



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Ceisteanna - Questions	2
Priority Questions	2
City of Culture Initiative	2
Turbary Rights	6
Oifig an Choimisinéara Teanga	9
Other Questions	11
Departmental Funding	11
Turf Cutting Issues	12
Damáiste Stoirme	17
Commemorative Events	18
Topical Issue Matters	21
Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2014: Motion	22
Industrial Development (Forfás Dissolution) Bill 2013: Order for Second Stage	28
Industrial Development (Forfás Dissolution) Bill 2013: Second Stage	28
Leaders' Questions	38
Order of Business	46
Convention on the Constitution: Motion	51
Topical Issue Debate	51
Medical Card Reviews	51
Rape Crisis Network Funding	55
School Accommodation	59
Schools Building Projects Administration	61
Estimates for Public Services 2014: Message from Select Committee	64
Industrial Development (Forfás Dissolution) Bill 2013: Second Stage (Resumed)	64
Industrial Development (Forfás Dissolution) Bill 2013: Referral to Select Committee	92
Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 [Seanad]: Second Stage (Resumed)	93
Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 [Seanad]: Referral to Select Committee	116
Estimates for Public Services 2014: Message from Select Sub-Committee	117
Health Services: Motion (Resumed) [Private Members]	117

DÁIL ÉIREANN

Dé Céadaoin, 29 Eanáir 2014

Wednesday, 29 January 2014

Chuaigh an Ceann Comhairle i gceannas ar 9.30 a.m.

Paidir.
Prayer.

Ceisteanna - Questions

Priority Questions

City of Culture Initiative

1. **Deputy Seán Ó Feargháil** asked the Minister for Arts, Heritage and the Gaeltacht the actions he will take to ensure the next national city of culture initiative application process is conducted in a more transparent manner; and if he will make a statement on the matter. [4109/14]

2. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht the contacts he has had with the organising committee of the Limerick city of culture; and the progress made in ensuring Limerick city of culture will be a success. [4111/14]

5. **Deputy John Halligan** asked the Minister for Arts, Heritage and the Gaeltacht the current selection process or nomination process involved in the selection of Ireland's city of culture; if he will consider granting Waterford the status of the next city of culture; the formal representations Waterford city would need to make to his Department in this regard; if he or his Department has thus far given any consideration to choosing the next city of culture; and if he will make a statement on the matter. [4342/14]

An Ceann Comhairle: I have received a message indicating that Deputy Seán Ó Feargháil has been delayed as a result of an accident. While he is not involved, he has been caught up in the traffic jam, and in light of the exceptional circumstances I suggest that Deputy Kitt be authorised to take the question in his place.

Deputy Jimmy Deenihan: That is agreed.

An Ceann Comhairle: If Deputy McLellan wishes, she can introduce her question as it being grouped with others. I advise the Minister that here is a new procedure whereby a Deputy

can introduce his or her question.

Deputy Jimmy Deenihan: I am aware of that.

An Ceann Comhairle: Deputy McLellan can introduce her question as Deputy Ó Feargháil is not here.

Deputy Sandra McLellan: I ask the Minister for Arts, Heritage and the Gaeltacht the actions he will take to ensure the next national city of culture initiative application process is conducted in a more transparent manner.

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 1, 2 and 5 together.

As Deputies will be aware, the Government approved an allocation in the budget of €6 million to Limerick City of Culture 2014. While the original aspiration was to have a national city of culture designation every two years, it became clear, however, that it would not be feasible to make a similar resource commitment again as soon as 2016. It is the intention, therefore, that the next city of culture will be held in 2018. It is envisaged that a call for proposals from cities, including Waterford, will issue later in the year, following which a selection process will take place to select the next national city of culture.

I wish to advise the Deputies that the selection criteria for the designation of city of culture will include the following elements: an emphasis on the arts, culture, heritage and the Irish language in the location, scale and attractiveness of the programme of events planned for the designation year; community involvement in the planning of the programme of events, with a preference for a bottom-up approach which seeks to unite cultural and socioeconomic stakeholders in a common project, together with a focus on bringing communities together to work towards a shared vision; a programme to increase participation in the arts by local residents; the involvement of local schools in the arts and in the programme for the year of culture; the capacity to foster creativity; the city's ability to maximise its existing infrastructure and facilities to the benefit of the arts; and the lasting and positive impact on the location long into the future.

Regarding Limerick City of Culture 2014, the appointment of an interim head and the broadening of the city of culture board to include local authority and arts community representatives have been important and welcome steps in ensuring the designation will be a success for Limerick.

I have great confidence in the local organisations, the arts community and the people of Limerick to work together to make this a success. More than 100 events are scheduled to take place in the first quarter of this year and, as Deputies are aware, significant funding is in place. The keystone events so far - the opening concert on New Year's Eve, the Riverdance performances, the Michael Warren exhibition and the Haselbeck photography exhibition - have been hugely popular and critical successes. I believe that this bold and confident artistic start to the year can continue and when Limerick is judged by its programme for the year, it will be seen to have exceeded all expectations.

My officials and I remain in contact with the local authority and the other key stakeholders. I am confident that, working together, these partners can ensure the best of Limerick is showcased to a national and international audience this year and that an enduring and positive legacy for arts and culture in Limerick is the primary outcome of the year.

Deputy Sandra McLellan: I thank the Minister for his response. This is the first discussion we have had in the Dáil on this important issue since the Christmas recess. By his own account the Minister found out about the crisis of confidence in the city of culture committee in the media, as this occurred during the holiday period. Surely he had been in touch on a regular basis in the run up to the launch in Limerick. He is the Minister and he should provide leadership. Is he confident that the outstanding issues have been resolved to everyone's satisfaction, most of all those community-based arts and drama groups which have been working incredibly hard to ensure Limerick can justifiably take a bow and proclaim itself the city of culture for 2014?

Deputy Jimmy Deenihan: When I announced the city of culture designation, it was indicated that it would be up to the city council to decide on all personnel issues and the artistic director to decide on programming issues. Obviously, I was aware there were tensions but as I said on a radio interview, I was not aware at the time of the resignation of the artistic director. I am happy to state in the House that since then the city of culture has taken off and the events to date have been very well attended and have received a very positive response. I was at Riverdance, which was a spectacular event. I opened the Hasselbeck exhibition, which was a resounding success and had a full house. The Michael Warren exhibition received critical acclaim in *The Irish Times* last Saturday. Overall, it has been positive. I was in Limerick on Monday evening and the Irish Technology Leadership Group, ITLG, in Silicon Valley attended. It showed how technology and culture can come together to create jobs and creativity, which is so needed in Limerick city. It has gotten off to a great start and I am confident, despite the initial difficulties and challenges. These are not new to the city of culture programme and the same problems existed in Derry, Liverpool and Cork.

Deputy John Halligan: The Minister specified community involvement and the bottom-up approach, which is central to the application process. Does it not account for a proportion of the cuts in the arts in every city and town in Ireland? An example is that over the past five years there has been a nationwide cull of funding to regional theatre companies. There is a widespread perception that funding to smaller regional companies is being sacrificed for the five, mainly Dublin-based, companies. When the Minister's Department examines the applications for the city of culture designation, will the impact of funding cuts that have taken place in each city's arts scheme be taken into account?

Deputy Jimmy Deenihan: I was faced with the same challenges as every other Minister. Cuts were commensurate across all Departments but I tried to minimise, over the past three budgets, the cuts to the Arts Council. The Arts Council allocates funding that I give. It makes the decisions on who gets funding and it is a matter the Deputy can bring to the attention of the Arts Council. There is an arm's-length approach that prevents me from interfering with the Arts Council allocation.

Regarding future applications for designation as a national city of culture, there is strong interest already including from Deputy Halligan's city, Waterford. An injection of €6 million into a city is an enormous boost for the arts organisations and the arts community. Apart from the €6 million this year, a further €2 million has come in from the Arts Council and other national cultural institutions. That amounts to an injection of €8 million for Limerick and as well as private funding. There has been a very good response to the call for private funding in Limerick. I can see a major boost to the arts in Limerick, in the region and in the country because of the designation of Limerick as a city of culture.

Deputy Seán Ó Fearghail: I am lucky that we are taking Questions Nos. 1, 2 and 5 to-

gether. My apologies to the Ceann Comhairle and the Minister for being late.

An Ceann Comhairle: I explained the Deputy's position. It could happen to a bishop.

Deputy Seán Ó Fearghail: It is generally acknowledged that what was done in respect of Limerick, in terms of its selection and the idea of having a city of culture, was a superb idea and one for which the Minister can take a bow. The lack of transparency about the appointment of the CEO should not have happened and it is important we all learn from the mistakes made. I contend that, as the initial decision was a superb one, it should be built on and carried forward. That is why I expressed, at the committee meeting dealing with the Estimate, disappointment that we see a two-year setback to 2018 for the selection of another city. We should not be downcast in respect of the mistakes made in Limerick, we should learn from them and move ahead with 2016, which was the original intention.

Deputy Jimmy Deenihan: As I explained to the previous Deputy, the issue of appointments was a matter for the city council. Programming was a matter for the artistic director and the CEO. From the beginning, I had no involvement and our Department manages the funding and ensures everything is done in a proper fashion. We are completing a service level agreement with Limerick City Council to ensure that. It will be subject to the examination of the Comptroller and Auditor General and the Department of Public Expenditure and Reform so everything will be done in the correct manner. As regards the original designation set out in 2016, the huge financial contribution meant it could be difficult from a budgeting point of view. Also, there would not be a long enough run-in for preparation. The year 2014 was designated because Limerick sought it as a result of the change in governance. I mentioned Limerick as an ideal city because of the vibrancy of the arts but the Limerick regeneration implementation group, chaired by Denis Brosnan, made a very strong proposal. Some people questioned whether it was done on a whim but it was done on the back of a very good proposal from Limerick that linked culture, arts, community and economic activity. It is a prototype for other cities. In the future, it will give cities a chance and we will look for applications. Hopefully I will announce the next city of culture at the end of the year. It will give people the chance to plan the future.

Limerick sees this as preparation for the European city of culture, which will be in Ireland in 2020. It is ideal preparation and is bigger than the designation as national city of culture. For the other cities, it will be part of their preparation to try to be the European city of culture.

Deputy Sandra McLellan: I raised the issue of funding in September and there were indications that all was not well. It is important it runs smoothly to show Limerick to its best potential. The Minister informed the House the actions he has taken to ensure he is up to speed and in touch for the duration of the city of culture programme. What structures have been put in place to ensure there is no repeat of the New Year's debacle? Can the Minister state on record his confidence in the chair of Limerick city of culture?

Deputy John Halligan: The Minister agreed that the city selected in 2018 will have to seek matching funding from the private sector. Given the current economic climate, it is crucial that time is allocated to the city. The Minister has confirmed that the decision will be reached on the selection soon. I congratulate the Minister on the huge effort for what happened in Limerick. I ask him to consider cities that have been economically devastated, like Waterford, which has one of the highest unemployment rates in the country but a history associated with its culture. Whatever city is allocated the status, it will have a major impact on the city businesses and in building confidence that has been hurt by the current economic climate. I congratulate the Min-

ister on the effort he made in this venture.

Deputy Seán Ó Feargháil: I seek assurance from the Minister that those making a pitch for 2018 will have a bottom-up approach and that we will look at communities, including schools and the arts community, being actively involved. Then, we can see a coming together on the ground of all the players making a pitch for this valuable initiative that highlights the culture and heritage and provides a platform to the arts community. That has an intrinsic value but what flows from it is the added socio-economic benefit. Can we be assured that is what will happen? I lend my support to Deputy Halligan's comments. Cities like Waterford have been devastated by economic disadvantage in recent times and that should be weighed in the balance as well.

Deputy Jimmy Deenihan: With regard to Deputy McLellan's question, I was always up to speed with this project, and that is why Limerick was designated as such. It is a suitable designation because of the challenges faced in Limerick, both economic and otherwise, and this was a way not only to lift the morale and self-esteem in Limerick but to shape Limerick and brand it for the future. That was part of the designation process and I am convinced at the end of the year, that is what will happen. I have an observer on the board and the arts community, on my advice, is also represented, along with local authorities. The board is broader now than what it was initially and everybody has welcomed that.

With regard to Deputy Halligan's comments, I am aware that Waterford faces similar challenges to Limerick. There is a new governance structure for Waterford and last year I recommended that the Georgian section would be designated under the living city initiative. I understand from Deputy Deasy that there was an event to recognise and, more or less, to launch the initiative with the Irish Georgian Society recently. I am delighted the Deputy is considering the matter in that way, and this can be seen as a way to lift the morale and economy of Waterford. The same applies to Deputy Ó Feargháil's comments.

This is apart from the intrinsic value of the arts, which is so important in all communities, and I can see how in Limerick this is lifting communities in so many different ways. There are now bigger international performances in the city and the people of Limerick have been energised by what is happening. The programme for the first three months is excellent and any city would be proud of it. It is an international programme of high quality. I agree with Deputy Ó Feargháil in that there is a major socioeconomic aspect to this, which is why the top people in Silicon Valley were in Limerick last weekend and Monday night. It is the national city of culture and they wanted to show how technology, the arts and culture can come together to produce creativity and jobs. I hope people will recognise these aspects, as Deputies have done this morning.

Turbary Rights

3. **Deputy Luke 'Ming' Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht with regard to the three draft reports produced by his Department, his views on these reports; what he expects the outcome of this process will be; and if he will make a statement on the matter. [4338/14]

Deputy Luke 'Ming' Flanagan: I thank the Ceann Comhairle and I am delighted to be able to address this issue. I attempted to do so twice when the reports came out but it was not deemed important enough to be discussed in the Dáil. It is good that we can talk about it today.

29 January 2014

There is much talk about value for money in Ireland, as it is very important to people. When we consider the estimated €500 million that is being thrown at the issue of bogs and the Habitats Directive, one would imagine we could get success. After all these years, the success is as follows.

The Minister is in charge of the following bogs. Killyconny bog's active raised bog habitat has decreased by 89%, that of Raheenmore is down by 13.5% and that of Lough Forbes is down by 91.6%. There are four bogs on which we cut turf; my bog of Cloonchambers has seen the active raised bog habitat increase by 120%; that of Moanveanlagh has increased by 69.8%, that of Monivea has increased by 66.9% - I witnessed 1,000 hoppers of turf cut there this year - and Lisnageeragh's active raised bog habitat has increased by 127%. The best performing bog has turf cut by our chairman, Mr. Michael Fitzmaurice.

Deputy Jimmy Deenihan: As the Deputy is aware, I recently published the draft national peatlands strategy, the draft national raised bog special areas of conservation, SAC, management plan and the review of raised bog natural heritage areas, NHAs. The draft peatlands strategy has been prepared in consultation with relevant Departments and with the Peatlands Council. It sets out for the first time a strategic, long-term vision for the management and use of our peatlands resources. This includes the protection of Ireland's unique bog habitats while also clearly recognising the valued tradition of turf cutting and the many other uses to which Ireland's vast peatlands are put. The draft strategy envisages more joined-up thinking across Government when policies and decisions relating to the future use of peatlands are made. The drafting of an SAC management plan was recommended by Mr. Justice Quirke following the peatlands forum and was called for in the motion that was agreed by Dáil Éireann in March 2012. It sets out how the raised bog SACs are to be managed into the future and how the needs of turf cutters are to be addressed.

The NHA review proposes a reconfiguration of the network of raised bog NHAs and will involve the de-designation of a number of sites and the designation of new NHAs. The resultant network of sites will be of greater conservation value than the existing network while reducing the number of turf cutters who will be required to cease cutting from over 3,000 to just over 500. These documents have been underpinned by the most comprehensive scientific assessment that has ever been undertaken of our raised bog resource. A three-month period of public consultation has now commenced and I urge people to reflect on these proposals and to let their views be known.

When I came into office, Ireland was on the cusp of legal action in the European courts for failure to implement the law. Since then, we have introduced a compensation and relocation scheme, which is heavily subscribed; established the Peatlands Council; held a peatlands forum; and through these most recent policy advances, are bringing certainty to difficult issues that have been avoided for too long. We now need to consolidate the progress that we have made and ensure the preservation and restoration of our most valuable bog habitats while addressing the legitimate concerns and needs of those affected. These documents set out how, working together, we can do this. I again encourage all stakeholders to engage with me and my Department so we can continue to make real progress.

Deputy Luke 'Ming' Flanagan: I would really appreciate if the Minister did not, when asked a question, come to the Chamber and read verbatim from a script which he does not even understand. If the idea of the Habitats Directive is to preserve bogs, I have no problem with that, as they are fantastic habitats which need to be preserved. There should also be room

for turf cutters. If the idea of preservation is to improve quality, will the Minister, rather than reading verbatim from a script, explain how my bog grew by 120.1%, and in area is only down 1.5% in 17 years? Fernandez has indicated that turf cutting is on the decline so over the next 17 years, the decrease will be even less. At the same time, Lough Forbes has lost 91.6% of its active raised bog habitat. What exactly is the Minister trying to achieve?

It is quite clear what is being achieved. The Minister is alienating turf cutters and destroying habitat. Will he deal with the issues? If one reads some of the stuff about us in the media, one would think we are trying to destroy bogs but my bog and that of our group's chairman are the best performing bogs in the country.

Deputy Jimmy Deenihan: I answered the question asked by the Deputy and gave my views on these reports, which are very important. Even the Deputy would recognise that this has been the most scientific approach to this subject ever taken in this country. It has enabled the Deputy to come up with his statistics today. Listening to the Deputy, I wonder if sometimes he does not fully understand the issue. I do not mind Deputies trying to change the law but he is trying to break the law and, unfortunately, advocating such action.

Deputy Luke 'Ming' Flanagan: That is not the issue.

Deputy Jimmy Deenihan: If I can finish, the Deputy knows that SACs were designated by European law.

Deputy Luke 'Ming' Flanagan: Not according to my barrister.

Deputy Jimmy Deenihan: It is transposed into Irish law, and something major is required to change that. This scientific evidence will give us an opportunity to go back to Europe, if we get the co-operation of people on those SACs. In the case of some bogs where there is no relocation, there may be room for a proposal for limited turf cutting under Article 6.4 of the Habitats Directive. We could have that opportunity, if there is co-operation from everybody.

10 o'clock

Deputy Luke 'Ming' Flanagan: It is of no help, and I do not appreciate that every time I come to the House to represent turf cutters, and also to represent an organisation whose chair was described as a hero and a patriot by the Taoiseach, that the Minister calls us criminals. If the Minister wants to find a solution he must stop calling us criminals.

Deputy Jimmy Deenihan: I never called anyone a criminal.

Deputy Luke 'Ming' Flanagan: Let the courts decide that and do not predetermine what the courts have decided.

An Ceann Comhairle: Deputy Flanagan should put his supplementary question.

Deputy Luke 'Ming' Flanagan: I stand here today proud of the fact that active raised bog habitat has grown on my bog. On a bog of which the Minister is in charge, it is down by 91.6%. It is time for the Minister to resign. It is time for the National Parks and Wildlife Service to step back because it does not have a clue.

Deputy Jimmy Deenihan: I never described those people as criminals in this House.

Deputy Luke 'Ming' Flanagan: I am one of those people.

29 January 2014

Deputy Jimmy Deenihan: Since the 53 SAC bogs were designated we have lost 37% of the active raised bogs in those habitats.

Deputy Luke ‘Ming’ Flanagan: That is on the bogs the Minister owns.

Deputy Jimmy Deenihan: That is being taken very seriously in Europe. If Deputy Flanagan has his way we will be in the European Court and we will face huge fines. I welcome the fact that the Turf Cutters and Contractors Association, TCCA, has gone into consultation with the consultant that drew up the plans. It had a five-hour meeting with him recently. I requested the TCCA to do that with the RPS Group months back but it decided not to do so.

Deputy Luke ‘Ming’ Flanagan: The RPS Group is appalled.

Deputy Jimmy Deenihan: That is the TCCA’s own business but now it has entered into discussions. I appeal to Deputy Flanagan. My door is always open to anyone. Many of the Deputies present took up the offer and came to me privately and they have been very helpful. In spite of what he said, the same opportunity is open to Deputy Flanagan. He can speak to me about the matter anytime.

Deputy Luke ‘Ming’ Flanagan: Does the Minister want to talk to me, a criminal?

Deputy Jimmy Deenihan: I am open to speak to everyone.

Deputy Luke ‘Ming’ Flanagan: Calling me a criminal does not help. An olive branch is long overdue.

Deputy Jimmy Deenihan: We have made great progress. We can go even further if given the opportunity.

Deputy Luke ‘Ming’ Flanagan: I am making great progress on my bog.

Oifig an Choimisinéara Teanga

4. D’fhiafraigh **Deputy Michael P. Kitt** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén uair a cheapfar Coimisinéir Teanga nua, an mbeidh an coimisinéir neamhspleách; agus an ndéanfaidh sé ráiteas ina thaobh. [4110/14]

Deputy Michael P. Kitt: Beidh an Coimisinéir Teanga, Seán Ó Curreáin, ag éirí as oifig i mí Feabhra, trí seachtain ar aghaidh ó inniu. Ba mhaith liom mo bhuíochas a ghabháil leis an coimisinéir as ucht na hoibre atá déanta aige. Ach ba mhaith liom a fháil amach anseo inniu cén uair a cheapfar coimisinéir nua. An mbeidh an coimisinéir nua neamhspleách agus an mbeidh seirbhísí Stáit ann do dhaoine a bhfuil Gaeilge acu?

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Mar is eol don Teachta, tá sé curtha in iúl ag an Choimisinéir Teanga reatha go mbeidh sé ag éirí as a phost ar 23 Feabhra 2014 tar éis deich mbliana in oifig. Tá an próiseas chun Coimisinéir Teanga nua a cheapadh ar siúl faoi láthair, trí léirithe spéise a lorg ar www.publicjobs.ie ó dhaoine ar mian leo go gcuirfí san áireamh iad i gcomhair ceapacháin mar Choimisinéir Teanga. Is é deireadh an lae ar an Déardaoin 30 Eanáir, sin amárach, an spriocdháta chun léirithe spéise a dhéanamh.

Déanfar Coimisinéir Teanga a cheapadh ina dhiaidh sin faoi réir alt 20(3) d'Acht na dTeangacha Oifigiúla 2003, a fhorálann gurb é Uachtarán na hÉireann a cheapann an Coimisinéir Teanga ar chomhairle an Rialtais tar éis do Dháil Éireann agus do Sheanad Éireann rúin a rith ag moladh an cheapacháin.

Is sealbhóir reachtúil oifige é an Coimisinéir Teanga a fheidhmíonn go neamhspleách faoin Acht. I measc fheidhmeanna an Choimisinéara Teanga, tá: monatóireacht ar an gcaoi a bhfuil comhlachtaí poiblí ag comhlíonadh Acht na dTeangacha Oifigiúla 2003; imscrúduithe ina leith sin a chur i gcrích; comhairle a sholáthar don phobal maidir lena gcearta teanga faoin Acht; agus comhairle a sholáthar do chomhlachtaí poiblí maidir lena ndualgais teanga faoin Acht.

Deputy Michael P. Kitt: Is dóigh liom go ngabhann an tAire Stáit buíochas leis an gcoimisinéir freisin. Tháinig an Coimisinéir Teanga go dtí cruinniú de dhá chomhchoiste den Teach seo agus ag na cruinnithe sin, leag sé béim ar sheirbhísí Stáit do dhaoine a bhfuil Gaeilge acu. Labhair sé mar shampla faoi chúrsaí talmhaíochta, cúrsaí iascaireachta, agus cúrsaí a bhaineann leis an Roinn Coimirce Sóisialaí. An dtuigeann an tAire Stáit go bhfuil sé an-tábhachtach go mbeidh Coimisinéir Teanga ann chun iniúchadh a dhéanamh ar na ceisteanna seo?

Freisin, nuair a bhí na Meastacháin á phlé againn, dúirt an tAire Stáit go mbeidh €567,000 ar fáil chun fadhbanna reachtúla an choimisinéara a chomhlíonadh, ach ní dúirt sé aon rud faoi choimisinéir nua. An cheist atá agam mar sin ná, céard a dhéanfaidh an tAire Stáit, a Roinn agus an Rialtas anois chun seirbhís Stáit a chur ar fáil do dhaoine a bhfuil Gaeilge acu.

Deputy Dinny McGinley: Mar atá ráite agam, tá próiseas ar siúl i láthair na huaire chun coimisinéir nua a cheapadh. Tá mé an-dóchasach go mbeidh coimisinéir úr ceaptha againn chomh luath agus is féidir. Ba mhaith liom cur leis an mhéid atá ráite ag an Teachta Kitt sa Teach agus buíochas a thabhairt don choimisinéir atá ag éirí as a phost. Thug sé deich mbliana seirbhíse. Mar Aire Stáit sa Roinn i láthair na huaire, ba mhaith liom aitheantas a thabhairt dó as an tseirbhís atá curtha ar fáil aige. Is é an dualgas atá orainn anois ná gach céim a ghlacadh chomh luath agus is féidir le comharba a cheapadh don choimisinéir atá ag éirí as a phost.

Mar adúirt mé, tá an post oscailte agus beidh cead ag daoine a bhfuil suim acu an tsuim sin a léiriú agus teangabháil a dhéanamh roimh thráthnóna amárach, a dáta deiridh le cur isteach ar an phost. Cífidimid ansin cad iad na hainmneacha a thagann isteach. Táim ag súil go mbeidh deis againn ceann de na hainmneacha sin a thagann isteach a chur roimh an Rialtas. Beidh ar an ainm sin ansin a theacht go dtí an Dáil agus an Seanad agus ansin dul go dtí an tUachtarán, mar is aigesan a bheidh an ceapachán le déanamh. Is féidir liom a dhearbú don Teachta nach bhfuil aon mhoill agus go bhfuil gach céim á ghlacadh le coimisinéir úr a cheapadh chomh luath agus is féidir.

Deputy Michael P. Kitt: Go raibh maith agat. Is maith liom a chloisteáil go mbeidh coimisinéir nua á cheapadh ag an Aire Stáit agus ag an Uachtarán, ach an cheist a bhí agam ná ceist faoi státseirbhísigh a bhfuil Gaeilge acu ag plé le daoine a bhfuil Gaeilge acu. Tá gá ann go mbeidh níos mó státseirbhísigh sna Ranna éagsúla. Ní dóigh liom go mbeadh costas sa bhreis ag baint le sin má tá daoine á fhostú agus Gaeilge acu. An féidir níos mó daoine le Gaeilge a fhostú? Chomh maith le sin, an mbeidh an tAire Stáit sásta teacht go dtí cruinniú den comhchoiste chun na ceisteanna seo a phlé? Tá a lán ceisteanna againn, ní hamháin maidir leis an gcoimisinéir nua, ach maidir le seirbhís do dhaoine le Gaeilge a bhíonn ag plé leis na Ranna éagsúla.

29 January 2014

Deputy Dinny McGinley: Mairid leis an nGaeilge sa tseirbhís poiblí, is cinnte, mar a dúirt an coimisinéir, go bhfuil deacrachtaí ansin le blianta fada. Aithníonn muid é sin agus sin an fáth anois go bhfuil muid chun, sa chéad fheachtas earcaíochta eile sa tseirbhís poiblí, a chinntiú go mbeidh céatadán áirithe de na poist sin curtha ar fáil d'iarrthóirí a bhfuil togha, rogha agus ard-chaighdeán Gaeilge acu. Is é seo an chéad uair a tharla seo ó 1974, go mbeidh cuóta curtha ar fáil do dhaoine ag teacht isteach sa tseirbhís poiblí a bhfuil ard-chaighdeán Gaeilge acu.

Deputy Michael P. Kitt: Cad mar gheall ar an gcomhchoiste?

Deputy Dinny McGinley: Tuigim go bhfuil cuireadh agam dul chuig an chomhchoiste agus tuigim go bhfuil socruithe á ndéanamh idir oifigigh mo Roinne agus cléireach an chomhchoiste. Sílim go mbeidh deis agam dul isteach chuig an chomhchoiste taobh istigh de roinnt seachtainí, chomh luath agus is féidir na socruithe a dhéanamh. Beidh mé sásta sin a dhéanamh. Sílim go bhfuil an dáta beagnach socraithe, 5 nó 6 Márta, ach nílim cinnte de sin go fóill. Táim sásta dul roimh an chomhchoiste agus na fadhbanna agus na ceisteanna a phlé ansin le baill an chomhchoiste. Bhí mé féin blianta fada mar bhall de chomhchoiste agus tuigim chomh tábhachtach agus atá sé go dtagann an tAire isteach le labhairt ag an gcomhchoiste.

Other Questions

Departmental Funding

6. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if his Department have given any commitment to the Health Service Executive to jointly fund the building of a new health centre in Inishbofin (details supplied). [3968/14]

Deputy Seán Kyne: I ask the Minister of State to confirm whether he has given any commitment to the HSE regarding the co-funding of a new health centre on the island of Inishbofin.

Deputy Dinny McGinley: My Department is aware of the proposed development by the Health Service Executive, HSE, of a new health centre on Inishbofin. I understand that my Department has received correspondence from the HSE regarding the centre a number of times since 2004. However, I am advised that my Department did not agree at any stage to fund this development, either jointly or otherwise.

I am, of course, conscious of the particular challenges faced by island communities in areas such as health care, due to their location and travel constraints. However, since my Department's budget for infrastructure development has been reduced substantially in recent years, it is not in a position to enter into any commitment related to the proposed health centre development. In any event, my Department would view any such development as being the responsibility of the HSE in the first instance.

Deputy Seán Kyne: I thank the Minister of State for his reply. He will be aware that the need to provide a new health centre was identified under the CLÁR programme as far back as 2003. In response to a parliamentary question last November, the Minister for Health stated that co-funding remained an issue. In that context, I thank the Minister of State for his clarification on this issue. I believe, as does the community on Inishbofin, that this is ultimately a HSE project and it is the responsibility of the executive to proceed with the planning application, pur-

chase the land required, go to tender and provide a modern facility for the people of the island. As far as I am concerned, the HSE is responsible for all care centres across the country, both on the mainland and on the islands. I thank the Minister of State for his response. He visited Inishbofin last year and saw the facilities that are there currently, which are not what one would hope for in any community. I will be communicating with the HSE further and will relay the Minister of State's view that this is ultimately a HSE project.

Deputy Dinny McGinley: I understand the necessity of providing a modern, fit-for-purpose health centre on Inishbofin. I had the privilege and pleasure of visiting the island last year. While there, I visited the health centre, which leaves a lot to be desired. Anything my Department can do to convince the HSE or any other entity of the necessity of providing a new centre, it will gladly do it. However, we see it as primarily the responsibility of the HSE. Hopefully progress will be made. As I understand it, the HSE is in the process of purchasing additional land to accommodate a new centre. It is a problem which must be resolved and anything my Department can do to help, it will do. We see it, however, as primarily the responsibility of the HSE.

Deputy Seán Kyne: Once again, I thank the Minister of State for the clarification and I will be in contact with the HSE regarding his statement.

Turf Cutting Issues

7. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht in view of the fact that the survey of Coolrain bog has shown that little can be rehabilitated, if he will consider transferring the SAC status from Coolrain bog to another compensatory habitat. [4012/14]

15. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht the reason the original ban on turf cutting in designated areas throughout the country was so widespread, in view of his recent announcement on the matter; if he will state the total allocation for compensation from his Department to turf cutters since March 2011; and if he will make a statement on the matter. [3998/14]

22. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide detail on the bogs that are to be closed to turf cutting on foot of the publication of the review of raised bog natural heritage areas; and if he will make a statement on the matter. [3960/14]

Deputy Sandra McLellan: Following on from the Government's publication of the long-term plan for bogs and in view of the fact that the survey of the Coolrain bog has shown that little of it can be rehabilitated, will the Minister consider transferring the SAC status from Coolrain bog to another compensatory habitat?

Deputy Jimmy Deenihan: I proposed to take Questions Nos. 7, 15 and 22 together.

As referred to in my earlier reply to priority Question No. 3 on 15 January last, I published three comprehensive documents dealing with Ireland's peatlands - an overall draft national peatlands strategy, a draft national raised bog special areas of conservation, SAC, management plan and a review of raised bog natural heritage areas, NHAs. Collectively, these documents

29 January 2014

seek to give clarity on the future management of Ireland's peatlands. The three documents are available on my Department's website at www.ahg.gov.ie.

The draft national raised bog SAC management plan provides for the future restoration and management of our 53 raised bog SACs. It sets out the approach to how each of these SACs is to be conserved and restored and how the needs of turf cutters are to be addressed. Specifically regarding Coolrain bog, while the scientific assessment of this SAC shows there is limited potential to restore additional active raised bog, this does not mean that the bog is of little conservation interest. This small bog contains a significant area of active bog at present which would be lost if turf cutting were allowed to continue. Approximately 50 ha of the high bog and cutaway has been restored by Coillte with EU LIFE programme funding. Additional restoration work will be necessary to offset damage caused by the turf cutting, which will continue to impact on the bog for many years to come. The restoration work needed will be investigated and a conservation plan developed within two years. It is hoped that the local community will take an active role in the development of this plan. It may be noted that the EU habitats directive does not allow for SACs to be de-designated unless damage is caused by natural forces which is not the case with Coolrain bog.

In terms of NHAs, the Government decided to review the situation regarding these bogs which the previous Government had decided should close from the beginning of this year. The recently published review of NHAs sets out proposals for a significant reconfiguration of raised bog NHAs to meet national conservation targets, while reducing the impact on turf cutters and on taxpayers.

The proposed reconfiguration will improve conservation outcomes by increasing the area of active or restorable raised bog within the network of sites and excluding the most heavily cut sites from the network, thereby avoiding any impact on over 80% of active turf cutters. Turf cutting will continue on 46 NHAs but will be phased out on another 36 NHAs over three years, with the introduction of an individual permit system from the current year. Seven sites will have their boundaries redrawn and turf cutting will be phased out in the reduced areas only. A total of 25 new sites will be proposed for designation as raised bog NHAs to replace the habitat lost through de-designation of the more heavily-cut sites. Many of these are in public ownership or have relatively few or no turf cutters.

Any turf cutter required to cease turf cutting on an NHA will be offered compensatory measures along the same lines as those available to turf cutters in raised bog SACs. Compensation will be made available immediately to active turf cutters in these NHA sites who meet the requirements of my Department's scheme. My Department will write to members of the public identified as having an interest in these sites in the coming weeks and notices will be placed in local newspapers.

It may be noted that compensation to the value of some €7.4 million has been paid by my Department to turf cutters in raised bog SACs since 2011.

