



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Déardaoin, 30 Bealtaine 2019

Thursday, 30 May 2019

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Gnó an tSeanaid - Business of Seanad

An Cathaoirleach: I have received notice from Senator Jennifer Murnane O'Connor that, on the motion for the Commencement of the House today, she proposes to raise the following matter:

The need for the Minister for Children and Youth Affairs to outline the supports provided under the national childcare scheme for parents who are not in employment or are on low incomes.

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

The need for the Minister for Housing, Planning and Local Government to set out the timeline for the introduction of legislation to provide for a directly elected mayor in Limerick in 2022.

I have also received notice from Senator Colette Kelleher of the following matter:

The need for the Minister for Justice and Equality to outline the options available to a family (details supplied) for family reunification.

I have also received notice from Senator Aodhán Ó Ríordáin of the following matter:

The need for the Minister for Justice and Equality to make a statement on the need for a co-ordinated Government response to recent murders in the north side of Dublin similar to the north-east inner city Mulvey report.

The matters raised by the Senators are suitable for discussion and they will be taken now.

Childcare Services Funding

An Cathaoirleach: I welcome the Minister for Children and Youth Affairs, Deputy Zapone, to the House and back to her old *alma mater*.

Senator Jennifer Murnane O'Connor: I appreciate the Minister coming to the Upper House to discuss this matter with me.

A new national childcare scheme will be rolled out from this October which will replace previous childcare support programmes. The aim of this, as I understand it, is that parents of children aged from two to 15 years attending any Tusla-registered childcare service will be entitled to some level of financial support. However, one service provider in Carlow has flagged an issue with me, on which I seek clarification from the Minister today. Carlow Regional Youth Service, CRYS, is a local voluntary service in my own town which is affiliated with Youth Work Ireland. The service began more than 30 years ago in 1988 with one part-time worker and has grown year on year to provide direct programmes and services to young people at risk. It provides a substantial number of services and opportunities through community-based youth work programmes, including drop-in supports, specialised services for young people at risk, and leadership training. This great service with terrific volunteers and staff works with young people aged between eight and 23 years. While offering a comprehensive service to young people in the Carlow area with community-based projects in Graiguecullen, John Sweeney Park, and the youth café on Burren Street, there is also a strong focus on surrounding areas such as Tullow, Bagenalstown, Hacketstown, and Borris. It is a countywide support service that many families rely on. It works with a range of other agencies, including the HSE, the regional drug and alcohol task force, Carlow County Council, Carlow County Childcare Committee, the school completion programme and many others I would never be able to list completely. Its work is primarily divided into three age groups. It provides after-school services, homework support, a junior youth programme, and summer camps for eight to 12 year olds; a drop-in facility, planned youth work programmes, youth participation programmes, youth leadership training, and specialist support and services for 12 to 18 year olds; and volunteer training, youth work, accredited training, and some services for vulnerable young adults in their social time for 18 to 23 year olds.

The service has been in receipt of funding under the community childcare subvention, CCS, scheme for the three after-school projects. This scheme will, according to the Department's plan, be replaced by the national childcare scheme on 11 October 2019. The concern of this service and, I am sure, of many others like it, is that there is no provision in the new funding scheme for parents who are not working, for example, those on jobseeker's allowance, disability payments or the one-parent family payment. In fact, CRYS has highlighted to me that the children who require extra support have been completely forgotten about in the new scheme. If the scheme goes ahead as intended it would not be inclusive to all. Some 59 eight to 12 year olds attend the Carlow Regional Youth Service's after-school service daily. Their parents pay €5 per child per week to avail of this service. Under the new scheme parents will be required to pay €40 per child per week if they are successful in securing hours. The after-school service's main aim is to provide additional supports to children who need extra help to complete primary school successfully, which is huge. It accepts referrals from local primary schools, social workers, parents, the child and adolescent mental health services, CAMHS, and the school completion programme.

For the after-school services this is huge. This is an essential service that is well respected by parents, children, and the wider community, and plays a crucial role in supporting vulnerable children and families. If the national childcare scheme is implemented in its current format, the CRYs after-school service will be forced to close and vulnerable children and families will be denied this valuable support because the users will not be able to afford it. Will the Minister ensure robust provisions in the scheme in order that vulnerable children and families in Carlow can continue to avail of this service and can be given the support they need to thrive and enjoy their lives?

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I thank the Senator and I hear the issues she is putting forward. I am going to answer the question as she put it to us last evening.

The national childcare scheme, when introduced, will represent a major landmark for all children and families in Ireland, especially for lower income families and lone parents. It can be accessed by all families and not only those working or studying full time. The new scheme will replace the existing targeted childcare schemes with a single streamlined and user-friendly scheme.

The scheme entails a fundamental shift away from subsidies grounded in medical card and social protection entitlements towards a comprehensive and progressive system of universal and income-based subsidies. By making this shift, and by tangibly reducing the cost of quality childcare for thousands of families across Ireland, the scheme aims to improve outcomes for children, support lifelong learning, make work pay and reduce child poverty. It is also designed to have a positive impact on gender equality in labour market participation and employment opportunities.

Under the current targeted schemes many families with low income levels are not currently able to access subsidised childcare, either because they are in low-paid employment or because they are rotating between short periods of employment, unemployment and training. The national childcare scheme will change this. The universal subsidy will be available to all families with children under three years of age, as well as those with children over the age of three years who have not yet qualified for the free preschool programme. The universal subsidy provides 50 cent per hour towards the cost of a registered childcare place for up to a maximum of 40 hours per week. It is not means tested. With regard to income-based subsidies awarded under the scheme, parents who are working, studying or who meet certain other conditions will qualify for an enhanced-hours subsidy up to a maximum of 40 hours per week. The definitions of “work” and “study” will be set out in regulations made under the Childcare Support Act 2018. They will be comprehensive and cover differing types of work and study arrangements, such as part-time work, week-on, week-off work and zero-hour contract arrangements. The legislation will also provide for bridging periods when a parent is moving between work and study. Where a parent is not engaging in work or study, the child will still be eligible for the standard hours subsidy of 15 hours per week. These 15 hours will wrap around school and preschool provisions. This means that when the child is in school or preschool no subsidy will be payable during term time. This approach reflects policy objectives of encouraging labour market activation and reducing child poverty and persistent poverty traps. It is consistent with the evidence of the strong benefits of early learning and care for young children, particularly those from disadvantaged backgrounds, as well as evidence that these benefits are, in most cases, realised with part-time participation.

For older children, the approach recognises that during term time, child development needs will be met through school and preschool, while still providing part-time early learning and care and school age childcare outside of those times. Arrangements will be in place to ensure that no one loses out in the initial transition to the new scheme. Families will be able to continue to access their current targeted supports until August 2020.

The new national childcare scheme has been designed to be flexible with income thresholds, maximum hours and subsidy rates that can be adjusted in line with Government decisions and as more investment becomes available. As such, any adjustments deemed necessary by Government can be carried out in a quick and responsive manner.

Senator Jennifer Murnane O'Connor: I am disappointed with the answer because years ago when all these groups were set up, the after-school services were always in what would have been called disadvantaged areas but now these parents are going to lose out. They will not be able to afford to send their children to after-school services. We are talking about the most vulnerable in our society. I beg the Minister to re-examine the scheme. There are good parts in the scheme. We need to make it work across the board so that it suits everyone. I can understand that but I believe that, as it stands, the most vulnerable will suffer. I estimate that 1,000 children or more throughout the country are using this scheme. This really needs to be addressed and I have major concerns about it.

I have received requests to meet the Minister, in particular from Kathryn Wall, who oversees this area. She is excellent, as are her six part-time staff. We are seeking a meeting with the Minister to go through facts and figures. I call on the Minister to meet us and to ensure that before the scheme is implemented, some help would be given in this regard. We cannot lose this area. It is for children who are the most vulnerable in our society. I would appreciate if the Minister could do that for me.

Deputy Katherine Zappone: As I said at the beginning, I attempted to answer the question as Senator Murnane O'Connor put it to me. It did not specify the service outlined by the Senator in her commentary to me now. Having said that, I appreciate the arguments she has made.

I will say a couple of things. International reports have stated that the national childcare scheme will significantly address affordability for low-income families. For example, OECD research has found that Ireland will change from being the most expensive country in the OECD for childcare for lone parents to 11th position by that measure. However, I hear the issues Senator Murnane O'Connor is raising in the Seanad and I share her concerns in this regard. That is why last year I commissioned an independent sustainability review. The review is analysing several services in highly disadvantaged communities to explore any potential financial sustainability issues, as highlighted by Senator Murnane O'Connor, and the potential impact of the work-study rules within the national childcare scheme. That analysis will be completed shortly. It will inform any refinements required for the national childcare scheme. While overseeing the completion of that independent sustainability review, my officials will be happy to meet Senator Murnane O'Connor and those who were involved in the pilot impact study identified this morning by the Senator to learn more about their work and findings as a way of taking on board what the Senator has raised before we make decisions in that regard.

Senator Jennifer Murnane O'Connor: I appreciate that.

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Family Reunification Policy

An Cathaoirleach: I am going to the third Commencement matter before the second. I will ask Senator Colette Kelleher to outline her case. You have four minutes, Senator.

Senator Colette Kelleher: I thank the Minister for coming to the House today. Today I am raising the tragic situation faced by Lilav Mohamed and her family. Lilav fled Syria eight years ago having spent some years in Greece and, before that, in Turkey. Eventually, the family settled in Clones in Ireland. However, Lilav and her family remain separated from her sister, Jihan, Jihan's husband and their two baby daughters. They remain in war-torn Syria.

Due to the overly rigid parameters of the International Protection Act, Lilav and her family have no entitlement to apply to bring her sister and family to Ireland to safety. This is not an isolated case. Other vulnerable people and their families have struggled unnecessarily with our recently-changed system of family reunification. Only last month the Sido family's terrible situation was highlighted in the media and that of Izzeddeen Alkarajeh, who gave a statement to the Joint Committee on Justice and Equality when the committee was undertaking detailed scrutiny on the International Protection (Family Reunification) (Amendment) Bill last February. I have mentioned three personal cases - there are many more - where our more restrictive recent approach to family reunification is causing undue hurt and unnecessary hardship. This is undermining the benefits of refugee status here making it more difficult for people to settle after trauma that we can only imagine.

