Minister mentioned it. As someone who has an electric vehicle, which is very much in the mid-price range and cheaper than many of the cars I see being driven by Deputies and Senators in this institution, I can tell the House that electric cars are extremely practical, worthwhile, efficient and very cost effective. I fought hard to get a charger in the grounds here and there is just the one now, but we need more. In fairness to Senator Bacik, we also need a place for bikes to park safely.

The Minister referred to greenways. A joint application has been made by Fingal, Louth and Meath councils for a greenway that would run through Balbriggan, over to the Boyne and up to Knowth, Dowth and Newgrange. It would be a fantastic offering from a tourism perspective. It would be a huge amenity and would connect up with the other greenway. The opportunities are myriad.

I will now turn to safe cycling in the city in particular. We really need to have safe places for people to cycle. We have lost a lot of good, young people on our roads in the city through fatal accidents such as cyclists being hit by lorries and others on site at the time.

I do not want to delay any further but have some final points. Ireland has a large rural area but so has Norway. I read recently that 53% of new cars sold in Norway this year are electric. If they are good enough for Norway, they are surely good enough for Ireland.

I also want to mention the issue of micro-generation that I have raised here time and again, and perhaps the Minister could use his influence at Cabinet in this regard. We debate feed-in tariffs for big solar farms and big biodigesters but there are also many people around the State who would be very happy to put up photovoltaic cells and feed their excess power into the grid. This is particularly relevant to farmers who have massive hay sheds with huge potential. There has to be some encouragement for that. I am aware that this costs money but I would prefer to see the money spent on that and going to our own people to solve our carbon tax problem than buying credits elsewhere or paying big fines to the European Union.

Senator Fintan Warfield: I welcome the Minister to the House. Draft climate change action plans have been prepared by the four Dublin local authorities and specific documents in all of those cases include transport within the Dublin local authority areas such as fleet operations, fleet procurement and road traffic management, as well as sustainable travel for staff. Dublin City Council quite transparently provided the travel figures for the 1,500 staff that work in Dublin City Council's civic offices on Wood Quay. Of the 1,500 staff members, 53% travel to work by car with 280 car parking spaces provided in the Wood Quay site for Dublin City Council staff. I am not doubling down on Dublin City Council but 280 cars at 4 m length each would line the south side of the quays from Wood Quay almost back to Heuston Station. In comparison, a Luas could accommodate 350 people. A Liffey cycle route would provide a genuine option for commuters to safely travel along the quays. I do not know if anyone here has cycled along the quays: it is just mental. I do not know if the Liffey cycle route that has been proposed will accommodate all of the cyclists in the future but I want to see a Liffey cycle route that can be used by children also.

Can the Minister tell me how many of the private cars coming into the city each morning are public servants working for the State? I do not know many private companies in the city that provide staff car parking spaces. Perhaps there may be three or four spaces for directors but not a parking lot for the numbers of staff that we see in Dublin City Council. I see that the Minister is writing and he probably has those figures but if the figures are not to hand or do not

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exist, then we should have a study on which public institutions provide car parking spaces, how many, and if it is sustainable to facilitate that. The answer to the last question is most likely to be “No”. The study should start with this institution, with the Oireachtas and the Parliament, and whether we should have a car park out front. What message does this send to the public and what alternatives can be made?

Dublin was built without many public spaces in which to congregate and mobilise, and given the location of the Dáil and the lack of space to assemble, the possibility of pedestrianising the near end of Molesworth Street opposite Leinster House to enable safe demonstration, public gatherings and performance should be explored.

As I commute around town I am either angry, frustrated or embarrassed that the city is in the state it is. Nobody is being served properly by the *status quo*. In the core of the city - around George’s Street, Dame Street, Stephen’s Green and Leinster House - nobody is being served by the *status quo*. Also nobody in the suburbs is served by the *status quo*: not the drivers who sit in their cars, bumper to bumper, breathing in the fumes of the vehicle in front; not the cyclists whose cycle tracks disappear into thin air or who have to negotiate their commute with a double decker Dublin bus; not the people who use the bus, a service which at rush hour is completely at capacity and which may have no bus lane - including the two bus routes for me to get home to Inchicore - meaning that a bus with 20 to 60 passengers may have to sit behind a whole stretch of 20 cars; and the pedestrians are also not being served, even with the Grafton Street quarter.

While it is easy to have a good balance of cycle lanes and so on in places like Fingal, Dún Laoghaire-Rathdown and South Dublin County Council areas, when choices have to be made in the Dublin City Council area it seems that those choices are not being made. We have a situation where nobody is being served by the *status quo*.

I believe there is a step change happening with regard to the inner core of the city I referred to earlier. It is happening among businesses that realise pedestrianised streets are good for business. That will have an effect on Dublin City Council’s approach to pedestrianising streets. It is good to see a trial of this on Suffolk Street and I would call on Dublin City Council to make that a permanent arrangement and to adjust the street into a pedestrian street full time. We are also seeing it in the response from businesses on Liffey Street Lower. The private car park lobby want access to Bachelors Walk via Liffey Street Lower but the Ha’penny Bridge is our landmark pedestrian bridge: pedestrians should be able to cross the quays and enter on to Liffey Street Lower and breath and socialise and have that space, rather than cars exiting Abbey Street onto Bachelors Walk. There is overwhelming support out there, especially among younger people, for a realignment of the priorities of the inner city and particularly around pedestrianisation and democratic spaces. It is about protection, comfort and enjoyment.

We also need to have a conversation about extending public transport later into the night. There is a conversation going on about the night-time economy, staggered opening hours and licensing law reform. I know workers in the hospitality industry and the cultural and creative sector who leave a shift and pay half of their wages on a taxi home. We need to extend the Nitelink and run the Luas later, and this should happen every night of the week. There is growing impatience among young people and a demand for priorities to be changed.

Senator Maria Byrne: I welcome the Minister. He and I have had many debates in the House on transport, most recently relating to the inefficiency of buses in Limerick. Following my debate with the Minister, I have had meetings with Bus Éireann and the local authority to

get updates on how services might be improved. To date, while there have been some very small improvements, realistically many of the issues have yet to be addressed. I know the local authority and Bus Éireann are working on more real-time efficiencies rather than increased efficiencies. They were advertising the bus every 15 minutes but it was not quite working. One day recently three or four As arrived at the bus stop at the one time. While they are looking at it, there are many other aspects of the transport system that need to be looked at.

The Minister mentioned Project Ireland 2040 in his statement. On the previous occasion I raised the matter, one of the responses the Minister gave was looking at a metropolitan link between Limerick and places such as Shannon Airport. While I welcome that as a great addition, I would love to see some of the trials happening outside Dublin with some of the links starting in rural areas, perhaps on the western seaboard.

Recently it was announced that the number of cruise ships coming into Dublin Port would be curtailed. I would be concerned about the knock-on effect that might have on Shannon Foynes Port where many cruise liners dock in the summer. This in turn leads to tourists coming to visit places such as King John's Castle, Bunratty Castle, Adare and many scenic places on the Wild Atlantic Way that are a counterbalance to Dublin. We need to disperse our tourism and encourage people to move outside Dublin. These cruise liners coming into Shannon Foynes Port have a knock-on effect for Limerick, Kerry and Clare because there is connectivity between the various places. I would be interested to hear what the Minister has to say on that.