An Ceann Comhairle: Three Deputies have tabled questions, Deputies McLellan, Ó Fearghaíl and Naughten. I call Deputy McLellan first.

Deputy Sandra McLellan: I have been looking at the Government's long-term plan for bogs-----

Deputy Luke 'Ming' Flanagan: Can I ask a question please?

An Ceann Comhairle: I heard the Deputy.

Deputy Luke ‘Ming’ Flanagan: Is the Ceann Comhairle not going to allow me to contribute?

An Ceann Comhairle: No, because the Deputy has not tabled a question. I am dealing with the Deputies who have tabled questions. If there is time, I will call Deputy Flanagan for a supplementary question. I ask him to allow Deputy McLellan to speak without interruption.

Deputy Sandra McLellan: Coolrain bog is one of the 53 bogs referred to by the Minister and no solution has been put forward to accommodate the 70 or more turf cutters on it. Scientific research shows that the bog only ranks as moderate in terms of habitat quality and that out of a total of 51 ha of raised bog, less than one hectare can be restored. This is based on a survey conducted in 2003 and does not take into account work on the bog since then. In fact, the area that can now be restored is less than one hectare. The only other small bog suitable for turf cutting, Knockacoller bog was also designated as an SAC during the term of the Fianna Fáil-Progressive Democrats Government. Would the Minister agree that the solution here is to remove the SAC status from Coolrain bog and to use Abbeyleix bog as a compensatory habitat? The latter bog is larger, with over 99 ha of raised bog. A larger area is active and a larger area is restorable. There is no turf cutting taking place on Abbeyleix bog and the local community wants to preserve it for education and tourism purposes.

Deputy Jimmy Deenihan: Modern scientific methods, such as LiDAR, give us a good insight into Coolrain bog. It is of high ecological interest due to the presence of an extensive area of active raised bog. The site’s south eastern location within a sandstone area adds further interest. Recent peat-cutting around the southern margin of the bog is likely to have caused significant damage. From a scientific point, this is a valuable site. Our active raised bogs and SACs, special area of conservation, are regarded as being the most precious in the world. That is why we are trying to protect these 53 bogs.

Deputy Seán Ó Feargháil: In light of the Minister’s recent statements, does he consider the bans on turf-cutting on raised bogs being somewhat excessive? There has been a long tradition of turf-cutting at Mouds bog in County Kildare, along with a tradition of great respect for the habitat’s flora and fauna.

Deputy Jimmy Deenihan: Ireland signed up to the habitats directive in 1992 and transposed it into law in 1997. Assessments were carried out on several bogs and, initially, 32 bogs were designated. The European Commission asked for other bogs to be added to the designation. Scientific surveys have proved these bogs are precious and have the largest amount of active raised bogs in them. To change a SAC designation would require a natural disaster such as a landslide.

There is some flexibility in Article 6(4) of the habitats directive. I am appealing to turf-cutters to look at this consultation document to see if it gives an opportunity to deal with this. I will take this matter to Europe but it has to be part of an overall package for the 53 bogs. The Commission will not entertain any proposals to re-designate a site if there has been cutting on a bog.

The Commission has welcomed our approach. There is an ideal opportunity offered by the consultation documents to examine the bogs and limited turf-cutting.

Deputy Denis Naughten: This is a consultation document. An additional 25 bogs will be designated as NHAs, natural heritage area. I am concerned that those cutting turf on these bogs will not get an opportunity to make a submission regarding the proposed designation. Will the Minister ensure the public notices about the designation process are placed in the local media and newspapers, as well as on the sites? Already, Bord na Móna is closing up drains on some sites, which seems to be a preparation for designation. Surely, the owners of these bogs should have right to know what is going on.

Deputy Jimmy Deenihan: The 25 sites are being mapped and there are technical issues which need to be addressed. It will not be a *fait accompli* and people affected will have an opportunity to appeal against a designation. As regards the discussion document, those who could be affected by designations will have a chance to give their observations. Those affected by sites already designated will not have the opportunity to appeal their designation.

Public notices will be issued shortly. Anyone with a connection to these 25 bogs will be notified, even those not cutting on these bogs. The number of notifications will far exceed the numbers who are actively cutting turf on these sites.

Deputy Denis Naughten: What about the timeline?

Deputy Jimmy Deenihan: People will have the opportunity-----

An Ceann Comhairle: It is Deputy McLellan's supplementary. We can come back to Deputy Naughten later.

Deputy Jimmy Deenihan: I appeal to everyone----

An Ceann Comhairle: Sorry, Minister but we are over time. It is one minute for a supplementary.

Deputy Sandra McLellan: Coolrain bog is too small an area to restore as a wet active raised bog. Deputy Stanley and I are putting forward a reasonable solution to have a larger SAC retained and, accordingly, get a better outcome for both turf-cutters and the environment. Will the Minister seriously consider this?

Deputy Jimmy Deenihan: With regard to Deputy Naughten-----

An Ceann Comhairle: We will come back to Deputy Naughten in a moment.

Deputy Jimmy Deenihan: People from Coolrain can make a submission within the discussion document process. I would advise them to do so. This case can be put forward to the Commission. Article 6(4) of the habitats directive allows people to make a case for exceptions to SAC designation. In the past 20 years, however, only 20 exceptions were made in this regard.

Deputy Denis Naughten: While people will have the opportunity to appeal a designation, it must be based on scientific evidence. It is now admitted that the initial scientific evidence used in designating NHAs was flawed. I also believe the scientific evidence in designating the SACs was flawed. Will the Minister agree the Fernandez report should not be the basis for making any designations and should be thrown out? Will he agree that it is a damning indictment of the NPWS, National Parks and Wildlife Service, that on its own bog, Lough Forbes, where there was no turf-cutting, only one tenth of the active raised bog is left in place? It should be noted at sites where turf is being cut, that the bogs have more than doubled. Will he agree the approach

taken to date is fundamentally wrong? Will he go back to the Commission, hold up his hands and admit we used flawed evidence to designate these bogs and revisit the designations using real scientific evidence?

Deputy Jimmy Deenihan: I certainly do not have to hold up my hands for anything. I have not been part of the history of the designations of these bogs.

Deputy Denis Naughten: I am sorry, I meant the State

Deputy Jimmy Deenihan: Now, because of the approach I have taken, it has opened up this whole area for scientific re-evaluation. There are other approaches now, such as LiDAR, which were not used in the past. The designation of the further 25 bogs will be based on the scientific research carried out by the RPS Group. Overall, the RPS Group looked at 270 raised bogs including NHAs and SACs. This was the most extensive approach ever taken to the bogs, using modern scientific methods. While the scientific methods used in the past were questionable in this instance, they are the most modern available and are well recognised globally. The 25 bogs will be based on the scientific evidence gathered by RPS.

Deputy Luke ‘Ming’ Flanagan: The Minister comes in here with what sounds like a definite figure of 37% gone while RPS tells us that the original figures were wrong and data from 1994 was sparse. If the Minister does not know what was there originally, how can he tell how much has been lost? He has to deal with this. He keeps talking about damage done by turf cutters. Will he please explain why my bog has grown by 120%, why Michael Fitzmaurice’s bog is the best performing bog in the whole country when it comes to active raised bog, ARB, and why the bogs for which the Minister is responsible, where no turf is cut, are dying, although he continues to say turf cutting is doing damage?

Deputy Jimmy Deenihan: In Deputy Flanagan’s case, I understand most of the bog he cuts is State-owned.

Deputy Luke ‘Ming’ Flanagan: Most bogs are State-owned; 97% of them are. We cut around the periphery.

Deputy Jimmy Deenihan: I understand that most of the Deputy’s bog is State-owned. The State purchased that bog-----

Deputy Luke ‘Ming’ Flanagan: Most of them are State-owned.

Deputy Jimmy Deenihan: There is limited turf cutting on it. I said that since the 53 special areas of conservation, SACs, were designated, we have lost 37% of the active raised bog.

Deputy Luke ‘Ming’ Flanagan: That cannot be true.

Deputy Jimmy Deenihan: That has been proved. We will preserve only 4% of all the bogs in this country. That is to protect the active raised bogs we have now that we are losing and which ecologically are the most precious in the world.

Deputy Luke ‘Ming’ Flanagan: On the Minister’s bogs.

Damáiste Stoirme

8. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil sé i gceist aige cúnaimh a chur ar fáil le hathchóiriú a dhéanamh ar chéibheanna Gaeltachta agus oileánda a ndearnadh scríos orthu sna stoirmeacha a bhí ann le gairid; agus an ndéanfaidh sé ráiteas ina thaobh. [3950/14]

Deputy Éamon Ó Cuív: Mar is eol don Aire Stáit, rinne na stoirmeacha a tharla cúpla seachtain ó shin an-dochar do bhóithre agus do chéibheanna beaga, go leor acu nach bhfuil faoi chúram na comhairlí contae. Rinneadh obair athchóirithe cheana, mar shampla i nGaoth Dobhair, faoi scéim na mbóithre áise agus scéim na gcéibheanna beaga. An bhfuil sé i gceist ag an Aire Stáit airgead a chur ar fáil do bhóithre áise, mar a thugtar orthu, agus do chéibheanna beaga as ciste na Roinne i mbliana mar gheall ar an damáiste a rinne na stoirmeacha?

(Deputy Dinny McGinley): Mar is eol don Teachta, tagann na céanna áitiúla faoi chúram na n-údarás áitiúil ábhartha agus is fúthu atá sé pé damáiste atá déanta dóibh a chur i gceart. Maidir le céanna oileánda go bhfuiltear ag brath orthu ó thaobh cúrsaí rochtana de, táthar ag súil go n-áireofar iad sin in aon phacáiste a bheidh ar fáil chun cuidiú leis an infreastruchtúr riachtanach a chur i gceart arís tar éis na stoirmeacha.

Sa chomhthéacs sin, cuireadh tuairisc eatramhach maidir leis an damáiste stoirme faoi bhráid an Rialtais le gairid. Tá mo Roinn, i gcomhar leis na húdaráis áitiúla agus áisíneachtaí eile, tar éis measúnú a dhéanamh ar an dochar atá déanta ar na hoileáin. Ní miste dom a lua go bhfuil scríofa agam chuig an Aire Comhshaoil, Pobail agus Rialtais Áitiúil agus chuig an Aire Stáit ag Oifig na nOibreacha Poiblí chun aird ar leith a dhíriú ar an damáiste atá déanta ar na hoileáin.

Deputy Éamon Ó Cuív: Tá ceist bheag fhorlíontach agam. An bhfuil sé i gceist ag an Aire Stáit - déanfaidh freagra “Tá” nó “Níl” cúis - airgead a chur ar fáil do bhóithre áise agus céanna nach céanna chomhairle contae iad as ciste na Roinne de bharr an dochar a rinne na stoirmeacha i mbliana?

Deputy Dinny McGinley: Faoi láthair, mar atá a fhios ag an Teachta, níl aon airgead breise curtha ar fáil ag mo Roinn do a leithéid sin de scéim. Sin ráite, tá scrúdú déanta ag oifigigh na Roinne ar chuid den damáiste atá déanta ag na stoirmeacha ar na hoileáin agus ar na cladaí atá luaite ag an Teachta. Bhí oifigeach sinsearach, innealtóir, ón Roinn amuigh ansin, fiú sular ndeachaigh éinne amach ón rialtas áitiúil. Bhí siad ansin i gcomhairle le chéile, tá tuairisc eatramhach curtha ar fáil agus cuirfear tuairisc chríochnúil ar fáil. Mar Aire Stáit, táim tiomanta ar ghach rud gur féidir a dhéanamh chun rudaí a chur i gceart ar na hoileáin.

Deputy Éamon Ó Cuív: Céard faoin mhórháir?

Deputy Dinny McGinley: Ní shílím go ndéanann sé aon difríocht cad as a thagann an t-airgead, fad agus go ndéantar an obair. Ag an pointe seo, níl aon chinneadh déanta maidir leis na hoileáin nó aon chósta ar fud an iarthair a tharla dochar dóibh. Nuair a bheidh socrú déanta, áfach, agus más rud é go gcuirtear pacáiste tarrthála ar fáil, tá teagbháil déanta agam leis na hAire eile, trí scríobh agus trí chruinnithe, go gcaithfear amharc i ndiaidh riachtanais na n-oileán chomh maith.

Deputy Éamon Ó Cuív: Táimid ag caint ar an nGaeltacht agus ar na hoileáin. An bhféadfadh an tAire Stáit a rá an bhfuil sé, nó an tAire sinsearach lena thaobh, tar éis iarratas a dhéanamh ar airgead leis an obair seo a dhéanamh, tá nó níl?

Deputy Seán Kyne: Mar atá a fhios ag an Aire Stáit, bhí an-damáiste déanta ar fud Chonamara ag tús na bliana sna stoirmeacha móra. Chonaic mé an damáiste sin in Inis Oírr, Inis Mór agus Inis Bó Finne, agus teastaíonn a lán airgid chun na fadhbanna sin a dheisiú. Tá a fhios agam go dteastaíonn cúnaimh ón Rialtas agus tuigim go raibh an tAire Stáit ag caint le hAiri eile, an tAire Talmhaíochta, Bia agus Mara, an Teachta Coveney, an tAire Chomhshaoil, Pobail agus Rialtais Áitiúil, an Teachta Hogan, agus an tAire Airgeadais, an Teachta Noonan, faoi seo.

Deputy Dinny McGinley: Mar adúirt mé, táimid go léir i dteagmháil le chéile, chomh maith leis an Aire Stáit ar Oifig na nOibreacha Poiblí, a bhfuil cúraimí orthu chomh maith, agus na comhairlí contae, ag iarraidh a theacht ar réiteach. Táimid ag fanacht go bhfeicimid an mbeidh pacáiste curtha ar fáil. Más rud é go mbeidh, tá sé curtha in iúl ag mo Roinn do na Ranna eile an géarghá atá le hoibreacha a chur ar bun sna hoileáin chun an dochar a rinneadh a chur i gceart. Ní thig liomsa a rá ag an pointe seo go bhfuil aon airgead speisialta ag mo Roinn, ach táimid ag déanamh gach iarracht teacht ar airgead ar chuma éigin faoi choinne tabhairt faoi na deacrachtaí a athchóiriú agus a réiteach.

Tuigim, agus tá oileáin i mo cheantair féin, nach bhfuair muide an stoirm chéanna agus a fuair siad in iarthar nó deisceart na tíre, ach tharla rudaí agus tuigim an géarghá atá le seo. Tharla stoirm mhór i dTír Chonaill roinnt blianta ó shin agus rinneadh roinnt damáiste, ach de réir a chéile tá an obair á déanamh, cé go bhfuil cuid den obair ag glacadh tamaill. Tógfaidh sé am tabhairt faoin obair. Tá tuarisc eatramhach istigh agus cuirfear an phríomh thuairisc ar fáil agus feicimid céard iad na cinntí a thiocfaidh as sin. Tá gach iarracht á dhéanamh freastal ar riachtanais na n-oileán agus ná bíodh aon dabht ar an Teachta faoi sin.

Commemorative Events

9. **Deputy Thomas P. Broughan** asked the Minister for Arts, Heritage and the Gaeltacht the commemorative events that will be taking place in 2014 to acknowledge the centenary of the First World War and to remember the large number of Irish citizens who fought and died in the war. [3951/14]

26. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide in detail the programme of events planned to commemorate the historic events between 2014 and 2018; the stage of planning these events are at; and if grants will be made available to ensure community-based events will be supported. [4014/14]

Deputy Thomas P. Broughan: I think this question was originally addressed to the Taoiseach. We are well into the decade of commemorations and there have been initiatives in respect of the digital archive, developed by Google and the In Flanders Field Museum. There are intense discussions, particularly in the United Kingdom, about this commemoration. Many would like the emphasis to be on the 49,000 young Irishmen who tragically lost their lives in this military disaster. What cultural and educational events does the Minister intend to hold in commemoration of them?

(Deputy Jimmy Deenihan): I propose to take Questions Nos. 9 and 26 together.

With regard to commemorative events related to 2014, Deputies will be aware that significant occasions thus far have included the launch by the Taoiseach of the Military Pensions Service Archive online project at the GPO, at which I was very pleased to attend with the Min-

29 January 2014

ister for Justice and Equality and for Defence, Deputy Alan Shatter, as well as the launch by the Tánaiste at Google headquarters of the digitisation of Ireland's First World War memorial record. In addition, a provision of €6 million has been made in my Department's Vote for commemorative projects, including the GPO interpretative centre, and progress on these projects continues apace. Plans are also in place to mark the centenary of Cumann na mBan, the 1914 activities of the Ulster and Irish Volunteers, the Curragh Camp mutiny, as well as the enactment of the Third Home Rule Bill and the outbreak and escalation of the First World War. Unrelated, of course, to the decade of centenaries, a significant programme is in place to commemorate the millennium of the Battle of Clontarf.

Deputies will be aware of the several initiatives over recent years to establish a framework for the commemoration of the First World War. It is appropriate that the service and loss of many thousands of Irish men and women in a terrible and tragic conflict would be acknowledged and understood. Following the historic timeline, the programme to commemorate the First World War will continue to evolve up until 2018, marking the salient anniversaries of particular significance. The Irish experience in the First World War is, of course, only one theme of a comprehensive commemorative programme that will seek to examine all aspects of Irish life and society in the revolutionary age.

Information on the developing commemorative programme will be available on my Department's website and individual announcements will issue for specific events. I recommend that people keep in touch with the Century Ireland online newspaper. I remain, as always, grateful to hear from Deputies with any views on commemorative arrangements.

Deputy Thomas P. Broughan: I note the Minister's comments in regard to the spending of €6 million. Is there a specific website in regard to all the upcoming events? Are any more discussion fora planned, such as the forum recently held by the UCC history school, at which one of Prime Minister Cameron's directors of the commemoration spoke?

Is there any concern in Government that the emphasis should be on events linking the two parts of this island with Scotland, Wales and the English regions, and with smaller countries generally which suffered grievously in this senseless and crazy slaughter, such as, for example, Serbia, Belgium, Bosnia, Bulgaria and other countries which were dragged into this holocaust through the gangster capitalist leadership of the big powers in the run-in to 1914? Does the Minister have concerns that, because of recent statements of the British Prime Minister, the Irish Government could be dragged into military commemorations which attempt to justify the militarism and gangsterism that produced the First World War? I note the Taoiseach has been in Ypres and commemorations are also planned for Mons and other battle sites.

Deputy Jimmy Deenihan: We are following a timeline of events. To date, we have commemorated the introduction of the Home Rule Bill, the establishment of the Volunteers and a number of other events of that period. Our focus at the moment is very much on the commemoration of Cumann na mBan. That will happen in April and we have major events organised for that commemoration. My overall objective is to commemorate these events in a very respectful, inclusive and tolerant fashion, and that has been the tone of the commemorations to date, namely, that people are included in them.

Some 49,000 Irish men died in the First World War - it was mostly men who died, obviously - and given that others also died in the service of Australia, New Zealand, Canada and America, that number is probably even higher. We will have to ensure we can commemorate the shared

history we have with Northern Ireland, the UK and Europe. That is the purpose of all this. We are working with the Commonwealth War Graves Commission and Glasnevin towards having some memorial in Glasnevin to commemorate that.

Deputy Sandra McLellan: I thank the Minister for his answer. To have real meaning, the Government must take the lead in providing funding and a diary of events which communities can build upon. Events should not solely be in Dublin. I urge the Minister to think big and act local. We need big events that capture the imagination on an all-Ireland basis. I would also urge that we tie in with our colleagues in the Assembly. Does the Minister agree that we also need the local events that tap into local energy and allow local groups become central to remembering our collective history? These events should also allow people, who for many generations may have been divided, to come together and to work, remember and learn from our past.

Deputy Jimmy Deenihan: I agree with Deputy McLellan. This is an ideal opportunity for people on this island to share our history as much as possible. Even recently, the united Unionist committee on commemorations organised an exhibition in Glasnevin on their position on Home Rule, which was very well received and very successful. It is that type of spirit of tolerance from the Republic that I believe will help to ensure all the events of commemoration during the decade of centenaries will be done in a very inclusive way.

With regard to local events, I completely agree with the Deputy. Obviously, there will be a major focus on 1916. There will have to be, as that is the seminal event in Irish history and where this House originated from. Therefore, we will have a major focus on what happened in 1916, which is why the money is now put aside for the exhibition centre in the GPO.

An Ceann Comhairle: Thank you, Minister.

Deputy Jimmy Deenihan: However, I agree with the Deputy that there will have to be events throughout the country, so we are providing for that. The money is put aside for Teach an Phiarsaigh in Connemara-----

An Ceann Comhairle: I will let the Minister in again later.

Deputy Thomas P. Broughan: On the remembrance of the individual men who died, we have known this information since 1923 and the digital archive was published recently. Are there any plans to have a digital archive of all the 203,000 who served?

I note that the first big British commemoration is based in Glasgow. Some interpret this as being a political device to use the commemoration of the First World War to destroy the movement towards Scottish independence. Again, is it not important there is not an attempt to drag our State and Government into a military-political commemoration which is really at the service of the current Tory and Whig leadership of the UK?

An Ceann Comhairle: Has Deputy McLellan a supplementary question?

Deputy Sandra McLellan: The Minister was just about to tell me something about Teach an Phiarsaigh. I would be interested if he could continue on that.

An Ceann Comhairle: We must conclude shortly but the Minister may respond.

Deputy Jimmy Deenihan: The money has been provided for Teach an Phiarsaigh, which is very important. In Leitrim, the OPW did an excellent job on Seán Mac Diarmada's house.

29 January 2014

There is an issue there with car parking, and it is to be hoped we can look after that. In Cloughjordan, the local community made a great effort and there is a very nice interpretative centre for Thomas MacDonagh. I have attended other events around the country. I was in Cork last weekend for a very good seminar. I want to recognise the work of UCC and what it is doing for the decade of commemorations, as are the other universities and high third level institutions.

In reply to Deputy Broughan, we are organising our own decade of commemorations in this country and, as I said, we are doing it in a very inclusive, respectful and tolerant way. We will not in any way be led by anybody else as regards how we are going to organise our commemorations. Where there are opportunities to commemorate our shared history, we will do that and we are doing that. However, we are going to do this in our own very independent way. To date, I think we have done it very well and we are going to continue along those lines. We will not at all be influenced by other commemorations but, where we can, we will certainly share. We will show proper respect to the people who died in 1916, the War of Independence and the Civil War, and also to those Irish people who went to fight for Ireland, as they thought, in the First World War. They fought for Ireland in the First World War and they fought for Ireland in the War of Independence.

Written Answers follow Adjournment.

Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy James Bannon - the need for St. Matthew's national school, Ballymahon, County Longford, to receive extra funding; (2) Deputy Derek Keating - the situation that exists in prefabricated classrooms in St. Thomas' and Scoil Áine national schools, Lucan; (3) Deputy Maureen O'Sullivan - the need to ensure safe passage for those allowed to leave Homs, Syria; (4) Deputy Shane Ross - the closure of Mount Carmel Hospital; (5) Deputy Billy Kelleher - the situation at Mount Carmel Hospital; (6) Deputy Ciarán Lynch - the need to implement a modification to the medical card review system; (7) Deputy Ciara Conway - the need to provide an update on the Grid Link project; (8) Deputy Pearse Doherty - reports that a State-owned bank is seeking permission to restore a system of bonus payments to its executives; (9) Deputies Thomas Pringle and John Halligan - the need to maintain the unique capacity of the Rape Crisis Network Ireland; (10) Deputy Dessie Ellis - the problems at the local authority estate, Hillview, in Wicklow town; (11) Deputy Denis Naughten - the need to reinstate the acute psychiatric beds at St. Luke's acute unit, Ballinasloe, County Galway; (12) Deputy Mick Wallace - the decision to refer the penalty points issue to the Garda Síochána Ombudsman Commission; (13) Deputy Sandra McLellan - the Arts Council decision to withhold funding for the Cork Midsummer Festival; (14) Deputy John Browne - the need to provide funding to repair Courtown harbour pier following recent storm damage; and (15) Deputy Jonathan O'Brien - the future funding of the Life Centre, Sunday's Well, Cork.

The matters raised by Deputies Ciarán Lynch; Thomas Pringle and John Halligan; Derek Keating; and James Bannon have been selected for discussion.

Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2014: Motion

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I move:

That Dáil Éireann approves the following Regulations in draft:

Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2014,
copies of which were laid in draft form before Dáil Éireann on 24 January 2014.

I welcome the opportunity to move this motion today. This will permit the making of regulations to enable the application of the provisions of the freedom of information, FOI, legislation to Irish Water. This measure is being introduced in line with the procedures set out in the existing FOI legislation but will continue in force after the new FOI legislation that is before the House is finalised.

Recent developments have highlighted the importance of a high degree of openness and transparency in helping to underpin public confidence and trust in Irish Water in light of the critical role and responsibilities of that body in respect of what is one of our most valuable natural resources. In those circumstances and given the very significant impact that the operation of Irish Water will have on all households and businesses in the State, there is a broad consensus shared by Government that the activities of Irish Water should be undertaken in an appropriately open, transparent and accountable manner so that the public can be assured that it is being operated as efficiently and effectively as possible. Application of FOI is one of several mechanisms for ensuring that this will be the case.

As the House may be aware, during the Committee Stage debate on the FOI Bill last November, I indicated that I would take steps to make Irish Water subject to FOI following the enactment of the new legislation and once the body was up and running. Following the recent public debate on the establishment costs of Irish Water and the meetings of the relevant Oireachtas committees attended by Irish Water's management and also taking into account the expected timetable for the enactment of the FOI Bill which we originally hoped would be enacted before the end of last year, I indicated in this House on 22 January my intention to take these necessary steps now to ensure that Irish Water is brought within the FOI legislation as soon as possible.

Section 3 of the Freedom of Information Act 1997 provides that regulations may be made to extend the coverage of the Act. In such cases, section 3(3) of the Act provides that a resolution approving of these regulations in draft form must be passed by the Dáil and Seanad before the regulations can come into effect following the signing into law by me with the consent of the line Minister, which in this case is the Minister for the Environment, Community and Local Government.

The normal practice is to give public bodies a period of six months to put the necessary administrative arrangements in place to enable them to respond to FOI requests in an efficient manner. There is an elaborate procedure required to comply with the Act. It is reasonable that Irish Water should be allowed some period of time to make such administrative arrangements but in the circumstances, I think a period of six months is too long. I believe that 30 working days would be an appropriate timeframe to enable Irish Water to make these necessary preparations.

Accordingly, I ask the House to support the necessary motion to extend the provisions of the

FOI legislation to Irish Water with effect from the date of its legal establishment - so it will be backdated to 17 July 2013. In addition, records held by the Departments of Environment, Community and Local Government and Communications, Energy and Natural Resources and the local authorities relating to the establishment of Irish Water and in any dealings with Irish Water since establishment are and will continue to be covered under FOI, subject to the normal operation of the Act. In conclusion, I am calling for the support of the House for the motion to enable Irish Water to be brought under FOI with effect from its establishment date of 17 July 2013 and for that to happen within 30 working days of the receipt of the signing of the resolution.

Deputy Seán Ó Fearghail: I am speaking in place of Deputy Fleming who cannot be with us. The decision to bring Irish Water under the FOI legislation is the correct one and the Government's climbdown is welcome. The Government is implicitly accepting that it should not have rejected a Fianna Fáil amendment to the FOI legislation when it went through the Oireachtas last October that would have achieved the same outcome. We now need more than a change in the law. We need a complete change of culture with regard to Irish Water.

The instinct up to now has been to operate the company solely in the interests of management and of the aim of raising money for the Department of the Environment, Community and Local Government. The needs of customers must now be put at the heart of what Irish Water is doing and this will require an openness and transparency which, sadly, has been lacking to date.

While the extension of FOI to Irish Water is a welcome and long overdue decision, it will be totally inadequate if there is no corresponding commitment on the part of the Minister for the Environment, Community and Local Government to provide full accountability through parliamentary questions regarding what is, in effect, a State monopoly set up for the express purpose of levying water charges on families throughout the nation. The Minister should confirm his intention to provide as much information as possible in response to parliamentary questions relating to Irish Water and not force Opposition parties, investigative journalists or concerned citizens to have to submit further FOI requests for what should be routinely available information. We need to get away from the minimalist approach regarding the provision of information. I think it was the former Taoiseach, John Bruton, who famously said that he was not asked the right question when explaining why he did not give a particular piece of information. It is often said that sunlight is the best cleanser. Given the controversy in which Irish Water has been enveloped to date, it could certainly do with some sunlight. It should take a proactive approach to readily providing information that is requested in recognition that it is ultimately there to serve the public and not its management or, indeed, the Minister.

FOI requests will help shine a light on the culture and practices of the organisation but it will take political action to change the direction of the company, which has been significantly focused to date on putting in place a billing structure to extract money from families with no recognition of the need to achieve value for the customer. The claim made by Professor John Fitzgerald of the ESRI that Irish Water will incur excess costs of up to €150 million per year is indeed alarming. It is essential that the information necessary to verify or refute this claim is made readily available by Irish Water. Irish Water is essentially a State monopoly and when it becomes subject to FOI, claims of commercial and supplier confidentiality must not be used to routinely inhibit the level of detail that will be provided in response to FOI requests. It must be possible to look at actions right back to the inception of Irish Water. The commitment the Minister has made to make the FOI provisions retrospective to last July are welcome but we need to see how this will apply in practice. Any attempt to wriggle out of full transparency will only further fuel public suspicion that the Government's commitment to increasing access to

information is more about spin than anything else. As it stands, every time the Minister is asked about the pricing regime and the nature of the free allowance, we are told that they are matters for the Commission for Energy Regulation, CER. Members of the public have been led to believe that there will be a generous free allocation but it now transpires that customers will pay a substantial standing charge negating the concept of a free allowance. It is imperative that the process deployed for charges is brought out into the open. The Minister should not be allowed to hide behind the CER when it is essentially doing his bidding.

The extension of FOI to Irish Water is an opportune time to look at the additional costs the Minister is imposing on FOI requests. The Minister should commit to coming back to and reviewing these additional charges in the next 12 months. I am conscious that only yesterday I asked a question of the Minister for the Environment, Community and Local Government in respect of the establishment of the Water Services Transition Office, which is the body formed by the County and City Managers' Association and which has had something of the order of €5.7 million allocated to it. I wanted, via the question, to establish who had received that money. I note that while I am told in the response that €3.5 million was paid in 2013 for the recoupment of costs for an average of two or three representatives of each county council, I have not been told who these people were.

11 o'clock

Were those moneys in addition to the salaries already received by the councillors or were they in lieu of salaries? Were they paid to county managers? If we are to have a full approach to freedom of information, this is the type of information that we need to be able to receive on a routine basis.

Deputy Brian Stanley: I welcome the fact that Uisce Éireann will be brought under the provisions of the Freedom of Information Act and that those provisions will be applied retrospectively from last July. It is a U-turn on the part of the Minister and Fianna Fáil, if I correctly heard the latter welcoming this. Fianna Fáil had intended to restrict the legislation further.

When I submitted a parliamentary question in November, the Minister defended the exclusion of commercial State bodies on the grounds that it would lead to an uneven playing field where there was competition with private companies. In Uisce Éireann's case, however, there is no such competitor, nor should there be. This is a State company and will be the sole provider of water.

Regardless of that, our position is that commercial semi-States should be included in the Schedule of bodies covered by freedom of information. Other legislative protections can be provided to deal with commercial sensitivities. I therefore call for the inclusion of Coillte given its central role in the planning of wind farms in the midlands for electricity export. Coillte has avoided discussing many other issues for which it has been accountable on the grounds that it is supposedly a commercial company. What the Minister is doing is good, as it will help us to learn what is happening at Uisce Éireann, but I urge him to consider including Coillte in this context as well. Before his party entered into office, it promised to do so if in power.

It is important that freedom of information exists and is being applied retrospectively. I have asked many parliamentary questions about Uisce Éireann, but it has been frustrating. I looked across at Ministers and Ministers of State who either did not know the answers or needed to fob me off. This is regrettable. For example, the Minister of State, Deputy O'Dowd,

29 January 2014

was put in an awkward position. There are lessons to be learned from this process. We turned on a radio news programme and all of the answers that we had been trying to get in the House for months were broadcast over the airwaves in a matter of minutes.

There has been much discussion on strengthening the role of the House. The Minister is committed to doing so, but the Uisce Éireann fiasco diminished the role of the elected representative of all parties. Whatever we might think of one another, we have been elected by our constituents and should be able to get straight answers about taxpayers' money. Anywhere public money is spent, elected representatives should be able to get answers to reasonable questions within a reasonable time.

I hope that we receive full and open answers to Dáil questions on Uisce Éireann. Perhaps the Leas-Cheann Comhairle will allow the Minister to respond, as I am unsure of the format of this debate.

Deputy Brendan Howlin: I will have five minutes.

An Leas-Cheann Comhairle: Yes, there will be a reply.

Deputy Brian Stanley: I have a quick question on the Comptroller and Auditor General's role as regards Uisce Éireann. We all want there to be openness and transparency. As the Minister knows, we disagree with setting up a new superstructure over county councils and turning them into subcontractors, but it has been done. The Government had the majority to ensure that. Why can the Comptroller and Auditor General not audit Uisce Éireann? What are the Minister's plans in that regard?

However, this motion is a good day's work by the Government. It should have been done sooner, but at least it is being done now. That the legislation is being applied retrospectively is welcome. We will try to do our job as public representatives to ensure that public money is spent well and that the people spending it are held accountable.

An Leas-Cheann Comhairle: The next five-minute slot is being shared by Deputies Luke 'Ming' Flanagan and Wallace.

Deputy Luke 'Ming' Flanagan: We seem to be in a new enlightened period of Irish politics where semi-State bodies will be subjected to openness and transparency. This is supposedly proven by the fact that Irish Water will be covered by the freedom of information legislation. However, this would not have happened were it not for the Government being hammered into doing so by the public. It became too ridiculous to do otherwise.

Why stop there? What is so special about Irish Water that the Government would allow it to be covered by freedom of information? As Deputy Stanley hinted, why not apply the legislation to Coillte? What is so different about Coillte? Even Fianna Fáil has stated that we need a less minimalist approach to freedom of information. The dam has broken if that is the case.