When the Taoiseach addressed the House recently he said he was open to considering the recommendations of the soon-to-be-published report of the Joint Committee on Justice and Equality on the family reunification Bill. He said that, once properly considered, it is something he would like to support and definitely had an open mind on. I was encouraged by that. More recently, on 19 May, the Taoiseach spoke movingly at the National Famine Commemoration memorial in Sligo. He stated:

I believe the best way we can honour those who suffered and died during the Great Famine is by showing empathy with those who are experiencing similar problems today [like Lilav's family], whether through natural disaster[, war] or oppression. ... We were refugees once and we recall the great compassion and the open doors shown around the world. It is seared on our collective memories as we work to assist today's refugees.

Humane family reunification processes are part of what we can do to assist today's refugees. It represents real tangible assistance and is consistent with the Irish understanding of family being broad not narrow. The demonstration of empathy to refugees that the Taoiseach commended on 19 May is exactly what Lilav's classmates in Largy College, Clones, have told us about at first hand in Leinster House two weeks ago. The compassion that An Taoiseach commended on 19 May is also demonstrated by the more than 1,000 people in Clones who signed a petition. I hope the Minister will take notice of it.

The International Protection (Family Reunification) (Amendment) Bill 2017 passed its final stages in the Seanad in March 2018 with a large majority and passed through Second Stage in the Dáil with an overwhelming majority - 78 to 39. In February, the Joint Committee on Justice and Equality received the Bill for detailed scrutiny and we are expecting a favourable report in the coming weeks. What avenues are available to Lilav Mohamed and her family to apply for family reunification for her sister and her young family? I implore the Minister to consider

this particular case and the cases of the Sido and Al Karajah families and to take account of the Taoiseach's own words on refugees fleeing war and oppression and of the International Protection (Family Reunification) (Amendment) Bill 2017. I am eager to engage with him and his Department. I look forward to hearing his response.

Minister for Justice and Equality (Deputy Charles Flanagan): I thank the Senator for agreeing to the timing of this Commencement matter. I know that she was anxious to raise this issue at a time mutually convenient to both of us and I acknowledge her co-operation in that regard. I am pleased to engage with the Upper House on overall policy but Senators will be aware and will appreciate that it is not appropriate for me to discuss individual cases or personal cases as described by Senator Kelleher. I have listened to what she had to say and I have taken careful note of her commentary.

As set out in the non-EEA family reunification policy document published by the Irish Naturalisation and Immigration Service, INIS, the immigration permission granted to successful applicants under the policy takes into account both the status of their sponsor and the relationship of the applicant to the sponsor. Family reunification is facilitated as much as possible for persons who meet the criteria set out under the policy, all other things being equal. We recognise the importance of family reunification for the individuals who benefit from it and also for the community as a whole as family reunification helps integration, which is important for broader society. However, it goes without saying that there is a balance to be struck and there are limits within which the family reunification policy may apply. Generally speaking, decisions on family reunification will depend on both the immigration status of the person with an entitlement to reside in Ireland, usually called the sponsor, and the closeness of the relationship with the family member. The policy also draws a distinction between sponsors who are Irish nationals and those who are not with the aim of facilitating family reunification as much as possible. For non-EEA sponsors, realistic criteria are set out, such as higher income thresholds that reflect the need for the family to support themselves and not to become a burden on the State in any way.

Like most states, when considering inward migration, Ireland considers the implications for various services including education, housing, healthcare, welfare and so forth. The sponsor must show evidence that they can provide for the basic need of the family members if they are permitted to come to Ireland.

For the reasons set out, the requirements for Irish nationals sponsoring family members and the requirements for non-EEA national sponsors seeking family reunification often differ. The criteria also differ depending on the closeness of the relationship of the sponsor, that is, whether a spouse, child, parent, or other relative. Separate from the criteria set out for persons under the policy document, there are other categories of non-EEA nationals who are eligible by legal entitlement to be a sponsor for family reunification. This includes, in particular, persons granted international protection and those with entitlements under the EU free movement directive.

It is important to retain and use ministerial discretion in the area of policy. From time to time I have used my discretion to introduce new schemes under humanitarian admission programmes or as part of wider immigration policies. For example, Senators will be aware I introduced the Irish refugee protection programme humanitarian admission programme 2 last year to provide humanitarian admission to Ireland for 530 eligible family members of Irish citizens and those with protection status in Ireland. The first open calls for proposals ran from 14 May to 30 June 2018. The second call for proposals ran from 20 December to 8 February this year. I expect all 530 places under the programme to be filled.

Discretionary measures in the wider immigration context tend to relate to those coming to Ireland for a particular purpose who may wish to bring immediate family members with them, for example researchers, approved scholarship programme students, intra-corporate transferees, PhD students, full-time non-locum doctors in employment, critical skills employment permit holders, investors, and entrepreneurs.

In summary, the procedures and rules for family reunification are set out in some detail by INIS. They aim to strike an appropriate balance between the rights and expectations of the sponsor and the obligations of the State to manage immigration. I thank the Senator for raising the issue. I note what she said about the Taoiseach's speech and about a joint committee report.

Senator Colette Kelleher: I thank the Minister. I have listened to his response and I commend the Irish refugee protection policy and programme. It is really good. I am part of a community sponsorship programme in St. Luke's myself. I am not sure, however, that the avenues the Minister has outlined will address the desperate situation faced by Lilav's family or that they will satisfy the 1,000 people in Clones who signed this petition. Part of my job today is to hand this petition to the Minister. Neither will these avenues help the Sido or Al Karajah families, which I mentioned. Jwan and Khalil Sido applied to have their family reunited with them in the safety of Ireland. They are entitled to be here. Their parents and two young brothers, both of whom are under 18, were accepted, but their sister Nermin, with whom they could not be closer, was refused because she was over the age of 18. Nermin Sido now remains separated from her family, languishing in Greece. The measures we have do not address that family's situation. Izzadeen Al Karajah, a Palestinian, is living with his wife and children in Cork, having been awarded protected status. He is, however, unable to bring his mother, who is ill, from Palestine. They have housing and he has recently opened a little café called Izz Café. His mother would not be a burden on the State. I ask the Minister to let the International Protection (Family Reunification) (Amendment) Bill 2017 pass. It provides for nothing more than the right to apply for family reunification. It is a modest measure which puts matters on a clearer and firmer footing. I welcome any opportunity to meet the Minister on this matter, noting the Taoiseach's words and the Minister's own bona fides in this regard. This has not been properly heard by the Minister or the Department. I would like him to consider this and to think about the families whose cases I have raised today.

Deputy Charles Flanagan: I stress that a number of factors must be taken into account when an application for family reunification is being considered. These factors may include, for example, whether the sponsor is an Irish citizen, the immigration status of the person with an entitlement to reside in Ireland, and the closeness of the relationship with the family member. All of these factors are considered, in addition to the sponsor's ability to demonstrate a certain minimum level of earnings. In this way, it is important that family reunification is understood in the wider context of Government policy. Government sets out immigration policy. Everybody accepts that we need to balance the interests of the individual and of the community. As I have stated, economic considerations are an important factor when assessing family reunification cases. The economic benefits that may accrue from migration must be balanced with the costs to the State in terms of education, housing, healthcare and welfare that may arise from family migration. For example, the financial thresholds for those seeking family reunification with an elderly dependant relative will be higher due to the potential burden on State services. What we do in Ireland in respect of policy is in line with the general approach to immigration taken by European countries. In addition to the policy document criteria and legal entitlements for specific categories such as persons granted international protection and those availing of EU

free movement, I have also introduced targeted schemes such as the Irish refugee protection humanitarian admission programme and have built family reunification into certain types of immigration commissions I have outlined.

I have also introduced targeted schemes such as the Irish refugee protection humanitarian admission programme, as well as building family reunification into certain types of immigration commissions.

I thank the Senator for raising the issue. I am sure we will have the opportunity to return to this at a future date.

Crime Prevention

Senator Aodhán Ó Ríordáin: I appreciate the Minister being here in person to discuss this. I have raised issues of crime, criminality and anti-social behaviour in Dublin's north side for at least a year. The responses from the Minister and his office have been disappointing.

There has been a shooting, a pipe bomb incident, and a shooting incident outside Donaghmede Shopping Centre. There is currently great media interest and focus on the area because of three murders in the past week. What will the Government's response to this be? To be fair to the Government, when a similar situation arose in the north inner city, there was a very high-level response from the Government. There were high-level meetings with stakeholders in St. Lawrence O'Toole school then, and a very hands-on approach, including the commission of the Mulvey report, which is still being implemented. The discussions were not merely on a policing response but also took place with various agencies involved in youth empowerment and there were anti-poverty measures.

What is the Government's response to this situation? Will the Minister and the Government engage a Mulvey-style report for Dublin 17 and the wider area? Is the Minister aware that a neighbouring community is due to expand its population to 50,000 and that community is campaigning for a Garda station as part of its infrastructure? Will the Minister sit down with Sphere 17 youth services and the Preparing for Life group in Darndale which are making fantastic inroads into parental empowerment in that area, with great success? There are other agencies such as RASP drugs services, Doras Buí, and Northside Partnership, all of which have things to say. I spoke to two school principals in recent days. They are worried about the long-term impact this will have on children in the immediate area if this becomes normalised. They walk past Garda tape and dead bodies, or they hear gunshots. This is not normal and it cannot be seen to be normal. We have a responsibility to the future of these children that they feel that the hand of the State is lifting them up, so that when something like this happens, the State will intervene and shoulder their cares and there is political and governmental leadership.

Will the Government please recognise that there is a problem in this area of the city which is spiralling out of control, and that it is the responsibility of the Taoiseach and the Government to show the leadership and be in these communities, talking to the people who care passionately about those communities, because we are losing the battle? Why is it that young men are only too willing to take the place of those who have just been murdered? We must change our drug policy and the policing policy on that side of the city. We need the resources but we must also talk about youth empowerment. I ask the Minister, the Taoiseach, and all others who have influence in this area to commission a Mulvey-style report for Dublin 17 and wider communities so

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that investment can start flowing, policing can be enhanced, and we do not see a return to the type of bloodshed we have seen over the past week.