Cycle lanes and cycling as an alternative means of transport have been mentioned. It is ironic to think that one of the main people who has been highlighting the inefficiencies of the bus transport in Limerick was knocked off his bicycle recently. He was looking at alternative ways of getting to work rather than using the inefficient bus service, even though it was a car that knocked him off his bicycle. I wish him a speedy recovery. We need to look at safer cycling, especially in urban areas. We do not have very many cycle lanes. Using Limerick as an example, we have the Coca Cola bikes in some locations but not in locations with considerable footfall. There are some in the greater city area. Mary Immaculate College and the University Hospital Limerick are in the outskirts. I would like to see this scheme expanded to locations where there is footfall.

I would like to hear the Minister's thoughts on park-and-ride facilities. I have visited the very successful Black Ash park-and-ride system in Cork run by Bus Éireann and the local authority. I would love to see something like this extended to other cities. It is about trying to increase footfall. Many cities are suffering from the doughnut effect with little footfall in the shops in the city centres. We need to look at different ways to do our business.

I would like the Minister to put park-and-ride facilities and our ports on the agenda. He should also consider having pilot schemes outside the greater Dublin area.

Acting Chairman (Senator Catherine Noone): I need to be very strict on time because it will be a challenge to get everybody in and the Minister must be called at 2.38 p.m.

I call Senator Lawlor who has five minutes and no more.

Senator Anthony Lawlor: I welcome the Minister. I hope that in six months' time I will be welcoming him to open the Sallins bypass and that by then the expansion of the N7 to three lanes will be finished. Every morning it has been namechecked on radio and television stations as being a bottleneck. By the end of this month or early in May I hope the three lanes will be

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open and the Sallins bypass will be open by the end of the year. I first brought up this project when I was in the Dáil. It would be very welcome to have the Minister down there to open that €110 million project.

I have asked TII and the NTA how we can make buses more efficient on that route, making better use of our motorways. I suggested the possibility of using the hard shoulder as a bus lane. A trial is taking place on the N4 from Maynooth towards Dublin. Something like that might also be considered for the N7. If we are saying we cannot do it because the existing roads are not wide enough, why do we not take one of the lanes and use it, not alone as a bus corridor, but also as a car-pooling lane, making it more efficient for people to travel.

I welcome the increased allocation to local authorities with Kildare County Council getting an additional 14%. That helps all the rural communities some of which have not had a road resurfaced for almost 50 years apart from bit of tar for to cover the potholes. I hope there will be further increases. Through the year the Minister may have surplus funding elsewhere and he might consider County Kildare as part of that.

We need to increase the rail capacity. We badly need additional carriages on the routes coming to Dublin from Kildare. We also need to increase the capacity of the lines by widening them. The four lines that currently go as far as Hazelhatch need to be extended as far as Kildare where the line splits. There is enormous opportunity for people to use those rail lines at the moment.

I very much welcome that companies such as Go-Ahead are taking over some of the routes from Bus Éireann. Go-Ahead is in consultation with the NTA regarding the timetable. It is important for people in the commuter area in Kildare to have an efficient service that runs on time. People frequently bitch about the bus not turning up on time. We all know the story about waiting for one bus to come along and suddenly four come together. I have been talking to Go-Ahead about more consistency. It is communicating with the commuters as to what they want. There should be linkages between the provincial buses and the link buses that are linking the communities around so that the link bus arrives just before the provincial bus departs.

I have been advocating for the greenway for a long time and I welcome the money allocated. The proposed Part 8 development for the Grand Canal greenway is going through the Kildare County Council planning process at the moment. It is important to have that link from Sallins into Naas. That would immediately link into the train station in Sallins. It is vital for attracting tourists to the midlands and east of the country.

Acting Chairman (Senator Catherine Noone): I thank the Senator.

Senator Anthony Lawlor: There is a need for an outer ring road around Naas. How long does it take to get from a concept being put into a development plan to the delivery of the road? I acknowledge we need feasibility studies, route selections, tender documents and all of that. Can the Minister indicate how long the process might take? The information is important for a debate that is going on in Naas at the moment. One thing that I have advocated for is an outer ring road for Naas that would stretch from what is known as “The Ball” to the new Newbridge interchange. It is a long-term plan but it was done in other places such as Tullamore and Kilkenny. Naas is a big thriving town so we should consider this matter. I hope to welcome the Minister to the opening of the third lane of the N7. My mother opened the Naas bypass.

Acting Chairman (Senator Catherine Noone): Come on.

Senator Anthony Lawlor: The Acting Chairman gave me a minute.

Acting Chairman (Senator Catherine Noone): No.

Senator Anthony Lawlor: I thought the Acting Chairman said she would give me a minute.

Acting Chairman (Senator Catherine Noone): No, the Senator has spoken for over five minutes. I gave him one minute along with the four minutes.

Senator Anthony Lawlor: My mother opened the bypass and hope to welcome the Minister to the opening of the third lane of the bypass.

Acting Chairman (Senator Catherine Noone): I do not mind what people say but the reality is three people want to contribute and as only six minutes remain, that is not possible. The next person is Senator O'Donnell. It would be helpful if he could speak for fewer than five minutes.

Senator Kieran O'Donnell: Who else wants to contribute?

Acting Chairman (Senator Catherine Noone): Senators Mulherin and Higgins.

Senator Kieran O'Donnell: How much time remains?

Acting Chairman (Senator Catherine Noone): Seven minutes before the Minister needs to comment.

Senator Kieran O'Donnell: I will take three minutes.

Acting Chairman (Senator Catherine Noone): I thank the Senator but it is still not enough time for Senator Higgins to come in.

Senator Kieran O'Donnell: I will try to be quicker.

Acting Chairman (Senator Catherine Noone): Senator Kieran O'Donnell has a right to five minutes because he was down.

Senator Kieran O'Donnell: I want to contribute to this debate and thank the Minister for coming before the House.

I will draw a picture of a range of transport that includes road, rail, airports and obviously ports in the context of where I am based, which is Limerick city. I acknowledge the commitment of the Minister to the M20. As he will probably be aware, Barry Transportation has been appointed as the design and planning consultant. The project is now under way for which I thank him. He allowed the project to go ahead initially by providing €1 million for preliminary work and I acknowledge that work.

I also wish to deal with air. Shannon Airport is an integral part of what we offer in the region and is very much synonymous with Limerick city. Recently the Minister met the management of the Shannon Airport group and we met him to discuss establishing major European hub connectivity to the region. I want to raise the whole issue of Shannon Airport and the establishment of a major European hub connection at Shannon Airport with the Minister. On 6 February, he facilitated a meeting with the Shannon Airport management group. The group was proceed-

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ing to supply a submission to the Department on developing major European hub connectivity at Shannon Airport. Such connectivity is vital for the region. Has the Minister received the submission? If so, will he give it due consideration? In terms of what we can offer, and if we want proper balanced regional development to counter what happens in Dublin and the eastern seaboard and, in particular, to take pressure off Dublin Airport, then Shannon Airport has a key role to play.

I want to discuss urban buses and having strong city centres and vibrant communities. In Limerick city we firmly believe, and I am very committed to having a strong city centre in Limerick city, that one of the key features to ensure that is timely bus connectivity. There are issues with some buses, such as the timeliness of the 304 and 304A routes, in Limerick city. I got the route, which passes through Castletroy, in place about two or three years ago. The route criss-crosses the city from Castletroy to Dooradoyle. There are issues with timeliness. A 304 bus route also travels from the university and criss-crosses the city to reach Dooradoyle. I know a review is under way but we have an issue in Dublin in terms of connections and so forth. I want the Government to be determined and produce a policy that provides structured bus connectivity into city centres. In terms of creating vibrant city centres, if one has people who live in the suburbs and they have an offering outside of the city centre then we must ensure that travelling to the city is not difficult and does not take a long time.