Can the Minister imagine a Deputy being approached with allegations that fraud has been committed against a semi-State company only to discover that every avenue for acquiring information that should be available to him or her is blocked off, be it the Comptroller and Auditor General or freedom of information provisions? The Deputy might try to have a chat with the Minister, the company's boss. Guess what the Minister told us? He told us that he could not get information out of Coillte about an alleged fraud against our company because it was commer-

cially sensitive. Are we meant to accept that a Minister, who is in effect the company's boss, is not privy to its information on grounds of commercial sensitivity? This is a farce.

I encountered the same issue on Roscommon County Council as a member of its corporate policy group. We were meant to be in control of the council, yet I was told that I could not have certain information about our own money because it was commercially sensitive. Why is this being done with Irish Water but not Coillte? My office is preparing a Bill to change this situation. Now that the Government is open to transparency, it will probably vote for the Bill.

Deputy Mick Wallace: Last week, the Taoiseach told the House that no public body should be secretive and that the people had a right to know. When the freedom of information motion is passed, however, 41 public bodies will be totally exempted and 24 will be partially exempted. We have probably the most oppressive freedom of information regime in the developed world. It is accepted that there is no democracy without an informed citizenry.

Big business, through its ownership of newspapers, television channels and radio stations, can buy influence and control media content. It can impact on how politicians behave and deal with legislation. This is a major problem. According to the Minister, recent developments have highlighted the importance of a high degree of openness and transparency in helping to underpin public confidence and trust in Irish Water. Might he apply the same statement to the Garda Síochána, a secretive organisation? The problems with penalty points that we have been examining over the last 18 months bears this out strongly. The Garda still refuses to publish this code of conduct. There is no code of practice issued for statutory powers given to gardaí. It is not published. The GSOC has no power over them. Officials in the GSOC have no access to the PULSE system. They are not allowed to look at policies, practices, procedures and they cannot investigate the Commissioner. That is a big problem. Given that we do not know what is happening with the Garda Síochána, because it is not covered by the Freedom of Information Act, members of our media go to the gardaí, have a nice chat with them and the gardaí leak certain stories to them. In return, the media look after them.

An Leas-Cheann Comhairle: You are moving away from the motion.

Deputy Mick Wallace: We have a list of so-called crime correspondents who, rather than challenge the workings of gardaí, work with them instead. This is all due to the fact that we do not have proper access to information on how the Garda Síochána operates. It is in the interest of the citizens of this country that there is far more open access into how the Garda Síochána works, and not just Irish Water.

An Leas-Cheann Comhairle: I call on the Minister to reply.

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I thank Deputies for their contribution and their support for this motion. Deputy Ó Feargháil characterised this as a climb-down but he was not here when we debated the FOI amendments on Committee Stage, when I explained the position on commercial semi-State companies. The default position of the new regime - to borrow a phrase from Deputy Wallace - will be that every public body will be included. The excluded public bodies are commercial semi-State bodies. We either determine that we are going to have a publicly owned commercial State sector, or we do not. No country has commercial semi-State companies that are open to a degree of transparency to which their rivals are not. Their rivals would put in the FOI requests. That is not the way it works. They are accountable under the Companies Acts as a commercial company.

29 January 2014

When I was debating this on Committee Stage, I said that where they are operating in monopoly positions, that argument would not hold. That is why I said I would look at dealing with the monopoly companies, including Irish Water, when the new legislation was enacted. I am now fast-tracking that because the enactment of the legislation is taking a bit longer and the issues that have arisen have become more acute and we need to address them. That is why I am extracting those, but we will be having a full debate on FOI generally.

Deputy Ó Feargháil made a point about the commentary of Professor John FitzGerald. A comprehensive rebuttal of that is available in today's *Irish Independent* from the Minister for the Environment, Community and Local Government, factually dealing with issues as opposed to assertions that are made by people. People need to listen objectively, not hear just the noise, but also the facts. The objective of this whole process for Irish Water is to take 34 disparate water providers to establish one world class water utility that will provide a safe and adequate water supply to the people of Ireland. That is what is in train here.

I have argued Deputy Stanley's point about the exclusion of the semi-State companies with his colleagues on the public expenditure and finance committee. Whether it is the Sinn Féin view that it is in favour of public enterprise or not, we cannot spangle public enterprise and expect it to thrive. I am in favour of public enterprise. My party, by default, is in favour of public enterprise, but we need to have such enterprises operate on a level playing field with private companies. It is a code to kill off State enterprises to pretend that we can a new burden of regime on them-----

Deputy Brian Stanley: I was talking about monopolies.

Deputy Brendan Howlin: The Deputy has a fair point about monopolies. We will look at that in the context of new legislation.

I strongly agree with the Deputy on the role of the Oireachtas. We need to have vigorous sectoral committees holding State agencies and Ministers to account. I think that is happening and we need to resource it better. This will evolve over time. Having the sectoral committees doing their work and giving them the necessary resources would be very good. It will rebalance the imbalance that exists between the Executive and the Parliament, which is something I have always argued as a parliamentarian. We need to move to a European model. All that we are doing in terms of FOI, accountability and the lobbying legislation is important in that respect.

Deputy Flanagan has a dismissive notion of semi-State companies. I support them.

Deputy Luke 'Ming' Flanagan: On a point of order, I never dismissed semi-States. Get your facts right.

An Leas-Cheann Comhairle: The Minister is very limited-----

Deputy Brendan Howlin: Through the Chair, Deputy Flanagan thinks he is on the back of a lorry in this place, and he can scream down people with whose views he does not agree. I heard him say that he wanted to put in place a regime that in my judgment would kill off the semi-State sector. That is not something I am going to support. In terms of the general-----

Deputy Luke 'Ming' Flanagan: Do you support the-----

Deputy Brendan Howlin: Stop shouting people down. This is Parliament. You are not on the back of a lorry. This is our national Parliament and people are entitled to hear and be heard,

the same as I listened to you. I did not shout you down.

Deputy Luke ‘Ming’ Flanagan: Bring on the next election.

Deputy Brendan Howlin: The commitment I brought to the Government last year is to join the Open Government Partnership, which is a cutting edge set of measures to have transparency in everything we do. Part of what I want to do in that is to have what I describe as “open data”. I hope that FOI will become obsolete over time, because open data means that we should have all information in the public domain as a matter of course. We have to work towards that and that is the objective I have set for the Government. We are drawing up a national plan on the Open Government Partnership, and I am pleased to say our efforts to date are such that we are now going to host the European Open Government Partnership annual meeting, which will take place in May. The cutting edge countries in respect of open government, FOI and so on will all be here. At the last meeting in London, I was asked to give the presentation because the legislation we have crafted on whistleblowers is regarded as world class. All these things are being addressed and I thank Deputies for their support.

Question put and agreed to.

Industrial Development (Forfás Dissolution) Bill 2013: Order for Second Stage

Bill entitled an Act to make provision for the dissolution of Forfás; to transfer certain functions of Forfás to the Minister for Jobs, Enterprise and Innovation, Enterprise Ireland, the Industrial Development Agency (Ireland) and the Health and Safety Authority of Ireland; to provide for the Irish National Accreditation Board as a Committee of the Health and Safety Authority; to amend the Safety, Health and Welfare at Work Act 2005, the Industrial Development (Science Foundation Ireland) Act 2003, the Industrial Development (Enterprise Ireland) Act 1998, the Metrology Act 1996, the Industrial Development Act 1995, the Industrial Development Act 1993 and to provide for the consequential amendment of certain other enactments; and to provide for matters connected therewith.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I move: “That Second Stage be taken now.”

Question put and agreed to.

Industrial Development (Forfás Dissolution) Bill 2013: Second Stage

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I move: “That the Bill be now read a Second Time.”

I welcome this opportunity to present the Industrial Development (Forfás Dissolution) Bill 2013 to Dáil Éireann. The Bill was published on 23 December 2013. The purpose of the Bill is to give effect to the decision to integrate the research and policy advisory functions of Forfás into the Department.

As part of the public service reform plan, the Minister, Deputy Bruton, undertook to review how the functions currently carried out by Forfás might be integrated with the resources of my

Department in order to further enhance the formulation and implementation of national enterprise policy. Following consideration of the matter and engagement with the board of Forfás, the Minister decided, in May 2012, to proceed with the proposed integration. This move forms part of a broader reform programme which we have been progressing across the Department and its agencies, including the merger of the National Consumer Agency and the Competition Authority; the reform of the five workplace relations bodies into two organisations; restructuring the enterprise support model for micro and small businesses, including the dissolution of the 35 CEBs and the creation of the new local enterprise offices; and restructuring transport and enterprise development bodies in the Shannon region.

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

Since its establishment in 1994, Forfás has played a significant role in providing independent policy advice and research analysis to the Minister and Department and a key role in progressing the enterprise agenda and facilitating the development of our modern economy. In the past three years, the agency has become increasingly involved in the central policy making process in the Department of Jobs, Enterprise and Innovation, playing a leading role in the preparation of the annual Action Plan for Jobs. At this juncture, it is considered that combining the resources of Forfás and the Department represents the optimum use of scarce resources, particularly against a backdrop of significant reductions in staffing levels arising from the need to reduce the public sector pay bill.

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

Under the Industrial Development Act 1993 and related legislation, Forfás is statutorily the employer of staff in IDA Ireland, Enterprise Ireland and Science Foundation Ireland as well as some staff in the National Standards Authority of Ireland. The agency also has responsibility for pensions of enterprise agency staff and employees of a number of former agencies, including the Industrial Development Authority, Eolas, the National Board for Science and Technology, the Irish Goods Council and An Bord Trachtála. Forfás also carries out a range of shared services on behalf of the IDA, Enterprise Ireland and, in particular, Science Foundation Ireland, including the administration of pensions, property management and other central functions. The Irish National Accreditation Board operates as a committee of Forfás and is supported by Forfás staff.

It is proposed that the core policy advisory and research functions of Forfás will be incorporated into a new strategic policy division to be established within the Department. The new

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

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

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

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

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

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

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

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

The Bill, in section 36, also makes an amendment to the IDA's existing functions. Section 8(d) of the Industrial Development Act 1993 makes provision for IDA Ireland to administer schemes requiring the disbursement exclusively of European Union funds. It is proposed to amend this section to give the IDA the same power as was provided to Enterprise Ireland by section 7(1) of the Industrial Development Act 1998, which allows Enterprise Ireland "to administer such schemes, grants and other financial facilities requiring the disbursement of European Union funds and such other funds as may from time to time be authorised by the Minister with the concurrence of the Minister for Finance". The provision in the 1993 Act is considered to be restrictive on the IDA and the amendment will allow the agency to administer schemes which include the disbursement of Exchequer funds, as may be authorised by the Minister with the concurrence of the Minister for Public Expenditure and Reform. Previously, the IDA was not in a position to administer schemes such as the employment subsidy scheme which was managed exclusively by Enterprise Ireland, even though the scheme was open to IDA client companies.

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

The legislation provides for Enterprise Ireland, IDA Ireland and Science Foundation Ireland to become employers in their own right and for each agency to establish a superannuation scheme for its employees. Currently, Forfás is the legal employer of all staff working in Enterprise Ireland, IDA Ireland and Science Foundation Ireland. These staff are seconded from Forfás to their respective agencies. This legislation provides for staff seconded from Forfás to become staff of their respective agencies. Forfás is also the legal employer of a number of staff working in the National Standards Authority of Ireland, NSAI, and this legislation provides for these staff to become staff of the NSAI. Employees of each of the agencies will become members of their agency's superannuation scheme, as appropriate. The legislation provides for responsibility for all existing pensioners, and those with deferred benefits for whom Forfás currently has responsibility, to transfer to the Department of Jobs, Enterprise and Innovation.

The Irish National Accreditation Board, INAB, is the national body with responsibility for the accreditation of laboratories, certification bodies and inspection bodies. Accreditation is the procedure by which an authoritative body gives formal recognition that a body or person is competent to carry out specific tasks. EU member states have established a network of national accreditation bodies to ensure the competence of all laboratories, inspection and certification bodies are assessed against the same principles. Accreditation plays an important role in guaranteeing the access of Irish products and services to EU and worldwide markets. The demand for accreditation has increased significantly in recent times as national regulators continue to rely on conformity assessment as a mechanism to support the implementation of legislation and assure competence. Responsibility for accreditation in Ireland is currently vested in Forfás. In practice, the accreditation function is delegated to the Irish National Accreditation Board, INAB, which is a committee of Forfás, supported by Forfás staff in the administration of its functions. The accreditation functions of Forfás will be transferred to the Health and Safety

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

As outlined, the purpose of integrating Forfás into the Department is to strengthen the Department's capacity to develop and implement enterprise policy. The proposal is not driven by the objective of finding cost savings, although some savings may arise in due course if synergies between the two organisations are identified. It is not envisaged that any reduction in staff numbers will arise as a result of the integration. There may be some costs associated with, for example, the reconciliation of IT systems arising from these proposals. However, any such costs will be met from existing resources. Overall, the integration of Forfás into the Department of Jobs, Enterprise and Innovation will facilitate improvements in the use and effectiveness of existing resources.

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

Section 2 sets out a number of definitions relating to specific terms used in the body of the Bill. Section 3 provides that any expenses incurred in the administration of the Act shall be paid out of moneys provided by the Oireachtas. Section 4 sets out the Acts or parts of Acts to be repealed on the enactment of this Bill. There are a number of other repeals relating to commencement orders in earlier Acts, which are included in Parts 2 to 5 of this Bill, under the provisions relating to staff of the various agencies.

Section 5 provides for Enterprise Ireland and subsidiaries of Enterprise Ireland to employ staff subject to the consent of the Minister and the approval of the Minister for Public Expenditure and Reform. Section 6 provides for the transfer to Enterprise Ireland of staff currently seconded from Forfás on terms and conditions of service relating to remuneration which are no less favourable than those applying before the transfer. Section 7 provides for Enterprise Ireland to establish a superannuation scheme in respect of persons referred to in section 6, as appropriate.

Sections 8 to 10, inclusive, replicate the provisions of sections 5 to 7, inclusive, in respect of staff of IDA Ireland. Sections 11 to 13, inclusive, replicate the provisions of sections 5 to 7, inclusive, in respect of staff of Science Foundation Ireland. Section 14 provides for Forfás staff seconded to, or working under the direction of, the National Standards Authority of Ireland, NSAI, to transfer to the NSAI on terms and conditions of service relating to remuneration and superannuation, no less favourable than those applying before the transfer.

Section 14(1)(a) relates to staff of the Legal Metrology Service which operated within Forbairt until its dissolution in 1998. The Legal Metrology Service was transferred to the NSAI by section 50 of the Industrial Development (Enterprise Ireland) Act 1998, and its staff became members of the staff of Forfás, who were then seconded to the NSAI. Section 14(1)(b) refers to Forfás staff who were working in NSAI under the provisions of section 38 of the National Standards Authority of Ireland Act 1996, which provided for these staff to continue to be Forfás

staff. The NSAI had previously operated as a division of Forfás prior to the establishment in 1996 of the standards authority.

Section 15 defines “relevant person”, as used in various sections in relation to Forfás functions being transferred to other bodies. Section 16 provides for the dissolution of Forfás on a day to be appointed by the Minister. Section 17 provides that references in any enactment to Enterprise Ireland, IDA Ireland or SFI as an agency of Forfás shall be construed as a reference to Enterprise Ireland, IDA Ireland or SFI, as appropriate.

Section 18 provides for the transfer of functions currently vested in Forfás to Enterprise Ireland and IDA Ireland, as appropriate in accordance with the Schedule to the Bill. Section 19 provides for the transfer of functions currently vested in Forfás, other than those referred to in sections 18 and 28, to be transferred to the Minister for Jobs, Enterprise and Innovation. Section 20 provides for any liability or loss arising out of the performance of the functions of Forfás before the dissolution day to rest with the relevant person as defined in section 15 - in effect, Enterprise Ireland, IDA Ireland or the Minister - and not against the dissolved body, Forfás.

Section 21 provides that all property vested in Forfás immediately before the dissolution day will transfer to the Minister on that day. Section 22 provides that all rights and liabilities of Forfás will transfer to the Minister on the dissolution day. Section 23 provides that anything commenced but not completed before the dissolution day under the authority of Forfás in so far as it relates to a function transferred to a relevant person under this Act shall be carried on or completed by a relevant person. Subsection (3) provides that references to Forfás in the memorandum or articles of association of any company which relate to a function transferred to a relevant body under this Act shall be taken as a reference to the relevant body. Subsection (4) provides that any money, stocks, shares or securities transferred to the Minister that were held by Forfás before dissolution day shall be transferred into the name of the Minister.

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

Section 25 provides that superannuation schemes administered by Forfás prior to dissolution shall continue in force as if made by the Minister. Section 26 provides for the preparation of final accounts for Forfás no later than one year after the dissolution date and for the preparation of a final annual report within six months of dissolution.

Part 7 relates to accreditation. The functions of accreditation are vested in Forfás and undertaken by the Irish National Accreditation Board, which currently operates as a committee of Forfás supported by dedicated Forfás staff. INAB accreditation functions and related staff will transfer from Forfás to the Health and Safety Authority. This requires amendments to the Safety, Health and Welfare at Work Act 2005. Section 27 sets out several definitions relating to the accreditation function which are to be included in section 2 of the Safety, Health and Welfare at Work Act 2005. Section 28 inserts a new section 33A into the Safety, Health and Welfare at Work Act 2005, transferring the powers and functions of Forfás relating to accreditation to the Health and Safety Authority. Section 29 provides for the HSA to carry out accreditation in accordance with the powers and functions transferred by section 28 and in accordance with Regulation (EC) No. 765/2008 in so far as it relates to accreditation. Section 30 provides for

transfer of relevant Forfás staff to the HSA, by inserting a new section 54A after section 54 of the 2005 Act, on terms and conditions of service relating to remuneration and superannuation no less favourable than those applying before the transfer. Section 31 provides for an amendment to Part 5 of the Safety, Health and Welfare at Work Act 2005 by adding a new Chapter 3 and adding several new sections 56A-56I.

Section 56A of the 2005 Act provides for the committee established by the board of Forfás, known as the Irish National Accreditation Board, to become a committee of the authority. It sets out operational procedures for the INAB. Section 56B provides for the transfer by Forfás to the HSA of any property related to the accreditation function. Section 56C provides for the transfer of rights and liabilities arising from the accreditation role to be transferred from Forfás to the HSA. Section 56D provides that any claim in respect of loss or injury suffered by any person arising out of the performance by Forfás of the accreditation functions before the enactment of this section shall lie against the HSA. Section 56E provides that anything commenced but not completed before the coming into operation of this section by or on behalf of Forfás in so far as it relates to a function transferred by section 29 shall be carried on or completed by the HSA.

Section 56E(2) provides that any money, stocks, shares or securities transferred by section 56B that are held by Forfás shall be transferred to the authority. Section 56F provides that records held by Forfás relating to the accreditation function will be transferred to the HSA on the coming into operation of this section. Section 56G provides for the HSA to establish an appeals board and related matters. Section 56H sets out the procedures relating to the making of an appeal against a decision of the accreditation board or the failure of the accreditation board to make a decision. Section 56I provides for disclosure of interests by members of the accreditation board.

Section 32 amends section 47 of the Safety, Health and Welfare at Work Act 2005 and relates to the HSA setting fees for accreditation and entering into contracts for the purposes of accreditation functions. Section 33 amends section 73 of the Safety, Health and Welfare at Work Act 2005 and relates to prohibition on disclosures by providing for inclusion of members of the accreditation board and the appeals board in that section.

Section 34 amends section 77 of the 2005 Act, which sets out a range of offences relating to various provisions under the Safety, Health and Welfare at Work Act 2005. The purpose of the amendment is to exclude matters relating to accreditation from automatically being a prosecutable offence under section 77 of the 2005 Act. Where an offence might be committed relating to accreditation, it would be open to be pursued through normal legal channels. Section 35 inserts a new Schedule to the Safety, Health and Welfare at Work Act 2005, providing for the Irish National Accreditation Board and associated procedural matters.

Part 8, section 36 amends section 8 of the Industrial Development Act 1993 to allow IDA Ireland to administer schemes and disburse such Exchequer funds as may be authorised by the Minister. The existing section 8(d) of the Industrial Development Act 1993 makes provision for IDA to administer schemes requiring the disbursement exclusively of EU funds and this amendment will give IDA the same powers as Enterprise Ireland and enable IDA to administer schemes such as the recent employment subsidy scheme, which was managed solely by Enterprise Ireland although the scheme was open to IDA client companies.

Section 9B of the 1993 Act, as inserted by the Industrial Development (Science Foundation

Ireland) (Amendment) Act 2013, is to be repealed and replaced with a new section 9B relating to the supply of information to the Minister rather than to Forfás. Paragraph 8(2) of the First Schedule of the 1993 Act is substituted with a new paragraph 8(2), providing for committees established by IDA to supply IDA with information for the purposes of its functions rather than to Forfás.

An Leas-Cheann Comhairle: I realise the Minister of State only has one or two pages left so perhaps the House will give him a little extra time by agreement.

Deputy Sean Sherlock: I thank the House for its indulgence. This is a rather technical Bill but I am nearly there.

Section 37 substitutes a new section 6 into the Industrial Development Act 1995, providing for IDA and Enterprise Ireland to invest or make loans in accordance with schemes drawn up by the agencies and approved by the Minister and the Minister for Public Expenditure and Reform. This function was previously vested in Forfás and assigned to the agencies. Section 38 provides that schemes which were in force prior to the coming into force of the amendment inserted by section 37 will continue in force as if the scheme had been made under the provision of the new section, that is, section 6 of the Industrial Development Act 1995, as amended.

Section 39 amends section 7 of the Metrology Act 1996 to provide that the director of legal metrology shall be a staff member of the National Standards Authority of Ireland. At present, this section states that the director of legal metrology shall be a member of the staff of Forfás.

Section 40(a) amends section 7(k) of the Industrial Development (Enterprise Ireland) Act 1998 which relates to the functions of Enterprise Ireland and provides for the Minister to assign other functions to the agency from time to time. Section 40(b) substitutes a new section 42 into the 1998 Act, allowing Enterprise Ireland and IDA to prosecute summary offences relating to disclosure of information.

Section 41(a) amends section 7(1) of the Industrial Development (Science Foundation Ireland) Act 2003 relating to the functions of Science Foundation Ireland and provides for the Minister to assign other functions to the agency from time to time. Section 41(b) amends section 17 of the 2003 Act providing for Science Foundation Ireland to bring and prosecute proceedings relating to disclosures. Section 41(c) amends section 25 of the 2003 Act by the substitution of section 25(2), providing for committees established by the SFI to supply SFI with information for the purposes of its functions.

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

Deputy Dara Calleary: I thank the Minister of State for bringing forward this legislation, which we support. Forfás has provided an excellent service to the State since its foundation in 1994. As a policy think tank, it has regularly challenged enterprise policy and Government policy generally. I pay tribute to the chief executive officer, Mr. Martin Shanahan, and his team, as well as his predecessors. This Bill has the potential to strengthen significantly the Department's enterprise policy function, which has not performed as well as it could have done over

the years. The subsuming of Forfás into the Department is an important step in this regard.

Having said that, I have several caveats regarding these proposals. Last year, Forfás spent in the region of €11.3 million on research. It is important that this budget is ring-fenced when the agency is amalgamated within the Department and that the new strategic unit is given control over its budget. Staff should not have to go cap in hand to departmental management every time they want to undertake a particular project. Forfás has a reputation for producing well researched challenges to the system, this House and Government policy. That academic independence must be retained. There is no logic in Forfás becoming the public relations office of the Department. On the contrary, it must continue to challenge the Department and every sector of society in regard to enterprise policy. If these proposals result in that ability to challenge being weakened, it will be a very bad day for this country and we will seek to have the legislation reversed.

Forfás has completed important work in the past 12 months. The national competitiveness survey points to rising labour costs and an increase in costs within the economy generally. The agency has drawn attention to future demand for high-level ICT skills, an area in which the Minister of State has done a great deal of work, and argued that we must change our systems in order to create jobs. I see a large number of young people in the Gallery today. The report to which I referred has a direct implication for their ability to get a job in this country in the coming years. The agency also issued a report showing that deficiencies in the supply of clean water is costing jobs, which is very relevant to the discussion in recent weeks on the establishment of Irish Water. I would be very interested to see a report from Forfás on the establishment costs associated with the setting up of that new public utility.

In May 2013 Forfás published an important report, *Making it in Ireland - Manufacturing 2020*. There has been something of a consensus in this country in recent years that there was no longer potential for a substantial manufacturing sector because our economy had moved on. The agency's report challenged that assumption and showed the scope for job creation in this sector and for Ireland as a manufacturing destination.

Forfás's latest report on business costs shows a 12% increase in legal fees. Unfortunately, the Minister for Justice and Equality continues to put his hands to his ears when it comes to this issue in a case of see no evil, hear no evil. Meanwhile, we are still awaiting the progress of the Legal Services Regulation Bill. It is important that Forfás, when it is amalgamated with the Department, can still issue the type of challenge to Ministers that it did in this report. That academic freedom and capacity to challenge Government must be safeguarded.

The Department has the potential, with the team from Forfás coming in, to up its game considerably in terms of challenging itself and the enterprise community. I am a sceptic when it comes to the Action Plan for Jobs and some of the factors which account for the increase in employment we have seen. We had this discussion in committee yesterday with the Secretary General of the Department and his team. The action plan for 2014 will be published soon and launched at a large press conference at which all the Ministers will be wheeled out. We will be told that there was something in the region of a 90% to 95% completion rate in respect of actions for 2013, which is rather like an opinion poll in North Korea. As I pointed out to the Secretary General yesterday, one of the actions that will be marked as successfully completed in 2013 is the provision of finance to the small and medium-sized enterprise sector, with emphasis placed on the allocation of €2.5 billion on the part of the two pillar banks, Bank of Ireland and Allied Irish Banks, to small business. When I tabled a parliamentary question to the Minister

29 January 2014

for Finance seeking the details of that allocation - to whom it was lent, whether to new or existing facilities, and so on - the reply I received was that the information could not be provided because it is commercially sensitive. It is not good enough that we have been provided with no evidence to back up some of the claims that are being made.

Will the Minister of State clarify the position in regard to the agency's former premises at Carrisbrook House in Dublin? I understand the agency is tied into a 65-year lease on the property, which is now vacant. The rent was €990,000 in 2012, accounting for 15% of the agency's costs. The lease is not due to end until 2034, which means Forfás will have to pay out more than €20 million over the next 20 years on a premises it no longer uses. It is ironic that Forfás was to the forefront in pointing to the damage the upward-only rent review provision was doing to the Irish economy.

I am concerned by the Minister of State's remark regarding the standing down of the Advisory Council for Science, Technology and Innovation. Will he clarify the current role of that group and whether and how it will be reconstituted?

I take this opportunity to pay tribute to the staff of Forfás and its sister agency, IDA Ireland, for their significant successes in 2013 in very difficult circumstances. They are doing a super job throughout the country. Although it is true of every State agency, Forfás needs more resources. It is an agency that is delivering. It must be facilitated to build a much larger footprint in China, Brazil and India, where there is significant potential for future investment. This legislation is welcome if we can be sure that the research budget that will be available to Forfás following its amalgamation into the Department is safeguarded and, most importantly, that its academic and research independence will be retained. When we are long gone from this House, the role of Forfás and its successor agencies in challenging enterprise policy and challenging a system that is very slow to respond to the needs of enterprise will be as important as ever. The Government system does not understand enterprise and does not move quickly enough to address its needs. Forfás always worked to challenge that and to push for progress. It will be a disgrace if, by supporting this legislation, we precipitate an erosion of its ability to perform that function. It would be a disservice to those seeking employment and to the enterprise community. Above all, it would be a disservice to those who have worked very hard and served this country very well by their employment in Forfás since its inception in 1994.

Deputy Finian McGrath: I welcome the opportunity to contribute to the debate on this important issue. Job creation and economic development are important tools in our efforts to deal with the economic difficulties facing people in this country. I have been concerned in recent days, however, that an element of complacency has slipped into the discussion. I remind the Government that the numbers of people unemployed in this State remain high, including a particularly high rate of youth unemployment and a massive emigration problem. Complacency must never be an option. Instead, we should focus on assisting SMEs. The sector is facing huge costs which prevent it from employing more people. Commercial rates, in particular, are causing huge problems for the sector.

I will deal with these issues in more detail when the debate resumes.

Debate adjourned.

12 o'clock

Leaders' Questions

Deputy Dara Calleary: On 3 December last my party brought before the House a Private Members' motion calling for an international review of EirGrid's Grid25 proposals, particularly in the context of examining the alternative of running the relevant cables underground where appropriate. The Government used its majority to vote down the motion and responded by introducing an amendment to the effect that strategic infrastructure would be "developed and maintained in the national interest". The amendment in question contained no commitment to address the concerns of the communities on a number of the proposed routes. During the debate on the motion, the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, repeated his mantra that Grid Link is a huge infrastructural investment programme. He is on record since then as stating that the latter cannot be changed "at the whim of some passing fashion". On his recent trip to the desert, the Taoiseach linked opposition to the project with emigration and people's concerns about employment.

Let us fast forward to 28 January and the U-turn performed by the Minister, Deputy Rabbitte, which would have attracted a full ten marks on "Strictly Come Dancing", and the Taoiseach's announcement of the establishment of an external panel. We welcome that panel, the membership of which includes people of very high calibre and sound judgment. However, there are no international experts or experts who can advise on health matters on the panel. When he was asked about health concerns, the Minister, Deputy Rabbitte, stated that there are none he can find. The Minister for Health, Deputy Reilly, has, however, written to two other Ministers in order to express concern regarding the health risks posed by electromagnetic fields. He stated that, as a doctor and Minister for Health, he is worried about the health risks to which such fields might give rise and quoted various experts. In the correspondence he sent to the Ministers for the Environment, Community and Local Government and Communications, Energy and Natural Resources, Deputies Hogan and Rabbitte, respectively, the Minister stated: "I recognise that this national infrastructure project is important but I can't ignore the health concerns." The panel established by the Government proposes to ignore those health concerns.

There is major confusion with regard to the status of this expert panel. Will it be reviewing the position in respect of the North-South interconnector project? Some Deputies indicated on "Morning Ireland" and on programmes on various local radio stations that they had discussed the matter with the Taoiseach last night and that it was indicated that the panel will be examining the project. However, the chief executive of EirGrid, Mr. Fintan Slye, indicated this morning that he intends to apply for planning permission so that the project might proceed. Will the Taoiseach clarify the position? The Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, has indicated that the project will not be included in the panel's review. Is the Taoiseach in a position to outline the Government's thinking with regard to the health concerns relating to this projects? Does he plan to appoint a health expert to the panel?

Deputy Finian McGrath: The Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, should be reined in.

The Taoiseach: I am surprised Deputy Calleary has questioned the capacity of the personnel appointed to the commission-----

29 January 2014

Deputy Dara Calleary: I did not do so.

Deputy Mattie McGrath: Deputy Calleary did not do so but I will.

The Taoiseach: -----by the Minister, Deputy Rabbitte. Is anybody suggesting that the economists, Professor John Fitzgerald and Mr. Colm McCarthy, do not have independent minds?

Deputy Dara Calleary: Is either a doctor?

The Taoiseach: Is anybody suggesting indicating that Dr. Karen Foley, head of the school of landscape architecture in UCD, is not-----

Deputy Dara Calleary: Is she a medical doctor?

The Taoiseach: -----a competent person? Is anybody suggesting that Professor Keith Bell from the engineering department of Strathclyde University is not internationally recognised as being a person of competence? As Deputy Calleary is well aware, the commission, which is chaired by Mrs. Justice Catherine McGuinness, the eminent retired Supreme Court judge, will have the option of obtaining any expert advice it deems necessary.

The response provided by the Minister for Communications, Energy and Natural Resources yesterday was very clear. In excess of 30,000 applications, comments and observations were made in respect of Grid Link and Grid West and the Minister appointed the commission to consider and deal with these. As he stated, it is vital, when considering an issue as important as this, that all of the relevant issues be dealt with in very clear terms. There is not an eminent medical person on the McGuinness commission but that is not to say that it is prevented from seeking the advice of medical experts on particular matters.

Last week, I pointed out to Deputy Healy or some other Member that the Minister for Health, Deputy Reilly, wrote to the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, to relay the concerns expressed to him by people in his constituency. However, that correspondence related to the running of cables under a particular street in the town of Rush in close proximity to people's front doors. The Minister, Deputy Rabbitte, stated that people must be able to rest assured that the options they are being asked to consider are the right ones and that they are being given all the facts. That is why yesterday's response was in respect of the proposals received regarding Grid Link and Grid West.

Deputy Mattie McGrath: It was in respect of the local elections.

The Taoiseach: As Deputy Calleary is aware, the proposals relating to both projects are new.

On the Deputy's question regarding the extension of the commission's remit to consider the North-South interconnector, this project is necessary. In addition, it relates to an item of infrastructure that is critical in the context of the development of the economy in the years ahead. The Minister, Deputy Rabbitte, has pointed out that he knows the public will rest assured if it knows that the overhead and underground options had been investigated and that the studies which have already been published are sufficient to allow An Bord Pleanála to make a comparison when it decides on the merits of the planning application. The Minister is meeting the chairperson on Friday to discuss the programme of work. Eirgrid's programme of work includes Grid Link, Grid West and the North-South interconnector. I would like the commission to have its remit extended in order that the North-South project can be analysed in the same way

as, and on an equal footing with, those relating to all other areas of the country.

Deputy Mattie McGrath: Who is the boss?

Deputy Dara Calleary: I thank the Taoiseach. Nobody questioned the capacity of those on the panel. I actually questioned the lack of a health expert within the core group. I was not referring to having someone make a presentation to that group.

It has been reported on *thejournal.ie* in the past few minutes that Mr. Fintan Slye, CEO of EirGrid, has stated that he is not aware of a conversation between the Taoiseach and Government Deputies on the issue of the North-South interconnector project. Mr. Slye further indicated that work on the project is already under way and that planning permission will be applied for in the coming weeks. The Minister established the commission. Is he not in a position to inform it that it must include the North-South interconnector project in its review?

Deputy Finian McGrath: Where is Seán? Is he hiding out?

Deputy Dara Calleary: If that does not happen, then what is happening is exactly what it appears to be, namely, an exercise in ensuring that the Government parties get through the local elections on 23 May. When the elections are over, nothing will change in the subsequent period. The Government can take control of this process and ensure that the interconnector project is included in the review rather than passing the buck to former Supreme Court judge, Mrs. Justice McGuinness.

The Taoiseach: I do not accept that political assertion from the Deputy. As already stated, people have had concerns and anxieties about this matter. Some of these were valid, while others were not.