Deputy Charles Flanagan: I thank Senator Ó Ríordáin for raising this very important issue. I am pleased to have the opportunity to address the matter from a criminal justice perspective.

I repeat my total condemnation of the appalling violence that has been perpetrated in recent days. I have spoken to the Commissioner and I am satisfied that vigorous Garda investigations are under way. Furthermore, local patrols are being supplemented by armed support units and there is ongoing liaison and support being provided by relevant sections within other specialist divisions of An Garda Síochána. Gardaí have put specific operations in place to deal with the serious incidents that have occurred in Dublin recently, and they continue to work directly with communities to keep our citizens safe. In relation to the killing that occurred on Tuesday afternoon, an incident room has been established in Santry Garda station, and I appeal to anyone who may have any information, no matter how seemingly incidental, to come forward to An Garda Síochána. This morning, the deputy Garda commissioner for policing and security will convene a high-level meeting to discuss further policing plans to address the shootings in this area. I have requested that I be kept apprised of all developments in this matter and I will visit the area in the coming days.

On the Senator's proposals, I emphasise that An Garda Síochána's approach and response to the presence of a relatively small number of violent criminals in some communities include a strong focus on quality of life issues and collaboration with local authorities, joint policing committees, JPCs, and local drug task forces. However, as we all acknowledge, a more sustainable, co-ordinated and comprehensive approach is needed. That was a clear message delivered to the expert members of the Commission on the Future of Policing in Ireland and it is clear from its report that the message was understood and responded to in the recommendations. In particular, the commission examined the incidents in the north-east inner city and subsequent citizen engagement in recent years, and it looked at how that approach could be mainstreamed and embedded.

We all recognise that the reasons an individual turns toward a life of crime are complex, with a substantial, unacceptable negative impact on communities. It is an appalling vista for any community to witness violence or criminality in their midst because of the actions of a small number of people. However small, we need to do everything possible to ensure that to the greatest extent possible we divert people away from a possible life of crime. Putting in place suitable interventions to prevent this requires a joined-up approach by a number of stakeholders, including An Garda Síochána, various Departments, agencies, NGOs, families and, of course, members of the wider public. The Commission on the Future of Policing in Ireland recognised that reality. A very significant proportion of police time, in Ireland and in other jurisdictions, is spent on harm prevention and providing service to citizens at risk, including those with addiction issues, and I know that the Senator has been a strong advocate for such persons in recent years.

The new model of policing put forward by the Commission on the Future of Policing in Ireland envisages a new district approach to policing with significant community engagement, including the creation of multi-agency crisis intervention teams in all Garda divisions. These teams, and the broader concept of community safety, will be embedded in legislation in the new policing and community safety Bill which is being progressed by my Department as a matter of urgent priority. I look forward to the Senator's, and all Senators', input into that legislation in

due course. I will be very happy to engage with them and receive their observations, comments or submissions. The critical aspect of the Commission on the Future of Policing is that it has designed a model for policing excellence for the future. This is an approach that will make a real difference to communities. That is the sustainable solution for the future for all communities.

I again assure the Senator of the active Garda investigations under way and that An Garda Síochána is taking all necessary steps to bring the perpetrators of the recent shootings in Dublin to justice. The Government will continue to support the Garda through the allocation of unprecedented resources in terms of personnel, technology and everything else, so that its members can continue to carry out their duties and protect the public.

Senator Aodhán Ó Ríordáin: I thank the Minister for his response. Will he commit to extra Garda resources for this area and to a commission along the lines I have suggested and similar to what took place in the north inner city? The Minister touched on it in his reply but did not go as far as it. I suggest a Mulvey-style report which will deal with all the agencies which the Minister outlined. He has suggested that the Commission on the Future of Policing is the answer. I am suggesting something different. The Government is already engaged in such a process in Dublin's north inner city. I am asking the Minister to initiate that process in the Dublin 17 and wider areas. Is the Minister making more Garda resources available to this area? Along with other Ministers will he lead the process to commission a report into the need for resources and a long-term response to what has happened in the Dublin 17 area? I ask the Minister to commit to those two things on behalf of those who are suffering and feel not just uneasy but scared living in those communities.

Deputy Charles Flanagan: I assure the Senator that I will continue to engage with my Government colleagues. This particular issue was raised at a recent Government meeting. I have spoken directly to the Minister, Deputy Bruton, and the Minister of State, Deputy Finian McGrath, who like the Senator have a considerable knowledge of the area, its people and the community. I would be happy to continue to engage with other Departments to progress the type of collaborative approach the Senator has proposed, taking a note of the issues the Senator has raised.

My Department is actively working on drafting new policing legislation to ensure the broader concept of community safety will be embedded in statute. Key to this is policing in partnership with communities along with other Departments and agencies, not solely those under the remit of the Department of Justice and Equality, to provide essential services and supports to communities. I am thinking of agencies under the Departments of Health, Employment Affairs and Social Protection, and Housing, Planning and Local Government. I am anxious to have a collaborative approach across agencies, involving in particular those who provide essential services and essential supports to communities and individuals at risk. In that regard I acknowledge what the Senator has said.

As well as the Government accepting all 157 key recommendations of the Commission on the Future of Policing in Ireland in December, I also published a four-year high-level plan, Policing Service for the Future. This sets out the approach to the implementation which will be overseen and is currently overseen by a dedicated programme office in the Department of the Taoiseach, which is a key recommendation in the commission's report.

Another key element of the implementation is to ensure that local front-line policing will

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be placed at the core of the police service. This brings me to the Senator's second point about Garda numbers and resources, the object of the exercise being that gardaí are more visible in communities and therefore more active in communities. I remain committed to achieving an increase in the overall Garda workforce of 21,000 personnel by 2021, which will involve 15,000 sworn Garda members. I look forward to attending the Garda College in Templemore next week where we will see a further 200 young, ambitious, energetic gardaí engaged in active duties within two weeks of their graduation. I would be happy to continue to engage with Garda management on the particular issue the Senator raised. I trust he will do so also through such bodies as the joint policing committee in the area.

I assure the Senator and all Members of this House that the State will continue to relentlessly pursue those who engage in criminality and threaten the safety of communities. The full force of the law will be brought to bear on those behind this violence and related gangland activities. I would be happy to engage further with the Senator on the specific proposal he has made this morning.

Local Government Reform

Senator Maria Byrne: I thank the Minister of State for coming to the House this morning for this debate. Now that we have voted to have a directly elected mayor in Limerick, it was my understanding it was to be in two years but I believe it may be three years. When does the Minister of State envisage us having the first directly elected mayor? As the Minister of State knows, I led the campaign on behalf of Fine Gael around both Limerick city and county. People were concerned about the powers the mayor would have. They also asked if transport would be included because transport is so relevant to both the city and county. The directly elected mayor in London has responsibility for things like the environment and driving business. Business is a really important opportunity for the mayor to drive forward. Having an economic driver for the city and county was one of the things I mentioned when I was going around asking people to vote for a directly elected mayor.

I also mentioned the mid-west region. While my colleagues in places like Clare may disagree with me, I believe a thriving region needs a thriving Limerick because it is right at the heart of the region. While the mayor needs enhanced powers, we also need to reform local government; they go hand-in-hand. We may also need to strengthen the councillors' powers.

Limerick will be the flagship for the other cities as it will be the first city to have this. In saying that, we need to get it right. I am anxious to work with the Minister of State. I will consult people in Limerick to hear their views. I know there will be an open door when I come back to the Minister of State and he will listen to those. It is important to get it right from day one especially as Limerick will be the first place with a directly elected mayor. I would like transport and the environment to come within the mayor's remit. I may also come back with one or two other requests.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I apologise for getting caught in traffic around Naas. I thank Senator Byrne for raising the issue. I would also like to thank her for her support and very active campaign in the recent plebiscite for the directly elected mayor in Limerick city and county. I have no doubt that her support and that of civil society in Limerick were instrumental in the positive vote there, as was the support of other politicians.

Most importantly, I want to thank the people of Limerick city and county for backing the Government's proposal and opting for a radical leap forward in local government. This is a very exciting time in the history of local government in Limerick. It fits in with what has been a decade of renewal in Limerick city in particular, but also in the merged authority that is Limerick City and County Council.

The Government has been given a mandate by the people of Limerick to put in place the first directly elected mayor with executive functions. As Senator Byrne has said, Limerick will be the flagship for the country. I want to assure the people of Limerick that the Government plans to maximise this incredible opportunity to boost local government there.

In line with the legislation, I will now prepare and submit to the Houses of the Oireachtas a report with proposals for legislation providing for a directly elected mayor for Limerick. The legislative proposals must be submitted by 24 May 2021, two years after the vote, but I have asked my officials to prioritise this work. I want to bring the report and legislation forward as early as possible next year rather than in 2021. We have a good basis for the legislation in the Government's policy paper and will take on board the feedback received during campaigns such as the one referred to by the Senator on transport, the environment and business. Some of the functions are already performed within the local authorities. I am thinking, in particular, of the LEOs and environment sections of the local authorities, but transport is certainly one issue that is topical and important at local level. We will consult stakeholders in Limerick and across the local government system.

The process will also involve a review of legislation underpinning the functions of local authorities and engagement across all Departments. With the establishment of the position of directly elected mayor comes an incredible opportunity for further ambitious local government modernisation. The directly elected mayor and the elected council must have scope and the capacity to create a vision for the future of Limerick and be empowered to take responsibility for delivering on that vision through having real budgetary and functional clout across as wide a range of areas as possible.

It is important to point out, as outlined in the Government's policy proposals, that the chief executive will still hold a critical role. The success of the directly elected mayor will crucially be dependent on a strong, committed and passionate chief executive and an effective mayor-chief executive working relationship to deliver on the vision and programme of the council and the mayor. Limerick City and County Council is very lucky to have an energetic and passionate chief executive in Conn Murray. I recognise the extraordinary work he has done in recent years, not least in leading the very successful merger of the two local authorities in the city and the county and developing the hugely ambitious Limerick 2030 programme. In terms of timelines and in the expectation the legislation will be prioritised in the Houses, the first election could take place to Limerick City and County Council in 2022 or beforehand.