I also wish to raise a more local issue. The J. J. Kavanagh & Sons bus company currently provides a bus that travels from Limerick city to Dublin Airport via the old N7 and passes through Birdhill, that won the Tidy Towns Competition two years ago. As the company now plans to go onto the M7, the route effectively no longer uses the old route. The company will stop in Nenagh and Roscrea. I ask the Minister to ask the National Transport Authority, NTA, to facilitate bus connectivity for the Birdhill region, perhaps using Local Link transport. I have already contacted the NTA and Local Link Tipperary. I ask the Minister to give a nod to the NTA and ask it to consider the matter. If we seek to provide connectivity then we must ensure that no one is left behind, including people who live in rural areas.

Senator Maria Byrne: At the request of Senator Higgins, the Leader of the House has agreed to extend the debate by about five minutes so that all Members can contribute.

Acting Chairman (Senator Catherine Noone): Does Senator Byrne wish to move the motion to extend the debate by five minutes?

Senator Maria Byrne: Yes.

Acting Chairman (Senator Catherine Noone): Is that agreed?

Senator Kevin Humphreys: If we extend the debate by five minutes, then we should do so long enough to allow the Minister to respond. That would be fair to all of the Senators that have been here.

Acting Chairman (Senator Catherine Noone): Does the Minister agree?

Senator Kevin Humphreys: I ask for an extension of 15 minutes.

Acting Chairman (Senator Catherine Noone): No, not 15 minutes because we have the Judicial Appointments Bill next.

Deputy Shane Ross: I agreed under pressure to do an extra half-hour. I will do an extra

ten minutes but I cannot do any more than that.

Acting Chairman (Senator Catherine Noone): That is fine and we cannot either in the House.

Senator Kevin Humphreys: At least we will get some response from the Minister, to be fair.

Acting Chairman (Senator Catherine Noone): Is an extra ten minutes agreed? Agreed.

Senator Michelle Mulherin: I welcome the Minister to the Chamber and will try to be succinct.

I have no doubt that the Minister is aware about the excellent presentation that we received from Iarnród Éireann on its plans to help us to decarbonise transport, which is timely in the context of the report published by the Oireachtas Joint Committee on Climate Action last week. Of course there are different challenges in rural areas compared with urban areas. What I like about the report is that the committee had a plan for every place. For example, they seek to electrify lines, I suppose within the Pale, and outside providing hybrid engines and, in the process, shortening journey times and increasing the number of services, which goes to the kernel of what we are trying to do to get more people off the roads and use more public transport. Unfortunately, there is a paucity of services in rural areas, as the Minister knows, thus the need for more solutions to be found in terms of providing bus transport and a framework of tailor-made services to provide public transport, depending on the areas. To get the best solutions requires input by local communities. We also do not want to end up displacing transport operators in areas who pay insurance, follow the regulations stipulated by the Taxi Regulator and provide a service that meets the standard. A balance must be struck and it must be done in co-operation with the communities and transport operators.

I would like to see priority given to some of the plans Iarnród Éireann wishes to roll out, especially in the context that we are behind in the transport emissions targets for 2020 and face being fined. When one puts all of that into the mix, it may be worthwhile accelerating or bringing forward some of the investment that is planned providing that it does not all apply to Dublin and we do not have to go walking or using high-speed cars in other parts of the country. It would be great to have an overall plan. I also think we need to consider freight. The second largest freight yard is in Ballina, County Mayo, where I am from and I know it needs more work and investment. It also has more potential to take heavy freight off the roads. While it is paying for itself, it needs capital investment as a matter of priority. Turning to rail services, the western rail corridor could help us to reduce carbon emissions from transport while also helping to realise plans for the Atlantic economic corridor. While I acknowledge that a study is being done in that regard, I note to the Minister that in respect of decision-making, we are in a bit of a vicious circle in rural areas. Regarding a cost-benefit analysis and economies of scale, we always run into a bit of a problem in terms of priority over other transport projects in areas with larger populations. However, applying only that measure is very short-sighted because the more we fail to invest in rural areas, the greater the pressure that will fall on urban areas. We will never create the balance we need. Am I running out of time?

Acting Chairman (Senator Catherine Noone): The intention was to allow the Minister more time to respond, but I am trying to be courteous to colleagues and to let Senator Higgins in.

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Senator Michelle Mulherin: I will be mindful of that.

Acting Chairman (Senator Catherine Noone): Senator Higgins must promise not to go over two minutes.

Senator Alice-Mary Higgins: I will not.

Senator Michelle Mulherin: Finally and most importantly, will the Minister conduct an audit in conjunction with TII to determine the number of major and minor projects on the national network of primary routes which have been delayed or refused by virtue of environmental designation under the habitats and birds directives and how much additional cost has been imposed on those projects as a result? I give the Minister the example of the N26, which is the national primary route between Swinford and Ballina, County Mayo. It has been set back ten to 20 years, depending on when one dates it from. Since the refusal by An Bord Pleanála of a stage 2 scheme in 2010, the road has been developed by way of a series of minor schemes. Approximately €4.5 million has been spent but not a sod has yet been turned. It is all down to whooper swans, freshwater pearl mussel, alluvial woodland and the whole mix. This is an area in which there is already a population. This is not out in the wilds. There is an issue and I want to know how much it is costing and how far behind the western seaboard is being left. It is the same problem in Galway, Clare and everywhere else along the western seaboard that there is designated land.

Senator Alice-Mary Higgins: I will be very brief. There are many points and issues I am sure I will have an opportunity to follow up on, including the issues of freight and our ports. Perhaps a separate debate will be needed on those matters. Public transport has been at the core of much of today's discussion. The benefits of public transport do not come in the balance sheets of Iarnród Éireann or Bus Éireann, they accrue to the democracy, in connectivity, socially and to the environment. As such, it is important that we capture those benefits. I was one of only four members of the climate committee to vote for a 2:1 ratio in spending on public transport versus roads. I did not do that because I wanted to see funding cut in other areas but because we need a radical ambition for public transport. What projects are we bringing to Europe and seeking funding on? The InvestEU Fund allows us, under the sustainable infrastructure strand, to seek funding. The western rail corridor was mentioned. It is an area where European co-funding had been available but was no longer sought, with the result that the project was not delivered. We need to see a dramatic transformation here. We should not see any rail route being shut down given the nature of the demand. Generally, when one builds it, they will come. If the demand falls, we must look at how to create different provisions at different times, for example on the Wexford route. I have other points which I will leave aside to move to my final point, which is on cycling.

Acting Chairman (Senator Catherine Noone): The Senator has 30 seconds.

Senator Alice-Mary Higgins: The climate committee has called for 10% spending on cycling infrastructure. A motion has been passed in the Dáil calling for that too. I welcome the fact that the Minister has engaged with me and others on the issue. However, we are still looking at funding which is woefully under that level, while the Project Ireland 2040 estimates include provision for only 5%. How can we increase that funding level? The Minister mentioned a delivery officer but can we also have a cycling officer? I welcome the Liffey cycle route, which will be important, and the intersecting pieces. Can the Minister elaborate on how to take this further? When will BusConnects be rolled out in other cities? We cannot afford to

wait. I ask that BusConnects routes are given to the greatest possible extent to public operators who are able to respond to changing environmental standards. Public services have the flexibility and capacity to scale. Importantly, they have the transferability required. I ask the Minister to address those issues.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): It has been a very good debate. It has lacked the cut and thrust one often sees in the House but it has been very constructive. I will try to address most of the questions that came through in the short time available to me. I detected three trends, namely, congestion, climate change and cycling. That was very welcome because one often hears a lot about other issues but these are the progressive and sensitive issues it is right to raise in this House. I welcome also the fact that virtually every speaker mentioned those matters in one context or another. Virtually everything that was raised here could be categorised as an issue which may not be easy to address but which should nevertheless be tackled.