Deputy Mattie McGrath: The Taoiseach has always stated that it is about creating jobs.

The Taoiseach: I have always stated that what is needed in this instance is to address the challenge for the future, which the Deputy well recognises and which must be dealt with in a common sense and rational way. The response of the Minister for Communications, Energy and Natural Resources to the 30,000 submissions received has been to establish the McGuinness commission, which is chaired by an eminent retired Supreme Court judge-----

Deputy Mattie McGrath: Some 35,000 submissions were received.

The Taoiseach: -----and which includes independent national and international experts, to examine the overhead and underground options and publish its findings in order that everyone can understand that all of the relevant issues have been taken into account. A great deal of work has been done on the North-South interconnector for the past eight years, including assessments and the completion of the commitment in the programme for Government in respect of the analysis of under-grounding. The criteria are being set by the McGuinness commission. For the information of Deputy Calleary, the programme of work will be discussed by the Minister and the chairperson on Friday. The response given yesterday was different because of these two new propositions-----

Deputy Dara Calleary: Discuss it with Mr. Slye.

The Taoiseach: -----that it could be extended to the North-South interconnector, which is a critical piece of infrastructure which the country needs and which can only be provided by one

method or the other. All the options and facts must be examined. I hope this can be concluded when the Minister meets the chairperson on Friday.

Deputy Gerry Adams: Tá ceist agam faoin ábhar céanna. The Taoiseach's replies have missed the point which is that there is a groundswell of opinion in opposition to the erection of a series of huge electricity pylons across the Irish countryside. EirGrid has received 35,000 submissions and there have been calls for a fair and transparent consultation process. Up until yesterday, the Taoiseach and the Minister, Deputy Rabbitte, were defending EirGrid's plans and they did so in a very dismissive and flippant manner. The Taoiseach proposed that this would be a solution for dealing with emigration. Given the scattering of hundreds of thousands of our young people, that was a crass and insensitive remark.

Sinn Féin's position from the outset has been that EirGrid should only proceed with the proposed project on the basis that the lines will be under-grounded. The issue is whether they are over ground or underground. We learned from the media that yesterday's announcement is clearly timed to coincide with the upcoming local and European elections and to push this issue beyond May. However, there is confusion. The Taoiseach did not answer Deputy Calleary's question. Is the North-South interconnector to be subject to this review? The Taoiseach's colleague, Deputy Seán Conlan, says that the Taoiseach gave him and Fine Gael Deputies a personal commitment that it would be part of the remit of this panel. EirGrid's chief executive officer says he is not aware of it. Tá ceist nó dhó agam. I ask the Taoiseach to clarify whether the North-South interconnector will be included in the review. Will he tell the House whether the potential health implications of over ground pylons are excluded from the terms of reference of the panel? Why is there no health expert on the panel?

The Taoiseach: The answer to Deputy Adams's second question is that there has been a great deal of comment about the electromagnetic fields emanating from transmission grid infrastructure. That is the reason the Minister for Health wrote to the Minister for Communications, Energy and Natural Resources, about an underground cable carrying the interconnector coming from Britain through the main street of Rush and close to houses. There has been a great deal of comment about this matter.

Responsibility for non-ionising radiation lies with the Department of the Environment, Community and Local Government. Legislation for the merger of the Radiological Protection Institute of Ireland and the Environmental Protection Agency is on the legislative A list for this session. The Minister will consider what statutory functions, expertise and resources are required to assign operational responsibility for non-ionising radiation matters to the merged agency. In the meantime, the expertise that may be required or demanded in respect of electromagnetic fields or non-ionising radiation will be provided by the Department of the Environment, Community and Local Government. I am certain that if expertise in this matter is required by the eminent retired Supreme Court Justice and the commission, it will be readily forthcoming.

The Minister's response yesterday was in respect of two proposals by EirGrid to improve the infrastructure of the national grid; the Grid Link proposal from Bellacorick to Flagford and the proposed connection north from south-east Cork. This is part of the programme of work to which the Minister referred in his television appearance yesterday. The larger programme of work already includes the North-South interconnector which has been advancing for the past eight years to a point where a planning application is imminent. As the Minister, Deputy Rabbitte pointed out, he would be the first to say that the public would be very reassured if they

could see that the same comparators are used for analysis of underground versus over ground options and if all the facts are presented. He is meeting the chairperson on Friday with a view to discussing this matter. I hope the extension of the remit to include the same kind of analysis can be applied to the North-South interconnector.

Deputy Finian McGrath: Deputy Conlan will have to be there.

The Taoiseach: Deputy Adams has a fixed view. The Minister pointed out last night that the analysis of the cost of under-grounding the North-South interconnector was more than €800 million, with a difference of €600 million between over ground and underground. These are issues and facts that need to be debated and discussed so that people can make up their minds. The planning and consultation processes must be carried out. I want to see equality of assessment for all the areas of the country so that everyone knows the options and the facts and they can decide what is the best action for dealing with this challenge. I have always said that I expect it to be a rational and a common sense discussion.

Deputy Gerry Adams: We all want to see infrastructural improvements. The North-South interconnector is very important infrastructure. However, the issue is whether the power should be carried by huge pylons or underground, as is the practice in other states. I would have thought that an issue as important as this and which has been raised by Deputies from all parties and by me, should have been discussed in this Chamber. I would have thought the Minister would have made the announcement in the House and we could have discussed it. However, time and again - it is probably the same for Fine Gael and Labour Party Deputies - we have to chase what is in the media to find out the Government's thinking on issues. Then we have to try to decipher the opaque, obscure answers the Taoiseach gives to our questions.

I will repeat my questions to the Taoiseach. Did he give a personal commitment, as Deputy Conlan claims, that the North-South interconnector will be part of this review? Tá or Níl? Is an examination of the potential health implications of over ground pylons excluded? I understand precisely what the Taoiseach said and he does not need to repeat it. Are the health implications contained in the terms of reference of the independent panel? Given what the Taoiseach acknowledges as concerns, why is there no health expert on the panel? Is the Taoiseach going to ignore the groundswell of opposition from people living in communities which will be diversely and adversely affected by this development?

The Taoiseach: There has been a great deal of concern and comment about these two propositions. The Minister received 30,000 observations. He stated on several occasions that he would come back before the end of January with a response to those concerns. He brought a formal memorandum to the Government yesterday and the Government made a formal decision. This is not a secret, backroom analysis-----

Deputy Gerry Adams: Why did he not bring it here?

An Ceann Comhairle: Through the Chair, please Deputy.

The Taoiseach: -----but a formal Government decision. In this democracy the Cabinet meets on Tuesday mornings and makes its decisions in respect of issues on the agenda. We cannot announce everything in here.

Deputy Gerry Adams: The Government never announces anything in here.

29 January 2014

An Ceann Comhairle: Please, Deputy Adams. There are time constraints.

The Taoiseach: The Minister is entitled to report as he said he would on the issues before him. That formal Government memorandum concludes a particular section on non-ionising radiation, electromagnetic fields and health issues which are the responsibility of the Department of the Environment, Community and Local Government. The merger of two agencies will supply that information. The necessary information or expertise will be available to the McGuinness commission. The commission will require assistance in drawing up its terms of reference and how it applies.

I have had meetings with Deputies. The public would be very reassured if they knew the overhead and the underground options were both fully investigated and if the already-published studies in the case of the North-South interconnector are sufficient to enable a similar comparison to be made by An Bord Pleanála when it comes to deciding on the merits of the planning application. As I said, the Minister, Deputy Rabbitte, is meeting the chairperson on Friday to discuss the programme of work. That programme of work by EirGrid includes Grid Link, Grid West and the already advanced work done on the North-South interconnector. I would like the commission's remit being extended to cover that so that there is equality of assessment and fairness for people all over the country and that whatever the decision at the end of the day is, based on costs and all those other factors, people will clearly understand the nature of the decision to be made. We need all three of these, as critical pieces of infrastructure in whatever way-----

An Ceann Comhairle: The Taoiseach is over time.

Deputy Mattie McGrath: We do not need them.

An Ceann Comhairle: Will the Deputy stay quiet?

The Taoiseach: That is part of the process. Yesterday, we spoke about Grid Link and Grid West but the programme of work includes those two and the North-South interconnector.

Deputy Joan Collins: I thank the Taoiseach for his prompt action last week in regard to the pension being reinstated to Annie in Ballyfermot.

I would like to draw out the points I made last week. Will the Taoiseach join with me in marking the passing of the folk singer, Pete Seeger, who wrote and recorded some of the most famous protest songs used by the civil rights movement of the 1960s? He was not just a folk singer; he was an organiser and a socialist activist and he and the Weavers were blacklisted during the McCarthy era. Pete Seeger spent his life fighting for justice and against austerity, inequality and greed.

The recent report by Oxfam aimed at the World Economic Forum and its recent meeting in Davos, to which the Taoiseach flew out after I raised these issues last week, shows a world of unbelievable inequality and an enormous concentration of wealth in the hands of a few side by side with massive poverty, squalor and disease. The 85 richest people in the world, who could fit comfortably on a double decker bus, have wealth equal to 50% of the poorest of the world's population, that is, 3.5 billion people. The richest 1% own almost half of the world's wealth at 46%, leaving the balance of 99% for us. In Ireland, we have the same process of inequality where 1% of the population receives 10% of the national income. It has increased its share of the national income by more than 50% since 1980.

Some crocodile tears were shed at Davos but, as one woman leaving the conference said, the issue of inequality seemed to dissipate off the table. There was no serious discussion on, or support for, the pledges Oxfam asked the rich to consider, namely, to stop evading taxes and support progressive taxation-----

An Ceann Comhairle: A question, please.

Deputy Joan Collins: ----- to stop using their influence to lobby and coerce governments to introduce policies in their favour, to disclose the real ownership of companies and to pay decent wages, but this is like asking a wolf not to eat sheep. We are dealing with a capitalist system based on greed, profit and inequality.

An Ceann Comhairle: Could I have your question?

Deputy Joan Collins: After attending that conference and hearing some of the comments and the request from Oxfam, will the Taoiseach reconsider his austerity programme and consider taxing the wealthy in this country and bringing in an effective corporation tax, which will deal with the issues of inequality and social equality?

The Taoiseach: The late Pete Seeger's words and music will last for a very long time. I am quite sure that sometimes I could take consolation from one of his songs, "If I had a hammer". It could be useful.

(Interruptions).

The Taoiseach: I recall the Seeger sessions in the Point with the Boss. They were quite incredible.

The Deputy made a serious point about the World Economic Forum. I have been there on three occasions. On the first occasion, Ireland was in very poor shape. Last year, it was a case of engaging in discussions on the promissory note and what progress we might make. This year, there was a very different interpretation and perception of our country. I had the opportunity, as Taoiseach of a small country, to tell our story in an extraordinary meeting with people from the United Nations, the World Bank, the OECD etc. - all of the people who carry real influence. I pointed out that we live in a world where 1 billion people are starving, 1 billion people are obese and 4.5 billion are in between. For the first time in human history, dietary problems have surpassed medical problems. The influence, responsibility and capability of world leaders to impact on these things is quite striking but it requires political decisions and a fixing of objectives in terms of what we can actually do.

In this country's case, I pointed out, the exceptional humanitarian contribution our people have made over very many years. This is one of the few countries which can say that since the United Nations was founded, it has had people on peace-keeping missions or involved in humanitarian efforts in locations around the world. Ireland's story of progress to date is one in which other countries have an interest but it requires clarity of strategy, a clear plan and decisiveness to implement it. If one got that response from the European Union, think of the potential one of the largest markets of 500 million could achieve in the context of what the Deputy mentioned.

At home, that is why we reversed the reduction in the minimum wage; took 300,000 out of the universal social charge net; did not increase income tax and improved the options for

29 January 2014

research, innovation and development. Two days ago, I was glad to see a firm coming back to Ireland and announcing 500 jobs. The chief executive of that company referred specifically to the benefit to families where people are able to contribute to the local economy again.

Of course, there are real challenges but they are ones of which the Government is not ignorant. We are very cognisant of what it is we have to continue to do to hold the momentum and to keep our objectives in sight, which are to sort out our public finances and put our people back to work.

Deputy Joan Collins: The specific pledges Oxfam asked people at that conference to consider were not to dodge their taxes, not to use their economic wealth to seek political favour, which is lobbying governments to implement their policies in privatising essential services such as water, waste and other utilities, to make public all their investments and companies, to support progressive taxation on wealth and income, such as wealth taxes and corporation taxes, to challenge governments to use their tax revenues to provide universal health care, education and social protection, which has been decimated in many countries, and to pay a living wage to workers in companies they own or control. This is about transparency, accountability and fairness but that was not dealt with, nor was it ever going to be dealt with, at that conference.

An Ceann Comhairle: A question, please.

Deputy Joan Collins: After seven austerity budgets, will the Taoiseach continue with the same type of policy of not taxing wealth and not diverting that money to where it should be, namely, social structures? Does he believe that if he continues in this way, there will be social revolution, as was said by commentators on the Davos conference?

The Taoiseach: Of course, I understand the challenges so many people have had to face with the challenges of the past three budgets. This has not been easy for so many people but that is why the Government has introduced a whole raft of opportunities for those in mortgage distress to be dealt with, for small businesses to have access to credit and for opportunities to take people off the live register and put them into the world of work. The situation is very different from what it was. The Government, in concluding the past three budgets, published its medium-term economic strategy to 2020. The signposts and objectives in the coming years are very clear and we intend to achieve those. That is all based on strengthening our economy and providing opportunities for jobs and work because, irrespective of what else happens, that will give people the opportunity to contribute, to have a life, to be able to raise their families and to contribute to their country. One cannot do that if one is living beyond one's means. We could not do that with the desperate situation we were in. For instance, the decision by Moody's to change its rating of Ireland to investment status means that some of the largest sovereign wealth funds in the world are able to come here and consider investing in Ireland, which they could not do when we were not rated by all of the rating agencies. I assure the Deputy that we intend to continue to provide opportunities to people. We want to ensure employers can access credit and take people off the live register. We want to give small businesses an opportunity to set up in niche areas which can grow. I remind the House that two thirds of the 58,000 new jobs that were created in Ireland in the last year were created by firms that have been in existence for less than five years. In the next decade, the vast majority of the jobs that will be provided in Europe and beyond will be created by companies that have not yet been heard of. Over 10,000 innovators turned up at the Dublin Web Summit last autumn. We have enormous opportunity and potential. The Government intends to give that its head in the time ahead.

Deputy Peter Mathews: If the Taoiseach had read *The Price of Inequality*, his answer would have been very different.

Deputy Paul Kehoe: Go over and sit on Gerry's knee.

Order of Business

The Taoiseach: It is proposed to take No. 14*a*, motion re Constitutional Convention; No. 5, Industrial Development (Forfás Dissolution) Bill 2013 - Second Stage resumed; and No. 23, Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 [Seanad] - Second Stage resumed.

It is proposed, notwithstanding anything in Standing Orders, that No. 14*a* shall be decided without debate. Tomorrow's business after Oral Questions shall be No. 1, European Parliament Elections (Amendment) Bill 2013 [Seanad] - Second Stage (resumed) and Subsequent Stages. Private Members' business shall be No. 137, motion re Health Service Executive (resumed), to conclude at 9 p.m. if not previously concluded.

An Ceann Comhairle: There is one proposal to be put to the House. Is the proposal for dealing with No. 14*a*, motion re Constitutional Convention, agreed to? Agreed.

Deputy Dara Calleary: On behalf of Fianna Fáil, I wish to extend my sympathies to the Taoiseach, as leader of Fine Gael, and to the Nealon family on the death of Ted Nealon, who was a former Minister of State and Deputy. He had a very unique view of Irish politics as a serving Member and as someone who transformed the media coverage of politics. My party wishes to note his passing.

Can the Taoiseach clarify whether yesterday's announcement of what he has christened the McGuinness commission will have any impact on the impending EirGrid Bill? It seems that he is passing responsibility for the activities of that commission, and its programme of investigation, on to Mrs. Justice McGuinness. Can he give the House an update in that regard? Who is in charge of the commission? Will it have any impact on the forthcoming legislation?

The Taoiseach: The EirGrid Bill is expected next year. The McGuinness commission will decide its terms of reference on the basis of criteria that are to be set out. It will look at the response of the Minister to Grid Link and Grid West. I hope that can be extended to the North-South project as well. It has nothing to do with the EirGrid Bill, which is listed for next year.

I thank the Deputy for his comments in respect of the former Deputy and Minister of State, Ted Nealon. While I am on my feet, I would like to express our sympathy to Deputy Michael McGrath on the sad death of his brother.

Deputy Gerry Adams: I want to add Sinn Féin's condolences to the condolences expressed by Teachta Calleary on the death of Ted Nealon. I want to extend our condolences to the Taoiseach, to Fine Gael and to the Nealon family. I also want to add my voice to Teachta Joan Collins's tribute to the late Pete Seeger and to record my great admiration for him. I want to extend my condolences to the Seeger family on his passing.

I have two questions, the first of which is maidir le reachtaíocht atá forógartha; namely, the Children First Bill. Yesterday's European Court of Human Rights judgment in favour of Louise

O’Keeffe found that the State was liable for the sexual abuse she suffered. In his response to me yesterday, the Taoiseach acknowledged that Ms O’Keeffe’s case “clearly indicates the scale of that historical abuse and the failures... to protect children” and emphasised that “the protection of children is absolutely a priority for the Government”. The heads of the Children First Bill have been published, but when can we see the full Bill? Can Ms O’Keeffe expect to receive a full apology, along with the other victims and survivors, for the failure to deal with her compassionately over a long time? Will the Taoiseach ask the Minister for Education and Skills to make a statement to the Dáil at the earliest opportunity?

It is clear from the answer given by the Taoiseach during Leaders’ Questions that the North-South interconnector is not part of the review that was established by the Cabinet yesterday. The Government is now seeking to include it in the review and the Taoiseach is hopeful in that regard.

An Ceann Comhairle: We cannot go back on Leaders’ Questions.

Deputy Gerry Adams: It would be better if the Taoiseach were very clear on that so that the people along the route of this interconnector would know that they are being treated the same as other citizens who live near other proposed pylon routes.

The Taoiseach: I thought I made that clear.

An Ceann Comhairle: We are not going back into Leaders’ Questions.

The Taoiseach: Thank you, a Cheann Comhairle. In my response yesterday, which related to two proposals, I made it clear that I want this review to be extended to cover the North-South project.

The Children First Bill has been promised by Governments for years. I can confirm that the Minister, Deputy Fitzgerald, who was the first senior Minister with responsibility for children and children’s issues to be appointed by this State, intends to finalise and publish this Bill in the next few weeks. This important legislation is a priority for the Government. I will have the privilege of launching the agency for children tomorrow.

Deputy Frances Fitzgerald: The Child and Family Agency.

The Taoiseach: This is a brand new opportunity to demonstrate that we are serious about the protection of our children and their rights, which the people voted for in a referendum in 2012, and about providing a future for them.

Deputy Gerry Adams: Go raibh maith agat.

Deputy Mattie McGrath: The publication of the EirGrid Bill has been delayed. We were promised that it would be published in the first session of this year, but now it has been put back. I wonder whether that has anything to do with the quicksand the Government has arrived in, with the Minister, Deputy Rabbitte and the Taoiseach, saying different thing with regard to the whole issue of pylons.

An Ceann Comhairle: No, we are not going there again.

Deputy Mattie McGrath: It is very important that we have legislation and that we rein in these monsters - not the pylons but the people who are pushing them.

An Ceann Comhairle: When we get the legislation, the Deputy can have as much debate as he wants.

Deputy Mattie McGrath: When are we going to get it?

The Taoiseach: The Bill in question has always been listed for next year.

Deputy Mattie McGrath: It was listed for this year. What happened?

Deputy Paul Kehoe: It was never listed for this year.

Deputy Mattie McGrath: I have been told that it was listed for this year.

Deputy Paul Kehoe: Never.

Deputy Mattie McGrath: It was.

Deputy Denis Naughten: I would like to ask the Taoiseach about secondary legislation that relates to the Road Traffic Act 2011. The Minister for Transport, Tourism and Sport told me yesterday in a parliamentary reply that he is relying on Garda discretion when it comes to the prosecution of drivers who have been left for 43 days without a driving licence as a result of the delays in the new licensing system. The legal anomalies that are being created by this delay need to be addressed. When will we see the outstanding statutory instruments in relation to that Road Traffic Act?

The Taoiseach: I cannot give the Deputy the detail he is seeking. I will get the Minister to respond to him in respect of the issues he has raised.

Deputy Thomas P. Broughan: What is the exact status of the criminal justice (victims rights) Bill at the moment? I think it is on the C list. I have asked the Taoiseach previously whether he will honour a pre-election commitment to the people of Coolock and Artane.

Deputy Mattie McGrath: What are they?

Deputy Thomas P. Broughan: He said he would meet the victims and relatives committee of the Stardust disaster and would consider instituting a McDowell-type commission to look into that disaster.

I commend the Minister for Children and Youth Affairs on the comments she made about the disastrous crush at the Copper Face Jacks nightclub, which is just up the road from here, a few days ago. I want the Taoiseach and the Minister for Justice and Equality to pursue this matter vigorously with the owners of that venue.

The Taoiseach: The heads of the criminal justice Bill are being worked on. Quite a deal of development has taken place in that context. I cannot give Deputy Broughan a date for the publication of the Bill. Obviously, the heads of the Bill will go to the relevant committee in line with the new practice. Everybody will be able to comment on them and hearings will take place as necessary. I understand that the survivors involved in the Stardust disaster are in a position to have some new information published. Obviously, that will be done through their legal advisers. I look forward to hearing what that is. What was the Deputy's third question?

Deputy Thomas P. Broughan: It related to the near-disaster at Copper Face Jacks the other night.

An Ceann Comhairle: That was a comment as distinct from a question to the Taoiseach.

The Taoiseach: It is not for me to comment on the nightclub, but I am interested in the comments made by the Minister for Justice and Equality. I also note the comments of the proprietor that these matters will be addressed. They were more than surprised at the numbers of people who showed up at that time on that night.

Deputy Róisín Shortall: The alcohol promotions are the problem.

The Taoiseach: I am glad that those involved in the crush are recovering.

Deputy Patrick Nulty: The Taoiseach will be aware that a number of local authority tenants are unable to purchase their homes because of the termination of previous schemes. Will the Government urgently bring forward the long-awaited housing Bill to address this issue and a myriad of other issues in our dysfunctional and failing housing system for the tens of thousands of families in housing need?

The Taoiseach: I answered this question yesterday. The heads of that Bill were cleared in December and it is expected to be published in this session. It is a matter of concern to the Government that a scheme should be in place so that work is under way.

Deputy Dessie Ellis: I was going to mention the tenants housing purchase scheme. Section 62 of the Housing Act needs to be repealed as a result of a Supreme Court decision which is causing serious problems for local authorities in dealing with anti-social issues. The Taoiseach previously said that the housing Bill would be published early this year. At what stage are we? Has the Cabinet discussed it and when will we see it?

The Taoiseach: As I said, the heads have been cleared so it now goes to committee for open consultation and observation from Members of the House and outside groups in order to get it into the best shape we can. At an early stage people will have the opportunity to make the points the Deputy mentioned. It is listed for this session.

Deputy Michael Healy-Rae: Young people who are forced to work abroad are finding they have to come home to renew their driving licences, which is wrong. Will this issue be addressed in the Road Traffic (No. 2) Bill?

The Taoiseach: I understand that Bill is on Committee Stage in the Seanad and people will make these points for consideration by the Minister.

Deputy Róisín Shortall: Recent reports have dealt with deaths from substance misuse. These have highlighted the widespread availability and misuse of prescription drugs, which are key factors in these deaths. From drugs task forces we know that the main drugs of abuse are prescription drugs followed by alcohol. I wish to ask about secondary legislation. Approximately 15 months ago new draft regulations were drawn up to restrict dealing in, possession of and prescribing of benzodiazepines. What is the reason for the delay in signing off on those new regulations? They are very much overdue and have the potential to transform the situation regarding dealing in prescription drugs. When will those regulations be signed?

The Taoiseach: I will need to come back to the Deputy. She has raised an important issue. Clearly the incidence of this problem is increasing. It is a matter of great concern to parents and everybody. I will respond to the Deputy as to what is the problem and when we can expect to have publication.

Deputy Peter Fitzpatrick: When can we expect publication of the consumer protection and competition Bill to amalgamate the National Consumer Agency and the Competition Authority and to give effect to other changes to competition and consumer law including making provision for a statutory code of conduct for the grocery goods sector and giving effect to the recommendations of the advisory group on media mergers?

The Taoiseach: It will be this session. A great deal of work has been done on it.

Deputy Joe Carey: When is the State airports (Shannon group) Bill expected to be published?

In the context of the roads programme, can the Taoiseach advise on the development of the Gort to Tuam motorway through the public private partnership scheme?

An Ceann Comhairle: That sounds like a parliamentary question to me.

The Taoiseach: The State airports (Shannon group) Bill is due this session. As an assistant Whip, I am sure Deputy Carey will have some influence on when it might come to the House for discussion. He should talk to his fellow Whip on it.

The road programme the Deputy mentioned is due for commencement this year under the PPP system.

Deputy Brendan Ryan: Many people who are currently prevented from applying for certain jobs are anxiously waiting for the passage of the Spent Convictions Bill, which is awaiting Report Stage. In the middle of the last term it was on the Order Paper but was withdrawn. What is the reason for the delay? When will it return to the House so that we can complete the passage of the Bill?

The Taoiseach: It is still awaiting Report Stage because Deputies made a number of suggestions and a number of amendments are being considered in the Office of the Attorney General, as I understand it. I will give the Deputy an update as to when we can expect Report Stage to be taken.

An Ceann Comhairle: I am surprised I did not hear from Deputy Durkan.

Deputy Bernard J. Durkan: You did not observe me, a Cheann Comhairle.

An Ceann Comhairle: I am sorry.

Deputy Bernard J. Durkan: I was very disappointed and thought I would have to go to Specsavers myself.

What is the status of the national children's hospital development Bill? To what extent is it enhanced or affected in any way by the recent and welcome announcements of similar developments in the hospitals in Blanchardstown and Tallaght? When will the Second Stage debate of the Bill be held?

The Taoiseach: The two announcements for Tallaght Hospital and the Connolly Hospital in Blanchardstown relate to children's emergency units. They are to take pressure off the national paediatric hospital. When it is built they will provide specialist services for children. I will send the Deputy a copy of a letter that sets out the progress in respect of the development board and the hospital.

29 January 2014

Deputy Sandra McLellan: A succession of stealth charges imposed by the Government have placed middle and low-income families in dire straits. The introduction of water charges will add to this burden. The consumer needs maximum protection in these circumstances. Does the Government intend including a provision to allow for the amalgamated National Consumer Agency and Competition Authority to play a statutory role in protecting the interests and welfare of consumers?

The Taoiseach: As I said, that Bill is practically finalised and is listed for this session. The Deputy can expect it fairly quickly.

Convention on the Constitution: Motion

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

That Dáil Éireann approves the amendment of the Resolution regarding the calling of a Convention on the Constitution, passed by Dáil Éireann on 10th July, 2012, by the deletion of ‘but in any event not later than one year from the date of the first public hearing’ and the substitution of ‘but in any event not later than 31st March 2014’.”

Question put and agreed to.

Topical Issue Debate

Medical Card Reviews

Deputy Ciarán Lynch: I thank the Ceann Comhairle’s office for allowing me to raise this matter today. I also thank the Minister of State, Deputy White, for coming to the Chamber to respond to it. I wish to propose a minor alteration to the medical card review process. This modification would have no cost, would improve the notification system and would make life much easier for a substantial group of vulnerable people.

When medical card holders are selected for review they are written to and requested to complete forms in order to establish their continued entitlement to the medical card. If they cannot establish that entitlement they are cut off and the system is as simple as that. However, a problem arises with a substantial cohort of people, who are clearly entitled to hold a medical card under the present arrangements, but who for one reason or other fail to return the review forms to the satisfaction of the PCRS. As the onus is on the cardholder to update the Health Service Executive, HSE, about a change of address or other circumstances this frequently causes difficulty. I will cite some instances with which I have dealt in my office. In all of these cases the people were solely dependent on social welfare income. There was no bar to the renewal of their medical cards. The first instance was an 80-year old man and his 73-year old wife who were cut off because they did not return the forms. They had moved house eight years ago and their new address had never been conveyed to the processing system even though they had visited a doctor and pharmacies regularly during that eight year period. This couple lost their medical card cover abruptly and were refused their monthly prescription. Once the review forms were conveyed to the primary care reimbursement service, PCRS, they were reinstated.

The second case concerns a gentleman who suffers a rare condition, Buerger's disease, as a result of which he has had multiple amputations on his hands and feet. He is wholly dependent on the kindness of others and failed to return the forms in the allocated time. This gentleman lost his card cover, was refused prescriptions but has since been reinstated. The third case was cited by Dr. Brendan Crowley in a recent letter to *The Irish Times*. It concerns an 84-year old woman with Alzheimer's disease who was unable to arrange to have the forms completed and returned in time. This lady lost her medical card cover for a period but it has been reinstated.

The final case concerns a couple with two adult, intellectually challenged, dependent children. In this instance the forms were completed and returned in the prepaid envelope supplied but the PCRS did not receive the forms. The gentleman rang to check that they had arrived and fresh forms were sent out. These were completed and inserted in the prepaid envelope but again the PCRS did not receive them. The application was eventually e-mailed from my office and receipt was subsequently acknowledged. This couple had been without medical card cover for some months but thankfully as of last Monday the card was restored because they qualify on medical and income grounds. I am sure that every Member has encountered situations such as this whereby people who do qualify have lost cover through some disruption in the application process but the cover has been restored.

I have a very simple proposal. At present a general practitioner, GP, is notified that the card is due for review and may be cut off. I propose that the pharmacist who filled the most recent prescription should also be notified of the pending review and its possible consequences. Every patient in need of medication must make contact with the pharmacist at least monthly in person or through a representative and the pharmacist is directly concerned with ensuring that the patient has the correct medication and is ideally placed to assist the patient in completing a review.

All that is required is that electronic notification be given to the pharmacist who last dealt with the patient stating that the patient's medical card is up for review. It could even be a docket that would be inserted into the prescription bag. The patient or the person caring for the patient-----

Acting Chairman (Deputy Seán Kenny): The Deputy is over his time now.

Deputy Ciarán Lynch: I will wrap up. I will make a very short response if the Acting Chairman gives me a bit of leeway.

The patient or the person caring for the patient can be made aware of the requirements of the review and if necessary can be assisted in completing the forms by hand or on-line. The Minister of State will say that many pharmacists can deal with the prescriptions. I propose that the notification would go through the last pharmacist. When I dealt with these cases I asked the people to provide a print-out of their pharmacy costs. In all cases they came from one pharmacy. Most people deal with one pharmacist. I am sure that the Minister of State's research will show this. I await the Minister of State's reply and will then make additional comments.

Minister of State at the Department of Health (Deputy Alex White): I thank the Deputy for raising this issue.

I am somewhat unclear as to the specific procedure the Deputy refers to and I certainly was not aware of the proposal that he was going to make before I approached my response to his contribution to which I have listened very carefully. For the benefit of the House I will outline the procedure that is in place. The HSE, has a very structured protocol in place for the review

process and every effort is made for ongoing engagement with persons during this process.

Under the Health Act 1970, eligibility for a medical card is founded primarily on the undue financial hardship test and every application must be assessed on that basis. Under the legislation, determination of an individual's eligibility for a medical card is the responsibility of the HSE. The Health Act 1970 obliges the HSE to assess whether a person is unable, without undue hardship, to arrange GP services for themselves and their family, having regard to their overall financial situation and reasonable expenditure. Under the legislation, having a particular illness or medical condition in itself does not establish eligibility for a medical card. That is the law.

All medical card and GP visit card holders are subject to a periodic review of eligibility to determine continuing eligibility. The HSE makes every effort to provide a person with sufficient time to renew their eligibility. Each month, the HSE analyses the Medical Card Register to identify those medical or GP visit cards that are scheduled for review within three months. A review notification will indicate the card holder should complete a self-assessment or request the card holder to return evidence of household income, assessable outgoings and medical circumstances to enable a full review assessment to be conducted by the HSE. The Deputy has referred to that.

The HSE has increased this notification time to four months in respect of those persons who were granted eligibility on the basis of discretion. This is to allow an additional month to ensure that all pertinent medical and other data is provided for inclusion in the assessment process. A reminder letter is issued a month later if the requested review form details have not been returned at that point. If a person does not return the review form within the time specified, continuing eligibility cannot be confirmed and the medical card cannot be reissued. In these circumstances, or where the review process establishes that a person no longer holds eligibility, the eligibility ceases.

Persons are requested to return their completed review forms at least one month in advance of the due expiry date of their existing eligibility. This is to allow the HSE sufficient time to carry out the review and-or to get back to the individuals, if the application is incomplete or requires any further details to be furnished. Where a review form is returned, but not fully completed by the expiry date, it is HSE policy to extend the eligibility of the client for a reasonable period of time until the review is carried out and a final decision made on the person's continuing eligibility, once there is appropriate communication from the person concerned. Medical card holders who genuinely engage with the review of their medical card eligibility will not have their eligibility withdrawn before that review is complete.

In addition - this comes closer to the specific issue raised by Deputy Ciarán Lynch - a person's GP is kept informed of any review notifications of their patients. GPs are advised three months in advance of the review dates of their patients' GP visit cards or medical cards and, subsequently, the following month and the month after that, if the patient has not returned the review form by that time. GPs have full electronic visibility of the medical card panel of patients available to them and have the facility electronically to allow temporary extension of eligibility for expiring cards where a sensitive renewal is appropriate. The temporary extension may also be allowed where they are aware that a person is still availing of services but there may be something that prevents them from carrying out a standard review, for example, a blind person with little family support.

Given that over 40% of the population, or approximately 2 million people, qualify for a

medical card or GP visit card, the scale of the administration of the general medical services, GMS, scheme is significant. Over 700,000 individuals were assessed by the HSE in 2013. Well in excess of 95% of applications were processed within the target of 15 working days. In view of the processes I have outlined, and the experience over 2013 that I mentioned I am satisfied that every effort is made to assist, support and facilitate persons undergoing review. I will consider carefully what the Deputy said with respect to pharmacists, and the involvement of GPs, who can extend the eligibility in certain circumstances. There is a different relationship between the GPs and their patient groups because in the GMS a GP has a list of his or her group which has its own integrity as a list associated with that GP. The same would not be the case in respect of pharmacists for the reason the Deputy has outlined. I will consider what he has raised. I did not have an opportunity to do so before he stood up but I will certainly consider it and come back to the Deputy.