I again thank the Senator for raising this important matter and her work on it, with that of others heretofore, as well as the officials in the Department who have been very active in promoting the idea of having directly elected mayors with executive functions.

Senator Maria Byrne: I thank the Minister of State for his very informative response. There has been a learning curve. I pay tribute to the CEO and his staff who play a relevant role. It will be very important for the CEO and the mayor to work side by side. The CEO and his staff certainly have a very important role to play. The sooner the legislation can be brought forward

the better. It will show the timeline and what we are trying to achieve and allow people to have an input. The sooner we can bring it forward to allow people to make submissions and have their voices heard the better. I also think of the people who voted “No”, of whom there were a significant number. While the plebiscite was won by 3,000 votes, we must listen to the voices of the people in question and their concerns to see whether we can resolve them.

Deputy John Paul Phelan: I reassure the Senator again that the legislation states the Minister must produce a report and legislation on a directly elected mayor within 24 months. I intend to do so within 12 months, if possible. It is the number one priority in drafting legislation in the local government section of the Department. As the Senator can appreciate, the Department of Housing, Planning and Local Government has many other priorities, but from the local government angle, this is the number one priority. People in Limerick need to see evidence that their votes are being reflected in activity in the Custom House and the local authority. There will be extensive engagement with various stakeholders. The Senator mentioned the staff and management of the council, as well as the newly elected members of Limerick City and County Council. I mention those in wider civic society who engaged so well in the plebiscite and others who wish to make a contribution. I intend to expedite the process in order that we will have the legislation in the middle of next year to establish the position of directly elected mayor in Limerick. The same legislation will apply to other such posts in the future.

Senator Aidan Davitt: I commend the Minister of State for the work he has done in such a short timeframe. I know that he and his Department have put a lot of effort into it, with the former High Court judge Henry Abbott. Is there any update on councillors’ pay and conditions which is part of the process?

An Leas-Chathaoirleach: That matter is not relevant.

Senator Aidan Davitt: The Minister of State might give us a brief line on it.

An Leas-Chathaoirleach: The Senator can raise the matter on the Order of Business. We are against the clock.

Deputy John Paul Phelan: I have not yet received the report.

An Leas-Chathaoirleach: It is a different topic.

Deputy John Paul Phelan: I should have mentioned Henry Abbott who chaired the committee that was responsible for gathering and disseminating information on the plebiscite. He is an eminent former judge.

An Leas-Chathaoirleach: A very eminent former judge.

Senator Aidan Davitt: Does the Minister of State expect to receive the report soon?

An Leas-Chathaoirleach: With respect, that is a different item which the Senator can raise on the Order of Business.

Senator Aidan Davitt: No more than the Leas-Chathaoirleach, we have to look after our flock.

Teachtaireacht ón Dáil - Message from Dáil

An Leas-Chathaoirleach: Dáil Éireann has passed the Industrial Relations (Amendment) Bill 2018, to which the agreement of Seanad Éireann is desired.

Sitting suspended at 11.25 a.m. and resumed at 11.30 a.m.

An tOrd Gnó - Order of Business

Senator Catherine Noone: The Order of Business is No. 1, motion re appointment of a special committee to be known as the Joint Committee on Key Issues affecting the Traveller Community, to be taken without debate at the conclusion of the Order of Business; No. 2, motion re Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019, back from committee, to be taken without debate at the conclusion of No. 1; No. 3, Gaming and Lotteries (Amendment) Bill 2019 - Committee Stage (resumed), to be taken at the conclusion of No. 2; and No. 4, statements on fire safety in apartment dwellings, to be taken at the conclusion of No. 3 or 12.45 p.m., whichever is the later, with the contribution of group spokespersons not to exceed eight minutes each and those of all other Senators not to exceed five minutes each.

Senator Catherine Ardagh: I commend a new campaign, Losing Your Marbles.

An Leas-Chathaoirleach: It could be singular, rather than plural, for some.

Senator Catherine Ardagh: It is a campaign launched by Sage Advocacy, a group which advocates for elderly people. It wants them to have the right to be unwise when making decisions about where they want to live or be cared for. Members might remember that last year a caller to Joe Duffy's "Liveline" show, Sadie, had been left in a nursing home by her family who very much loved her, as she acknowledged. However, after her injury had healed, she very much wanted to go home to be close to her friends and take part in bridge games. Thankfully, as we all learned, after she spoke to Joe Duffy, her family listened to her and she went home. It was a really nice story. The assisted decision-making legislation has autonomy and the right to self-determination at its heart. Therefore, the campaign is welcome as we need to be more conscious of people's wishes as they grow older. Obviously, there are instances where an enduring power of attorney needs to be invoked, but sometimes people can still make small decisions. They should be allowed to remain autonomous for as long as they can.

I raise the issue of crime in Dublin city where there have been three shootings in the last week. There was a stabbing yesterday on Thomas Street, while cars were burned out in Dolphin's Barn. There are huge issues with gangland and non-gangland crime in the city. We need to have a debate in the House as we need to really look at what is going on in the city. People are absolutely terrified. In the latest shooting neighbours were nearly run down by the getaway cars. It is not right when innocent bystanders are directly affected by the actions of those taking part in gangland activities. This has been ongoing for a long time and we need to look at how the issue can be resolved. I know that the Taoiseach is going out, but we need to see the provision of resources. A few million euro was allocated to tackle gangland crime in the north inner city, but other parts of the city were not so lucky and have not been allocated the same

resources, including the south-west inner city and the south inner city. There is a need to put proper funding structures in place to help the Garda and ensure innocent people in local communities will not feel afraid when going about their business.

Senator David Norris: It needs to close Stepside Garda station and reopen others.

Yesterday I was very surprised and taken aback to discover that the farm fatalities Bill had collapsed. I had attended an important briefing and made provision to speak to it, but I was not able to do so. The briefing was attended by a very brave man by the name of Les Martin. He has three children, a daughter and two sons, who suffer from the rare disease metachromatic leukodystrophy. Cathal was diagnosed with it when he was two and a half years old when it was too late for him. Mr. Martin is in the dreadful situation where, as a father, he is watching his son die slowly. Ciarán was taken to Italy for six months. There is a real need for an expansion of a national screening programme. We need laws to protect children and provide for full screening programmes for newborns, as well as support for and recognition of the families of these children. In Ireland there is screening for eight rare diseases only. The figure is 35 in the United States and 26 in Hungary. In one year the figure went from four to 40 in Italy. Those involved with the Italian programme have enthusiastically offered to help Ireland to implement such a programme. The cost is €50 per child. By spending €3.5 million hundreds of millions would be saved in subsequent treatment costs. There are 62,000 children born in Ireland every year, of whom one in 1,250 will have a rare disease. The HSE states it is possible to implement such a programme immediately. Why, therefore, is it not being done? Children are dying at the rate of one per week and they are dying unnecessarily. By spending a small amount of money this country could save those children. Let us do it. I am calling for a proper recognition of rare diseases day in Ireland on which we should invite families and as many of the children as possible to Leinster House to meet us and see the facilities. I am calling for an urgent debate on this important issue. The people of Ireland need to know that 50 children are dying unnecessarily each year in slow and often agonising circumstances, not to mention the terrible distress of their parents. I salute Les Martin for his courage and bravery but I cannot imagine what it must be like as a father. I hope that Ciarán will be all right. Cathal is in his last stages. This is a terrible tragedy and it is an avoidable one.

Senator Tim Lombard: There is a recount of 750,000 ballot papers in Cork this morning.

Senator David Norris: Senator Grace O'Sullivan is involved.

Senator Tim Lombard: It is almost a week since people cast their ballots but it will probably be the weekend before we get a result.

Senator David Norris: Do I hear e-voting?

Senator Tim Lombard: Do we need to look at this? We have talked about an electoral commission to look at this. There are 750,000 ballot papers and each is over 2 ft. long. There are approximately 40,000 spoiled ballot papers. There has to be a better system.

Senator David Norris: One could ask why people spoil their votes.

Senator Tim Lombard: There is a significant issue with how this process works. There are 240 staff who will be there for seven days counting votes.

Senator David Norris: They will be paid.

Senator Tim Lombard: We need to set up an electoral commission and to examine the issue. It has been 20 years since we spoke about e-voting. We should have a debate about the system.

Senator David Norris: I am not giving up my peann luaidhe.

Senator Tim Lombard: There were also plebiscites in three cities, two of which failed. The scenario in Cork was unusual. We asked for a plebiscite of the people of Cork on the question of a lord mayor but when we extended the boundary we never asked the people in a plebiscite - we just did it. There is a contradiction in this. There is a view that the executive could extend the boundary by law but that it could, when it suited it, ask the people for their view on the mayoralty. There is a failing in the system. I congratulate Limerick on putting the city and county together into one local authority, which gives it a real voice. There is population density now and they are moving into a new space, which is the directly elected mayor. They have moved light years ahead of Cork and Waterford by giving themselves the potential to work together. I never saw the logic of having two local authorities in one county. There has been an extension to a boundary on which nobody voted and, in the mayoral plebiscite, people asked why they were being asked to vote on the issue when they were not asked to vote on the extension of the boundary. We need to have a comprehensive look at local government, how it works and how it is funded. The vote failed in Cork because people thought it would be too expensive. If they went for a merger we would have one county manager, one executive-----

An Leas-Chathaoirleach: They would probably need to work together more too.

Senator Tim Lombard: -----and fewer councillors. There would be less expense on account of everyone working together. We did not ask the people on the big decision to extend the boundary, which we did in this House, but they should have been asked. The plebiscite should not have been about the mayoralty but about having one local authority. Since we asked the wrong question, we got the wrong decision.

An Leas-Chathaoirleach: Perhaps we need another debate on that.