I will say something on cycling overall first and then address the individual matters. Let there be no doubt here. The Government has bought into the cycling story. It would be utterly wrong for anyone to paint us as anti-cycling or to have fallen back in respect of it. A lot of disinformation comes out about cycling. I do not blame the cycling lobby groups, which have a lot to complain about. However, there is a lot of disinformation and a lack of appreciation about what we have done and what we are doing and how well it fits in with the climate change story. Let me be honest and straightforward and admit that we are behind on climate change. Of course, we are. We do not have a proud record on climate change, but we are going to improve. Transport has its contribution to make. While there is sometimes misleading information about that, we have a major contribution to make to improve the climate change journey we have to take. Cycling is a major part of that. I will list for the benefit of everyone who raised the cycling story a fact of which I hope most people are aware. We have announced a capital investment programme for cycling and walking of €110 million over four years from 2018 to 2021 with a further €135 million to be provided over the next four years for traffic management, bus priority and other smarter travel projects in our cities. This is a substantial step up in investment, which will impact significantly on the numbers cycling. It will continue to yield benefits in the easing of congestion, which is where Senator Mark Daly started, and have a transformative effect in Dublin and regional cities.

I am acutely aware of the importance of safety for cyclists and am very conscious of the increase in cycling fatalities, in particular over the last couple of years. There has been a small improvement, but no improvement is ever enough. The Department has been working closely with the NTA and Dublin City Council to develop additional safety measures. In 2019, funding under the sustainable urban transport and cycling walking programmes will increase by approximately 30% to €48 million. That increase excludes additional moneys made available under the greenways strategy and the national development plan. We are allocating €2.4 billion to the development of BusConnects across all major cities and that will deliver an integrated cycling network in each. Under the greenways strategy, a €53 million programme from 2019 to 2021 will fund the delivery of strategically important greenways across the country. The NTA will establish a new cycling delivery office to optimise the delivery of new cycling infrastructure. I note in response to the point Senator Higgins just made, the office will obviously have dedicated people and I am hopeful one will be a cycling officer. I could go on with the detail but I wish simply to say that the Government is committed to this. I think we are being recognised. As Senator Grace O’Sullivan noted, we are sponsoring Velo-city, which is the world’s largest

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cycling conference. It will take place in Dublin this year from 25 to 28 June. I am looking forward to that but I suspect that is a recognition of the fact that we are making strides here. We have more to do but let us be straight. I will happily admit that we are falling back on climate change and that we have a lot to do. Let us also get a response from people from time to time to say that we have moved on cycling. We recognise this is part of climate change and getting people out of their cars. We are doing something and we have made commitments in terms of funding and we are spending money and will continue doing this.

I will not address climate change in a general way but if I have time, I will try to address some of the specific questions which I was asked. Senator Mark Daly spoke of the need to improve rail. We are increasing funding across the rail network and this will support more services and allow more people to choose public transport which is worth recognising. On the issue for driver licence tests, and I thank Senator Daly who was here for the whole debate, which I appreciate enormously, there is a lack of recognition of what we have done. The Senator mentioned 29 weeks. I do not believe that there are any 29 week waiting times left. From memory, the average wait for driver tests is approximately 11 weeks. It has come down considerably and it is likely to come down further. There are many wild figures going around and the Senator may be correct in that there may be one extreme case of 29 weeks but the average is around 11 weeks. It has improved a great deal. I like the Senator's idea of more remote working. It is not quite a transport issue but is one from which transport would benefit.

Senator McDowell spoke about metro and asked whether other proposals had been ruled out forever. No, they have not been. We have a statutory framework in relation to transport planning in the greater Dublin area, GDA, which must be respected and of which the Senator would be well aware, and that is the NTA's transport strategy for 2016 to 2035. That strategy has to be reviewed every six years. The next review must be completed by 2021. Any new projects which anybody has can be put forward as part of the review and, obviously, nothing is excluded.

The Taoiseach referred explicitly to other options, and the NTA must consider those and any other sensible options. It is a statutory process but it is a very sensible one. It allows for reviews every six years which could include ideas on the Luas or the metro, which had not been included in the original strategy because it is a very long-term one.

Senator Michael McDowell: What about electric scooters?

Deputy Shane Ross: I am very conscious of their presence on the streets. Regulatory issues obviously arise here and the Road Safety Authority, RSA, is preparing a paper and considering this issue. The Senator has a view on their legality and we will be receiving a view on that and on what measures we should be taking. My view is that it is necessary to regulate them. Bus corridors can accommodate taxis.

The transport strategy provides for a range of projects over 20 years, including a new Luas to Lucan-----

Acting Chairman (Senator Catherine Noone): I apologise but I ask the Minister to conclude within a minute.

Deputy Shane Ross: -----and extending the green line from Bray to Finglas and to Poolbeg.

The DART underground is not dead. The DART expansion over the next ten years will see

all commuter lines electrified and new stations.

I refer Senators Humphreys and O'Mahony's questions. The NTA has worked closely with Galway City Council to develop its transport strategy. The NTA met very recently with Galway City Council on the implementation of this strategy, which my Department will support. Indeed, it is specifically provided for in project 2020. Senator Humphreys spoke about College Gate. The NTA has explored a number of options in regard to this site. It is a critical site, of which the Senator is probably aware, because it connects the DART and the railway. It is very important that the residents close to that site are looked after. The site must go ahead, however. We cannot impinge on or make any changes to that. I can assure the Senator that all the residents will be treated fairly, and the NTA has assured me of this also. There is no doubt about that. NTA has offered assistance to all residents in seeking new accommodation. Owner occupiers, of course, will receive statutory compensation while the NTA has offered to pay a year's rent for tenants.

On the council leisure facility and swimming pool, the NTA is working with the council to identify our new site in the area and to construct a new leisure centre in advance of the closure of the existing one. I am not aware of the situation, as described by the Senator, in respect of Tara Street but I will make inquiries and inform him of the details on this.

Senator Michelle Mulherin: What about the road-----

Acting Chairman (Senator Catherine Noone): Thank you. We must conclude.

Senator Grace O'Sullivan: What about sea transport?

Deputy Shane Ross: I will communicate with the Senators in writing in order to answer some of their other questions.

Acting Chairman (Senator Catherine Noone): That concludes the statements and I thank the Minister.

Judicial Appointments Commission Bill 2017: Committee Stage (Resumed)

SECTION 46

Debate resumed on amendment No. 91h:

In page 31, line 27, to delete "firstly".

- (Senator Michael McDowell).

Senator Michael McDowell: I have said as much as I ought to say on amendment No. 91h and I ask the Minister to accept it.

Minister for Justice and Equality (Deputy Charles Flanagan): I will not accept it.

Acting Chairman (Senator Catherine Noone): Is that all the Minister wishes to say on the matter?

Deputy Charles Flanagan: Yes.

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Senator David Norris: I picked up the list of amendments and there is no amendment No. 91h on the yellow page.

Acting Chairman (Senator Catherine Noone): It is on an additional list, which is in the ante-room.

Senator David Norris: Okay.

Acting Chairman (Senator Catherine Noone): Does Senator Norris wish to make a contribution to this debate?

Senator David Norris: I am not sure what it is.

Deputy Charles Flanagan: That does not usually stop the Senator.

Acting Chairman (Senator Catherine Noone): We will allow Senator McDowell to speak for a moment.

Senator Michael McDowell: For Senator Norris's information, amendment No. 91h proposes to delete the word "firstly" where it appears on page 31, line 27.