Deputy Ciarán Lynch: I thank the Minister of State for his response and for being open to my proposal. The proposal is not a question of changing the qualifying criteria. The criteria remain exactly the same for those who qualify and those who do not. I am proposing a change in the system and its operation that provides a better quality service to the customer who holds the medical card. A difficulty arises for people who fall out of the system and are subsequently entitled. They are penalised for this because they are not reimbursed for any medications they paid for during that period if they do not have medical card cover. The Minister of State is dead right to say that the GP monitors the overall situation but I propose bringing the pharmacists into the equation. Research in my office will show, and I am sure that it would show if the HSE were to carry out detailed research, that most people on medical cards deal with one sole pharmacist. It might be the case that when people are occasionally sick they get medication from the nearest pharmacy on the way home but most people who have an illness deal with one sole pharmacist.

1 o'clock

What I am proposing is that they go into the notification system. In the cases I have dealt with, particularly the cases where people had changed address, they had no notification that the card would expire and so were not engaging with the system. The pharmacists might even have had the wrong address. When the person goes to pick up the prescription bag, perhaps there should be a note inside in the bag or some acknowledgement stating that the card is about to expire, outlining the details the pharmacist has and explaining that if the person does not respond, he or she will be out of the system.

What I am proposing is a very small adaptation to the system, one which improves the quality of service which the HSE is providing and which ensures that people who qualify for medical cards do not find themselves temporarily outside of cover, with costs accruing during that period for which they cannot be compensated at a later time. If a person does not have card cover and subsequently re-qualifies for the card, those costs cannot be reimbursed.

Deputy Alex White: As I indicated to the Deputy earlier, I will certainly discuss the issues he raised with the PCRS. One of the drawbacks I foresee, and to which the Deputy alluded, to be fair to him, is the question of which pharmacist to use. The Deputy helpfully suggests it would perhaps be the most recent pharmacist, but it is not necessarily always the case that the most recent pharmacist a person has seen is their usual pharmacist. While I am being slightly speculative, it might very quickly draw the system into having to then notify a multiplicity of pharmacists in respect of one individual, which would obviously be problematic.

29 January 2014

The differences I outlined earlier between the pharmacists and the GP are that the GP has a set list and tends to know his or her patients over a period of time. I had a very interesting meeting yesterday with the Irish Pharmacy Union. It makes the point that community pharmacy is very important in our system, and I agree with that. The pharmacists are close to many of the people they see and they very often know their needs. We want to integrate and make sure that the pharmacy profession and pharmacists do that kind of work and have that relationship with their patients, as I know they already do and are anxious to have.

For all of those reasons, I will certainly take seriously what the Deputy has proposed. It is not without complication administratively, I would have thought, but we will have a look at what he is saying.

Rape Crisis Network Funding

Deputy Thomas Pringle: I thank the Ceann Comhairle for accepting this very important matter. A very serious issue has arisen where all of the core funding of the Rape Crisis Network Ireland will be terminated on 31 March 2014. The current responsibility for the funding of €250,000 for the Rape Crisis Network Ireland resides with the new Child and Family Agency. This is a catastrophic situation for victims of sexual violence in Ireland and is likely to result in both the closure of the Rape Crisis Network Ireland and the loss of the critical national programmes currently co-ordinated by it.

Various Government Departments and agencies share responsibility for the protection of Irish citizens from crimes of sexual violence and provide professional responses to those who have been victims of such crimes. Each statutory agency has a partial responsibility, partial knowledge and a partial strategy. The Child and Family Agency has, like all other statutory locations, a partial and reductive knowledge of the complexity of crimes of sexual violence, the needs of victims and the needs of other statutory locations. All core funding is to be cut as a result of this partial and reductive approach. The Child and Family Agency has stated it will, with greatly reduced funds, tender for a service that it requires in terms of its responsibilities. This silo thinking will break up the cross-agency benefits of the Rape Crisis Network Ireland and do huge damage.

There are almost 2,000 rapes and sexual assaults each year in this country and the survivors rely on the support and expertise provided by the Rape Crisis Network Ireland, which is now being undermined by the Child and Family Agency. In the rush for the Child and Family Agency to reduce costs, this decision will do untold damage to the future of the network and impact on the thousands of people who depend on the services it provides. This will happen because the collective knowledge and information gathering of the network will be lost. I urge the Minister to think of the bigger picture and protect the Rape Crisis Network Ireland, maintain its funding and allow it to continue to provide this vital service.

Deputy John Halligan: Sexual violence remains one of the most under-reported and under-recorded violent crimes in this country. It is notoriously difficult to evaluate the levels of the sexual crime and I, the Rape Crisis Network Ireland and other women's organisations would suggest the available figures only represent the tip of the iceberg. Ireland is still out of step with international standards and badly under-funded when it comes to treating sexual assault victims.

Rape crisis centres around the country have seen their Government funding cut by up to 31% since 2009. Despite a huge increase in the need for the organisation's services, some centres are starting 2014 with budget deficits of over €100,000 due to funding cuts last year. This year-on-year reduction in core funding has resulted in the curtailing of services, including education programmes, dedicated clinics for asylum seekers and, significantly, helpline hours and counselling services. In other words, thousands of calls are already being missed every year because of this.

There has been an increase of 23% in first-time callers to the national 24-hour helpline operated by the Dublin Rape Crisis Centre since 2010. International research suggests that sexual violence, and violence against women in particular, increases in times of economic recession, and our own statistics support this theory. In 2012, according to figures I received today, 54% of all calls to the national helpline related to adult sexual violence. Some 41% of sexual abuse incidents disclosed by 322 new clients in 2012 alone included other forms of violence, such as physical and psychological abuse, intimidation and threats to kill.

In conclusion, it is a false economy to cut funding to services. Both the World Health Organisation and the World Bank have produced findings on research commissioned on the cost of violence against women and girls in societies. In the UK alone, the economic cost is estimated to be €26 billion annually.

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I thank Deputies Pringle and Halligan for raising this important topic and I welcome the opportunity to clarify the situation. I absolutely share their concern about this issue in regard to sexual violence and the need to have a cohesive and comprehensive response. Yesterday I had the opportunity to work with the Rape Crisis Network Ireland when I launched two more of its very valuable reports into sexual violence in this country and the various issues that arise in regard to it. For all of those reasons, I welcome the opportunity to clarify the Government's approach to strengthening the provision of domestic and sexual violence services.

While overall responsibility for policy in this area rests with the Minister for Justice and Equality, the new Child and Family Agency, which is under my remit, has specific responsibility for funding rape crisis centres previously funded by the HSE, and it is in that context that I am responding to the House.

The decision taken by the Government to set up the new agency was informed by the work of the task force which I established in September 2011 and which reported in July 2012. The task force considered that domestic and sexual violence services should form an integral part of the remit of the new agency due to the significant impact domestic violence has on children's welfare, as the Deputies have outlined. The recommendation of the task force relating to domestic and sexual violence services was accepted by Government and discussed in this House when we put the legislation for the establishment of the agency through the House some weeks ago. The functions of the agency include responsibility for the care and protection of victims of domestic, sexual or gender-based violence, whether in the context of the family or otherwise.

This area is now, for the first time, under national direction. I want to advise the House that, as part of the establishment of the new Child and Family Agency, a dedicated position of programme manager for domestic, sexual and gender-based violence is being created, so we now have national co-ordination for the first time. The new national programme manager, who is herself very skilled and experienced in the areas to which the Deputies referred, will take up

her position on 3 February next.

Funding has also been separated out in order to get absolute clarity given that, previously, it was part of a very broad HSE budget. The budget that has been identified is some €17.4 million for the provision of domestic and sexual violence services. It includes the funding of 60 services throughout the country, comprising €10 million for 20 crisis refuges, more than €4 million for 16 rape crisis centres and almost €3.5 million for 24 support services. Since the establishment of the agency on 1 January 2014, there has been a single line of accountability for all resources made available to services responding to domestic, sexual and gender-based violence. Previously, there were a range of local funders in children's services, primary care and social inclusion. I further assure the House and have checked again this morning that funding is ring-fenced to provide front-line services in this area.

With respect to support services, I am advised that the Rape Crisis Network of Ireland, RCNI, had a two year contract with the HSE which was due to finish on 31 December 2013. I have discussed this matter with Gordon Jeyes who has been in detailed discussions with the RCNI right through to the end of December when it was fully briefed on the position in place and what was happening. The contract was extended to 31 March 2014 but due to the level of the support services involved and the value of the contract, a tendering process for reappointment of a service is required under EU regulations. We have had many discussions in this House in recent days and weeks about governance, regulations, voluntary bodies and following proper procedures. That is the situation in respect of that particular funding.

The national programme manager with special responsibility for domestic, sexual and gender-based violence will work with the head of procurement in the agency to develop a tender process. It is open to all qualified providers, including the RCNI, which has an excellent track record, to tender for this new contract. As the provision of these supports will involve a tendering process, I hope the House appreciates that I cannot go into too much further detail in advance of the contracts being placed.

Due to the complex nature of the issues involved in domestic and sexually based violence and the need for a co-ordinated and effective response to these issues, the national office for the prevention of domestic, sexual and gender-based violence, Cosc, was established as an executive office in the Department of Justice and Equality in 2007. Cosc formulated a comprehensive cross-Government strategy which combines the best efforts of a very broad range of organisations in this area. This strategy runs to 2014. Cosc is currently in the process of preparing a new cross-sector strategy. This will be important as well.

I believe we have the right structures in place, as I have outlined, to drive forward the much-needed reform of children and family services. We will continue to deliver. I accept the point both Deputies are making about the priority in this area and the importance of the work. We want to deliver a comprehensive and integrated service to vulnerable children and their families, and this will require the support of various Departments and agencies and the support of society in general. We need a broad community response to the issues outlined by the Deputies. There is a new EU directive on working with victims of domestic violence that highlights the need for a very broad-based response in communities. I look forward to discussing that in the House as well.

Deputy Thomas Pringle: I thank the Minister for her response. It raises a number of questions she might address. I take her point that the provision of new services must go out to tender

under EU rules. However, this should not be viewed as an economic transaction. It should be viewed as a facility that is important for victims throughout the country. I do not believe the EU tendering rules would state that it must be viewed as a commercial tender. This State could say that this is a vital service for the protection of victims and exceptions could be made to the tendering rules relating to that.

Will it be tendered on the basis that the lowest tender will be accepted? Will the tender reflect the quality of information, the level of support and the amount of work that is required? The Minister said the funding will be ring-fenced. Will it be like the disability funding in the Department of Health where we heard that €35 million was being ring-fenced every year, yet we see that an amount way below that has been spent? Is this the situation that will develop in respect of this? Is the €250,000 allocated for the RCNI ring-fenced for the new contract as well?

Deputy John Halligan: I concur with everything said by my comrade, Deputy Pringle. The rape of a woman violates her human rights and dignity. It always has catastrophic effects on the quality of life of the woman who has been violently assaulted, because the violence is not only sexual but can sometimes be extreme and inflict personal and physical damage to the woman. I met some rape victims in the Dáil and spoke to them. It was very difficult for me to listen to what they had to say. I can only say this from my heart in representing women. Recovery for a woman who has been violently assaulted and sexually abused can be complex and difficult. I recognise that it takes a lot of counselling, time, effort and money but, as I said in my opening remarks, a woman's life can be irreparably damaged. Her family and children can be affected, her ability to indulge in sex with her partner or husband can irretrievably be damaged and her capacity to think positively can be destroyed. We must be careful when we are talking about cutting funding to that individual woman if she requires complex counselling that costs money and a lot of time and effort. I know the Minister would agree with me on this and I would never argue with her about it. I am sure the Minister has met women, as have I. Money should not be a factor in respect of repairing or at least helping to repair a woman's life.

Deputy Frances Fitzgerald: It is critical that victims of sexual violence have access to services. I have stated my commitment and that of the Government to ring-fence the front-line services that reach out to women and men in that situation. It is very important in this discussion that we separate the importance of support for victims of crimes, including crimes of a sexual nature, and support for services which work with those victims and provide such a comprehensive service throughout the country from the tendering process for a particular piece of work where there are contractual obligations and EU regulations that must be followed if substantial funding is being made to any one provider. I am bit surprised by what Deputy Pringle said about changing the rules in respect of the tendering process because these rules are laid down in law and must be followed, but I take the spirit in which he raised it, which is to accept that invaluable work is being done by the RCNI in terms of the various support structures it offers to rape crisis centres.

I take the point the Deputy is making about the importance of the work but I have outlined very clearly that the intention is to ring-fence front-line services. I have outlined the amounts of money that are going to those services and the very clear position in respect of the tendering process for specific work. I would not want that to be seen as undermining in any way the work that has been done by the RCNI with victims and other organisations.

29 January 2014

School Accommodation

Deputy Derek Keating: I thank the Ceann Comhairle for giving me the opportunity to address this issue. If I go over my four minutes, perhaps the Acting Chairman could show me some flexibility?

Acting Chairman (Deputy Seán Kenny): I am limited by Standing Orders as to what I can do.

Deputy Derek Keating: I accept that. During my 15 years as an elected public representative in Lucan, St. Thomas' national school, St. Thomas' junior national school and Scoil Áine Naofa have been promised new buildings to meet demands and address the unacceptable and chronic state of the prefabricated classrooms that currently exist. The Minister for Education and Skills, Deputy Quinn, knows about this situation, as I have discussed it with him formally and informally.

These two schools have been promised new buildings a number of times, interestingly, just prior to general elections. Once Fianna Fáil was elected, however, their files went to the bottom of the list. The current circumstances cannot continue. The health of children is being put at risk. Parents, teachers and community leaders are joining with me in demanding that at least a remedial response be put in place to address this crisis and to deliver what is required, that being, two new schools for an educational institution that serves and is the most sought after in a community that is among the fastest growing in the country and with the youngest population.

A further major issue that has caused considerable hurt and confusion is the Minister's reported comments last weekend on less teaching of religion in school. These two schools have strong church names. In Lucan, there is a belief that a secular policy has been adopted. Both schools are, for all intents and purposes, multid denominational and multicultural, a fact they celebrate at every opportunity.

The problem is that these buildings are old. The temporary buildings need to be replaced. There is a crisis. I have formally asked the Minister to meet a delegation. I would be happy to organise that meeting. In light of the serious question arising about the criteria being used and given our limited resources and the Department's positive response in seeking to address the many educational and school building needs that remain outstanding due to the legacy that we have inherited, I cannot understand why these schools have not had their needs addressed. With respect, other schools do not have the same obvious needs, including damp, unsatisfactory and unhealthy prefabricated buildings.

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I thank the Deputy for raising this matter, as it provides me with the opportunity to clarify the position of the application for major capital funding from the St. Thomas' junior and Scoil Áine senior national schools in Lucan. I am somewhat familiar with the issue, as it has been raised with me a number of times by the Minister for Children and Youth Affairs, Deputy Fitzgerald, and other Government colleagues in the area.

St. Thomas' and Scoil Áine are junior and senior primary schools, respectively, catering for both boys and girls operating under the patronage of the Catholic bishop of Dublin. The St. Thomas' junior school has been in operation since 1976, with Scoil Áine opening in 1980. Enrolments at St. Thomas' for the school year 2012-13 amounted to 514 pupils, an increase of

8% over the past five years. Enrolments at Scoil Áine for the same school year amounted to 531 pupils, an increase of 6% over the past five years. Since last September, St. Thomas' has had a principal plus 18 mainstream teaching posts and Scoil Áine has had a principal plus 19 mainstream teaching posts. There is no question but that these are significant learning institutions in a densely populated part of Dublin city.

The brief for the major building project is to provide two 20-classroom schools and appropriate ancillary accommodation, including general purpose rooms. This is to be provided on the current school site. The design team for the project was appointed in March 2012. The project is at an early stage of architectural planning. Stage 1 was approved in May 2013 and the boards of management and their design team were authorised to proceed to complete stage 2A, which involves developing the more detailed design of the schools. The stage 2A report is nearing completion and a date is being finalised between my Department's officials, the boards of management and their design team to hold a stage 2A stakeholders meeting. Thereafter, and assuming no other issues arise, the project will be progressed to stage 2B, which is the final design stage of the architectural planning process and includes statutory applications along with completion of the tender documents.

The Deputy will be aware that 28 additional projects not previously included in the five-year construction programme were authorised to progress to construction under the jobs and investment package announced last July. This was made possible by the allocation of an additional €50 million for my Department's capital programme. All of these projects had secured planning permission and were nearing completion of stage 2B. In other words, they were very close to beginning construction. At the time, it was appropriate that they be included as additional projects. However, the project for St. Thomas' and Scoil Áine was not at a sufficiently advanced stage of architectural planning to be considered for inclusion at the time. The project remains available to be considered for progression in that context should further funding become available.

Regarding temporary accommodation on site, a review of a number of the units at Scoil Áine took place in 2013 and a devolved grant of €200,000 was sanctioned to provide two new classrooms to replace some of the existing temporary units. My Department has no applications on hand for replacement temporary accommodation at either school. However, if there are prefabs in poor condition, it is open to the boards of management to submit applications for replacement accommodation in the interim.

Deputy Derek Keating: Lest I forget to do so at the end, I thank the Minister of State. I must impress on him the need for an urgent meeting. I have spoken to the Minister, Deputy Quinn, about this matter. I do not know whether he had a chance to speak with the Minister of State beforehand, as he could not attend, but I would be grateful if the Minister of State could confirm whether the Minister has agreed to meet a small delegation from the schools.

The boards of management and authorities at the St. Thomas' and Scoil Áine schools will take no comfort from the fact that the project remains available for consideration for progression should further funding become available. The Minister of State will not be surprised to hear me say that. He provided a history of the project. Despite the fact that the project was not at an advanced stage at a particular point, it had previously gone through the hoops several times. There is frustration all around.

I assure the Government that the significant increase in the number of pupils witnessed

29 January 2014

during the period set out by the Minister of State would have been far greater had there been the capacity. The boards of management have needed to make difficult choices because of the restrictions on their accommodation.

Although further funding was made available for temporary accommodation, I assure the Minister of State that some of the conditions would need to be seen to be believed. I hope that the Minister will be able to experience them for himself at the appropriate time through the meeting that I have requested, which I hope the Minister of State will now confirm.

Deputy Ciarán Cannon: The 28 other projects that were included in the stimulus programme last year were either ready to go to construction or close to it. Planning for a substantial development such as this one is a tortuous process and requires significant input from a school's community and the Department's architectural and engineering experts. It is safe to say that the project in question is far along that process. Indeed, it is nearing the end. I assure the community that the process is ongoing and will continue until the project is at an advanced stage of architectural planning and is considered for inclusion in any other stimulus programme that may arise.

If very poor conditions obtain in some of the prefabs, it is open to the boards of management to make an application for replacement temporary accommodation. Following a policy in the programme for Government, we have replaced almost 45% of prefabs across the country. We agree with the Deputy wholeheartedly that we do not need our children to be educated in what were supposedly temporary replacements but became permanent solutions for many schools.

The Minister confirmed to me today, following communication from the Deputy, the Minister for Children and Youth Affairs, Deputy Fitzgerald, and other Government colleagues in the area, that he is available to meet the board of management and perhaps representatives of the wider school community with a view towards reassuring them of the significant progress that has been made to date on this project under this Government and outlining to them where we go next in delivering it ultimately.

Schools Building Projects Administration

Deputy James Bannon: I thank the Ceann Comhairle for taking this important Topical Issue matter this afternoon, the purpose of which is to highlight the urgent need to provide two additional classrooms during the refurbishment of the existing school at St. Matthew's national school in Ballymahon, County Longford. Currently the school project involves major renovations of the old boys' four classroom school, with an additional four new classrooms, library, staffroom, four special tuition rooms, store and associated ancillary works - toilets included - and the doubling in size of the general purpose room and playing area.

The current project is at an advanced stage and it would make a lot of sense to have the additional accommodation provided now for a variety of reasons. The most important reason is from a health and safety point of view while the pupils are at alternative accommodation. It would also eliminate the provision of temporary additional prefabs to meet the needs of the school and avoid the board of management going down the devolved grant route. The Minister of State said that since this Government came to office, we have got rid of 45% of prefab buildings in our schools. To force the board of management of Ballymahon national school to go down this route would be a retrograde step, and perhaps the Minister of State would take note

of that.

There is an urgency to provide these classrooms to facilitate the demand for places at the school caused by the increased population levels in the Ballymahon area of County Longford. There was a rural school a few years ago in Gurteen, just outside Ballymahon. When it closed the pupils from the area came into the town of Ballymahon. It is a rapidly expanding area with a population that has increased by more than one third in the last 15 years or so, according to the latest census figures, and is still rising as a result of increasing pressure for housing in the area due to being a satellite town for the city of Athlone. Families are moving into the town to accommodate the increasing overspill from Athlone. Property is cheaper in Ballymahon than it is in Athlone and that is enticing families to move to this town. Those houses are primarily occupied by young families, which leaves a much greater demand for school places in Ballymahon than was the case ten or even five years ago.

St. Matthew's national school is one of the main providers of primary education in the area and urgently needs these extra classrooms and other facilities. The building programme for this school has been the subject of many questions and representations by me since the early architectural stage was initiated when more than 200 pupils were accommodated in the old building. The current pupil numbers stand at 239, already qualifying for nine classes. I understand that extra prefabs have been approved by the Department and I also understand that there are 28 students enrolled for September even before enrolment day in March, which will bring it to a quota for ten classrooms. I also understand that the National Council for Special Education has identified the need for a special needs unit for south Longford at Ballymahon.

I compliment the board of management at the school in Ballymahon, under the stewardship of Sheelagh Canavan, as well as the principal, teachers and staff at the school for their work on this project to date. I have had great co-operation from them as a public representative for the area. It would make a lot of common sense, from a health and safety point of view, a security point of view and so on, to finish the project now that there is a contractor on site. It would be a retrograde step not to complete the project at this stage.

Deputy Ciarán Cannon: I thank the Deputy for raising this matter as it affords me the opportunity to outline the position on the building project for St. Matthew's national school in Ballymahon, County Longford, in the context of the Government's overall strategy for capital investment in education projects over the next few years.

Decisions relating to meeting the accommodation needs of schools, including St. Matthew's, over the coming years must be considered in the context of the need for additional school places at both primary and post-primary level. I have previously outlined to the House the scale of the demographic growth in the school-going population which must be catered for under the five year construction programme to 2016 and subsequent years.

To meet this need, the Department must establish new schools as well as extending or replacing a number of existing schools in areas where demographic growth has been identified. The Department's overriding objective in identifying school building projects to progress to tender and construction is to ensure every child has access to a physical school place and that our school system is in a position to cope with increasing pupil numbers. To ensure this is achieved, the delivery of major school projects to meet significant demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year school building programme that the Minister, Deputy Quinn, announced in March 2012 is

focused on meeting those demographic needs.

The school building project for St. Matthew's mixed national school was included in the Department's five year plan and was announced to progress to construction in 2012. The project encountered some delays initially but subsequently progressed to construction in May 2013. After the project began construction, the school authorities sought to change the brief by adding additional classrooms. There is always a considerable contractual risk in seeking to change the brief of a project once construction has begun. Following a review of the long-term requirements for St. Matthew's national school, it was agreed to provide additional accommodation, either by way of change order on the current contract or as a devolved grant. As two classrooms are required in the short term, with a further two likely to be required at a later stage, it was agreed to seek planning permission for four classrooms.

The additional accommodation sought by the school authorities equates to approximately 26% of the overall accommodation being provided. Given the advanced stage of the project on site, the proposal at this late post-contract stage of the project to add accommodation opens up considerable contractual risk and associated cost to both the school and the Department, as the funding authority. In light of this, the more appropriate means of delivering further accommodation at St. Matthew's national school is by way of devolved funding, under a separate contract.

Deputy James Bannon: I thank the Minister of State for his response. It is not what I had hoped to hear in the response, but I would like to let him know that planning permission has been granted for 12 classrooms at this school. To proceed with the devolved scheme would greatly affect the development of the school, and there would be a loss of extended car parking space, a play area for children and so on if it were to go down this route after a 12 month period. The devolved scheme, under a new tender appointment, could only begin work after a period of 12 months in which a contractor is responsible for the current building. The delay would be unnecessary. The pupils are out of the school at the moment. They are in alternative accommodation and if the students were put back into the school, we the board of management would have to provide, with the assistance of the Department, security around the school while the two classrooms were being constructed. This will have a knock-on effect of forcing the board of management to request the funding of temporary accommodation for the forthcoming academic year.

The Minister of State indicated it is Government policy to eliminate the use of prefabricated buildings. It does not make sense to waste money hiring or purchasing prefabricated buildings when the project could be completed while builders are on site. I plead with the Minister of State to ensure common sense prevails and the position is reviewed as quickly as possible. I ask that a meeting be arranged between the board of management of the school and the Department's building unit to try to advance this project.

The two temporary classrooms and additional special tuition prefabricated unit are to be located adjacent to a play area at the front of the new school building. This will have a negative visual impact on the building and will give rise to complaints and annoyance with the manner in which the Department operates. I ask that the Department take a common sense approach and allow the current contractor to complete the project in full.

I also acknowledge positive developments in the schools building programme. For example, the Department is building one of the finest schools in the midlands in Edgeworthstown.

The construction project is at an advanced stage and the school will be the largest in the mid-lands when completed.

Deputy Ciarán Cannon: The Department is most definitely adopting a common sense approach in dealing with matter. The Deputy suggested that a meeting be arranged with the board of management. A meeting with the board took place last August and there has been significant and ongoing communication with the board since then.

The architects and engineers working in the Department's building unit possess great wisdom, knowledge and experience. There is always a considerable contractual risk in seeking to change the brief of a project once construction has commenced. While it may have been possible to do so at an earlier stage, the works have reached an advanced stage. The timing of the application from the school authorities, the need to design the proposed changes, the current progress on site and the cost of the works present a considerable contractual risk to the board of management and it would not be wise to subject it to such risk. The option remains of progressing the application for two additional classrooms via a devolved grant. This approach is the most cost effective, low risk option for the school authority.

Sitting suspended at 1.45 p.m. and resumed at 2.45 p.m.

Estimates for Public Services 2014: Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Justice, Defence and Equality has completed its consideration of Votes 20, 21, 22, 23, 24, 35 and 36 for the year ending 31 December 2014.

Industrial Development (Forfás Dissolution) Bill 2013: Second Stage (Resumed)

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

Deputy Finian McGrath: I welcome the opportunity to resume my contribution to the debate on this important legislation. I also welcome the Bill and many of the proposals in it. It is important that industrial development in this country is taken seriously. The past five or six years have been difficult for us and we need to up our game. For this reason, I welcome this legislation.

I referred earlier to the crisis in youth unemployment in this State and across the European Union, in respect of which the Government needs to wake up and face the reality. I will deal further with this issue later in my contribution. Small and medium-sized businesses need our help and can no longer be ignored. I have been concerned, particularly in recent days, about the level of complacency around this issue. These issues must be addressed head on. We must support the people on the ground and address the issues affecting them.

The Bill provides for the dissolution of Forfás, which since its establishment in 1994 has been Ireland's policy advisory board for enterprise, trade, science, technology and innovation. It also provides for the transfer of certain functions of Forfás to the Minister for Jobs, Enterprise and Innovation, Enterprise Ireland, IDA Ireland and the Health and Safety Authority.

It is important when dealing with issues such as innovation and job creation for young people that targets and objectives are set. We have many talented people in this State, many of whom have brilliant ideas. These people need to be nurtured and developed rather than allowed to emigrate to places like Australia, America, Canada and so on. The emphasis of Government over the next couple of months must be on addressing the youth unemployment issue. The youth unemployment rate in Ireland began to rise sharply in 2007. Between 2007 and 2009, it rose from 9.1% to 24% and increased steadily to 30.4% in 2012. The youth unemployment rate in the EU 28 also rose during this period but at a slower rate and from a higher base. It rose from 15.8% to 20.2% between 2007 and 2009 and to 23% in 2012. The rate of youth unemployment in Ireland remained high during 2013 at between 27.6% and 28.5%, with the latest figure for September 2013 being 28%. The Irish rate represents approximately 60,000 young people. The EU rate for September 2013 was 23.5%, which represents approximately 5.6 million young people. This means there are 60,000 young people in this State and 5.6 million young people across the European Union who need support. These are the generation of people we need to get into the job market in order that they can make their contributions and pay their taxes, thereby providing us with the revenue to develop services. I ask that the Minister of State take on board my proposals in relation to this legislation.

Long-term unemployment is another concern. However, it is less prevalent among young people than it is among the general population. That is something we must focus on as well. In the fourth quarter of 2012, of those young people who were unemployed, over two fifths had been unemployed for one year or longer. By the second quarter of 2013 the figure had fallen to just over one in three. By comparison, among those aged 25 or over, in the second quarter of 2013 almost two in three were classified as long-term unemployed.

Recent Irish research has indicated that the risk factors for young unemployed people becoming long-term unemployed include previous experience of being unemployed for over 12 months; literacy and numeracy problems; no formal education; and living in a suburban area. We should consider the causes within the 60,000 figure as well. The issues of numeracy and literacy keep popping up. If we lose a young generation these young people will cost us a good deal of money in the end and we will destroy many young lives and stop people from contributing to society and the country. The important or key thing is early education. If young children are coming through with literacy and numeracy problems we must intervene at junior infants. There is no use in doing it in sixth class when they are 12 or 13 years of age. Much of the damage is done by then and many of those children end up in trouble. It is important to consider these issues as well.

When we are examining the youth unemployment figures it is important to recognise that there are young people at risk. These are the people we should target for jobs. For example, let us consider the criminal justice sector. Many people do not know it, but it is estimated that over 5,000 young people will come in contact with Garda youth diversion projects in 2014, a high figure. These are projects to try to help young people from getting involved in crime. Let us consider the figures. I note the Minister for Justice and Equality seems to have been clapping himself on the back in recent days over crime figures and so on. However, the reality is that if there are 5,000 young people coming in contact with Garda youth services, then there is an issue that must be identified.

By the end of December 2013 Operation Fiacla had led to the arrest of 7,610 persons while 4,342 persons have been charged as a consequence. There is an issue with crime and dysfunctional sections of Irish society and we need to deal with that. If the Government does not deal

with these issues, then there is no point in coming to the House with legislation or talking about economic and industrial development and changing the system. Naturally, this legislation is positive and the Minister's decision to integrate Forfás into the Department of Jobs, Enterprise and Innovation has resulted in the reduction of board membership since 2012.

Let us consider the role the Department of Jobs, Enterprise and Innovation. It is responsible for enterprise policy in Ireland. Some excellent ideas have come forward and I welcome that. There are some excellent staff members in the Department who have made a major contribution. However, it is important to consider the mission of the Department now and again. The mission of the Department of Jobs, Enterprise and Innovation is to support the creation of good jobs by promoting the development of a competitive business environment in which enterprises will operate to high standards and grow in sustainable markets. That is an objective and mission every Member should support. However, we must also ensure that when we are referring to good jobs we do not include young people who are being exploited in low-paid jobs. Some are not getting any money and we have seen examples of this in recent days.

Furthermore, we must deal with the problems of enterprises and give them a chance to become competitive. A man was in my constituency office yesterday morning who runs a small business whose commercial rates went up by 177%. This is a small business on the northside of Dublin. This man is pulling his hair out over the costs because he wants to employ more people. Some of these businesses may only employ between three and five people, but that is a major contribution to a local community. If we give three or five people a job then we make a major contribution to the economy. It is well and good to look at the big stars coming in and big announcements, like the announcement in Cork recently. I wish them well and I put it to the Minister of State that this is a positive development. However, we must not forget the small people and businesses that need our support and that are being squeezed. They have created thousands of jobs.

Let us dig further into the legislation. Section 3 provides that any expenses incurred in the administration of the Act shall be paid out of moneys paid by the Oireachtas. However, the good news is there are no costs to the Exchequer arising out of these proposals, something I welcome. This is important because we have been talking about efficiencies and saving money and we should be sensible about these things.

Sections 18 and 19 transfer the functions of Forfás to Enterprise Ireland, IDA Ireland and the Minister. The sections will come into operation on the dissolution day. I note one point about Enterprise Ireland and IDA Ireland, in fairness to them. I join my colleagues in paying tribute to them for the significant work they have done. They have made a major and positive contribution to the economic development of the country. The people in Enterprise Ireland, IDA Ireland and the civil servants in the Department have made a fairly major contribution to the economic development of the country and we should not be afraid to say as much.

Several functions conferred on Forfás will be assigned to Enterprise Ireland and IDA Ireland. The Bill will transfer these functions to Enterprise Ireland and IDA Ireland and that is a positive development.

Since I am discussing the economy and the matter of developing enterprise and innovation, I encourage the Minister to give a little extra focus to the small and medium-sized enterprise sector and the issue of youth unemployment. Only three countries, Germany, Netherlands and Austria, had a youth unemployment rate below 10% in 2012. Ireland was one of seven coun-

29 January 2014

tries, including Spain and Greece, which had a youth unemployment rate over 30% in 2012. The figures speak for themselves. We need to wake up, smell the coffee and respond to youth unemployment.

I accept the fact that there is a good deal of talk on youth unemployment but we need to get away from the talk and come up with some ideas. The European Union has been discussing youth unemployment since the late 1990s. It has come up with some employment strategies. However, we need to look effectively at these and determine whether they are working. We should examine how to use the European Social Fund and Structural Funds to target specific youth employment measures. We should focus on the fast-tracking of the youth employment initiative, which has a new focus and a budget of €6 billion for 2014 and 2015. We must ensure that money is used between 2014 and 2015. There has been a re-launch of the joint youth employment action teams in member states experiencing high rates of youth unemployment. However, the bottom line is that as well as training and education we have to be about creating jobs.

I accept that many of the policies of the Government have focused on addressing the needs and capacities of employers to create stable employment opportunities for young people and to deal with the issue of taking on young employees. We should examine this and determine whether we can deal strongly and sensibly in this area. The State will supplement wages of young people and reduce employer costs associated with employing young people, a matter I referred to earlier in my contribution. It dedicates particular funds for programmes which support youth unemployment, for example, programmes which match local training programmes and local employer demands, which make employment protection legislation more flexible, and which, in some cases, emphasise self-employment and entrepreneurship among young people. These are things we need to examine closely.