Senator Jennifer Murnane O'Connor: Friday, 21 June is the national family carers' day in Ireland and Shine a Light will mark the occasion. I encourage all Senators to support it. I have consistently raised the importance of carers in our society and I am increasingly frustrated with the time it takes to process carer's allowance applications. At my regular clinics I hear of backlogs of between six and eight months and that is not acceptable. The Government must do more to help these people. It costs the State three times as much to look after an older person in a nursing home than it costs to provide care for them in their own home. The number of people aged over 65 in Ireland will double over the next 30 years while the number aged over 85 will nearly quadruple. We need proper support to be in place as we are all living longer. Giving older people and those with disabilities the opportunity to remain and grow old in their own homes is a central plank of Fianna Fáil policy and we believe the waiting times for decisions that impact on people's lives are unreasonable.

This morning there was a meeting in Buswells Hotel about carers and the impact of caring. The carers who were there spoke about the mental and physical impact it has on them and we need to address this. The carers are doing an excellent job and they feel they need more support from the Government. A respite centre was meant to open in Tullow nearly three years ago. We have no overnight respite service but such facilities are crucial for families. I ask the Deputy

Leader to go back to the Minister to highlight the concerns I heard about this morning and to address the time people are waiting for their applications to be processed.

Senator Michelle Mulherin: I ask for a debate to be facilitated on the home loans being provided by local authorities under the Rebuilding Ireland purchase scheme. The scheme needs some changes, in particular to facilitate people who had a home but lost it in our difficult economic times, when many people lost their jobs. They are back on their feet now but cannot get a loan because their credit rating is shot. They meet all other criteria for a loan and they might expect to get a loan from their local authority but they cannot because they are not first-time buyers. I have been dealing with a couple who have two young children. They had a house and lost it but they have now settled their debt and are making a fresh start by buying a home. Both of them are in good employment and, financially, are in a position to buy a home but none of the high street banks will give them a loan nor will their local authority. I do not think that is fair and I do not think it is the best we can offer these people, who have been through a lot. They are trying to put their best foot forward and in normal circumstances they would get a loan but they cannot now. We have to step in and do something about it.

Senator Michael McDowell: I want to put on the record my preliminary observations on the plan by the Office of Public Works, OPW, to carry out major work in the Phoenix Park. The OPW does tremendous work and I have huge admiration for it. It has done a great job in conserving the Phoenix Park and making sure it has not degraded. I have no problem with the building of a bridge over to the Islandbridge war memorial, which is one of the proposals, but the very idea of a funicular railway into the Phoenix Park is misconceived. Part of the attraction of the Phoenix Park is that it is, in some sense, a relic of the 18th and 19th centuries, part of the former Irish Raj in which big residences were plonked around the enormous campus.

Senator David Norris: Wonderful. What an era.

Senator Michael McDowell: Part of the character of the Phoenix Park is that a lot of the land is unused or underused, creating its own attractions. There are places where deer can go, far away from funicular railways and such things.

Senator David Norris: There is no hill for a funicular railway.

Senator Michael McDowell: The zoo has not sprawled all over the park but has expanded into lands beside Áras an Uachtaráin. The magazine fort, which I walked around on one occasion when it was carelessly left open, is decaying completely in front of our eyes but it could be a military museum or something like that. Allowing it to degrade any further would be a big mistake. As somebody who loves the Phoenix Park, all of its memorials and big houses and the castle in it, I believe we should be very slow to turn it into something it is not, namely, a kind of Disneyland amusement park. I do not think it needs a funicular railway or novelties of any significance. While the OPW should be thanked for thinking of different ways to view its future, it should be warned off the more exotic plans it has on this occasion and asked to take a conservative view of the park.

An Leas-Chathaoirleach: As there are no other speakers offering, I call on the Deputy Leader to conclude.

Senator Catherine Noone: I thank all those Members who raised issues on the Order of Business. Senator Ardagh quite rightly raised the Losing Your Marbles campaign. It is really important to raise awareness and we should all support that. More fundamentally, the assisted

decision making legislation is extremely important. As we get older, we have more vulnerable people in our lives and it makes one much more aware of the complexities, including the difference between power of attorney and enduring power of attorney. I wish to highlight the fact that they are actually required sometimes so providing one for oneself with regard to someone who one trusts is considered to be a very prudent thing to do legally. I do not think we can highlight those types of issues enough.

The Senator also quite rightly raised the worrying trend of gangland shootings and other crimes in our capital. We should have a debate in this House but we need far more than a debate here. I know the Taoiseach, the Minister for Justice and Equality and the Garda Commissioner have committed to visiting Coolock, which is in the area I represent.

Senator David Norris: When he has the time.

Senator Catherine Noone: This is really important. I know the previous Taoiseach took on the inner city as a personal issue on which he worked directly. The point about resourcing is well made so I would agree with the Senator on much of that.

Senator Marie-Louise O'Donnell: I am just a bit late. The Order of Business is for one hour.

Senator Catherine Noone: Sorry. Is there a conversation?

An Leas-Chathaoirleach: The Order of Business has been dealt with and the Deputy Leader-----

Senator Marie-Louise O'Donnell: It has not because I have not said what I want to say.

An Leas-Chathaoirleach: I am sorry but I asked for other speakers and nobody offered. I must rule it out of order.

Senator Marie-Louise O'Donnell: The Order of Business is on the schedule from 11.30 a.m. to 12.30 p.m.

An Leas-Chathaoirleach: It is not definite. It takes as long as there are speakers. I am very sorry-----

Senator Marie-Louise O'Donnell: It is so convenient - so governmentally convenient.

An Leas-Chathaoirleach: Speakers need to be here on time at 11.30 a.m.

Senator Marie-Louise O'Donnell: Deputy Leader, I am sorry-----

An Leas-Chathaoirleach: The Senator is out of order.

Senator Marie-Louise O'Donnell: The Leas-Chathaoirleach is always telling Senators that they are out of order.

An Leas-Chathaoirleach: Only when I have to.

Senator Marie-Louise O'Donnell: I am very much in order. I am standing here-----

An Leas-Chathaoirleach: The Deputy Leader, without interruption.

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Senator Marie-Louise O'Donnell: All of these orders - one is not allowed to speak.

An Leas-Chathaoirleach: The Senator should be aware of Standing Orders.

Senator Marie-Louise O'Donnell: I am aware that the Order of Business is from 11.30 a.m. to 12.30 p.m.

An Leas-Chathaoirleach: No, not necessarily.

Senator Marie-Louise O'Donnell: Oh no, no. Not when it suits the Government.

Senator Catherine Noone: This is a conversation-----

An Leas-Chathaoirleach: I am not having any conversation. Senator Marie-Louise O'Donnell can take it up with me afterwards. The Deputy Leader, without interruption.

Senator Catherine Noone: This is a conversation for the CPP or another day.

Senator Marie-Louise O'Donnell: You are all so mature. My God, we are coming down with morality and purity, are we not?

An Leas-Chathaoirleach: The Senator is talking to herself now.

Senator Catherine Noone: Senator Norris raised the issue of the farm fatalities Bill and the case of a gentleman called Les Martin, who I have not met. The Senator is quite right in raising the issue of rare diseases. A lot of the time, we hear about rare diseases when it gets to the stage of a negotiation between the State and pharmaceutical companies at high cost. Surely these diagnoses constitute a preventive health way of approaching the matter, which we lack in this country, and cost saving because, ultimately, one front loads the cost. I agree entirely with the Senator and think we should have a debate along those lines in this House. As the Senator notes, 50 children die unnecessarily due to a lack of medicines. If Italy can manage to increase it quite significantly in a short period of time-----

Senator Marie-Louise O'Donnell: I was just a bit late.

Senator Catherine Noone: Sorry, is there a conversation going on in this House?

Senator David Norris: The provisional-----

An Leas-Chathaoirleach: The Senators are out of order. The Deputy Leader is responding.

Senator Catherine Noone: I cannot control what people say. I am trying to give a response.

Senator Marie-Louise O'Donnell: This is about control.

An Leas-Chathaoirleach: Through the Chair.

Senator Catherine Noone: God almighty, I do not know what side of the bed everyone got out of this morning.

Senator Marie-Louise O'Donnell: I was only late by 20 minutes.

Senator David Norris: No, we have to be here on time.

Senator Marie-Louise O'Donnell: It was 20 minutes.

Senator Catherine Noone: Can I suggest that if people want to have a conversation, they go outside?

Senator Marie-Louise O'Donnell: Could Senator Noone suggest that to the Fine Gael people who spend their lives on their phones in here?

Senator Catherine Noone: We are not talking; we are doing business. They are devices for working on.

Senator Lombard raised the issue of the recount. He makes an excellent point, namely, that there are 750,000 ballots that are two feet long that must be recounted over the coming hours. It is a significant resource issue so it is certainly something we should revisit as an issue for debate.

I congratulate Senator Byrne who led the campaign regarding the plebiscite in Limerick. The fact that it got so many leaders in the community who were not political really helped the campaign down there. It will be really interesting to see how Limerick develops as a result of passing this plebiscite. Hopefully, it will be very positive for it and other cities will see the benefit in following its lead. There was a certain cynicism in the vote in the sense that the main thing that was highlighted was the cost and wage the mayor might get but there was a lot more to it. That was a simplistic view of it.

Senator Murnane O'Connor raised the issue of carers, a very important issue she raises regularly that is linked to the issue raised by Senator Ardagh earlier. We have an ageing population and it is something of which we should always be mindful. Certainly carers are deserving of resources because they save the State a lot of money so Senator Murnane O'Connor raised a very important issue.

Senator Mulherin raised the issue of home loans being provided and the need to alter the way Rebuilding Ireland works. There is a certain injustice for the couple referred to by the Senator. They are trying to make a fresh start but are meeting brick walls. I suggest that the Senator might raise it as a Commencement matter to get a more direct answer from the Department.

I agree with Senator McDowell's comments on the Phoenix Park. Sometimes, quite simply, less is more. I hear what the Senator is saying and I can see where the OPW is coming from as well. I want to have a look at the plans following hi's comments this morning because I have only heard a bit about them. The idea that deer roam freely in the Phoenix Park is part of its attractiveness and the fact that it is a "meadowy" wild type of place-----

An Leas-Chathaoirleach: They are fallow deer, of course, not native red deer.

Senator Catherine Noone: Coming from Kerry, the Leas-Chathaoirleach would be an expert on deer.