Senator David Norris: I support Senator McDowell even though I have not had time to find my copy of the Bill and see exactly where it is.

I remember his argument.

Senator Michael McDowell: At the moment the section reads:

In advising the President in relation to the appointment of a person to a judicial office the Government shall firstly consider for appointment those persons whose names have been recommended to the Minister or, in the case of *section 44* the Government in accordance with the provisions of this Act.

The amendment seeks to delete the word "firstly" in order to leave the Government free to consider other persons for appointment first if it wishes to do so.

Senator David Norris: I might say-----

Acting Chairman (Senator Catherine Noone): I remind Senators that this was discussed at length on the previous occasion. However, Senator Norris has not yet made a contribution on the amendment. He is welcome to do so now.

Senator David Norris: I will be very brief because this is all in line with Senator McDowell's consistent approach, which is to ensure that the Government has the widest possible
3 o'clock frame of reference in making appointments. I congratulate the Minister on the appointments that were made recently to the Supreme Court and other courts. It was a very good move and it shows very clearly that the existing situation is operating reasonably well. I strongly support Senator McDowell's in what he is attempting to do here.

Senator Michael McDowell: On a point of order, I see that groupings are proposed and am anxious to know if this is a new proposal or one with which we have already dealt.

Acting Chairman (Senator Catherine Noone): No. The amendments were taken individually because the grouping was not agreed to.

Senator Michael McDowell: Yes, that is what I thought. I just wanted to make that point.

Acting Chairman (Senator Catherine Noone): Is the amendment being pressed?

Senator Michael McDowell: Yes.

Amendment put.

The Committee divided by electronic means.

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

Amendment again put:

The Committee divided: Tá, 14; Níl, 15.	
Tá	Níl
Bacik, Ivana.	Burke, Colm.
Boyhan, Victor.	Buttimer, Jerry.
Conway-Walsh, Rose.	Byrne, Maria.
Craughwell, Gerard P.	Coffey, Paudie.
Daly, Mark.	Conway, Martin.
Davitt, Aidan.	Hopkins, Maura.
Devine, Máire.	Lawlor, Anthony.
Gavan, Paul.	McFadden, Gabrielle.
Humphreys, Kevin.	Noone, Catherine.
Mac Lochlainn, Pádraig.	O'Donnell, Kieran.
McDowell, Michael.	O'Donnell, Marie-Louise.
Norris, David.	O'Mahony, John.
Ó Donnghaile, Niall.	O'Reilly, Joe.
Wilson, Diarmuid.	Reilly, James.
	Richmond, Neale.

Tellers: Tá, Senators Michael McDowell and David Norris; Níl, Senators Gabrielle McFadden and John O'Mahony.

Amendment declared lost.

Senator Ivana Bacik: I move amendment No. 92:

In page 31, line 27, after "appointment" to insert " , in the order of the Commission's preference,".

Amendment put.

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The Committee divided by electronic means.

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

Amendment again put:

The Committee divided: Tá, 9; Níl, 20.	
Tá	Níl
Bacik, Ivana.	Burke, Colm.
Boyhan, Victor.	Buttimer, Jerry.
Craughwell, Gerard P.	Byrne, Maria.
Davitt, Aidan.	Coffey, Paudie.
Freeman, Joan.	Conway-Walsh, Rose.
Humphreys, Kevin.	Conway, Martin.
McDowell, Michael.	Devine, Máire.
Norris, David.	Gavan, Paul.
Wilson, Diarmuid.	Hopkins, Maura.
	Lawlor, Anthony.
	McFadden, Gabrielle.
	Noone, Catherine.
	O'Donnell, Kieran.
	O'Donnell, Marie-Louise.
	O'Mahony, John.
	O'Reilly, Joe.
	Ó Donnghaile, Niall.
	Reilly, James.
	Richmond, Neale.
	Warfield, Fintan.

Tellers: Tá, Senators Ivana Bacik and Kevin Humphreys; Níl, Senators Gabrielle McFadden and John O'Mahony.

Amendment declared lost.

Senator David Norris: On a point of order, I went to the ante-room to get the list of amendments but the one that is there is dated 3 July 2018. That is ridiculous. We are now expected to work off a series of different sheets and groupings of amendments and all of the rest of it-----

An Cathaoirleach: With all due respect to Senator Norris, up-to-date amendment lists were circulated yesterday. The Senator is referring to the original list of amendments that was issued when the Bill was published. All of the additional amendments have been circulated since then.

Senator David Norris: Yes, they have been circulated but on separate sheets. It would not kill those in the Bills Office to provide an updated list, after six or eight months, so that we can do our work efficiently.

An Cathaoirleach: That is not a point of order. We must move on.

Senator Michael McDowell: I move amendment No. 92a:

In page 31, line 28, after “Minister” to insert the following:

“at any time in respect of the type of judicial appointment in respect of which the Government is advising”.

I wish to outline the purpose of this amendment. The House will appreciate that section 46 currently reads:

In advising the President in relation to the appointment of a person to a judicial office the Government shall firstly consider for appointment those persons whose names have been recommended to the Minister or, in the case of *section 44* the Government in accordance with the provisions of this Act.

This amendment proposes to insert the words “at any time in respect of the type of judicial appointment in respect of which the Government is advising”. Let us say, for example, that on a particular day the Government has a vacancy to fill in the High Court, the Court of Appeal or the Supreme Court. If it receives a list of three people and another vacancy arises shortly thereafter in the same court, as frequently occurs, then those people who were recommended will remain so. If judges A, B and C are on the shortlist of three for a vacancy in the Court of Appeal and another vacancy arises in that court, then judges A, B and C shall stand recommended, even if a shortlist is submitted with different names on it. This means that those on a shortlist will not fall off the edge simply because a different shortlist is drawn up by the appointments commission. Let us say that a person has applied and has been told that he or she has been recommended for appointment to the Court of Appeal and is on a shortlist. Then, within two months, another vacancy arises in the same court. In that context, it seems ridiculous to ask that a person who was recommended two months previously should resubmit an application and go through all of the hoops again in order to be considered first by the Government before anybody else. It seems quite absurd that we would force people to keep reapplying for jobs for which they have already been recommended.

The other side of this coin concerns when the Government states that it had a shortlist of three very good people it believed to be very meritorious and that while it could have appointed any of them, it has appointed one. If a different shortlist is received in respect of a vacancy that arises two months later, it might ask what happened to judge A and judge B, particularly if it believed on the first occasion that they were really good candidates it was minded to appoint. The purpose of this amendment is to ensure that once an individual is recommended, he or she will remain so and that, when the next vacancy arises, we do not impose on a judge, of the High Court, for example, the obligation to reapply, resubmit all the relevant documentation, go to another interview and be vetted a second time round if he or she has already featured on a list.

There is another aspect of this that I find puzzling. It could arise in the following circumstances. If, for example, the Judicial Appointments Commission were to have regard to gender equality on a shortlist and then decided to have regard to it on a second, it might find itself hav-

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ing to delete somebody from the second list in order to keep the gender balance of its shortlist right. That seems unpleasant, foolish and wasteful of resources. Let me outline what I am suggesting. This applies to individuals who are judges and those who are not. Once somebody has gone through the system, has been found suitable and has been recommended to the Government for appointment, he or she should stand recommended and not fall off the edge by reason of non-inclusion on a subsequent list. That makes sense. If we do not accept this amendment and if we require applicants to reapply and go through all the hoops every time a vacancy arises, even though they were told they were recommended in the first instance, we will seriously discourage candidates from applying. I will give an example. Where a woman senior counsel applies to be considered by the Judicial Appointments Commission, is told she is one of three whom the Government has been told is suitable and recommended for appointment, and is not appointed, it makes much more sense to have the law state she stands recommended. Where there is another vacancy, she will have gone through all the hoops, her name will have been on the shortlist and the Government will have been informed by the commission that she is suitable and recommended but the Government could get a different list without her name on it and with that of some other female senior counsel, leaving it wondering what happened to the woman recommended to it two months previously. This amendment is to make it clear that the Government should not regard the fact that a person's name has fallen off the shortlist in favour of somebody else as a reason for that person not to be considered for appointment. I would be interested to hear the Minister's thoughts on that matter.