Let us dig further into the legislation on the transfer of Forfás. We need to be conscious of the staff issue because that is important. Section 24 provides for the remaining staff of Forfás to be appointed to unestablished positions in the Civil Service. The terms and condition of service relating to remuneration and superannuation can be no less favourable than those applying before the transfer. Section 24 is important. Section 25 provides that the superannuation schemes administered by Forfás prior to dissolution will continue in force as if made by the Minister. Section 14 provides that Forfás staff transferring to the National Standards Authority of Ireland must be on terms of superannuation no less favourable than those applying before the transfer. Many of the staff have done excellent work in recent years especially at this difficult time in our economic history.

3 o'clock

Forfás has approximately 90 employees. The staff of the organisation will be affected in that they will become staff of the Department and other bodies. Staff transferring to the Department will do so either as civil servants or fixed-term employees, as appropriate.

It is important in considering this Bill to focus on the key issues I have outlined. We have a major problem in this country in terms of youth unemployment, as well as a broader problem of long-term unemployment and emigration. We need radical and fresh ideas to tackle these problems. Reform of public services is essential, but it must be done in a positive and constructive way. We should not be afraid of returning to the ethos of public service in the true sense of serving the public. This legislation is relevant to that agenda.

I take the opportunity to pay tribute to the people who work hard to bring jobs into this country and develop the small business sector. We need factories and the jobs they supply, but we also need development. We have many people with new ideas in this country, including in Howth, Coolock, Darndale, Marino, Killester, Clontarf, Beaumont and right across the north side of Dublin, as Deputy Broughan well knows. They are a very talented group of people.

Deputy Thomas P. Broughan: The Deputy is surely not forgetting Donnycarney.

Deputy Finian McGrath: I reserve a special mention for Donnycarney. There are young people with excellent potential throughout this city and this country. We must ensure they have opportunities to avail of employment and thereby secure the future of the State. If we get them on board, they will pay their taxes and look after our senior citizens. The pensions issue will thereby become null and void.

I welcome the debate on this legislation. Any effective type of reform is deserving of support. I urge the Minister of State to take every opportunity for creating employment and implementing feasible new ideas, particularly from young people. The Government must place a special focus on youth unemployment and work to tackle the huge crisis we are facing in that regard. It is not acceptable that up to 30% of young people in this country are out of work, and 6.5 million across the European Union. I hope the Minister of State will take on board the issues I have raised.

Deputy Jonathan O'Brien: The Minister of State, in outlining the technical nature of this Bill, made the important point that these proposals cannot be seen in isolation but as part of a broader range of policy development initiatives. There is no doubt that the Department of Jobs, Enterprise and Innovation has a significant job of work in terms of legislation to be brought forward. We discussed some of this workload last week during the question and answer session with the Minister of State regarding collective bargaining, workplace relations and the ongoing delays in that regard.

While we do not oppose the Bill in principle, we look forward to examining its provisions, some of which are very technical in nature, in more detail on Committee Stage. The Bill proposes to dissolve Forfás and assign powers to agencies such as Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the Irish National Accreditation Board to function as employers in their own right, including, for example, the capacity to establish superannuation schemes. As it stands, Forfás is the statutory employer. In this context, we welcome the commitment that terms and conditions of employment will transfer over, which is reassuring for personnel within the organisation.

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

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

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

The opening sections of the Bill give powers to agencies such as Enterprise Ireland and IDA Ireland, as I have said, to become employers in their own right, including the capacity to hire staff. These provisions will be subject to approval by the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, which is reasonable. However, the Minister of State knows as well as I do the realities of the current economic situation. He indicated in his opening statement that these proposals do not represent a cost-saving measure and I accept his word in that regard. He did indicate there would be savings in the long term, which is welcome. However, reforms of this type should never be initiated merely on the basis of potential cost savings. With that proviso in mind, I accept the Minister of State's position that these proposals represent a policy decision to develop efforts in regard to job creation.

We have seen leaked reports from Enterprise Ireland on the impact of reductions in staffing levels on its ability to carry out its functions. IDA Ireland had a good year in 2013, for which it should be commended. It did not, however, achieve all of its targets, including the undertaking to ensure 50% of investment would go outside the main urban areas of Cork and Dublin. Can the Minister of State confirm that the failure to meet this particular target was not down to a resourcing issue? There is no point in legislation which gives organisations such as Enterprise Ireland the capacity to become employers in their own right if the Minister for Public Expenditure and Reform is not prepared to loosen the purse strings to accommodate that. If additional recruitment is needed to allow organisations such as Enterprise Ireland and IDA Ireland to work at the optimum level, then the Department of Public Expenditure and Reform must be open to it. I presume the Minister of State has been lobbying the Minister, Deputy Howlin, on these issues.

This Bill contains good proposals which we intend to support. As I said, however, we might well bring forward amendments on Committee Stage. We look forward to examining some of the provisions in more detail, particularly in respect of the strategic policy division and how it will work in practice. It sounds great in theory but we need to go through the nuts and bolts of what is proposed and how it will work in reality. I look forward to a robust debate on Committee Stage.

An Leas-Cheann Comhairle: The next speaking slot is being shared by Deputies English, Jim Daly and Kyne.

Deputy Damien English: I welcome the opportunity to contribute to the debate on this important legislation, the Industrial Development (Forfás Dissolution) Bill 2013, which allows

us to reflect on efforts relating to job creation within the economy and the important role of research, development and innovation in driving progress in this regard. Although there has not been a great deal of shouting and roaring about it, this is an important Bill. There has been a great deal of focus on reform in the media of late, and rightly so. If we are not prepared to advocate reform, we should not be in public life or Members of this Parliament. While some people like to discuss reform in abstract terms, those of us in government must get our hands dirty in the context of implementing such reform. The Bill involves important reform but that reform is not the kind which garners headlines. One will not see reports about it on the front pages of newspapers or on television news programmes because it is not sufficiently striking. However, this legislation is going to be extremely effective.

Reform can take time to achieve. When it came to office, the Government outlined proposals for Forfás to be subsumed into the Department and in respect of bringing other agencies such as IDA Ireland, Science Foundation Ireland, etc. back into a central position. One of Fine Gael's and the Labour Party's key campaign pledges during the general election related to the need to get rid of quangos and streamline government. The introduction of this Bill marks the fulfilment of another election promise. It is important the House and our friends in the media should note this because it is both good news and a further step on the road to reform. Slowly but surely, the Government is making progress in respect of the changes it wishes to make. Much of the reform relates to how Departments are run, how we do business and how to streamline the decision-making process in the context of the analysis and research that is carried out. I hope that when it is subsumed into the Department, Forfás will play a central role in driving and informing the decision-making process employed by the Ministers and their officials.

It is important to state that the Government is not eliminating Forfás just for the sake of doing so. Rather, it is attempting to strengthen the Department and ensure it will be more proactive in the context of planning for the future, facilitating job creation and addressing any skills shortages or meeting any demands which might arise in the future. What Forfás has always done is carry out analysis and research in order to try to drive the decision-making process, highlight areas in respect of which adaptation is necessary and identify developments for which we must be ready and any problems which might arise.

The subsuming of Forfás back into the Department of Jobs, Enterprise and Innovation is a very positive development. In that context, a positive opportunity exists for solid scientific research, development and innovation to lead the decision-making process of the Department. I hope the amalgamation will be seen in that spirit. At its meeting yesterday, the Joint Committee on Jobs, Enterprise and Innovation engaged in a brief discussion on this matter with the Secretary General of the Department, Mr. John Murphy, Mr. Martin Shanahan, CEO of Forfás, and a number of key staff in the context of Action Plan for Jobs and the role the Department played during Ireland's Presidency of the EU last year. There is a very good relationship between the staff of Forfás and that of the Department. I am of the view that the amalgamation will be seen in the right spirit and that the staff of Forfás will be listened to. A number of the members of the committee referred to the need to protect the research budget of Forfás and to ensure it will not be diverted elsewhere when the amalgamation has been completed. The Minister of State has responsibility for research so I know I am directing my comments to the right person. It is important the research budget is ring-fenced and proper analysis and research continues to be carried out. A commitment in this regard was provided at yesterday's meeting and I hope the analysis and research will continue in the years ahead.

The work Forfás does is very important for and useful to many of those who operated in

29 January 2014

industry and business. In addition, it managed to engage the services of large numbers of experts and is a major player in expert review groups detailed with examining different aspects of legislation and enterprise policy. This engagement with other stakeholders must be built on in the future. I hope the agency's focus on research, development and innovation will drive the policies of the Department. I am sure the Minister, Deputy Bruton, the Ministers of State, Deputies Perry and Sherlock, and the staff of the Department will work with those from the agency and I trust that the correct approach will be taken.

The lack of jobs and the need to generate employment quite rightly dominated the agenda relating to the 2011 general election campaign. Creating job opportunities remains the Government's top priority. The various changes for which the Bill provides relate to getting the Department to a better place in order that it might proactively encourage the creation of further jobs and the development of a stronger, more streamlined and less bureaucratic enterprise environment. I might mention Action Plan for Jobs in this regard, the purpose of which is to try to foster the environment necessary to facilitate the creation of jobs. It is often stated that Governments do not create jobs. Regardless of whether that is the case, they certainly create the environment in which jobs can be generated and foster the conditions which make it possible for enterprise to thrive. The reforms in the Bill relate to changing both the Department and the various agencies for which it has responsibility in order that they might work together in a more streamlined and cost-effective way and deliver results.

Others might not agree but I am of the view we have made good progress in respect of job creation. Unemployment levels have decreased from of 15.1% to 12.4% in the past two years. That is a step in the right direction. Getting below 13% was a major achievement but ensuring the figure continues to decrease each month is key to restoring confidence and rebuilding hope among members of the public.

Deputy Thomas P. Broughan: The fact that people are emigrating by the planeload has been of assistance.

Deputy Damien English: I have not concluded my remarks and I intend to address that matter. No one should deny or try to hide the fact that planeloads of people are emigrating. Let us get real. It was never going to be possible to replace upwards of 400,000 jobs overnight. Replacing those jobs was always going to take a few of years. However, it was still necessary for us to set out our plans and attempt to make serious inroads into dealing with the problem. Action Plan for Jobs is being driven forward by the Taoiseach, the Department and Forfás - Mr. Shanahan is doing a great job in this regard - in order that we might reduce unemployment levels. It is going to take three or four years to bring job creation numbers back up to previous levels and there is going to be emigration. As stated, we should never try to deny or hide that. It must be remembered, however, that an additional 58,000 people obtained employment in the past year. The figures have not been massaged in this regard and those people are occupying real extra jobs that have been created.

When one discusses this matter with people, all they want to be told is that there is hope for the country. The only way to prove there is such hope is to highlight the figures relating to net new jobs. Those figures prove we are making inroads. It will take a couple of years to address this matter but we must give people hope. Those in opposition can question what we are doing but they should not take away people's hope.

Deputy Thomas P. Broughan: That is what those in government did.

Deputy Damien English: There is a need for good news stories. When the Government assumed office in 2011, some 7,000 jobs were being lost each month. The position has been reversed and 5,000 jobs are being created every month. That is a net turnaround of 12,000. A great deal of work has been done, not just by the Government but by people throughout the country, to achieve this reversal. It must be acknowledged that the private sector is creating most of the jobs in question. All we can do is try to assist those in the private sector and make it easier for them to create employment. It is often stated that some of the measures in Action Plan for Jobs are very simple in nature. That is the case but we need to get back to basics. For too long people in this country thought they were making money by selling houses to each other and by developing land. Neither of these activities is enterprise-driven and, as a result, there was a need to return to basics. There have already been two action plans for jobs and there is one more on the way. Each of the plans to date has contained a couple of hundred measures, some of which have proven to be very important and have cost a great deal of money. Those measures have been responsible for driving major change. Many of the other measures or actions have been quite basic in nature but if they are not implemented and if all the boxes are not ticked, business development will be hindered. Everything in the action plans must be put in place to ensure our economy returns to a point where it is enterprise-led and is capable of facilitating the creation of further jobs.

Activity in areas such as retail, construction and domestic banking must be returned to sustainable levels. Youth unemployment was referred to, in respect of which some progress has been made during the past year. That said, it is not acceptable that such high numbers of young people are either not in work or are not engaged with the system. When the budget was being introduced, there were many who criticised the cuts to jobseeker's benefit and allowance, etc. There were reasons for such cuts and not all of them related to the need to make cost savings. A case can be made to the effect that many young people do not engage with the system at all. In other words, they are not in employment or involved in education or training. That cannot be allowed to continue and if it is necessary to adopt a carrot-and-stick approach to remedy matters, then so be it. Most young people to whom one speaks indicate they want to be involved. The majority are trying to get involved but there are others who, for whatever reason, are not engaged with the system at all. There is a duty on us all to remedy this and to ensure they become engaged. I accept it will not be possible to give them all jobs immediately, but we must keep them close to the world of employment, namely, in training or education. If we do that, such people will be in a position to avail of job opportunities as they arise and will not be left behind.

The Pathways to Work document goes hand in hand with Action Plan for Jobs and both are driven by the Government. Forfás has also played a major role in driving these plans forward, especially Action Plan for Jobs. I thank Mr. Shanahan for the work his organisation has done in this regard. I have no doubt that said work will continue when Forfás becomes part of the Department.

While the Government is making positive strides in respect of job creation, it must never lose sight of those who, despite their best efforts, remain out of work. The most recent figures available, from quarter three of 2013, indicate that 280,000 people remain unemployed. I am confident that all these people will benefit in 2014 as the Government's efforts are met with a recovering economy, an increase in consumer sentiment and the development of private sector employment opportunities. The Taoiseach and the Ministers are focused on the need to create jobs.

This Bill will help in the creation of an environment favourable to job creation. Like a previous speaker, I wish to speak for my own county. County Meath is in bad need of jobs as much as anywhere else. We must ensure that job creation is dispersed as best as possible. The first step is to attract companies into the country but it is important that every county gets a chance for job creation.

Deputy Jim Daly: I welcome the opportunity to speak on this Bill. Like my colleagues I commend the Government on bringing this Bill before the House. I commend the Government's achievements to date in addressing job creation which was identified post-election 2011 as the single greatest challenge. As Deputy English stated, we have moved from a situation where 7,000 jobs a month were being lost to a situation where 5,000 jobs are being created in the private sector. This is a welcome development and is a sign that many of the Government's efforts are paying dividends.

The Ministers and officials in the Department must find it very frustrating because their actions and efforts are never given much publicity. I am pleased to note that the fruits of their labours have been evident over the past 12 to 15 months by way of the announcement of new jobs.

I had a recent conversation with a very senior bank official who has international banking experience. I asked him about signs that the recession was coming to an end in the capital city and whether the boom would return to Dublin but not to Cork and my area of west Cork. He assured me that the history of recessions has shown that all recessions end first in the capital city and then reach the other cities and regions. I am pleased to note that his prophecy is being fulfilled here in Ireland, as shown by the recent announcements of job creation in the city of Cork. The boom is starting to happen and recovery is very evident in Cork. My ambition is to see that recovery moving into the regions into areas like west Cork.

For the past two years I have been a member of a committee in west Cork called the West Cork Jobs Initiative. The committee is comprised of employers with well-known brand names such as SouthWestern Services, Carbery Milk Products, Inchydoney Island Lodge and Spa, *The Southern Star*, Carbery Plastics, Rowa Pharmaceuticals, Keohane Readymix and a professor from UCC. The chief executive officers of those companies are assisting in devising policy to attract jobs into the west Cork region. We have identified a number of challenges such as infra-structural challenges. For example, the N71 needs to be upgraded but, regrettably, this was not done by the previous Government when the money was available. As our economy improves I hope this Government will prioritise the N71 upgrade so we can better develop job creation in west Cork.

The committee has identified that the future for the region lies in small and medium enterprises. We must ensure that proposed legislation is as favourable to the SME sector as to larger companies. I refer in particular to the Government's changes to legislation on redundancy payments. I agree it is not desirable to make it too easy for larger companies to outsource their work and let 300 or 400 people go while the Government pays the larger share of redundancy payments. The onus for payment has been transferred to the employer but this can cause problems for small and medium enterprises. Research undertaken by the West Cork Jobs Initiative shows that many SME employers employing two to five people are fearful of employing additional staff. While the economy is improving they have capacity to take on another employee but they are fearful of the onus on the employer to provide a lump sum redundancy payment if the need arises. The proposed legislation must bear in mind the pressure on SMEs. It could

be necessary to introduce twin-track legislation to ensure that SMEs are not at a disadvantage. They are the future in areas like west Cork as they provide the best hope of job creation.

I am preparing a paper on the issue of redundancy payments and I look forward to bringing it to the attention of the Minister and the Minister of State in due course. I appreciate there must be a balance applied in any changes in legislation. I suggest that such redundancy payments could be spread out over time and legislation must also ensure the protection workers' rights. However, there is a difference in the situation of workers in a large corporation and those who work in a small company with two or three employees.

Deputy Seán Kyne: Forfás has played a primary role in enterprise, trade, science, technology and innovation. Its dissolution and transfer of its powers and staff is part of the reform measures within the Department of Jobs, Enterprise and Innovation to improve the ability of the Department to put in place policies to deliver and create jobs. I commend the excellent staff in the Department who will be joined by excellent staff transferred from Forfás.

The challenges to be met by the Government's jobs and employment strategy change over time to the extent that the approaches adopted in the early 1990s are no longer best suited to the challenges of today. The creation of Forfás and its subsequent successful operation proved that it was a successful policy choice when it was established but the reconfiguration of departments and State agencies has resulted in an overlap in functions and tasks.

The Title of the Industrial Development (Forfás Dissolution) Bill is somewhat misleading and could give the impression that Forfás in its entirety is being abolished. Thankfully, this is not the case. The Bill creates a strategic policy division in the Department of Jobs, Enterprise and Innovation, which will undertake the core policy advisory and research functions. The division will be free to concentrate on the policies that enhance our job creation efforts without the need to focus on administrative issues such as pension arrangements or other non-core functions.

Another positive aspect of subsuming Forfás into the Department of Jobs, Enterprise and Innovation is that it becomes subject to parliamentary questions. One limitation of parliamentary questions is the delay which occurs when Departments have to relay the question to the State agency in question. In other situations Departments, regrettably, declare they have no remit in the particular area being scrutinised. This is not a satisfactory outcome for a public representative whose job is to hold public bodies to account. Members of both Houses receive a large volumes of reports, information packs, action plans, documents and policy papers from across government, business, community and non-government sectors. It would be impossible to digest everything and one has to be selective. I understand completely why a former Taoiseach asked for briefing documents to be no longer than one page, on the understanding that if it could not be summarised on one page then it was not worth presenting.

Reports provided by Forfás have always been excellent. The information contained in the many reports compiled by the agency has always been presented in a clear, straightforward and direct manner with clear recommendations for action and areas requiring attention. Reports such as Ireland's Competitiveness Scorecard, Making it in Ireland - Future Skills Requirements of the Manufacturing Sector and Ireland's Construction Sector-Outlook and Strategic Plan to 2015, are some of the documents which I have found to be very useful, informative and helpful in my role as a Deputy and also as a member of the Joint Committee on Jobs, Enterprise and Innovation. Forfás reports have highlighted the impact of the action plan for jobs. Despite the

detractors, this policy is having a verifiable, positive effect in tackling Ireland's employment crisis. One of the recommendations contained in the jobs action plan is the creation of medical technology hubs. I refer to the launch in Galway this week of Ireland's first facility licensed to manufacture human stem cells. This development will lead to the running of clinical trials in a field of science that will change medical treatment forever. The Minister was present in Galway at that. This is innovation in action and demonstrates what can be achieved when Government, universities and business co-operate. I am certain more innovations, more jobs and more benefits will accrue from this crucial first step in Galway.

I hope Forfás's useful reports will continue to be compiled and distributed. It is very welcome and encouraging that Forfás, in its new guise, will continue its independent analysis and scrutiny. I welcome the Minister's intention that Forfás will retain the ability to directly provide evidence-based, independent advice to the Department. It is essential that the actions we continue to take to improve the job creation environment are based on sound and rigorous analysis, and as we continue the transformation of the economy and face the challenge of changing it from one based on construction and banking to one based on enterprise and exports.

I welcome the statement that this Bill is based on improving the job-creating effectiveness of the Department and is not a cost-saving exercise. This can be seen in the fact that staff numbers are being retained at current levels and staff members are being redeployed to various other sections in the Department.

As the Chairman of the Oireachtas Committee on Jobs, Innovation and Enterprise, Deputy English, said, we heard from members of staff in Forfás and from the Secretary General of the Department last week on the Action Plan for Jobs. That is a very positive step in terms of the number of jobs action plans we have had. We have seen growth in employment over the past number of years. Obviously, there is more to do and I am confident that the inclusion of Forfás in the Department will allow the progression of job creation policies.

Deputy Thomas P. Broughan: I welcome the opportunity to participate in this debate. I recall, probably like the Leas-Cheann Comhairle, participating in debate on the Industrial Development Act 1993 which put the three industry support State agencies - Forfás, Forbairt, now known as Enterprise Ireland, and the IDA - on a secure legislative basis. The 1993 Act was enacted in response to growing concern that the existing IDA was placing too much emphasis on attracting and supporting foreign-based multinationals and the fear that indigenous industry and business were not receiving an adequate level of State support. That concern very much existed in the early to mid-1990s and it still exists today.

While I welcome the Minister's stated intention of strengthening the capacity of the Department of Jobs, Enterprise and Innovation to drive job creation policy, I have some deep concerns that dissolving Forfás entirely may have a detrimental impact on the development of a coherent enterprise policy framework for Ireland. The Government repeatedly talks about its job creation schemes, such as the Action Plan for Jobs, and promoting job creation but despite Deputy English's comments, we still have an unacceptably high unemployment figure, with aeroplane loads of our best and brightest young people leaving this island.

A detailed analysis of the recent unemployment figure shows that part of the reason for the decline in the headline rate is due to increased take-up of schemes supported by the Department of Social Protection, such as JobBridge, but these schemes are doing little or nothing to promote enterprise. One of the lauded measures in budget 2014 was the start your own business

scheme but in reality the scheme is very limited in its application and reach in only being available to persons unemployed for at least 12 months. Of course, many credit schemes have been developed by the Government but there still appears to be a lack of a co-ordinated and coherent approach to the direction the economy will take in the coming years.

Professor Seán Ó Riain of the department of sociology and the National Institute for Regional and Spatial Analysis at NUI Maynooth recently presented a paper, Enterprise Policy and Ireland's Economic Recovery, at a seminar organised by the Nevin Economic Research Institute. Professor Ó Riain gave a comprehensive account of Ireland's past and current approach to enterprise policy, including some of the key strengths and weaknesses of the policy. He referred, for example, to Ireland's reliance on FDI and continued difficulties of policy in supporting and developing indigenous enterprise. He has a positive outlook on some elements in his survey of enterprise policy, in particular the success in the software sector. However, he stated that "existing industrial policy has been relatively weak in addressing the links between the domestic and export economies".

The economist, David McWilliams, made the same point in today's *Irish Independent* in regard to the Cork city business region. According to his analysis, there are two distinct economies in Cork. One is the relatively high paying pharmaceutical industry clustered around Cork harbour - it is the highest paying industrial area in Ireland - which has provided good jobs over the years but which is subject to the vagaries of US and EU innovation and related supply and demand for medicines and pharmaceutical products. The other is the indigenous industry and business, with many shops and businesses throughout the city closed or desperately struggling to meet high rents and rates and other high fixed costs. These problems are on top of a lack of credit for SMEs.

In this context, the almost total failure of the Minister and his team to address the problem of high costs, including rents, for the domestic economy and to promote linkages with the export economy have been a key element in ongoing high unemployment and emigration. Professor Ó Riain has also suggested that the "existing evidence suggests that the work of public institutions has been effective in supporting enterprise." I strongly support the State having a role in the conception and development of sustainable enterprise policy, in particular one that is supportive of indigenous industries. That is why I believe there a role of an enterprise policy unit, such as Forfás. Even though the staff and functions currently exercised by the agency will transfer to other agencies and the Department, I fear the dissolution of Forfás may have a detrimental impact on the development of Irish enterprise policy.

I recognise that Forfás has often, in its 20 year history, highlighted the linkages between national, regional and local enterprise policies and has had an important role to play in developing and supporting the State's overall enterprise plans but its dissolution is now taking place under this Bill. It was on the list of quangos Fine Gael, in particular, bruted around the place before the last general election. The dissolution is also part of the so-called reform of the structure of local enterprise offices where existing structures are being amalgamated into local authorities. There is a fear that this so-called reform will undermine the independence of local enterprise schemes in supporting job creation.

I have been involved in local enterprise initiatives and supporting small businesses in my constituency for many years, as a founding director of the Coolock Development Council, which is now the Northside Community and Business Centre, and as a director of the Northside Centre for the Unemployed and the Northside Partnership. The Northside Community and

Business Centre is a member of the National Association of Community Enterprise Centres which recently published a document showing that more than 9,000 new jobs were created in businesses in enterprise centres over the past ten years. It also suggested that 1,133 businesses would not have started if the enterprise centres did not exist. Clearly, community enterprise centres have had a very supportive role in job creation.

However, I share the concerns that are being felt by many of most dynamic partnerships and local leader operational areas - one of the best of those companies is operating in the constituency of the Minister of State, Deputy Sherlock - that future absorption of these community economic structures into local government will impede their social entrepreneurial instincts and achievements. For example, I noted that during the Ó Cuív-Fianna Fáil-Green Party era that local partnerships and development companies were being more circumscribed and spangled by Government Departments. I often had it out with Deputy Ó Cuív, when he was Minister, in this House and in the hallways.

The Minister, Deputy Bruton, has never been part of the social entrepreneurial movements in Dublin Bay North, although he was invited many times. He has chosen not to spend his time in local development, as I and others have done. The Minister is continuing that process. The dull hand of the Departments of Jobs, Enterprise and Innovation and the Environment, Community and Local Government will now envelop all the greatly reduced community enterprise structures. My experience in politics has been that Fine Gael and the Progressive Democrats, in particular, have always been deeply hostile to the social enterprise model and to social entrepreneurs, like my director colleagues and myself in Dublin's northside. In my first days in the Dáil, I remember hearing two deeply hostile speeches from the Tánaiste, Deputy Gilmore, and the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, on community development. They did not seem to understand that somebody on the left of politics should be at the forefront of social entrepreneurship.

Sections 17 and 18 refer to the transfer of Forfás functions to Enterprise Ireland and the IDA and the Minister, respectively. I acknowledge that the Minister stated that a strategic policy division will be created within his Department on the dissolution of Forfás. However, this is part of programme of centralising power and will undermine the independence that the existing policy unit in the current form of Forfás in developing and elaborating State enterprise policy. How are we to know that this strategic policy division will not become politicised and driven by the ideology of the Minister of the day rather than reflecting an objective view about the direction enterprise policy should take?

The CEO of Forfás recently informed the Committee of Public Accounts that co-locating the research capability of Forfás in the Department might shorten the gap between policy development and analysis and implementation for SMEs. That might well be the case, but many people think the strategic policy unit could best serve this country if it had an independent role. I note that Forfás received €51.4 million in 2012. Is it not the case that moving the existing functions of Forfás to the other agencies will be more expensive? Several Fine Gael Deputies have suggested that it will be cost-neutral, but will that be the case? Will the management of current shared services continue, for example? The splitting of costs across multiple agencies and Departments often results in further expense for the State. I hope the Minister of State will respond to that point when he speaks at the end of this debate.

There does not appear to have been an independent evaluation of the performance of Forfás since its establishment. Therefore, it is hard to fully determine why it should be dissolved.

Has the ESRI or any other independent economic entity reviewed the role and performance of Forfás to date and made the case one way or the other for its dissolution? The same point could be made about agencies like Enterprise Ireland, IDA Ireland and Science Foundation Ireland. I note that in 2012, the Forfás annual employment survey found that 9,000 net jobs were created. This figure is almost negligible, given that nearly 400,000 people are unemployed.

A great entrepreneur, Mr. Chris Horn, recently made a valuable comparison between the national enterprise policies of New Zealand and Ireland. It was good to hear that New Zealanders fear us in the area of enterprise creation. That says something for us. Perhaps they are starting to fear us on the rugby pitch at long last as well. Mr. Horn's comments serve as a reminder that the work of Forfás and other agencies needs to be benchmarked against international comparators in countries like New Zealand, Singapore, Taiwan and Denmark. Israel, for example, often goes head to head with Ireland in trying to attract foreign direct investment in the computer area.

The dissolution of Forfás and the sharing of its responsibilities among IDA Ireland, Enterprise Ireland, Science Foundation Ireland, the National Standards Authority of Ireland and the Department of Jobs, Enterprise and Innovation must ensure barriers to enterprise and social enterprise in Ireland will be tackled. Constant invigilation and review of the performance of the Department and its agencies is critical for the full recovery and future development of the economy. I remain concerned about this Bill.

Deputy Terence Flanagan: Like other Deputies, I welcome the opportunity to contribute briefly to the debate on this important Bill. I thank the Minister of State, Deputy Sherlock, for being present for these proceedings.

Since 1994, Forfás has been the Government's policy advisory board dealing with areas such as enterprise, science, technology and trade. The organisation has played an important role in directing Government policy regarding the economy. It has examined opportunities and ways for various sectors of this country's economy to grow. It has provided policy advice on the best way forward for the Irish economy and for Irish business. The work of Forfás is critical for the country. It has been particularly important during this country's economic downturn of recent years. It has identified opportunities in the whole area of manufacturing, which we moved away from when this country was not as cost-competitive as it had been previously. We know from a recent report that there is an opportunity for up to 10,000 jobs to be created within that industry, which is very encouraging.

As a country, we need the ideal conditions to attract overseas investment and to encourage home-grown enterprise and business. As part of the integration of Forfás into the Department of Jobs, Enterprise and Innovation, a new division of the Department - the strategic policy division - will be created under this Bill, which I welcome. Will the staff of the new division be dominated by Forfás staff? What percentage of Department staff will be employed in the new division? Has the Minister of State identified how many staff will be needed in total? What costs have been involved in getting us to where we are now? Have consultants been employed to come up with this proposal? If so, what has been the cost of that? Could the Minister of State provide more detail in that regard? Obviously, there is general concern about the employment of consultants at present.

I have concerns regarding the 2012 Forfás report which indicated that a substantial percentage - 78% - of its costs went on making payments towards the pensions of Forfás, Enterprise

Ireland, IDA Ireland and Science Foundation Ireland. Just 22% of the funding that was received in 2012 was used to meet current policy and research needs. I ask the Minister of State to comment on that. Perhaps I have picked that up wrong. I do not know. It is certainly concerning if such significant pension payments and liabilities are accumulating in this organisation after just 19 years in operation. What was the situation in 2013? How many people are currently receiving pensions in the various agencies? What is the cost of these pensions? Are plans being made to cover these costs in the future?

It is obvious that the Minister of State's mandate involves jobs, jobs and more jobs. I know he is doing everything in his power to try to get the economy moving and to get young people, in particular, back into employment. I suggest the Government is placing too much emphasis or focus on multinational industry to the detriment of small enterprise. We know that just 10% of all people employed in Ireland are employed by foreign or multinational investors. Over 60% of our workforce is employed by small businesses or enterprises.

There is a concern that the Government is not doing enough to cut out red tape and reduce the risks that have to be taken by people who are setting up as sole traders or in partnerships. I am thinking particularly of the manner in which such people have to put their assets and savings at risk, for example, by putting their family homes into small businesses to try to ensure they grow. Credit is not as readily available as it once was because the pendulum has swung. We used to have too much credit, but now there is a lack of credit for small enterprise. The need for personal guarantees is causing incredible difficulties for risk-takers who put their savings into enterprises. Obviously, they have to pay large upfront costs when setting up their businesses and also have to pay rent and rates. I understand that a significant emphasis was placed on this area in the Action Plan for Jobs. There is always room for improvement.

I know that the Taoiseach's aspiration and goal is to ensure Ireland becomes the best small country in the world for people to grow old and do business in. We must continue to focus on ensuring small businesses are able to grow and employ people over time. I would like to make a few suggestions in that context. We should reduce PRSI for employers. We should ensure that an element of social welfare is available to those involved in enterprise. Those who have paid taxes should get something back from the system. We are familiar with the current position, whereby people whose businesses fail receive no help or support from the State. That is very wrong.

The integration of Forfás into the Department of Jobs, Enterprise and Innovation will enable the Department to take a more hands-on approach to job creation policy. This will serve to shorten the length of time that it takes to draft policy and for policy to come into effect. I am happy that the Minister, Deputy Bruton, has provided an assurance that the new unit will remain independent. Obviously, that is a crucial element of this plan. Forfás has been highly acclaimed for many years. Its reports have been welcomed because of its independence. Obviously there is a genuine concern that it would be taken over by the Department and lose its edge and an element of independence. I ask the Minister of State to comment on that. I know the Government is always interested in making savings, which is why this is happening. What savings does the Government expect to make as a consequence of these changes?

Unemployment is one of the issues of greatest concern to the country. We all welcome the recent reduction in the numbers on the live register. I know emigration is one of the issues that has helped bring that about, but there is a consistent element of jobs being created here. If we could encourage every small business to take on at least one new person, it would make a great

difference. While I know that has been proposed previously by Government, we have to work to make it become a reality.

Too many people are emigrating and valuable skills and talent are being lost to the country. Obviously the key priority must be to create new jobs to get Ireland back on track. The Department's new strategic policy division will be focused on that and will work to ensure that growth takes place.

The issue of quangos is one that resonates with the public - not that Forfás was ever a quango as such. It is the lack of accountability that really annoys the public. This move is positive in bringing Forfás into the Department. No doubt it will continue with its independence and continue to do what it does well in the future.

Deputy Áine Collins: I welcome the opportunity to speak on this important Bill. I thank and congratulate the staff at Forfás for the great work they have done since it was established in 1994. The Bill makes provision for the dissolution of Forfás which has been Ireland's policy advisory board for enterprise, trade, science, technology and innovation since its establishment in 1994.

Job creation is at the top of the Government's agenda and the Bill makes changes that will enhance that goal. The Department of Jobs, Enterprise and Innovation provided grant funding of €51.4 million to Forfás in 2012. This funding is ring-fenced for continued research on strategic policy development. It is vital that this continues to be focused on areas such as science, technology, innovation and entrepreneurship to continue to grow the economy.