Senator Michael McDowell: They could do without a funicular railway going through the park.

Senator Marie-Louise O'Donnell: Is the Senator controlling the conversation?

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Senator Catherine Noone: As Senator McDowell noted, we should be slow to change the integrity and character of the Phoenix Park. I do not know if it warrants a debate but it is certainly something that should be addressed. I will have a look at those plans to see what exactly is proposed. That was a fairly short Order of Business. It should not be as long as it normally is because, at the end of the day, we are ordering the business of the day. It should not take up as much time as it does.

Order of Business agreed to.

Appointment of a Special Committee on Key Issues Affecting the Traveller Community: Motion

Senator Catherine Noone: I move:

That, notwithstanding anything in Standing Orders—

(1) Seanad Éireann hereby appoints a Special Committee (hereinafter referred to as ‘the Committee’), to be joined with a Special Committee to be appointed by Dáil Éireann, to form the Joint Committee on Key Issues affecting the Traveller Community;

(2) the Joint Committee shall aim for consensus, based on human rights principles, on policy directions in respect of the following key issues affecting the Traveller Community—

(a) physical health, mental health and suicide levels,

(b) school completion rates and educational attainment, particularly at second and third-level compared to the settled population,

(c) labour market participation, having regard to the unemployment rate of 80 per cent among Travellers, and

(d) access to housing and accommodation, including Traveller-specific accommodation, in the context of the significantly higher homelessness rate among Travellers compared to the settled population,

and shall report thereon to both Houses of the Oireachtas in accordance with paragraph (8);

(3) in carrying out its role under paragraph (2), the Joint Committee shall—

(a) invite submissions and presentations from the Traveller Community,

(b) examine current statutory, non-statutory and Departmental responses, including policy, resources and law,

(c) research and identify models of good practice nationally and internationally,

(d) establish parameters to gather relevant data, and

(e) make recommendations, taking into account the views of the Traveller Commu-

nity;

(4) the number of members of the Committee shall not exceed six;

(5) the quorum of the Joint Committee shall be four, at least one of whom shall be a member of Dáil Éireann, and one a member of Seanad Éireann;

(6) the Joint Committee shall elect one of its members to be Chairman;

(7) the Joint Committee shall have the powers defined in Standing Order 72(1), (2), (4), (5), (8), (13), (14) and (15);

(8) the Joint Committee shall—

(a) make an interim report, which shall contain its proposed work programme, to both Houses of the Oireachtas within two months of its first meeting in public, and

(b) make its final report to both Houses of the Oireachtas within six months of its first meeting in public and shall thereupon stand dissolved.”

Question put and agreed to.

Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019: Motion

Senator Catherine Noone: I move:

That Seanad Éireann approves the following Regulations in draft:

Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019,

a copy of which has been laid in draft form before Seanad Éireann on 27th May 2019.”

Question put and agreed to.

Gaming and Lotteries (Amendment) Bill 2019: Committee Stage (Resumed)

Amendment No. 12 not moved.

Section 26 agreed to.

TITLE

Government amendment No. 13:

In page 3, line 5, after “and” to insert “the Betting Act 1931 and”.

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Amendment agreed to.

Title, as amended, agreed to.

Bill reported with amendments.

An Leas-Chathaoirleach: When is it proposed to take next Stage?

Senator Catherine Noone: Next Tuesday.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Report Stage ordered for Tuesday, 4 June 2019.

Senator Michael McDowell: Will Fifth Stage be taken on Tuesday?

An Leas-Chathaoirleach: It has just been agreed that Report Stage will be taken then.

Senator Michael McDowell: I was going to say a few words on the Bill, but I do not mind.

An Leas-Chathaoirleach: The Senator will have an opportunity next Tuesday on Report Stage.

Senator Michael McDowell: I am in no hurry.

An Leas-Chathaoirleach: I am following procedure, as advised.

Sitting suspended at 12 noon and resumed at 12.45 p.m.

Fire Safety in Apartment Dwellings: Statements

Acting Chairman (Senator Gerry Horkan): I welcome the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, back to the House.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I very much welcome the opportunity to be here today to discuss this very important issue of fire safety in apartment buildings. I think we are all agreed that this is a very important issue during construction but, of course, also during the lifetime of what is a person's home. The overall aim of the building regulations is to provide for the safety and welfare of people in and as they go about buildings. Of course fire safety and life safety is a human issue, a safety and health and protection matter but discussing it can be quite technical so my apologies for some of the jargon as I address the different aspects of the building codes that we have and how they are implemented.

Part B, fire safety, of the Second Schedule to the building regulations sets out the legal requirements regarding fire safety in respect of new buildings, including apartments, and in respect of existing buildings undergoing works involving an extension, material alteration or certain material changes of use. Historic buildings predate, in some cases by centuries, the introduction of building regulations, which do not create retrospective requirements on existing buildings. These buildings will generally attract the requirements of the Fire Services Acts

1981 and 2003. Broadly paraphrasing, this places obligations on those having control over a building to guard against the outbreak of fire and make provision for the safety of people in the event of fire.

National guidance to the building regulations is provided in technical guidance document B fire safety, where works are carried out in accordance with the guidance, this will *prima facie* indicate compliance with the fire safety requirements set out in the building regulations. The adoption of alternative approaches is allowed provided that the relevant requirements of the regulations are complied with.

Building control regulations require a fire safety certificate, FSC, to be obtained for new buildings, with some exceptions, and certain works to existing buildings. The FSC ensures the building or works if constructed in accordance with the plans and specifications submitted, comply with the requirements of Part B, as I have explained. As such, an application is examined technically by the chief fire officer or building control authority for compliance with Part B, and this may be on the basis of technical guidance document B or through alternative approaches to providing fire safety. Dublin Fire Brigade assesses and processes fire safety certificate applications for Dublin City Council and on behalf of Fingal County Council, Dún Laoghaire-Rathdown County Council and South Dublin County Council.

In terms of the responsibility for compliance, primary responsibility for compliance with the requirements of the building regulations rests with the owners, designers and builders of buildings. Enforcement of the building regulations is a matter for the 31 local building control authorities that have extensive powers of inspection and enforcement under the Acts and are independent in the use of their statutory powers. Unfortunately, there have been many incidences of failures and non-compliance concerns coming to light during the past decade in houses and apartment buildings. From my personal engagement with those who have been directly affected, I fully understand the stress and impact such building deficiencies can have on their lives, through no fault of their own. We are talking about somebody's home, which is a significant financial but also a major personal investment.

Where fire safety concerns arise in residential developments, local authorities have powers of inspection and enforcement under the Fire Services Acts 1981 and 2003, the housing Acts and the planning and development Acts which may be relevant.

Where fire safety in housing and apartment building are found to be non-compliant with building regulations or defective from a fire safety perspective, local authority fire services work with management companies and other stakeholders to ensure that appropriate levels of fire safety are achieved that minimise the potential for loss of life. Actions are taken on a case-by-case fire safety assessment. However, in general, building defects are matters for resolution between the contracting parties involved - in other words, the homeowner, the builder, the developer or their respective insurers, structural guarantee or warranty scheme, or both. It is incumbent on the parties responsible for poor workmanship or the supply of defective materials or both to face up to their responsibilities and take appropriate action to provide remedies for the affected homeowners.

While my Department has overall responsibility for establishing and maintaining an effective regulatory framework for building standards and building control, it has no general statutory role in resolving defects in privately owned buildings, including dwellings, nor does it have a budget for such matters. Despite intervening in specific circumstances, because of an obliga-

tion to do so, it is not possible for the State to take on responsibility or liability for all legacy issues of defective building materials or workmanship and nor would it send the right message to the industry regarding their responsibility for compliance.

When a building is constructed and occupied, statutory responsibility for fire safety is assigned by section 18(2) of the Fire Services Acts 1981 and 2003, to the “person having control” of the building. The person having control is required to take reasonable measures to guard against the outbreak of fire and to ensure the safety of persons in the event of fire. In multi-unit developments, the “person having control” is generally the owner management company. Under the Multi-Unit Developments Act 2011, which is under the remit of my colleague, the Minister for Justice and Equality, the owner management company must establish a scheme for annual service charges and a sinking fund for spending on refurbishment, improvement or maintenance of a non-recurring nature of the multi-unit development.

In response to the concerns raised about fire safety issues in dwellings, my Department published a framework for enhancing fire safety in dwellings where concerns arise in 2017. This framework is a guide for the owners and occupants of houses and apartments, where fire safety deficiencies have been identified, or are a cause for concern. It includes a range of actions that may reduce risk and improve the level of fire safety where deficiencies arise in dwelling houses, apartments or the common areas of apartment buildings or both.

Furthermore, in the aftermath of the Grenfell Tower tragedy in June 2017 and in recognition of fears expressed for fire safety, I asked my Department’s national directorate for fire and emergency management to convene a task force to lead a reappraisal of our approach to fire safety in Ireland. Following inspections, the task force reported that the combination of factors that seem to have existed in Grenfell Tower were not seen to be present in medium-to-high rise buildings in Ireland. All multi-storey local authority housing stock was inspected. In respect of medium to high-rise buildings, fire services have conducted surveys to identify buildings in excess of six storeys or 18 m in height, including those fitted with external cladding.

Where buildings of this type were identified, fire services required building owners to have a fire safety assessment carried out, where this was warranted. The most recent figures provided by fire services indicate that countrywide, 838 buildings have been identified at this height, 373 of which are residential and 465 are non-residential. Some 287 buildings with cladding have been identified, of which 104 are residential and 183 non-residential. Some 221 fire safety assessments were required, comprising 103 residential and 118 non-residential. A figure of 152 assessments have been provided, 69 for residential and 83 for non-residential. In 41 cases, further action has been required to improve fire safety in the buildings concerned, 32 of which were residential and nine were non-residential. In seven cases, further action involves work to deal with issues in cladding systems, six of which were residential and one was non-residential.

This work is ongoing and is overseen by my Department’s national directorate for fire and emergency management. I have brought updates to Cabinet where necessary.