Senator David Norris: Section 46, which is quite short, should be withdrawn by the Government and reworked because it is a grammatical nonsense. It states:

In advising the President in relation to the appointment of a person to a judicial office the Government shall firstly consider for appointment those persons whose names have been recommended to the Minister or, in the case of section 44, the Government in accordance with the provisions of this Act.

Grammatically, there are two possible interpretations. First, it means that the Government shall first consider, in the case of section 44, the Government. What does that mean? It means absolutely nothing. It is a total nonsense. Alternatively, something is being left out. It should state that, in the case of section 44, the Government, in accordance with the provisions of this Act, shall do something. It is an utter muddle and means nothing. It is rendered redundant by the grammatical inaccuracy of the way in which it is expressed.

Senator Michael McDowell: Will the Senator give way?

Senator David Norris: I will certainly yield.

Deputy Charles Flanagan: The Senators are at loggerheads again.

Senator David Norris: No. I am learning all the time from both the Minister, with his extensive legal knowledge, and my colleague, Senator McDowell.

Deputy Charles Flanagan: Teaching an old dog new tricks-----

Senator David Norris: I am an old dog. Watch this space.

Senator Michael McDowell: It seems Senator Norris's point is technically correct and that there are commas missing in the phrase "or, in the case of section 44, the Government in

accordance with the provisions of this Act". It would make sense if they were inserted.

Senator David Norris: And the word "to" also.

Senator Michael McDowell: The word "to" and also the commas.

Senator David Norris: It is a grammatical nonsense at the moment.

An Cathaoirleach: Does Senator Norris wish to contribute again?

Senator David Norris: Yes, but very briefly. Senator McDowell's argument-----

An Cathaoirleach: I am not trying to rush the Senator at all; I am just trying to be fair.

Senator David Norris: In that case, I will not be rushed. I will talk with very laconic laxity. I will speed up again. As I understand it, Senator McDowell's argument is that if the Government gets a list of three candidates for a vacancy and another vacancy arises, the individuals on the original list should stay recommended. I presume one of them will be removed because he or she will have been appointed.

Senator Michael McDowell: Yes.

Senator David Norris: So there will be one gap. It seems that if the criteria are satisfied in the first instance, they should remain so. Therefore, it is a redundant exercise to put the candidates through this nonsense again. It might suggest to the onlooker that a judge has been dropped because, in the intervening two months or whatever, he has engaged in some kind of nefarious activity that is regarded as reprehensible and that has excluded him from consideration. I would be very interested in hearing the Minister's response and discovering whether he can clear up the grammatical confusion that is quite clearly evident. It could be cured by the inclusion of commas and the word "to".

Senator Gerard P. Craughwell: I am delighted that there are Members around here with the grammatical expertise to correct this section. In speaking about the Bill and in considering how we were going to deal with the appointments process, we have at all times been concerned about possible reputational damage to individuals. We have been anxious to have a robust process and, as such, we would expect a certain amount of time and effort to be devoted to preparing an application form and providing all the necessary supporting evidence, etc. If after the appointment of one individual on the list of three, another vacancy arises, do we honestly expect the same individuals to undergo exactly the same process again? We have all been in circumstances where we were unsuccessful in applying for a position and then started the application process again when a new position opened up. The first thing one does is look at the documentation one submitted for the first vacancy and one queries whether one did this or that correctly or whether one should change this or that.

In most public appointments, if one makes it to the shortlist, one remains on the shortlist for a certain period of time, at least. Panels and the like are created. Amendment No. 92a tabled by my colleague, Senator McDowell, makes perfect sense. We should not be asking people to resubmit applications. They were good enough the first time around and there is no reason why we should be questioning or second-guessing the decision made the first time around. I am very much in favour of the amendment.

Senator Ivana Bacik: Senator McDowell's amendment is a sensible one and it addresses

some of the issues in section 46. All Members would bow to Senator Norris's expertise in grammar, but even before he spoke, the grammar of section 46 had been bothering me. We have already voted on Senator McDowell's amendment No. 91h, which would have deleted the word "firstly" which, grammatically, is not used correctly in the section. There are more serious problems with the section than its grammar. Clearly, there is, at least, a requirement for a further comma after "section 44".

Senator David Norris: The word "to" should be inserted.

Senator Ivana Bacik: Inserting the word "to" would make the section more coherent. Amendment No. 92 tabled by the Labour Party on which Members have just voted would have dealt with a serious substantive issue with section 46, namely, that it does not currently require any ranking by the commission. As the Minister is well aware, the issue of ranking in the order of the commission's preference has been pointed out as a flaw in the current Judicial Appointments Advisory Board, JAAB, process, as it does not rank in order of priority those persons whose names it puts forward. It is unfortunate that a ranking requirement will not be included in section 46, given that the Bill is all about reform of the Judiciary. The reality is that the meaning of the section is less than clear. As well as the grammatical issue, there is the issue raised by Senator McDowell that he seeks to address through amendment No. 92a. The section does not make clear at what point the names should be recommended to the Minister. The amendment would clarify the section and make its meaning more apparent. However, the section also requires further amendment.

Deputy Charles Flanagan: I will not accept the amendment. It runs counter to arrangements already set in the Bill and to which the House has agreed. I refer in particular to section 40. If the amendment were accepted, it would cause serious difficulty to the entire ranking arrangements. I do not agree with Senator Craughwell that once recommended, always recommended. I do not accept that. I am not sure from where he got that understanding but I do not accept it and I do not consider it feasible. Each vacancy shall be dealt with on its own merits in accordance with the provisions. It would be unfair for a person who was unsuccessful on one occasion to receive more favourable consideration on a second, third or subsequent occasion. Each vacancy should be dealt with by way of recommendation on its own merit.

Senator David Norris: I ask the Minister to respond to the grammatical issue which I raised.

Deputy Charles Flanagan: I will look at that. If a comma needs to be moved, I will certainly-----

Senator David Norris: The word "to" should be included.

Deputy Charles Flanagan: -----give it consideration between now and Report Stage.

Senator David Norris: I thank the Minister. I am very grateful to him because the final phrase is rendered meaningless and would, therefore, have no impact. If the Government wishes it to have impact, it will have to look to the grammar of the section.

Senator Michael McDowell: I am deeply disappointed by the almost knee-jerk reaction of the Minister to the amendment. What the Minister is proposing will massively load up the workload of the commission with repetitious applications. I was trying to put myself in the position of a person who had been recommended. If I had been recommended on a shortlist

and subsequently read in *Iris Oifigiúil* that Senator Norris had got the job rather than I and then a month later the process recommenced, I would say to myself, “Oh my God, do I have to go back, fill out all these forms again, go through the interview process again and be evaluated for inclusion on the shortlist against two other candidates who the commission thinks are also very good?” What is the purpose of this? Suppose that in February the commission recommends a particular person for appointment and in April it advertises a post and different candidates put their names forward and are interviewed. In that case, presumably, the same people would be interviewed a second time and a different shortlist would be sent to the Government.

Deputy Charles Flanagan: It is a different vacancy.