This integration with the Department is being done in a way that strengthens the ability of the business sector to create jobs by being more streamlined and more focused. This includes the restructuring of enterprise support models for micro and small businesses. The county and city enterprise boards will be dissolved and their functions will now be carried out by the newly formed local enterprise offices, LEOs. They will be under the auspices of each local authority in tandem with a specialised unit of Enterprise Ireland overseeing them, ensuring that supports to small businesses are accessible and that we have joined-up thinking. The purpose of the LEOs is to provide a one-stop-shop to help those budding businesspeople and social entrepreneurs in the regions and the cities to get soft supports such as mentoring and advice on where they can raise capital for start-up finance etc. We welcome this very important measure.

Other streamlining measures are also envisaged. The Office of Chief Scientific Advisor will be assigned to the director general of Science Foundation Ireland. There will also be some restructuring of enterprise development bodies in the Shannon region.

The clear aim of this legislation is to strengthen the capacity of the Department of Jobs, Enterprise and Innovation to drive the job creation policy and continue the work that has already started. There will be a new strategic policy division within the Department with experienced Forfás staff forming the core of the division. This division will continue the role Forfás had in advising, researching and developing policy on the Government's annual action plan for jobs, which has been a great success. We are looking forward to the 2014 action plan which will be published early next month.

Other important functions will be transferred to Enterprise Ireland and IDA Ireland. One of these functions includes the aim to foster the national objective of regional development, a policy objective that deserves more attention. It puzzles me at times that all the concentration

29 January 2014

is on the east coast and larger urban areas. We live in a small country and commuting distances are relatively short. Most of my constituency is rural and underdeveloped from an industrial point of view and yet it is only one hour from three international airports and two seaports. We need to concentrate on more regional development. This may need to be considered from a social enterprise point of view which is now very focused from a European point of view. We may also need to consider more co-operative models.

I understand that most firms wish to locate in bigger urban areas because of skills but we must continue to encourage firms to set up business in the regions thereby helping indigenous businesses in the region to grow ensuring that they are not forgotten. We also need to continue with a broadband strategy. While technically one can be anywhere in the world to do business, we need improved broadband in regional areas. I welcome the policy of the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, in driving this agenda.

Overall I welcome the rationalisation programme being undertaken by the Minister. I am confident the overall effect will bring great focus to the process and we will know exactly who is responsible in each area. This rationalisation measure will contribute greatly to continued job creation, which has been the primary focus of the Government since it was elected in 2011. Thankfully we have seen some success in that regard particularly last year with the creation of 58,000 jobs. It is vital that we continue that focus over the lifetime of the Government. We have many budding entrepreneurs and as has been mentioned earlier, 80% of business is carried out in the SME sector. I thank those people for taking risks and continuing to focus in recent years. In many cases surviving was the new success story. Now that the economy is changing, I am glad supports are available to help them to expand their businesses. There is great opportunity but we need to give them the soft supports and the financial supports to allow them to grow.

This rationalisation measure will contribute greatly to continued job creation and I commend the Bill to the House.

Deputy Michael Healy-Rae: I thank Members from the Technical Group for allowing me some of their time to speak on the Industrial Development (Forfás Dissolution) Bill 2013. Unlike some of my colleagues I will not be jumping up and down and I do not want to burst the Minister of State's bubble. However, I wish to highlight some problems with the Bill. It sounds great to talk about the dissolution of an organisation and integrating it into something else. It might give the impression that it is good and will save money. Unfortunately, the Government's track record in saving money is abysmal. I note the Minister of State laughing, but I point to the debacle with Irish Water. We had a perfectly good system of taking care of our water through the local authorities. All they needed was more investment to stop the water leaking. However, instead the Government set up what is probably one of the greatest quangos of all time and nobody knows what the total bill will come to.

The Government also decided to abolish town councils. While it sounded great when the Government's PR system announced it was getting rid of town councillors, it forgot to tell people that we were also losing town engineers, the town clerk and destroying an entire system. We now have to close some offices and build new ones. I am reliably informed - I also see it on the ground - it will cost hundreds of millions of euro, which have not been accounted for yet.

4 o'clock

The Government has a poor track record in centralising and changing things. I wish to

highlight another Government decision that blew up in its face, the centralisation of the processing of medical cards. We had a great system whereby people were able to interact, and local community welfare officers could discuss cases on the telephone. In County Kerry they were processed in Tralee. The Government decided to remove it from Tralee and bring it to Dublin. That was supposed to be a good idea to save money and give better service delivery. Unfortunately, it does not. The Government thought it was a good idea to centralise the call centres for emergency services. It did away with the local ones in Cork and Kerry and all around the country. They are being shut down and the Government is centralising them in Dublin, where they are run from a fire station on which the Government did some renovations and put in a computer system that is out of date. I asked for an independent safety audit on the building but none was carried out. The Government's answer was that it did an internal audit. In other words, it audited itself. If I thought this was going to work, to be of benefit to our SMEs, save money, create jobs, and help small businesses I would be the first to say the Government is correct. Unfortunately, however, I do not see that happening. Instead the Government's decisions cost a fortune and the debacles in which it is involved every day are getting worse.

Running a small business at present is extremely difficult. As someone who all his life has been involved in small business and in creating jobs in a small way, I see, as do my friends and constituents who are trying to keep people in employment, the enormous obstacles in our way. Any person who wants to advance a business must have finance. The Irish people, young couples, have paid to bail out our banks but when people want to expand their businesses or perhaps to diversify and invest in their small companies they cannot get money from the banks. The Minister of State, his senior Minister and the Minister for Finance should have the continuous aim and objective of ensuring that the banks will give capital to people. I am not talking about huge sums of money, such as happened during the boom when people who looked for €100,000 left with €320,000 plus something for a little holiday. I am not talking about nonsense. I am talking about people being able to acquire necessary finance to improve their business. Until finance is freed up for the SMEs they will be stifled and held back. That is one of the biggest problems facing employers at present.

I would love to be able to compliment the IDA and say that it has done great work in Kerry but I cannot. Any time we hear a jobs announcement it is in Dublin because the weight of Ministers is concentrated in Dublin, or Limerick, where the Minister for Finance comes from, or in Cork. The jobs are not coming to Donegal or County Kerry. How could the Government leave the biggest opportunity we have had in County Kerry? I compliment Deputy Spring, who is here, and other Members from Kerry because we wear the one shirt when it comes to this issue. Shannon LNG is one of the most important priorities for every politician from County Kerry. Until recently the Government stated that it could not interfere or get involved. There will be a massive injection of capital during the construction phase and afterwards in its operation.

It is a no-brainer for the Government to get off the fence and say that it will remove the obstacles. That is what it means to be in government and to be a Minister. The Government has a huge majority and is there to run the country. There are people willing to come into North Kerry to create much-needed jobs but the Government is dithering and messing around. I do not see why it will not get off the fence to support the people. We all know that the problem is that the company is being asked to pay for infrastructure it will never use. That is crazy. It is nonsensical. Will the Minister of State, as a matter of urgency, bring the LNG issue to the Government? I am not imposing it on the Minister of State but he is here to take the debate. Will he ensure that the IDA picks up the pace and realises that there are people in Ireland who

29 January 2014

live outside Dublin, Limerick and Cork? I have nothing against my good neighbours in Cork but we want to see the IDA create some jobs in County Kerry because over the years its track record has not been very good.

When someone sets out to start a business every agency or quango in the State comes down on top of them, whether it is the HSE or the local authority. We understand that people have to pay their rates and bills but some of the bureaucracy and red tape put in the way of small business people is ridiculous. Ireland today does not encourage small business people. I am very disappointed to have to say this because over the years small businesses have been the backbone of the country. We started with small farmers then people became involved in the tourism industry. We should be nurturing and encouraging them.

In case the Minister of State thinks that I am all negative I compliment the Government effort on The Gathering, which was a huge success. We should build on that but we should also consider the people who provided the services and ask whether our tourism operators, hoteliers, guesthouses and restaurants all put on a good show for those who came to the country. Of course they did. They put on an excellent show. They gave excellent service and value but the people working in these sectors are competing unfairly with NAMA hotels. How can one encourage someone in any part of the country to compete with a NAMA-operated hotel that puts them under severe pressure? These are family businesses in many instances. The majority of what I would call “real” hoteliers are born into the business. Their parents and grandparents were hoteliers. These young people have taken over the businesses but unlike their grandparents, they are at an unfair disadvantage because they have to compete with the hotel down the road operated by NAMA, which does not have to make a profit. I saw an advertisement recently for bed and breakfast for two people, at €48 for one night. That is not sustainable. It is not sensible. One cannot say that is great value. That is operating at a loss. It is only trying to keep a room full. The people I represent, the real hoteliers, have to try to make a profit. They are giving excellent value but the Minister of State should consider what they are up against.

I believe a time will come when the Government will have to make a decision on this. While I never want to see a door closing, there are hotels that are distorting the market because they are in NAMA. They cannot be allowed to continue like this. They could be used for other purposes but they should not be in competition with indigenous hotels that have been in business for years and have created much-needed employment. As with other issues I have raised, the Government should come off the fence on this issue.

To come back to the Bill, the reason I am firing these warning shots and not jumping up and down like some of my colleagues, who are giving it a wholehearted welcome, is because of the Government’s disastrous track record. This is similar to the decision that was taken many years ago to close the rural rail network, which certainly cost us billions in lost tourism and investment for industries that were lost because the roads were not able to cater for the traffic of goods. Time will prove that the decisions taken by this Government, such as the abolition of the town councils and the establishment of Irish Water, and the continuous drive to close everything that is local and centralise it, will cost billions and will hurt the local person, the man or woman living in a housing estate in a town or rural area.

I have heard commentators say it is great to get rid of the town councils and that fewer councillors will mean fewer bills, but time will prove it to be a very costly move. The county councillors and town councillors are, as far as I am concerned, the backbone of this country when it comes to politics. Any politician worth his salt in this House had to serve his time on a local

authority before he was elected as a Deputy. I believe it should be compulsory that a person should have served on a local authority because, to me, a good sign of a politician is the person who has given the longest time on a local authority before they are elected to this House. That person will be a better politician in the future than the person who might have been parachuted in without having served their apprenticeship, as I would call it, on a local authority. If people want to learn what real politics is about, they should serve on a local authority. Many of those elected to this House without being on a local authority beforehand were here a very short time because they did not know what it was all about. What it is all about is taking care of the people and their needs, and ensuring proper and prudent care of the finances of our State.

When the Taoiseach is questioned by those on this side of the House, all he can do is give a history lesson as to the mistakes of previous Governments. Of course, previous Governments most certainly made mistakes, but this Government said when it came into office that it would do everything right. When it was introducing the property tax, the Government's mantra was that it would set up the tax but that people would afterwards have better delivery of services in their locality. However, it neglected to tell the people it would do a U-turn afterwards whereby 80% of the money is now going to the establishment of Irish Water. The irony of it all is that the Government got money from people in a tax and it used it to set up another tax to hit them again. People could have lived with the property tax if it was fair and if they could see better services locally, but they cannot. There are broken lights and footpaths which are not being replaced and roads falling into disrepair which are not being repaired. Despite this, the Government talks about better delivery of local services.

Town councils are being abolished. How can the Government call that a better delivery of service in any town? I have to talk about the great town of Killarney and the massive strides that have been made there over the years by good town councillors working in conjunction with the Tidy Towns committee and the local chamber of commerce, pulling it all together and ending up with the excellent product that is the town of Killarney. That is replicated throughout the country. What is the Government's answer to that? It is to disband the town council and see what will happen after that. This will not help these towns. To come back to the SMEs, it is not going to help businesses. Chambers of commerce have worked hand in hand with town councils over the years. I have continually made the point, since the Government announced it was going to abolish town councils, that there is a wealth of experience on which the Government will miss out. It has had highly respectable people from all sectors - Independents, the Labour Party, Fine Gael and Fianna Fáil-----

An Ceann Comhairle: We might get back to the Bill.

Deputy Michael Healy-Rae: I will, a Cheann Comhairle, but it is all tied up. We are talking about jobs, enterprise and trying to keep people at work. I am drawing the conclusion that, in regard to what the Government has done and the decisions it has taken, time will prove this is not just bad, not just mad, but actually disastrously and financially hurtful to the people of the country.

I want to make brief mention of the Health and Safety Authority. I have nothing but respect for the work of the HSA and any life that can be saved and any guidance it can give is most welcome, especially when it comes to business, construction and farming. That said, I want to highlight one very important point. It is like the position with the Road Safety Authority in that, just because a group is doing good work, we do not want it to lose the run of itself and go mad with excessive regulation. Unfortunately, that has been happening with some of these

29 January 2014

authorities, but I will go into that during another debate because I know the Ceann Comhairle does not want me to stray.

An Ceann Comhairle: No, I am conscious of the clock as the Deputy's time is almost up.

Deputy Michael Healy-Rae: I will stick rigorously to the clock, a Cheann Comhairle. You can be assured of that. I might not be on my best behaviour all the time but I do try to keep myself on the straight and narrow in the best way I can to conform with the rules.

I am thankful for the opportunity to talk on the Bill. I would be delighted if, in ten or 20 years, the Minister of State could say I was wrong in my predictions, but the unfortunate thing is that I believe I will be right.

Deputy Arthur Spring: There are a couple of issues in the Bill that pertain to Kerry with which I disagree, but I will try to stick to the Bill as much as possible. I acknowledge that the purpose of the Bill is to give effect to the decision to integrate the research and policy adviser functions of Forfás into the Department. It also mentions the fact that Shannon Development, which exists in my area at present, is being dissolved. To that end, I am concerned in regard to the property portfolio that would traditionally in other parts of the country fall under IDA Ireland. As the Minister of State knows, Shannon NewCo will have a focus on the Shannon Airport region and the aviation industries whereas the technology park in Tralee is the main fulcrum of employment at the moment, with more than 400 people working there and €19.5 million in wages per annum going into the town. We do not have a home for it at present, largely due to the fact the local authority has expressed an interest, as has the technological university to be, which will be amalgamated with the Minister of State's institute of technology in Cork. It is an issue of great concern.

In addition, despite the fact there is high unemployment in the county, we are now at the point where the technology park is virtually full. In the event that some enterprise would consider coming to the technology park, we have empty factory floors which we have also provided to the IDA for the purposes of promoting and selling them. We would like to see those full in the not too distant future.

The technology park also has more sites which need to be built on. I would encourage the IDA to look at the idea of participating in a form of ownership. It is very much a case of "build it and they will come", and a number of us are actively pursuing employers, whether in financial services or manufacturing. That would be the Tralee Chamber Alliance and some of the county council officials. I have spearheaded some of what we have done to date. The infrastructure needs to be in place and the capacity must be there to attract them. I ask the IDA and the Department to consider some capital investment in the area.

I was lucky enough to have served on a county enterprise board in Kerry. I found it to be hugely productive - more so than giving money. We had some excellent people like Tomás Hayes who were able to provide mentoring and bring mentors to places. I note that the Minister of State is looking at local enterprise boards. I like the idea that people on the ground who are involved in accountancy, politics, banking, etc., are brought in and it does not become a slush fund for the local authorities. It provides less funding than some of the Leader groups but it provides a great deal more expertise to small and medium-sized enterprises, which is to be welcomed.

The hierarchy of the IDA is aware of the situation in Kerry. I again impress upon the Min-

ister of State that we have been encouraged to develop small and medium-sized indigenous enterprises. Kerry Group, which is the largest food ingredients company in the world with over 25,000 employees, began in a prefab in north Kerry. I have told the Ministers for Agriculture, Food and the Marine and Jobs, Enterprise and Innovation and the Tánaiste on several occasions that it is very difficult for the people of Kerry to see a jobs announcement of 800 jobs in Naas when we are being encouraged to develop our own but are told it cannot establish in Kerry. I can understand some parts of the argument but if there is such displacement, there must be a balancing act whereby the IDA says that it recognises the contribution made by Kerry Group to our country and will, therefore, be attracting 800 jobs back to Kerry. That is only fair. I ask agencies to do so again.

There was a high level of knowledge within the county enterprise boards as to what was going on. Forfás, as we are learning here, is bringing technical expertise, research and policy into areas where the Minister can make decisive decisions to create jobs. That is what it is all about at the end of the day. It is not just about scaling back the amount of money that is spent in Departments. It is about creating jobs, having technical expertise and using people to the best of their ability. It is also about invigorating people and giving them the energy to have a vision for the country, to try to deliver on it and to have a holistic approach to it. I speak about Kerry because I have a restricted period of time in which to speak and I have concerns. The Minister of State has visited the technology park and the Institute of Technology, Tralee, and is aware of the problems. We need jobs in Kerry. We are working on it and, hopefully, we will have a couple of announcements before the end of the year and will work towards that. I thank the Minister of State for his time and wish him the best of luck with the new endeavour.

Deputy Mattie McGrath: I am also pleased to have some time to speak on the Industrial Development (Forfás Dissolution) Bill 2013. The legislation was mooted some time ago and the Government promised, as did the last one, that it would cut back on the number of quangos but it has not succeeded greatly in doing so, no more than the last Government. I have nothing against Forfás. We needed those development agencies badly over the years but there comes a time when there is duplication and agencies like this should be reigned in and brought under one roof.

The main provision of the Bill is that primary legislation is necessary to give effect to the decision to integrate Forfás into the Department by providing for the transfer of Forfás functions and staff to the Department and other agencies. Therein lies the problem. There should be no problem. It should be acclaimed and helped. I remember asking at committee about the integration of two agencies that was announced in a blaze of glory a few years ago before this Government took office. I found out afterwards that millions of euro were spent on the integration, staff management and sending staff away for bonding courses. Why did this happen? We are a civilised country. People should be thankful that their jobs have been secured. While there must be some integration and regardless of whether it was hijacked by trade unions or something else, I was shocked when I examined the figures. I hope it does not happen here.

Deputy Sean Sherlock: What is the Deputy talking about?

Deputy Mattie McGrath: I am talking about the previous amalgamation of two Government agencies.

Deputy Sean Sherlock: Which two?

29 January 2014

Deputy Mattie McGrath: I cannot say off-hand but I am not making it up. I was presented with the facts, which I will get for the Minister of State. It happened during the tenure of the last Government. It do not know if it has arrived at its intended destination yet.

Deputy Sean Sherlock: Is it pertinent to this Bill?

Deputy Mattie McGrath: It is pertinent to amalgamation.

Deputy Sean Sherlock: With all due respect, I do not follow the Deputy's point.

An Ceann Comhairle: Through the Chair.

Deputy Mattie McGrath: My point is that the main provision of the Bill is that primary legislation is necessary to give effect to the decision to integrate Forfás into the Department. I came across this situation before where two agencies whose names elude me - they may come to me before I am finished - were amalgamated. When we inquired about how it was going, we were told that it would be ongoing for some time. Integration talks, bonding sessions and everything else were needed for the personnel from both agencies. I understand that there needs to be a bit of that but not weekend courses and enormous courses which go nowhere. I hope the Minister of State understands what I am talking about. We need these things to happen although clearly it cannot happen overnight. The Bill transfers functions conferred upon Forfás under section 9 of the Industrial Development Act 1993 to IDA Ireland and Enterprise Ireland. The functions will be conferred directly upon the agencies as appropriate with the exception of some powers which are reserved to the Department. All of this has to happen legally and I accept that it is above board. I am talking about common sense prevailing.

As Deputy Spring mentioned, we also see the county enterprise boards under sustained challenge. They are to be taken back under the remit of the county councils. They were always under the remit of the county council but they were at arm's length. I also served on one and found it to be very beneficial. It included the mentoring programmes and the different schemes that did not have a lot of money. It was evaluated that the amount of money they spent per job was minuscule compared to what the IDA and other agencies spent. They have done outstanding work. I can speak for my own one in south Tipperary. I would be worried that it would be brought under complete local authority control. The last person to say this is a former Member.

An Ceann Comhairle: We are not dealing with the county enterprise boards. They are not included in this Bill.

Deputy Mattie McGrath: I am aware of that but the last speaker also referred to them. I have very valued experience of what they did. The last people someone goes to in order to create a job are those agencies. They will be seen as statutory groups where all the hoops have to be gone through to secure planning, etc. They will also be seen as enforcement agencies.

IDA Ireland and Enterprise Ireland have been mentioned here. Again, a representative from Enterprise Ireland sat on the enterprise board to which I referred and did a great job. The expertise was valued. Some changes have been mentioned. Previously, Enterprise Ireland could only deal with someone if they had over 100 employees. I think the number is smaller now because there is a huge gap in the market where small indigenous companies are trying to work, stay afloat and expand. They must be supported and unshackled. We cannot expect the IDA to do it but it should be there in a supporting role even if the businesses have fewer than ten employees. There are limits and pigeonholes that are very restrictive. People need supports

and to be allowed to continue to work and concentrate on expanding their businesses rather than dealing with too many regulations.

I hope that when this Bill passes through the House, it will be clear-cut and straightforward and not laden with bureaucracy. If it is laden with bureaucracy, it will not be any help or use. I also hope there will be savings, which we need as well.

The Bill provides for Enterprise Ireland, the IDA and Science Foundation Ireland, SFI, to become employers in their own right, for staff to be employees of their respective agencies and for the three agencies to establish pension schemes for their employees. The Bill also provides for responsibility for the existing Forfás superannuation scheme and all legacy schemes to transfer to the Minister. While I understand and accept this, I hope there will not be too many legacy issues. I want more answers from the Minister of State in this regard. The main point I want to drive across is that I want there to be a smooth transition without too many legacy issues. Given the number of drafters, Deputies who have contributed to the Bill and people who will enact it, I hope that simplicity prevails for once, not multiplicity, frustration, legacy issues, Labour Court disputes etc.

No one is attacking anyone else. People have started focusing on their rights. Let go of those for a moment, be thankful to have a good job with promotion prospects, put the shoulder to the wheel and try to help us get out of this mess.

I will conclude, as the Minister of State is anxious to address some of the issues raised. I have many more, but I will raise them some other day. I thank the Ceann Comhairle for his time.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): As there are 15 or so minutes left in the Deputy's slot, I thank him for his latitude. It is my intention to address only those points that were pertinent to the Bill. Some political points were made, as were a number that were extraneous to the Bill.

I thank Deputies for their valuable contributions. I will address a number of the issues raised by Deputy Calleary. I welcome his support for the Bill. His praise for the valuable work done by Forfás since its establishment is well deserved. Forfás is one of those organisations that enjoys the confidence of the polity. As a Minister of State, I have witnessed at first hand the expertise and excellence of its people. Their commitment to public service is unflinching. Bringing the policy capability of Forfás into the Department will give the latter the opportunity to strengthen its ability to shape and implement policy and to oversee the performance of its agencies.

Forfás has made a significant contribution to the economy's transformation of recent years, a point that has been made across the political divide. It has been of significant value to the Department of Jobs, Enterprise and Innovation and the Government in the development of appropriate policy responses to the many enterprise development challenges confronting us.

Forfás has provided robust and independent analysis and advice that has assisted my Department and others in formulating policy positions to drive the policy agenda. This speaks to some of the points made by various Deputies concerning independence. The independent nature of the research and advice that Forfás provides is of great value to the Department. It is not intended that this independent thinking will be diminished by the integration process. Forfás's policy and research functions will form the core of the new strategic policy division

29 January 2014

in the Department. Co-locating Forfás in the Department will streamline the process between policy development and its implementation, serving to strengthen the Department's role in driving economic recovery. Regardless of whether Deputies were speaking for their own constituencies, everyone who contributed to this debate discussed economic recovery in one way or another and the need to drive the jobs agenda. At its core, Forfás will work in the Department with a view to growing jobs and economic recovery.

I assure the House that our objective is to maintain the independence that we have come to expect from Forfás's research and analysis. There are precedents in the Civil Service for this type of independent work being conducted within a Department. When Ireland was a recipient of significant structural funds in the 1990s, a number of evaluation units were established in the lead Departments responsible for the European Social Fund, the European Regional Development Fund and the European agricultural funds. Although primarily staffed by civil servants, these units independently evaluated individual programmes and published their reports. A central evaluation unit was later established in the Department of Public Expenditure and Reform and published its reports.

The senior management teams of my Department and Forfás are committed to ensuring that the integration is operationalised in a way that maximises the outcomes in terms of developing and implementing enterprise policy. We are also committed to ensuring that policy advice to other Ministers continues to be informed by robust, evidence-based analysis and through consultation with relevant stakeholders through the strategic policy division.

The capacity of Forfás to support independent advice and analysis will also be maintained through its support for the National Competitiveness Council, NCC, and the Expert Group on Future Skills Needs, EGFSN. The role of the NCC in the context of the Forfás integration has been carefully considered. Revised terms of reference have been approved for the NCC, which will give it greater flexibility to prepare and publish reports on issues it considers important, thereby copper-fastening its independence. I hope that this addresses the concerns expressed by Deputies in this regard.

The EGFSN, which reports jointly to the Ministers for Jobs, Enterprise and Innovation and Education and Skills, will continue preparing policy papers independently on skills needs and labour market issues that impact on Ireland's enterprise and employment growth. The EGFSN will also be serviced by the strategic policy division.

Deputy Calleary referred to a figure of €11 million in respect of the Forfás research budget in 2013. The Forfás research and studies consultancy budget in 2013 was actually €990,000. There was a further allocation of €125,000 for specialised and professional services, giving a total of approximately €1.1 million. If Deputy Calleary wants to provide us with the source of his figures, we will seek to clarify them for him. While the Forfás research and consultancy budget has been incorporated into my Department's budget for 2014, the Minister and the Department are committed to ensuring that the strategic policy division is properly resourced in this regard. There is no intention to reduce the budget in future years.

Deputy Calleary also raised the issue of Carrisbrook House. Upon the re-organisation of the enterprise development agencies in 1994, Forfás acquired responsibility for the leasehold interests, maintenance and repair of the former IDA headquarters, Carrisbrook House. Forfás managed the buildings until July 2013, when responsibility for the management of the leases and property transferred to IDA Ireland as part of progressing the integration of Forfás with the

Department of Jobs, Enterprise and Innovation. Carrisbrook House was originally acquired by AnCO in 1969 on a 65-year full repairing lease. It was one of the Dublin offices occupied by the former IDA up to 1985 when the IDA centralised in Wilton Park House. Since then, Carrisbrook House has been sublet to a number of tenants and was fully sublet by Forfás to the middle of 2008. Approximately 15% of the building is sublet to an embassy and the remainder of the building is unoccupied, but is being actively marketed to potential new tenants. However, the vacating of the space in question coincided with the economic downturn. Every effort has been made by Forfás to seek replacement tenants or to dispose of the leasehold interest. Working with professional estate agents, a number of marketing initiatives were undertaken since 2008. Forfás has also worked with IDA Ireland in marketing the property for potential tenants.

In 2011 and 2012, Forfás stepped up direct marketing and during this time there were 12 viewings of the building. In the context of difficult market conditions, and despite a number of engagements with potential tenants, a letting has not been secured. The IDA has now assumed responsibility for all properties formerly managed by Forfás and will continue the efforts to secure tenants for Carrisbrook House. The cost of the vacant space in Carrisbrook House was approximately €1.2 million for 2012. It is hoped that as the economy continues to recover and as demand for commercial premises continues to rise, in particular in Dublin, IDA Ireland will be successful in filling the vacant office space in Carrisbrook House.

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

There have been many developments in the research and technology agenda over the past two years. The report of the research prioritisation group was published. We have 14 priority areas arising from that report, giving rise to 14 action plans. Forfás plays an integral part in that process. If it was not for Forfás, it would not be as successful a process, such is the good work it carries out. The process will form the main pillar of our research strategy up to 2017. Deputies might say that I would say that anyway, as Minister of State with responsibility for research, but it is very pertinent to my brief.

A Deputy raised the issue of pensions. A substantial portion of the Forfás non-pay budget for 2014 has been subsumed into the Department's budget to reflect progress to date on the integration project. It is important to state that Forfás also has responsibility for the pension costs of retired staff of Forfás, IDA Ireland, Enterprise Ireland, Science Foundation Ireland and certain former agencies, such as An Bord Tráchtála, the Institute for Industrial Research and Standards, the National Board for Science and Technology and Eolas, under the Industrial Development Acts 1993 to 2003. As legal employer of 1,150 staff across the development agencies, Forfás centrally manages the pension schemes of Forfás itself and its preceding organisations, the associated pension compliance obligations and related staff benefits and insurance scheme. I hope that goes towards answering the points made about the outturns for 2013 and 2014 in respect of pensions.

There are 32 staff and two heads of division to be assigned to the strategic policy division. That question was asked in respect of staffing. Deputy Broughan made a number of points, one of which was about social enterprise. That is not pertinent to this Bill, but there is an interde-

partmental group on social enterprise which meets me and the social enterprise task force on a regular basis. If there is an issue with the potential of social economy and community enterprise in north Dublin, the Deputy can contact me and we can facilitate a further discussion on that.

Deputy Broughan also raised the issue of the costs of relocating the functions. There are no additional costs associated with the transfer of functions, and Deputy McGrath raised this point as well. The Forfás property function has been transferred to IDA Ireland, along with some shared services functions. Existing budgets in respect of these functions transferred to the IDA and there is no proposal to increase these budgets. There may be some costs associated with the relocation of INAB to the HSA, but these will be relatively small and will be met from within existing budgets.

I hope I have answered Deputy O'Brien's point about independent and critical analysis. We all agree that the commitment is there. It is important that the independence be maintained and that the body would have that ability to construct its own reports. There were also issues about unemployment and youth unemployment. I do not intend getting into a macroeconomic debate. There are other mechanisms for addressing those political points that were made. Points were also made about IDA regional development. Specific Deputies made points about their own constituencies. IDA Ireland and Enterprise Ireland are revising their regional strategies which will seek to overcome and address problems which may be hampering regional development. I know the IDA recently announced plans to provide offices and buildings in a number of regional locations in the coming years. It is fair to say IDA Ireland actively promotes centres throughout the country, but in my experience, if we look at those companies coming in now, particularly in the technology sector, they are often young companies born on the Internet and they seem to want to cluster in areas where there is already much activity, such as Dublin and larger urban conurbations like Cork and Limerick. They are not inclined to move outside those larger urban conurbations, so there is no doubt that this provides a challenge. Very often the client companies make the ultimate decision on where to locate, following site visits. It is important to recognise that as well. There is no doubt there is still a regional disparity and a challenge in respect of the growth in the eastern side of the country relative to other regional areas. That is something we are addressing through Action Plan for Jobs.

The implementation team tasked with overseeing the integration of Forfás into the Department has made considerable progress ahead of the legislation to dissolve Forfás in agreeing with the relevant agencies the most appropriate location for Forfás's non-policy functions. Once the legislation is enacted, we will be ready to commence Parts 2 to 5, inclusive, and section 39, all of which relate to the staff of Enterprise Ireland, IDA Ireland, Science Foundation Ireland and the NSAI, in advance of the dissolution of Forfás. More than 1,000 employees currently seconded from Forfás will become employees of their respective agency once these parts are commenced. Enterprise Ireland, IDA Ireland and Science Foundation Ireland will set up individual superannuation schemes for their employees who will leave the existing Forfás and legacy schemes to join these schemes, retaining their respective terms and conditions from their previous superannuation schemes. Therefore, there is no diminution of standards in that sense. We will also commence Part 7 at the same time, which provides for the transfer of the accreditation function and associated staff from Forfás to the HSA in advance of the dissolution date. These staff will join the HSA superannuation scheme, retaining their respective terms and conditions from their previous superannuation schemes.

Part 6, which provides for the dissolution of Forfás and the transfer of its functions to Enterprise Ireland, IDA Ireland or the Minister, as appropriate, as well as the remaining sections of

Part 8, will be commenced on the dissolution date, which is to be decided.

Decisions have been taken with regard to the reformed structure of the Department once Forfás has been integrated and project teams are working on the practical aspects of the transfer of Forfás staff, records and ICT systems to the Department. We anticipate, therefore, that the dissolution of the agency, integration of its policy and research functions and transfer of approximately 60 staff will take place shortly after the commencement of the Parts relating to the various agencies.

I thank Deputies for their contributions on the Bill. I deliberately did not address issues raised that were not pertinent to the legislation. Deputies - I am guilty too in this regard - have a tendency to take advantage of Second Stage debates to introduce matters which are extraneous to the legislation being debated.

While the Bill is technical in nature, it is important legislation which will give effect to the decision to integrate the policy and research functions of Forfás in the Department of Jobs, Enterprise and Innovation. It is a valuable part of the Department's contribution to the public sector reform plan. Combining the strengths of the Department and Forfás will help us in our efforts to be a world class enterprise Ministry and enhance the contribution the Department makes to economic recovery. Deputies share in this aspiration to create jobs and generate a sustainable economic recovery that will have a positive impact on society. Forfás, through its staff, will have a major role to play in this regard.

Question put and agreed to.

Industrial Development (Forfás Dissolution) Bill 2013: Referral to Select Committee

An Ceann Comhairle: I understand it is proposed to refer the Bill to the Select Committee on Jobs, Enterprise and Innovation.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I move:

That the Bill be referred to the Select Committee on Jobs, Enterprise and Innovation pursuant to Standing Order 82A(3)(a) and (6)(a) and 126(1) of the Standing Orders relative to Public Business.

Question put and agreed to.

Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 [Seanad]: Second Stage (Resumed)

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

An Ceann Comhairle: Deputy Peter Mathews is in possession.

Deputy Peter Mathews: It feels like an awful long time has passed since last Thursday's debate. Having managed to get on to the runway last week, I must now try to get airborne. The three speakers immediately preceding me were Deputies Donnelly, Naughten and Shortall.

29 January 2014

As one would expect, Deputy Donnelly did a fair amount of number crunching on the party leaders allowance which is to be renamed the parliamentary activities allowance. We want to translate this term and decipher precisely what it means. My head has been melted in the past three years by the convoluted and turgid language in which everything is written, spoken and, in many cases, read in this House. It is a great pity that so many contributions are made from a script because the best speeches I have listened to in the Chamber have been from Deputies who have done their homework and express their opinions in ordinary English.

The purpose of the party leaders allowance is to pay for “expenses arising out of parliamentary activities, including research”. People at home want to know on what the significant sum of money provided to Senators and Deputies who are elected or appointed to their respective Houses is spent. I have had something of a roller-coaster experience in 2013, as have several other Deputies and Senators, because the money that was earmarked for our expenses arising out of parliamentary activities, including research, has been cancelled for the remaining term of this Dáil and Seanad. Anybody with a sense of fairness and reason will agree that this decision is wrong and we should not lose the offices in which we work in the precincts of the House or our position on committees. In my case, other than the Chairman, I put in more hours than any other member of the Joint Committee on Finance, Public Expenditure and Reform on which I sat before my expulsion. The same applies to Deputy Naughten in the case of the Joint Committee on Health and Children. This is not right.