My Department issued guidance in 2017 on the assessment of cladding systems on existing buildings. The guidance includes advice on interim fire safety measures, to be adopted in buildings, pending the completion of works to cladding systems, where works are necessary. The report also recommends that apartment management companies should review the arrangement for ensuring that appropriate fire protection facilities are present within apartments and are checked and maintained routinely and that behaviour which could endanger fire safety or

unacceptable practices by residents is prevented. Training by local authority fire services to directors of apartment management companies on key life safety issues, including the fire detection and alarm systems, the evacuation procedures and keeping a fire safety file and a fire safety register in respect of the building was also suggested in the report.

The directorate's management board has been tasked with implementation of the recommendations within its remit and oversight of the implementation of other recommendations.

We are, of course, all aware of the devastating impact of the fire in Notre Dame cathedral in Paris, France. This highlights the importance of the safety of people in our historic buildings. While the primary concern is the safety of people in and about historic buildings, the owners and operators of such buildings also may need to make additional provision for the protection of the valuable building fabric, heritage value and contents of these buildings. My Department has met the Department of Arts, Culture and Heritage in light of the fire in Notre Dame and it is known that approximately 70% of fires in historic buildings occur during repair works. An inter-agency approach is required with stakeholders, including those in charge of the buildings, be they museums, churches or relevant State archives. Work is progressing and will continue on this matter.

Finally, in response to the building failures that have emerged during the past decade, my Department has advanced a robust and focused building control reform agenda, including amendments to the building control regulations, the establishment of a shared services national building control project and the ongoing development of new legislation through the building control (construction industry register Ireland) Bill. These reforms have already brought, and will continue to bring a new order and discipline to bear on construction projects, creating an enhanced culture of compliance with the building regulations. This is of great importance, given the impact the built environment has on the health and well-being of our citizens.

Acting Chairman (Senator Gerry Horkan): I thank the Minister. The group spokespersons have eight minutes and all other Senators have five minutes. I invite Senator Murnane O'Connor to speak. She has eight minutes.

Senator Jennifer Murnane O'Connor: I do not have to tell everyone there is a crisis in housing as not only do we see the homeless figures climbing but we have made mistakes for which we are now paying. Too many apartment blocks were built to poor standards. We have a tortured history in how we built accommodation. To be fair, it seems to me that the co-living scheme, which is being touted as the solution to all our problems, is the Government getting in on the Airbnb market by restricting the private service and building what to all intents and purposes is a short-term accommodation block that will make money for the Government but will not provide high-standard forever homes for people. This is why we need to ensure this legislation is not hoodwinking anyone.

We in Fianna Fáil support the establishment of a remedial fund to support latent defects in developments prior to 2009. This will help address fire safety issues without unfairly penalising apartment owners. Low-cost loans should be made available to owner management companies to allow them to undertake any required remedial work. In addition, we need to reform sinking fund provisions and owner management company provisions to help ensure adequate supports are in place to address fire safety issues into the future. It is only fair that I mention that Fianna Fáil has legislation on these issues, which the Government should support because it is good legislation.

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There have been a number of high-profile cases involving fire safety issues, such as Priory Hall, Longboat Quay, the docklands and the closure of new school buildings that had fire issues. These cases cause concern for everybody, not only those who are immediately impacted. The horrific case of the Grenfell Tower fire taught many authorities across the globe valuable lessons.

I welcomed the news that a task force was to lead a reappraisal of our approach to fire and safety in Ireland was convened. Now that it has completed its report, I agree that we need to keep up to speed on all fire safety assessment processes and sanction any improvement works necessary. We need to provide the tools, however, for this task. We need to highlight the statutory responsibility of the person having control of both public and private sector premises as set out in section 18 of the Fire Services Act.

The task force recommended, and I wholeheartedly agree, that we need to clarify and make explicit the statutory obligations imposed on the persons having control, as well as introducing a number of new reporting mechanisms through which the fire safety arrangements in place in premises and sleeping accommodation are brought to the attention of the public, including a new requirement for a public notice of fire safety in every building to which section 18(2) of the Fire Services Act applies.. We need a more robust consumer concentrated approach to building and maintaining housing developments. We need to educate people on what they need to do to protect themselves and we need to really drive home the message of personal responsibility.

I have raised an issue, which was recommended by the Joint Committee on Housing, Planning and Local Government, that local authorities should never be allowed to self-certify their own social housing development. This should be contracted out via a building standards and consumer protection agency and there should be a bar on the awarding of publicly-funded construction projects tenders to the developers, builders or associated construction professionals found to be in serious breach of building standards or fire safety regulations.

This, to me, is crucial. We have serious issues in this country. We need to improve how we communicate to people and how we educate them. We have got to stop this. I am referring to a certain website. This is a massive concern for me. When I ring up, I am told to look on one website or another. We need to be clear and firm so that we can prevent loss of life in all we do. These are my concerns. I believe everything we do in the future will be in the best interests of everybody. Fire is a major issue for people. I know the Minister will take my concerns and issues on board.

Senator Fintan Warfield: I welcome the Minister's engagement with the Department of Culture, Heritage and the Gaeltacht regarding our national cultural institutions and spaces. The Project 2040 plan includes significant sums of money for the National Museum, the National Archives, the National Concert Hall and the National Library. Such places are repositories of our heritage. I commend Senator Humphreys on his initiative in pushing for this debate, which addresses one of the realities for people who live in apartments. The recession gave us precarious work. Many people are living in precarious accommodation. As Senator Humphreys has pointed out in the past, there is no equivalent to the mica and pyrite scheme for people who are facing these difficulties. Renters in Dublin and elsewhere must live in unsafe conditions in properties they do not own because there are no affordable options elsewhere. We see stories in the media every few weeks about overcrowded dorm rooms laden with multiple bunk beds at cut-price below market rates. Such properties are allegedly occupied by non-national workers

who come here to improve their living standards.

The example I would like to cite does not involve an apartment. It was recently discovered that 38 people were paying €400 each per month to share a ten-bedroom house in East Wall. This meant that the landlord had an income of €15,200 per month. There should be no ambiguity in this regard. I have proposed the Property Services (Advertisement of Unfit Lettings) (Amendment) Bill 2019 to deal with such unsafe and inhumane properties that rob tenants of any level of privacy. We are in a dire situation. Prohibition or stronger enforcement will put tenants at risk of homelessness. The Government's response needs to address this issue. The only way to do this is to advance affordable options. The property I have mentioned is like others that feature regularly on *daft.ie* and *rent.ie*. I wrote to the Department after the Second Stage debate on the Bill in this Chamber. I hope progress is being made with the Department's work in this regard because I have not heard back about the advertisement of properties.

We should consider those who bought homes and apartments from developers without being aware of the fire safety difficulties that existed. We are talking about a culture of compliance, but I remind the House that in one of these cases, the developer has said he does "not have a legal obligation on this matter" and has suggested to complainants that "unless you have a compelling legal argument to put forward we absolutely will not be paying for this". In such cases, concerned owners are forced to seek litigation in the absence of a redress scheme. The Minister has said that a redress scheme could leave the Government and every taxpayer in the State open to an onerous open-ended liability that simply could not be met. I would like to know how the Department intends to respond, in the absence of a redress scheme, so that the owners of properties which are deemed unsafe are not forced to pay or do not feel they have no option other than to engage in costly litigation. In some cases, litigation can be as expensive as the repairs themselves.

The Joint Committee on Housing, Planning and Local Government agreed unanimously in its report, *Safe as Houses? A Report on Building Standards, Building Controls & Consumer Protection*, that homeowners living in Celtic tiger properties with latent defects deserve a redress scheme to assist them in meeting the costs of remedial works. The report also proposes that an agency like the Food Safety Authority or the Environmental Protection Agency should be established. The Minister of State, Deputy English, has indicated that the Department does not intend to accept this proposal. I wonder why it does not intend to accept it. Such an agency could be given responsibility for vetting the advertisement of unsafe and overcrowded rental properties.

Senator Paudie Coffey: I welcome the Minister and his officials to the House. I am pleased to have an opportunity to debate the important issue of fire safety in buildings. As the Minister has said, the first priority with any building must be the safety of the people who reside in or inhabit that building, the second priority must be the building and the material itself, and the third priority must be the belongings in that building. I remind my Fianna Fáil colleague and the other Members of the House that most of the legacy issues that relate to building problems result from poor compliance during the Celtic tiger years of 2000 to 2009. We would ask who was in charge during those years, and the answer is that it was Fianna Fáil. We were left with legacy issues of thousands of unfinished estates, non-compliant buildings and apartment blocks, and fire safety traps like Priory Hall, that was mentioned. When I served as Minister of State, I was involved in the establishment of much of the Government's building control and compliance reform programme, which lasted from 2014 to 2016. The building control and management system and various other systems were put in place to ensure compliance and bet-

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ter standards with regard to new buildings. We are aware of high-profile cases like Priory Hall. I suspect that there are many more legacy cases in which deficient standards can be found in buildings constructed during the Celtic tiger years.

The Minister mentioned the Grenfell Tower fire tragedy of June 2017, in which many lives were lost. It is only when a tragedy or a crisis like that occurs that there is a real public focus on these issues. The Members of this House know that we have an ongoing responsibility to ensure building control and management is an ongoing process that involves constantly evaluating how successful the building control standards are and where changes need to be made. We know we cannot afford such a tragedy to occur in this country. One life lost is one life too many. The local authorities are responsible for the enforcement of building control standards and for compliance with fire safety regulations. It is critical that the local authorities are adequately resourced in this respect. We need to keep the new building control management systems that are now being operated by our local authorities under constant review. We must ensure our fire inspection and building control departments are adequately resourced.

As I have said, we were left with many legacy issues after the boom years. In recent years, a great deal of progress has been made in dealing with such issues. *The Irish Times* recently reported on a statement from a property management company, Keenan Property Management, which manages a portfolio of more than 20,000 apartments throughout the country. I was concerned to learn that when the company carried out a survey of its stock, it found that there were fire safety issues of various standards in over 70% of its properties. Such issues included inadequate fire alarms, outdated fire alarm systems and deficient fire stopping. The survey also revealed a lack of proper compartmentation which allows for the escape of fire and smoke within those buildings, a lack of fire detection technology in car parks under apartment buildings and issues with compliance with planning conditions relating to fire safety. Each of these issues is a matter of deep concern. If they are prevalent among Keenan Property Management's property portfolio, they must be prevalent in other portfolios as well. It is important that the entire apartment stock in this country is surveyed to ensure it is compliant from a fire safety perspective and that any issues which arise are remediated.