Senator Michael McDowell: It is the same court. I do not know how the Minister can argue that it is a different vacancy. It is essentially the same vacancy.

Deputy Charles Flanagan: It is a new vacancy.

Senator Michael McDowell: It is the same vacancy in the sense that it is appointment to be a judge of the High Court. A vacancy has arisen and been filled and somebody who was short-listed and recommended the Government will be required to reapply when the next vacancy arises.

Amendment No. 92 tabled by Senator Bacik was rejected and, as such, there is no particular order of recommendation. The Government will not know whether a person was the first or last choice of the commission. The Government will be confronted with a situation whereby, two months later, different names appear before it and it does not know why. It would be a crime for the Attorney General to disclose why a person has been removed from a shortlist. He will not be allowed to inform the Government that a particular judge who was recommended two months previously has fallen off the list due to lack of interest or because one or more better candidates appeared and that judge is no longer in the top three. That whole idea is a little bit repugnant. I presume this commission is a serious body that will do serious work. If a person is recommended, the commission is saying that, not merely is he or she suitable, but that, of all the people who applied, it has selected him or her for inclusion on a shortlist. Senator Bacik's amendment would have required that the commission to set out the order of its recommendations. As it was defeated, effectively, the Government must play blind man's buff and wonder which candidate the commission favoured and whether one of them was spectacularly better than the other two. That information is not given to the Government under this system, but a person can suddenly disappear off the shortlist and the Government is left wondering why. That does not make sense. For each vacancy that arises, the commission is supposed to nominate three persons who are suitable and whom it can recommend to the Government. In a situation whereby one person is, in the view of the commission, the best of the candidates and the other two are also-rans who suffice to fill out the list of three, the Government is not informed of that, which is interesting. If a name disappears off the list, the Government is left completely in the dark as to why someone who was recommended two months ago is no longer being recommended. There is no channel of communication to establish for the Government's information why someone who seemed to be one of the top three applicants for the job is no longer in the top three.

I cannot see any harm being done by this. What harm could the amendment in my name actually bring about? It could mean that the Government would realise there were three applicants for a given position two months ago and maybe someone better has come along in the

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view of the commission. It may be that is the explanation or perhaps not. Anyway, the Government will not be told. It is a little like the election of a Pope.

Senator David Norris: No popery here - "Lillibulero".

Senator Michael McDowell: It is difficult to know exactly how the system works, but the Government makes the appointment and does not know why people are or are not on the shortlist or why people have been removed from the shortlist. It seems to me it would be far fairer if, in January or February Mr. A or Ms A has been recommended to the Government but then the Government gets a different shortlist in March or April, it should be able to inquire about Mr. A or Ms A who was recommended in January. The Government should be able to consider those people and ask whether they have fallen off the edge because someone is better. Is that the inference we are to draw? Is the Government to be left totally in the dark over why the list has changed and why a given person has gone off it?

The other point is that were a barrister or solicitor to be short-listed by way of recommendation to the Government for appointment to one of the superior courts, it would be a tremendous accolade of itself. Then, to be told two months after being recommended that he or she has to start again, is to be compared with other people and may not in fact make it second time around is bad practice. I wonder how many times this could arise. Practising judges do not have hours and hours to attend interviews, fill out forms and keep making applications. What about a judge of the High Court who – I will not use the word "ambitious" – is willing to serve on either the Court of Appeal or the Supreme Court? How many times does that judge have to apply? If on some occasions that person is told he or she is on the shortlist but at other times is told he or she is not, what is the judge left to wonder about himself or herself? It would be far better to say that if a candidate makes the grade and has been recommended, that candidate stands recommended unless there is some reason why he or she should not stand recommended. I appeal to the Minister to reconsider his view on this. It makes this a cumbersome procedure. Will the Minister inform the House of the view his Department takes on the length of a vacancy in the High Court that arises by reason of resignation or death? How long would that process take from beginning to end under this new system? Does the Minister envisage it would take two, three or six months? How long does the Minister believe the commission will take to go through all the interviews and processes in place? One problem with this new quango that we are creating in this statute is that it is probably going to delay judicial appointments significantly.

As Senator Norris said earlier, some good appointments have been made recently without any of this process of individual candidates having to be interviewed, short-listed and so on. The system is working fine. Since we were last debating this Bill, I was looking at American television in the form of CNN and a phrase used in a completely different context struck me, as I thought it apt for this Bill. The phrase was that this was "a solution looking for a problem". There is no problem. We can make perfectly good appointments without all of this. No newspaper is asking why a given person was appointed. No one is saying there is patronage or that, to use the language of the Minister for Transport, Tourism and Sport, Deputy Ross, this is cronyism. No one says that.

Senator David Norris: He would know all about that.

Senator Michael McDowell: No one says any of that about the appointments being made at the moment. Yet, the Minister is creating a highly complex system that will require people to submit and resubmit applications. It will even require people who have gone through the whole

process and been winnowed down and told that they are among the top three applicants for a given position, only to be told two months later that they have to start again. They will have to go down to the bottom of the hill, like Sisyphus, to roll the rock up the hill again.

Senator David Norris: They may not get to the top.

Senator Michael McDowell: This is utterly wasteful and pointless. I have made the case about sitting judges, although the Minister will not accept it. Since all High Court judges are *ex officio* capable of functioning on the Court of Appeal and in the Supreme Court as ordinary judges, they have already passed a threshold of suitability. This idea of requiring judges to submit applications at all is wholly wrong. If we are to have a system that requires judges to submit applications to this commission and to be evaluated by the commission for appointments to other positions in the courts, then it seems to me those who are short-listed should at least be given a bye and stand recommended until the Government decides otherwise. I cannot see why the Government should effectively be asked to ignore the last recommendation when, within a short period, a second vacancy in the same court comes along. That is wrong.

Senator Gerard P. Craughwell: I wish to come back on that point. One of the things I have always been concerned about is that eminent people would shy away from the application process because of some of the things in this Bill. I agree that someone who has made it to the shortlist should not have to compete again on the same question. Senator McDowell has discussed the position of a candidate who is short-listed for an appointment in February and how, if another vacancy arises in March, he or she would have to go through the whole process again as a busy judge. That simply does not seem to make any sense. More important, let us suppose a candidate was to do it a second time and make it to the shortlist a second time but is not appointed. What is the likelihood that the candidate would do it on the third, fourth, fifth or sixth occasion? Are we going to lose eminent people because they decide that they will not subject themselves to a system whereby they can be short-listed and then fall off the end of the cliff? Let us suppose I am a High Court judge and I have been short-listed with two eminent High Court judges for a Supreme Court position and one of them gets the Supreme Court position. Then let us suppose another vacancy opens up but this time only three senior counsel are short-listed. I believe there is an inherent unfairness in asking people to go through the process of application after application. I believe the amendment we have put down is perfectly reasonable and solves the problem. I think the Minister's quick-fire reaction was shooting from the hip on this one. It is not uncommon.

Senator David Norris: He must have hit himself in the leg because his knee jerked as well.

An Cathaoirleach: Senator Craughwell is anxious to conclude.

Senator David Norris: I would not say that.

Senator Gerard P. Craughwell: I was about to conclude. I could kick this one to hell but there is little point.

An Cathaoirleach: I call Senator Wilson. We do not want to be going around in circles on one amendment.

Senator Diarmuid Wilson: With regard to Senator McDowell's analogy of the election of a Pope, at least the white smoke comes out a chimney-----

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Senator David Norris: They all have to be Roman Catholics.

Senator Diarmuid Wilson: -----not the interview room of this quango we are proposing to appoint.

If we substitute the word “judge” with “teacher” of, say, English or geography, the process is that a vacancy arises, it is advertised, people apply, they are shortlisted under the criteria, they are interviewed and then a panel is formed for a period of time. It goes back to what Senator Bacik alluded to in her amendment. On that panel, a number of suitably qualified people are adjudged by the interviewers to be worthy of appointment are put in order of choice at positions one, two, three and on to ten or 11. As vacancies arise within a set period of time, be that six months, eight months or 12 months, they are taken in order of merit from that panel. After the set period of time, the panel ceases to exist and a new panel is formed.

What is wrong with that in regard to the appointment of judges? What is not transparent about that? It makes eminent sense to me and it is logical. The only reason I can think of not to do that is if somebody wants somebody else appointed who may not have got through the process, and they keep advertising until that person gets through. That is the logic, as far as I can see it. The most transparent way of dealing with this is to advertise, shortlist, interview and form a panel for a set period of time. If that set period of time is three months, six months, nine months or 12 months, so be it, but it is more transparent if we do it that way.

Senator David Norris: It has been such an interesting afternoon. I would be tempted to call a quorum but since the Government has reduced it to six and there are five Members in the House, it is bit of a redundant exercise. I am assured that hundreds of thousands of people are watching this avidly online.

I am still firmly in support of Senator McDowell. However, I think the Minister made a number of shrewd points. With regard to the question of whether it is the same vacancy or a new vacancy, it is both, in a sense. It is the same vacancy in the sense that it is a vacancy on the High Court or Supreme Court, but it presents a new opportunity, if perhaps not quite a new vacancy. I also wonder what happens when a new person emerges and applies, as they have to be considered also.

I suggest there is a slight element of posturing in the argument that it is frightfully onerous for judges to send in their recommendations or forms. They can send in the same forms they sent in the first time, so it is not going to kill them. I am not terribly-----

Senator Michael McDowell: There are going to be interviews too.

Senator David Norris: I see. The interviews will be new, which is true.

Senator Michael McDowell: The interview might go badly or better.

Senator David Norris: It could. There are circumstances where, for example, there could be a change of Government and the incoming Government might have different ideas about the list. That is a point that needs to be considered. However, I will be firmly supporting Senator McDowell when, as I confidently expect, he calls for a vote.

Senator Ivana Bacik: The critiques that have been made during the course of this debate in respect of the wording of section 46 illustrate a point I made earlier in the debate about the unwieldy nature of the processes and procedures provided for under what should be a reforming

Bill. Given the Bill purports to reform and streamline processes for judicial appointment, it is unfortunate that instead of providing for an easily understandable, coherent and logical scheme, what we are seeing instead is a somewhat cumbersome procedure that lacks the sort of clarity and transparency that could have been provided for.

Our amendment No. 92 about ranking, on which we just called a vote, should have been a crucial part of the reform of the process and it is unfortunate it was not. The issues around the language in section 46, which this and other amendments have sought to address, again highlight this difficulty with the processes in the legislation.

Senator David Norris: Senator McDowell's amendment suffers from the same grammatical inadequacy.

Senator Ivana Bacik: It does. I must say it also lacks the comma and the word "to", which is what I think Senator Norris was going to say. Again, it is illustrative of the difficulties generally with the Bill that it is not, in fact, clarifying or more transparent. Instead, it is creating this unwieldy set of processes that are hard to follow. It is hard to follow the consistency or coherence of the processes.

Senator McDowell is right that if it is being read from the perspective of somebody who is perhaps seeking to apply, or somebody who is seeking to understand the procedures from the outside, it makes for difficult reading currently.

Senator Michael McDowell: All I will say in response is this. If the person stays recommended, it does not matter if there is a change of Government. The new Government will get a new or different shortlist, so no harm is done if a person is recommended.

Senator David Norris: Does the new Government get a new shortlist?

Senator Michael McDowell: No. My point is that if every time there is a vacancy, there is a shortlist, which is what the Minister is insisting on, all my amendment is saying is that somebody who was previously, a short period before, recommended for the job stays recommended, and as there are three on the shortlist, there will be four or five people to look at, depending on who has been discarded. In any event, I think we have discussed it as far as we can. I ask that the matter be put to a vote.

Amendment put:

The Committee divided: Tá, 8; Níl, 16.	
Tá	Níl
Bacik, Ivana.	Burke, Colm.
Boyhan, Victor.	Buttimer, Jerry.
Craughwell, Gerard P.	Byrne, Maria.
Freeman, Joan.	Conway, Martin.
Humphreys, Kevin.	Devine, Máire.
McDowell, Michael.	Gavan, Paul.
Norris, David.	Hopkins, Maura.
Wilson, Diarmuid.	Lawlor, Anthony.
	McFadden, Gabrielle.

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	Noone, Catherine.
	O'Donnell, Kieran.
	O'Mahony, John.
	O'Reilly, Joe.
	Ó Donnghaile, Niall.
	Reilly, James.
	Richmond, Neale.

Tellers: Tá, Senators Michael McDowell and David Norris; Níl, Senators Gabrielle McFadden and John O'Mahony.

Amendment declared lost.

Senator Michael McDowell: I move amendment No. 92b:

In page 31, lines 28 and 29, to delete “or, in the case of section 44 the Government in accordance with the provisions of this Act”.

Arising from what we have just voted on, it occurs to me to point out to the Minister that even if he sticks to the principle of what we have just been discussing this afternoon, there will still be occasions where it would make-----

Acting Chairman (Senator Catherine Noone): I ask Senators to refrain from using their phones in the Chamber.

Deputy Charles Flanagan: The Seanad has been watching the House of Commons too much.

Senator Michael McDowell: There will be occasions where the Government will appoint a member of the High Court or Supreme Court and it will also have before it a vacancy regarding another appointment for the High Court. In those circumstances, the Minister should consider introducing some kind of system whereby the Government can make two appointments from the same shortlist. It seems pointless to have to start the whole process again. I refer to what is done at the moment with the Judicial Appointments Advisory Board. I do not see why this has to be made unbelievably complicated by requiring that the process start again every time, even if the Government itself has just created a vacancy by promoting someone to the High Court or the Court of Appeal. As things stand, that vacancy would have to be advertised instead of someone being appointed from the existing shortlist. Why would the Government not appoint a person who had recently been recommended and shortlisted to a vacancy the Government itself had just created? It would make sense to do that.

Moving on to amendment No. 92b, in the names of myself and Senators Boyhan and Craughwell, this amendment proposes to delete “or, in the case of section 44 the Government in accordance with the provisions of this Act”. If this amendment is accepted, it would have the advantage of dealing with Senator Norris’s grammatical point. The Minister has told us he

intends to amend section 44 but he has not told us exactly how he is going to do that. It is unfortunate that we keep making provision for section 44 recommendations when we do not know how it will function. A series of additional amendments have been proposed by Senators during the debate on this Bill and it is time the Minister came forward with his formula for section 44. We could then understand what it is he has in mind when we deal with those other sections that make reference to section 44. The Minister does not like section 44 as it is but he has not stated what he proposes to do instead. We keep on, however, dealing with sections that make reference to section 44, yet nobody in this House, that I know of, wants to keep that section in its present form. We are told that we have to look-----

Acting Chairman (Senator Catherine Noone): I must interrupt and ask Senator McDowell to report progress.

Senator Michael McDowell: I report progress.

Progress reported; Committee to sit again.

Acting Chairman (Senator Catherine Noone): When is it proposed to sit again?

Senator Gabrielle McFadden: At 2.30 p.m. on Tuesday, 9 April 2019.

The Seanad adjourned at 4.45 p.m. until 2.30 p.m. on Tuesday, 9 April 2019.