The Minister mentioned that designers, builders, professionals, including the engineers who sign off on buildings, and owners are liable and are responsible for ensuring buildings are compliant. As we all know, fire certification is required before buildings can be inhabited. Owners are liable and responsible for ensuring that their buildings are compliant. The State's involvement is in ensuring compliance with standards, which is important.

In my former role as Minister of State, I was involved in the review of the mica issue in Donegal and Mayo. There is a difference between fire safety issues in apartment blocks that were built and signed off on by professionals and issues like the mica situation, where people might not have been aware at the time of construction that deficient material was present. The problem developed in subsequent years and caused people considerable stress. That is why the Government responded by assisting with the pyrite and mica issue, and rightly so. People had been left in the lurch with buildings literally falling down around them. Where safety compliance is not upheld, the liability should rest with the builders, owners and professionals who signed off on the work. I presume they have insurance that covers them when they are negligent in any way. It is not fair to expect the State and the taxpayer to be held liable for every incidence of poor workmanship and legacy issues like those I have outlined.

It is important that standards be upheld and that surveys be evaluated continuously. Where

people can show that they do not have the financial wherewithal to survey an apartment block for which they are responsible, perhaps we should consider initiatives like a low-interest loan scheme to assist them. I am not saying that this should or can be done. There should be strict criteria around such a scheme, but where there are genuine fire safety issues and finance is a problem for the owners, management company or whoever is responsible for the building in question, it would be a good idea to consider having a funding scheme to which owners could apply upon meeting strict criteria so as to address those issues. This is probably something that we should consider and I ask the Minister to do so.

I will say no more and will look forward to the further contributions.

Senator Aodhán Ó Ríordáin: I thank the Minister for attending to discuss this important issue. Priory Hall has been mentioned and I will not go over it again, but a man lost his life due to the stress involved in that situation. What we are discussing is not a victimless crime - no one is suggesting that it is - and it has a major impact on people's day-to-day lives. The home where they reside should be somewhere they seek sanctuary and where they come home to at the end of the day. It should not be something that gives them a headache. They should not wake up in the morning, look around and feel depressed about the lives they are living. There are other pressures in people's lives - work, family, things that go wrong, finances, etc. The house that one lives in should not cause one distress.

In many ways, I am reluctant to name the areas where I have been working, given that the values of such properties inevitably decrease. Sometimes, the challenge that we in politics face is how to advocate for people who are caught in a situation without doing irreparable damage to the value of their properties. We are always trying to find a balance. Sometimes, that lets developers off with what they have done. However, the issues in Belmayne are in the public domain. I have met families, sat in their accommodations and witnessed their frustration, angst and terror about raising families in apartments that are in their view and according to the advice they have received fire hazards. Unfortunately, they feel like they are acting alone, do not have backup from the State and are fighting a lonely battle. They bought something in good faith at a time when it was extremely expensive to do so, yet all of those agencies that should be encircling them and fighting and advocating for them do not appear to be in attendance now - the Dublin city fire officer, Dublin City Council, the Minister's office and the developer. One would imagine that there would be a sense of urgency to surround these families with care, compassion, understanding and, indeed, finance. If families are being quoted a price to refurbish a particular unit, and given that it was no fault of their own that they bought a fire trap, surely a mechanism or fund should be in place for them to access and dip into in order to facilitate those changes and modifications. Being caught in this situation is distressing for families.

When an area is identified as potentially having fire risks, please do not let any of us be present at the site of a disaster the morning after saying that, although we had been told, we had not been sure and there had been a court case or other reasons for us not to intervene. Will the Minister engage proactively, particularly in the Belmayne situation, with the city council, the fire officer and residents on finding a solution to allow these families to move on with their lives? It seems like a pause is being placed on their lives until the situation is adequately resolved. It is difficult to envisage how someone can put his or her child to bed at night in a place he or she does not believe is safe. Will the Minister please take it upon himself to be the person to back these families, get everyone around the table, including the developer, Dublin City Council, the council's fire officer, the residents' groups, public representatives and whoever else needs to be there, and find a way to make this situation better? It may require a fund that can be accessed

interest free or a grant to alleviate the issues.

The question of why the taxpayer should foot the bill for developers' wrongdoings has been mentioned. I have sympathy with that argument, but people who, in good faith, bought an apartment that now potentially threatens their lives and the lives of their children should not foot the bill either. There must be a middle way. I appeal to the Minister's better instincts and ask him for his proactive engagement in the Belmayne area. I want to be able to report to the residents this evening that the Minister listened, cares, wants to find solutions and will engage with the community directly.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank Senator Humphreys, who sought this debate, and everyone who participated in it. When the Grenfell Tower tragedy happened, it was terrifying for the entire world to observe, but particularly for those of us in Ireland, given that we are such close neighbours and have so many close relationships with the UK. We moved quickly to set up a task force to inspect not just local authority homes in multi-storey buildings, but also buildings over a certain height in respect of their cladding, life and fire safety systems. I hope that the update that I was able to provide to Members regarding tall buildings and what has been done to date was helpful. That work must always be ongoing to ensure that we are adopting best practice in how we protect people living in taller buildings. Since we will be constructing more taller buildings and apartments, it is important that we continue to move with best practice.

It is also important that we recognise the people who are on the front line when incidents happen, namely, fire officers, and not just the ones working on fire safety in advance, but also those attending at the scene. I have met many in the course of my role as the Minister responsible for our fire services. They do an incredible job. I have also had the chance when abroad to meet other countries' fire services. I note the collaboration between Ireland and other countries as well as the new technologies that Irish companies have advanced and that are used in emergency vehicles to protect first responders in other countries. It is important that we keep fire officers central to the debate, given that they will have new obligations as we build more taller buildings and there will be more work for them to do in terms of fire safety assessments and so on. Regarding the idea of a fund, which Senator Murnane O'Connor mentioned, we need to be really clear when we talk about such proposals what we are proposing. How much will the fund amount to? How is it to be funded? How far will the taxpayer's liability extend, to what types of private buildings and for how long? How will this potentially take away from the responsibility of the builder, knowing that the State might step in in the future where the builder does wrong? I am all for and open to ideas and proposals, and we want to help people who need help. We cannot just come with sentences, though; we need to come with fleshed out details or we could get things wrong.

Senator Murnane O'Connor was right when she talked about the additional work that needs to be done with owners' management companies, and that is on a range of issues. They play a very important role in many people's lives but are perhaps not included as much in the debates on the things we need to do when it comes to taller buildings and apartment buildings and their maintenance, management and, where necessary, their regeneration over the ten, 20 or 30 years people might be living in those homes. We need to involve them more in the work we are doing. We do, but more work needs to be done in that area.

This brings me to a point Senator Warfield made about the advertising of unsuitable properties, properties that should not be seen as legally fit to inhabit, and the need to regulate websites

or other companies that advertise such properties to recognise that they have a responsibility here as well. As we build more homes, and this year we will build tens of thousands of new homes, we need to ensure we look at issues of fire safety and keeping things up to date and issues with owners' management companies because they are playing a greater role in people's lives. We also need to ensure we regulate new activities regarding the letting or selling of homes, activities that did not exist perhaps ten years ago and that need to be regulated.

On that point, one new activity we are regulating is the short-term letting market. I found a bit bizarre the comment Senator Murnane O'Connor made to the effect that we are now trying to step in as a State to the short-term letting market. We are not. Yesterday the regulations I brought to the Oireachtas joint committee were described as radical - not my word - by Deputy Boyd Barrett. That says something about the level of ambition we have to ensure we do not close down this new activity. Homesharing plays a very important role in our economy and in people's lives. We are open to homesharing while also recognising that short-term letting in our cities, where there is high demand and high rent pressures, is not appropriate when we are in the kind of crisis we face at present.

To respond to Senator Coffey's contribution, I recognise his expertise in this area as someone who was in the Department before me. He did very good work to progress reforms in this very important area. Those reforms were necessary because of some of the deficient and defective works that were undertaken prior to this Government and the Government of which he was a part coming into office - more legacy issues that we were tasked with cleaning up, which we have done and will continue to do as necessary. The Senator mentioned mica and pyrite and the way in which we have responded and are responding to both. It is important to point these issues out because they are separate and entirely different to the issue of defective or substandard building. We agreed during last year's budget negotiations that €20 million for homes affected by mica in Donegal and Mayo would come out of this year's budget for the scheme that was agreed in principle at Cabinet.

Senator Coffey spoke about people living in apartments that were built defectively and people who are in a very difficult position in this regard. I recognise what he said. A defect is one thing, but a problem that puts people's lives and safety at risk is another. We must find a way to approach these two things separately because of the risk that is potentially there for people who are in a very difficult position, as I said earlier, through no fault of their own. For some of them it is an impossible position, so how do we help them? We need to see how we can progress that piece of work because it is so important.

To respond to Senator Ó Ríordáin, the challenge he recognised at the beginning of his contribution, to advocate without causing damage, is so important. We must recognise that there are people who would come forward but will not because they fear that in doing so they will do more harm to the situation in which they find themselves. They have made probably the most significant investment they will ever make in their life in buying a home, they find that that home is defective and needs remediation work, which they may not be able to afford, they find that the defect has undermined the value of that building, that home, and they know that to come forward to advocate too loudly might undermine the property further. They are in an impossible position, and it is important to recognise that. We must find balance where it is necessary but at the same time we do not want to let anyone away with the responsibilities they have where they have done wrong. We need to find some way of capturing that. I know there are discussions ongoing in this regard because I am involved with them with the Minister for Finance and Public Expenditure and Reform, and others as to how we can further protect people in their homes.

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Acting Chairman (Senator Frank Feighan): When is it proposed to sit again?

Senator Paudie Coffey: Next Tuesday week, 11 June, at 2.30 p.m.

The Seanad adjourned at 1.25 p.m. until 2.30 p.m. on Tuesday, 11 June 2019.