The decision to change the amount allocated to the expenses pot I described is also wrong. I would have no problem if the proposal had been to reduce the figure in line with the Croke Park and Haddington Road agreements or the reduction in resources and remuneration applied to public servants. This mechanism must be easy to understand. Why does somebody not start with a fresh page that sets out the amount of money to be allocated for the parliamentary activities, including research, of 166 Deputies. The Taoiseach, Tánaiste, Ministers and Ministers of State have the support, at close call, of the Civil Service. As such, they have immediate access to considerable parliamentary knowledge and research. Independent and backbench Deputies do not have easy access to such resources. The proposal before us calls to mind the schoolyard bully who beats up pupils who have been expelled. The Government’s proposal refers to Members who have left their positions. None of the Deputies or Senators in question left their parties - they were expelled. If the schoolyard bully beats somebody up and then takes his lunch, the insult is doubled, which is what happened in our case.

We received a mandate from the electorate to represent and legislate in the best interests of our constituents and to do so in accordance with our conscience. I am drafting a Bill which uses the same words as those used in Article 38(1) of the German constitution, which is known as the Basic Law, which states that Members of the Bundestag - in our case it will be Dáil and Seanad Members - are responsible only to their conscience when carrying out their work and duties. The translation is exact so nothing is lost. Article 38(1) article was introduced when the Bundestag was established in the years after the Second World War with the purpose of avoiding what occurred in the years preceding the war. It has worked well in Germany, even in the case of coalition governments with slim majorities. Ultimately, responsible Members of Parliament must act in accordance with their conscience and should not incur any costs or loss of resources for carrying out the parliamentary activities and research they require to perform their duties.

I recommend to all Deputies the tremendous speeches made by Deputies Naughten, Donnelly and Shortall on this Bill last week. Deputy Naughten, in particular, explained in honest and simple terms what should be done in this regard. A set amount of resources must be allocated

for the activities, duties, responsibilities and research of Members and divided up fairly. It does not matter if internal responsibilities change slightly. For example, if a Deputy is appointed as a Minister or expelled from his or her party, he or she still has a mandate. I was mandated by those who elected me to act at all times in accordance with my conscience. That is the mark of a civilised country and if it were not the case, we would be living in a tyranny rather than a democracy.

5 o'clock

As observed in a paper written by Mr. David Farrell of UCD, and rightly so, never before has a Government in this country had such a majority and it is acting like a cartel. Parliamentary new thinking is not welcome. As far as I can recall, never before in the history of this State have so many Members been expelled from a party on such a ground, as happened last July. It is shameful.

This legislation should simply have laid out that expenditure for last year under these headings is to be reduced by a particular amount and divided between a set number of Members of Parliament and that there is to be a reduction in respect of ministerial Members of the House because they have immediate access to the Civil Service. All of this should have been set out in simple English. I had to seek assistance from my parliamentary assistant in regard to when I was due to speak on the Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013, which around the Houses is called the leaders' allowances Bill even though it deals not with leaders' allowances, but with parliamentary activities allowances. This Bill should be called the expenses of research and political activity of all Members of the House Bill. The public would then know what it is about. It does my head trying to translate everything.

I gave the Taoiseach a copy of Daniel Kahneman's book, *Thinking, Fast and Slow*, which deals with behavioural psychology and behavioural economics. It is an excellent, classic reference book. The Minister's Second Stage speech on this Bill, which is 12 pages long, frames and hypnotises people. As stated by David Farrell, there is a cartel at work, one which tried to abolish one of the Houses, namely, the Seanad. One has to pinch oneself, wondering if that is true.

Only through discussion in Parliament can ideas be discussed, agreed, disagreed or developed. One's thoughts are only as good as the language in which they are expressed. Some of what is contained in the Minister's speech is unbelievable, including: "[We are all] aware of the enormous impact of the difficult decisions the Government has been forced to take due to the parlous state of the public finances that it inherited." That sentence is not needed in the context of parliamentary research and so on. At least ten pages of that speech were not necessary.

On democratic reform, the only democratic reform of this House, which has been hard hitting and real, was that experienced by seven people thrown out of their party. That is the reform that has taken place. The remainder is only tinkering, bandaging, illusion, misperception and strange language. The Minister also said in his speech: "The Government is determined to ensure that greater transparency and accountability is associated with political funding, as the people should be able to see that the money they provide is used in an effective and proper fashion."

Seven people will get nothing for the next two and a half years. What am I or my colleagues supposed to do? While I might sound like a grumpy person, I am not. These are the facts. There is a hypnotic effect in here. There are currently few Members in the House. Mem-

29 January 2014

bers do not come here because they expect to hear only sleepy, dozy, unmeaning, multi-syllable bureaucratic, lever arch files transposed into words and spoken. With respect to the Ceann Comhairle, often when I am Acting Chairman of this House, I have to fight to stay awake. There is no engagement.

I welcome the Minister of State, Deputy Brian Hayes, to the House and congratulate him on his declaration for Europe. *Bonne chance*.

The Minister also stated the following in his speech:

It has been suggested that in the event that a Member of a party loses the party Whip, the parliamentary party should have its funding reduced. Not only does that suggestion miss the point that the money given to the party, reflecting the wishes of the electorate, it is not the individual's and was never theirs to control or spend in that fashion.

They are the words of a person with the mindset of a bully. Unless Members do what a party says, their ability to research ideas and information in order to do their job will be taken away. That is unbelievable. Talk about double-speak; that is treble-speak. It is all over the place and impossible to understand.

I would like to put forward a suggestion. When one is not happy with something, one should measure it and see what one can do to fix it. It is very simple. I have no problem with a 10%, 15% or 20% reduction or with allowances being audited, but how this is to be done should be set out in simple language. The sums should be written out on paper, totted up and so on and then divided by a particular number of people. Also included at the top of the page should be information in relation to the ten or 15 people who have special access to information and the discount which applies to them. All Members of the Dáil are legislators. They are *pari passu* in their responsibilities. The Government is great at saying *pari passu* when it comes to depositors, bondholders and so on, when it should not be so. It takes guts to be fair. I am challenging the Government to be fair. This proposal should be scrapped and the allowance should be divided by 166, separating out the allowance for the 20 or so Ministers, thus making it fair. The allowances should be reduced and subject to auditing. The public are not idiots. They will understand it. Out of respect, that is what should be done.

It is often said that things are shown up in a bad light when they are looked into. This type of stuff brings a big cloud over everything. Reference is also made in the Minister's speech to political accountability, reform, parliamentary inquiries and freedom of information. Simply put, we need to pull back the curtains. In medical terms, the best cure for any disease, cut or wound is light. The curtains should be pulled back on NAMA and Irish Water. Otherwise we get a rolling experience similar to those we had with the Central Remedial Clinic, Rehab and so on, which is not good. They are but a few suggestions, which will require courage to implement. The result will be a reduction in the amount of ink and paper used. As I suggested earlier, it is possible to set out the budget for research and other expenses on one page. In 2008, I produced an analysis of the six balance sheets of the banks on one double-sided page, which analysis showed that the NAMA strategy was all wrong and the losses were all wrong. It showed exactly what happened to deposits for six banks at two different times. Everything is simple. Politically there can be advantage in trying to confuse.

Reference was made earlier today to the 30,000 submissions in regard to Irish Water. The review body will include people who are, perhaps, well into retirement. I would not ask some-

body well into retirement to review 30,000 submissions. I would give that job to people with more energy reserves, people who have a sense of curiosity rather than people who may be tired having done very valuable work throughout their lifetime.

Those are some challenging thoughts. I plead with the Government not to run away from them, to take them on board and to simplify what is intended. It can be done with some numbers in order that it is understood by everyone.

An Ceann Comhairle: Deputy John Paul Phelan has 20 minutes.

Deputy John Paul Phelan: I will definitely not use all 20 minutes, although, when one starts, one never know where one will finish. I agree with some of the points the previous speaker, Deputy Mathews, made but there are other points I wish to make as well.

I disagree with Deputy Mathews' view that the Bill should simply be scrapped and started again. The main provisions are positive. He is correct to point out that some of the terminology and the names put on legislation that passes through the Oireachtas, as well as some of the activities that take place in the House, are not very descriptive of what is actually taking place. Renaming the leader's allowance as the parliamentary activities allowance is an attempt at least to identify what the funding is used for. A reduction in the overall amount is in line with the reductions that various Departments and agencies have faced in recent years, and I have no difficulty with that.

One important aspect of the legislation relates to severance payments. It is fitting that the most recent former Minister of State is in the House at the moment. She did not take a severance payment although under existing rules she was entitled to do so. She did not take it up because she took the view it was improper to do so. She was right and I applaud her for that decision.

As well as being absolutely dismayed and disgusted with some of the activities of the previous Government because of what happened economically, a large proportion of the public was outraged by the fact that former Ministers had the temerity, when not facing the electorate in the last election, to take vast severance payments for a job which they had done so disastrously and badly for the people. The fact this legislation contains provisions to remove severance payments for Ministers and officeholders is welcome.

It is important the reporting and accounting mechanisms applicable to the leader's allowance for political parties are applied to Independent Members in respect of how the proportion of the leader's allowance that is allocated to them is spent. This is a welcome inclusion in the legislation. Only three years ago, a Member who was elected as an Independent received in excess of €41,000 of taxpayers' money annually. This was effectively equivalent to €80,000 in a salary payment and the Member did not have to account for it. That is completely unacceptable. This legislation proposes that the same measures of accounting for expenditure would apply to the spending of that money, and this is to be welcomed. Furthermore, it proposes that if the expenditure has not been incurred, then the money will be refunded. I understand approximately €6 million was paid to Independent Members of the Dáil and Seanad in the 12 years from 2001 to 2013 but none of it was handed back because it was not spent. None of this spending was accounted for. It is alarming to think there was no real proper accounting mechanism for how that money was used.

I concur fully with the comments of Deputy Mathews with regard to some of the discussions

that take place in the Chamber and the lack of attendance of Members at times. Often this is not necessary because the debates are not interesting. It is the way the business of the Houses and the committees are run. Today, there are three different meetings of the Joint Committee on Justice, Defence and Equality. I was unable to attend one of them, involving an important discussion - it is under way at present - on the possible introduction of community courts in our large urban centres, an idea first proposed approximately seven years ago but about which nothing was done, although a report was drawn up at the time. I am missing it because I wanted to make some points on this legislation. If we want to reform how the Oireachtas runs and ensure as many Members as possible can contribute to real and meaningful discussions, as they should be able to, we should examine how we order our business. We should consider whether it is time to change to the European Parliament model, where there are certain weeks for committee meetings to be held. We should consider whether we should do that here because people cannot be in three or four places at the one time and expect to make a useful contribution.

I fully agree with the sentiments of Deputy Mathews in respect of pulling back the curtains. He spoke of shedding light on all areas and mentioned NAMA in particular. I fully agree with him in this regard. There are other organisations, such as EirGrid, for example, which is topical at the moment. I will not mention some of the others which need light shed on how they operate. I see this legislation as a significant attempt to ensure that what was previously known as the leader's allowance is opened up to more scrutiny. People must vouch for how the allowances they are in a position to draw down are spent. Fundamentally, that is why I support this legislation.

The Bill is a welcome step in the right direction. I imagine on Committee and Report Stages there will be an opportunity to discuss amendments and some of the issues that have been raised in the discussion. However, it is important that taxpayers' money is accounted for properly at all times and not only because of the economic situation the country has endured in recent years. That has not been the case heretofore with regard to some of the allocations of the leader's allowance.

There was a good deal of speculation when changes were made in the legislation to allow significant unvouched payments to Independent Members. It occurred at a time when some Independents were involved in supporting the then Government or could have been involved in supporting governments with insufficient numbers of party members to have a majority in the House. The provisions of this Bill, which allow for the Independent Members' allowance to be accounted for properly, are to be welcomed, as is the main provision, which proposes the removal of severance payments from officeholders and Ministers. This reflects what has happened in the country in recent years. Politicians and the political class should not be exempt from the cuts or changes that have had to be made in the past five or six years.

Acting Chairman (Deputy Peter Mathews): Deputy Finian McGrath is not here and therefore Deputy Lucinda Creighton is next with 20 minutes.

Deputy Lucinda Creighton: This is a little premature but I imagine Deputy McGrath never intentionally misses an opportunity to speak. He has probably been delayed somewhere.

Deputy John Paul Phelan: He is at the Joint Committee on Justice, Defence and Equality.

Deputy Lucinda Creighton: There is a good deal to say about this legislation. Although it is a succinct and short tranche of legislation, it is important in what it contains. It is equally

important in what it does not contain and what it ought to contain. There are certain issues I wish to highlight in my contribution.

I thank the Minister of State, Deputy Brian Hayes, for taking this debate. I take this opportunity to wish him the very best of luck in his exploits in the coming months in respect of his very courageous decision to put his name forward to contest the European elections in May. If he is successful in his endeavour, he will immediately find that the European Parliament is a far more transparent and open House than the Dáil. Perhaps he will bring some of the experiences he gleans there back to the Oireachtas, sharing his knowledge of some of the transparency measures that have been introduced in recent years, particularly in regard to expenses and supports for Members of the European Parliament. These measures are in stark contrast to practices in this and the Upper House.

The purpose of this legislation is twofold. First, it proposes a reduction in the party leaders' allowance and the allowance to Independent Members, which come under the same heading. It also provides for a change in the title of this allowance, which is quite immaterial. Second, it proposes the abolition of the severance payment to Ministers and Ministers of State when they cease to hold office. I support these measures, which are important and timely in the context of the economic crisis we have endured for five years. Deputy Róisín Shortall and I chose not to take the severance payment to which we were entitled when we left ministerial office. As Deputy John Paul Phelan pointed out, that option was available to others but they chose instead to walk away with very substantial payments which were funded by Irish taxpayers. In many cases, these payments clearly were not warranted, but Members of this House considered it appropriate to accept them. It is right and proper that these payments be discontinued.

Let us be clear, however, that this Bill does not represent radical political reform. It does not represent radical reform of the payments available to politicians in this State. It does not represent radical reform in terms of how we deal with, spend and respect taxpayers' money. It does absolutely nothing to enhance transparency regarding the expenditure of taxpayers' moneys and nothing to ensure fairness in the political system. In fact, it does quite the contrary, as several speakers have observed. The Bill enshrines and copperfastens the dominance of certain political parties and the abuse of taxpayers' money. It is most unfortunate.

These provisions are completely out of kilter with what my party - of which I am still a member, although I have been expelled from the parliamentary party - committed to in its election manifesto in 2011 and in the New Politics document we published in 2010. This is not just disappointing, it is a betrayal of the trust that was placed in us at the last election and the very clear mandate we received from the electorate to introduce a new type of politics and a new fairness, transparency and openness in the political system and, most importantly, to restore trust in the Irish democratic process. This Bill does nothing to achieve any of those goals. Indeed, it entrenches the very antithesis of those goals.

When I went forward for election to the Dáil for the second time in 2011, I stood very proudly under the banner of my party's commitment to new politics. That commitment was not simply rhetoric or mere words. We had a clearly articulated document which we promoted and sold to voters, the contents of which, as we convinced the public, we were determined to implement in full when in government. I was proud that we committed to radical political reform and to enhancing and developing a genuine sense of transparency in our political system. I was proud to be associated with the concept of a new politics and to stand over the promise by the then Leader of the Opposition to introduce a democratic revolution in the lifetime of a

new Government led by Fine Gael. The question I and all members of my party in this House must ask ourselves now is what happened to that promise and why are we so reluctant to fulfil it.

I have a range of facts and figures to hand which are very relevant to this legislation. I will begin, however, with a very explicit commitment in the New Politics document my party published in 2010, as follows: “We will publish annual audited accounts for the Fine Gael Party on the web from 2010”. This commitment was not contingent on our going into government. It was a commitment by the party to the people. That commitment has not been met and no audited accounts have been published. This is a great disappointment and I hope it can and will be addressed by the party.

Unfortunately, a failure to provide audited party accounts is not unique to Fine Gael. According to the extensive research I have undertaken, Fianna Fáil has never published any audited accounts. The Labour Party, on the other hand, does publish accounts and we can glean some useful information from them. We discover, for example, that average expenditure on salaries and pensions has increased in recent years. This happened at a time of cutbacks in both the public and private sectors. It was a period during which the Government was obliged to introduce substantial reductions in pay, pensions and benefits throughout the country, and rightly so. The Labour Party, during this period, increased the average pay for staff in its party headquarters from €53,190 to €55,698. There is no breakdown of the number of people receiving a pension from direct expenditure.

We in this House like to talk about leading by example and about transparency in every other facet of Irish society. We have seen a great deal of grandstanding and a lot of people speaking from a shaky high moral ground in recent weeks, particularly in respect of certain charities and so on. At the same time, it seems political parties, which are funded almost exclusively by taxpayers, are actually increasing expenditure from the increased moneys they receive from the Exchequer. Sinn Féin is another party which claims to publish all its financial accounts. In fact, it has only published accounts up to 2009 on its website. There has been nothing since and no information is provided on the numbers employed by the party. This is the level of transparency we are dealing with across all political parties in the State. It makes for disappointing reading. It certainly is not indicative of the type of openness and honesty to which we are supposedly committed. In some respects, what we are seeing is quite disingenuous.

This issue is very relevant in the context of the ongoing dispute regarding the interpretation of the Electoral (Amendment) (Political Funding) Act 2012. I hope most Members are aware that a dispute erupted between the chairman of the Standards in Public Office Commission, SIPO, and the Minister for the Environment, Community and Local Government just prior to Christmas when the latter refused to implement a recommendation put forward by the former to the effect that a breakdown of the accounts of the various organs and units of party organisations across the State should be published. In some parties those organs and units are known as branches, while in others they are known as cumainn. Those in Government gave a clear commitment on entering office that they would facilitate full transparency in respect of the accounts of political parties. However, one Government Minister is refusing to sign an order to give effect to that commitment and to the recommendation made by the SIPO. As a result, there is a stand-off. That is completely unacceptable. The vast majority of the fund-raising carried out by political parties is done by individual branches throughout the country. This is an obvious way for parties to avoid transparency because such branches are not accountable to the SIPO and are not subject to the full rigours of the legislation approved by this House in 2012. That is extraordinary. It is a breach of pre-election commitment and it compromises, to a substantial degree,

the independence of the SIPO, which is being constrained in the execution of its independent statutory duties by a Minister who does not want to co-operate with it. That is worrying.

I wish to deal now with the Exchequer funding the parties receive. The figure for such funding for Fine Gael in 2012 was €2.281 million. This represented an increase of €107,000 over the figure for 2011 which was €2.173 million. The leader's allowance funding received in 2012 was €2.678 million. Again, this represented an increase of €99,000 on the figure for 2011. The Labour Party received Exchequer funding of €1.287 million, an increase of €96,000 over 2011. The leader's allowance funding for the party in 2012 was €1.789 million, an increase of €155,000 over 2011 in which the amount received was €1.634 million. At a time when we have stressed the need to tighten the strings on the public purse and appealed to every citizen to reduce spending and accept pay cuts and efficiencies - I supported all of this in light of the extraordinary efforts we have been obliged to make in order to try to extricate the country from the financial crisis in which it finds itself - it is grossly hypocritical for political parties to continue to approve substantial increases in the funding they receive.

Deputy Terence Flanagan: Hear, hear.

Deputy Lucinda Creighton: For the Minister for Public Expenditure and Reform, Deputy Howlin, to proclaim in this Chamber and in the Upper House - I read the transcripts of the debate which took place there - that this is a new form of open government and that it involves transparency and accountability in public life is nonsense. We in this House have a responsibility to point that out.

Deputies Donnelly, Naughten, Mathews and others referred to the funding parties receive per Member. Of the 75 Fine Gael Deputies elected to the Dáil in 2011, six have been expelled from the party. The Exchequer funding relating to these Deputies, of whom I am one, is more than €300,000. This money has been allocated to the party in my name and those of my colleagues. We are no longer members of the parliamentary party because we have been expelled and some of us are no longer members of the party at all. Of the 38 Labour Party Deputies elected to the Dáil in the 2011 general election, four have left the parliamentary party. The Exchequer funding relating to these individuals is €284,000 and it has been allocated to the Labour Party in respect of them despite the fact that they are no longer members.

Acting Chairman (Deputy Peter Mathews): For the purposes of clarification and for the record, the funding in question is allocated per annum.

Deputy Lucinda Creighton: Correct. So Fine Gael and Labour have received what are, effectively, top-ups in the amount of almost €600,000 in respect of Deputies who are no longer members of their parliamentary parties. Neither party can claim that they can legitimately spend those funds in the names of the Deputies in respect of whom they were allocated. Almost €600,000 in top-ups is being paid by the taxpayer to the headquarters of both parties in respect of Deputies who are no longer members of those parties. The position is the same with regard to certain Members of the Seanad.

Despite a budgetary adjustment of almost €9 billion in expenditure cuts, tax increases, reductions in public sector pay, etc., in 2011 and 2012, Exchequer funding for the political parties in Government actually increased in order that they might oversee that adjustment. I find that repulsive. Given that there are no compliance procedures in respect of accounting, that party accounts are not published and that the Minister for the Environment, Community and Local

29 January 2014

Government, Deputy Hogan, is trying to obfuscate in the interests of ensuring that he can circumnavigate the SIPO recommendation with regard to accounting at branch level, we have no idea how the funds to which I refer are being spent. Thanks, I presume, to the same Minister, we have been given a little hint as to what is involved. Deputy Naughten alluded to this when he referenced an article written by Niamh Horan and Fionnan Sheehan which appeared in the *Sunday Independent* on 19 January. The article quoted a so-called senior Fine Gael source and indicated that the latter had stated that he is making every effort to have me and other Deputies who left or were expelled from the party replaced at the next general election. The source also said that all available resources will be dedicated to this task.

It is not just the case that the funding being received by the two parties in Government in my name and in those of Deputies Terence Flanagan, Naughten, Shortall and others is being retained. A senior source within one of those parties, Fine Gael, has acknowledged that some of it will be used to try to manipulate taxpayers - whose money it is in the first instance - to vote in a particular way at the next general election. That is a complete manipulation and distortion of the democratic process which obtains in this country. I must question the position of the senior Fine Gael source to whom I refer. I read about this individual a great deal in the national newspapers. I have spoken to political correspondents who very openly informed me of the identify of this source. If that source spent more time in his ministerial office micromanaging the funds he says he does not have time to micromanage and less time spinning to the media and trying to manipulate the internal workings of a certain political party, he would be doing a much greater service to the taxpayers and other citizens of this country than is the case at present.

Deputy Terence Flanagan: Hear, hear.

Deputy Lucinda Creighton: The deliberate and orchestrated use and abuse of taxpayers' money to undermine the constitutional role of elected Deputies is completely unacceptable. I request that the leader of the party in question and others come before the House to clarify how the resources to which I refer are being manipulated.

This is an important matter. Some of us have taken to the high moral ground and requested that charities which receive up to 80% of their funding from the taxpayer come before the Committee of Public Accounts in order to explain how those funds are spent, how much their CEOs are paid, etc. Why should the Committee of Public Accounts not account to this House and to the people on how taxpayers' money is funding the operation of political parties in this State?

Deputy Finian McGrath: This is a very important debate which forms part of the wider debate on reform for which many of us have been campaigning for many years. The Bill deals with aspects of accountability and transparency and the need to adapt to the current economic and political situation. Our people are crying out for change and are demanding sensible spending of public moneys and value for money. I will vote for this Bill if its proposals can meet those demands.

Misleading information needs to be dealt with. I refer to those who are cynical and who are misinformed about these issues. Citizens need to understand the defects and unfairness in the political system. It is necessary to weed out the bad eggs and implement necessary changes urgently. Members of the Oireachtas have a duty to support changes and reform and to stop the hypocrisy in many places in this House.

The Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 seeks to

change the party leader's allowance which will be renamed the parliamentary activities allowance and to abolish severance payments for Ministers. It does not affect the parliamentary standard allowance for all Members of the Oireachtas. The party leader's allowance is a device for giving allowances needed by either a parliamentary party or an Independent Member for parliamentary activities such as research. The Bill will change the party leader's allowance regime. This also affects allowances for Independent politicians like me. The allowance will be reduced by 10% with more demanding reporting and vouching standards for the allowance overseen by the Standards in Public Office Commission.

Not all Independent Members are in receipt of the allowance; it only applies to those elected in a general election or a by-election. A person who subsequently leads a political party cannot claim a party leader's allowance. The Bill will not change this regulation. In my view that is a mistake. The Bill will abolish the current system whereby Ministers receive a payment on leaving ministerial office. This is a welcome proposal. These changes were proposed in the 2013 budget. The Bill will not affect the parliamentary standard allowance.

This Bill is the beginning of a reform process which will introduce an amount of accountability and transparency. However, in my view, further and urgent reform is required of the system of funding of political parties and Independent Members. We cannot have the brass neck to cut the respite care grant or the bereavement grant of €800 when the reductions proposed in the Bill are at the level of 10%. There has been uproar in this House about the consultancy expenses and salaries regimes in some charities and public bodies. We must lead by example.

Funding should follow the Member. I support my colleagues on this issue even if I disagree with them on other issues. Everyone must be treated equally and with respect and above all, in a transparent manner. The people want accountability. I ask the Minister of State, Deputy Brian Hayes, to listen to that request. I wish him well in the forthcoming European elections.

I note Government Deputies having a dig at the leader's allowance for Independent Members. All political parties are provided with funding by way of a leader's allowance as well as other funding. I hear the smart comments from the Government backbenches. Some of us put details of our expenses on our websites, even though we were not required to do so. We use some of our leader's allowance to employ extra staff and for research and development. We try our best to be accountable. I do not say that everything is squeaky clean and that I am holier than anyone else but some of us try to be accountable.

Political parties receive in the region of €13 million in Exchequer funding annually. The money is paid to parties under the Electoral Acts and the party leader's allowance. The five largest parties receive funding of €5 million as well as €8 million under the party leader's allowance legislation. I do not think some of the Government backbenchers are aware of this funding. This funding is not subject to income tax and may not be used for electoral or referendum purposes. The level of funding is linked to pay increases in the Civil Service. However, the legislation governing the funding is silent on pay decreases. Qualified political parties must furnish statements of expenditure of the funding received.

I note that Fine Gael received in the region of €4.484 million, while the Labour Party received €2,163,293. In the current economic climate, we must question whether such funding amounting to €13 million is justified. Public representatives need funding and expenses to assist in doing their job but I ask the major political parties whether they need €13 million, in particular when prescription charges have increased per item and the telephone allowance for

29 January 2014

the elderly of €9.50 per month was abolished. The bereavement grant of €800 was abolished and the maternity benefit was cut to €230 a week, costing this year's mums €832. I raise these issues because we must look at the facts and the reality.

I refer to issues not covered by the Bill. Salaries and pensions are not included. The system must be made more accountable. Civic society is demanding changes and it is time to introduce a system of vouched expenses for all politicians. The use of the guillotine must be discontinued and legislation must be carefully scrutinised. The committees must be given powers to examine in advance spending proposals as well as powers to hold inquiries and to compel witnesses and documents. We need to make senior public servants responsible for their decisions and actions.

I encourage the Minister and the Government to talk about real transparency in respect of the funding of political parties. We need to make parties publish proper annual accounts. We need to register and control lobbyists and, above all, protect whistleblowers, who will keep an eye on public money at all times. When we talk about reform, we need to make all appointments to State and public bodies and to the Judiciary open to public competition and Dáil scrutiny. We need to ban any individual from being a director of more than three major companies or public bodies. We need to conduct an urgent review of company law to ensure white collar criminals are brought to justice. Basically, we need to bring in these radical reforms.

Under this Bill, the leader's allowance will be reduced by 10%. The Independent Deputy's allowance will be reduced to €37,000 while the allowance for Independent Senators will be reduced to €21,000. It will be €64,000 per Deputy for each of the first ten Members elected, it will be €51,000 per Deputy for each Member elected from 11 to 30 Members and €25,000 for each Deputy elected over 30 Members. It will be €42,000 per Senator, elected or nominated, for each of the first five Members elected and it will be €21,000 per Senator elected or nominated over five Members.

The Bill repeals the 1992 additions and gets rid of the severance allowance while preserving the entitlements of those already in receipt of the allowance. The severance allowance will go on enactment, meaning that any serving Minister will not be entitled to a severance payment. The severance allowance should not be confused with the termination allowance as it applies only to ministerial posts and certain parliamentary offices. The termination allowance applies to all Members of the Oireachtas when they lose a seat. I strongly support these sections.

We need to see if we can do more in regard to costs. The financial implications of this legislation are that the 10% reduction in the rates of the allowance will result in savings of €0.84 million in a full year. I ask the Minister, who spends his life looking for an extra few bob here and there, if €0.84 million is enough, in particular when other areas are crying out for funding. I urge him to look at that figure again. A saving will also arise from the abolition of severance payments to holders of certain ministerial and parliamentary offices as the current and future holders of such offices will not receive such payments at the end of their term in office. These issues should be looked at more carefully. We should do our best to ensure more can be done.

I welcome this opportunity to have this broader debate. I urge the Minister to look seriously at some of the issues surrounding the funding. We need accountability, transparency and to bring in the changes people demand. We must get rid of the cynical view of politicians - the "You are all the same" syndrome. That is not correct. Most Members of the Oireachtas came in here with good intentions to do their best for their country and their constituents.

However, we have to lead by example. That is the bottom line in regard to this legislation, which is flawed from that point of view. There are many weaknesses in it in that it does not give us enough of a lead to tell people what we are doing. One never asks people for respect. People often say to me that one does not get respect, but one earns it. One earns respect in the community and if people lead by example, they will get respect. Some 35% or 40% of people would not then stay at home during the local or European Parliament elections. From a democratic point of view, it worries me that approximately 35% to 40% of our people are so cynical that they will not vote. It is not just an Irish problem. In the European Union and in the United States, many of the marginalised and excluded do not vote because they are so cynical about things. Many people who are very well off are also cynical, but I do not agree with some their cynicism because some of them were very quick during the good old Celtic tiger days to make a quick buck and take as much as they could. We need to challenge these perceptions.

This country should be about ensuring fairness, equality and accountability, which is what the people demand. This legislation deals with certain issues but we need to go further with reforms and changes and create a new Ireland which ensures the political system is run in an efficient way and does not squander public money. That is the bottom line. We need to cut the fat in the system and use that money to develop this country and make it a more efficient, competent and competitive one with a broader future. There are enough people in this country to do that and there are enough Members in this House to roll up their sleeves, get stuck in and do that for their country.

I welcome this opportunity raise my concerns about the legislation. I also welcome the fact the Minister and Minister of State have come to the House to listen to the debate because it is very important they get the message from both sides of the House that we need accountability, openness and transparency but, above all, we need to ensure we earn the respect of the citizens of this State.

Deputy Terence Flanagan: Like the previous speaker, Deputy McGrath, my colleague in Dublin Bay North, I very much welcome this Bill and greatly appreciate the presence of the Minister. My colleagues in the Reform Alliance, including the Acting Chairman, Deputy Mathews, welcome this Bill which will put an end to severance payments to Ministers and will reduce the party leader's allowance. Many constituents and members of the public get very angry when they see the extortionate pensions, allowances and perks paid to previous Members of this House and to chief executives of State bodies.

In recent weeks, we have seen many concerning reports in the media about Irish Water and the spending and start-up costs and what was paid to consultants. The same consultants seem to be consistently employed by the State. That could be looked at to ensure the money is spread around. A cap could be applied under the procurement rules so that five or ten companies do not get all the work and that it is shared among some of the other expert consultants in the market. Spending in charities has knocked the confidence of the public in the system and has resulted in people being more disillusioned with the system and, sadly, with politics.

I have no doubt my constituents will be happy with the Bill and the fact that severance payments will come to an end. Once this Bill is enacted, Ministers will no longer receive a payment on leaving office. Many people have expressed frustration to me that so little reform has taken place in the Irish political system. I know it was the subject of debate at the Constitutional Convention in Malahide last weekend. It is looking to see how the procedures and the way business is done in the Dáil Éireann could be improved. People are angry there has been

29 January 2014

no accountability with former Ministers walking away with huge lumps sums even though they were responsible for the economic collapse of our country and the bank bailout. No one has been held to account.

6 o'clock

I know the Government has given a commitment to do that. I suggest that my colleague, Deputy Mathews, who has always been an independent voice and spoken the truth about the banking situation, should be considered as one of the members of that banking inquiry in light of his track record and what he stands for as a Member of our Parliament.

Following the recent disclosures regarding the use of consultants as part of the establishment of Irish Water, it has never been more apparent that greater transparency is needed in all aspects of political funding. Many of my constituents have expressed concern about how the money from the local property tax is being spent. They had understood it would be used to improve local services for the betterment of their communities, but sadly this has not happened. We know that some of the money in question went into the central Exchequer to be spent on the day-to-day running of the country. Some of the other revenue was used to meet the costs associated with setting up Irish Water. People are angry that consultants are receiving pay-offs and bonuses are being given to staff without any proper transparency regarding what they are getting those bonuses for. We have learned that 299 people in Irish Water will be entitled to bonuses of €2.1 million. We are all happy that the Minister has decided to include Irish Water in the freedom of information legislation. I thank him for that. I hope it will be backdated to cover all the ins and outs of that organisation's expenditure.

Deputy Brendan Howlin: It will be backdated to July of last year.

Deputy Terence Flanagan: Perfect. People want to know how much has been spent to date to meet Irish Water's set-up costs. Consumers are concerned that they will face higher water charges on foot of these start-up costs.

The Minister has taken some important steps to ensure the funding of political parties is a more transparent process and to make politicians more accountable to the electorate. The Electoral (Amendment) (Political Funding) Act 2012, which introduced measures to require political parties to disclose to the Standards in Public Office Commission details of the funding they have received above certain limits, has gone some way to make the public funding of political parties more accountable. The maximum donation that can be accepted by an individual elected representative or a candidate has been reduced from €2,539 to €1,000. The maximum donation that can be accepted by a political party has been reduced from €6,349 to €2,500. I think this will help to restore the electorate's faith in the political system in Ireland.

The 10% reduction in the party leaders' allowance is another important aspect of the Bill. The allowance in question is in place to assist political parties and Independent Deputies who were elected as Independents with their parliamentary-related activities. It helps them to carry out their duties fully and represent their constituents properly. It is important that the allowance is being reduced at a time when the public service has been cut and many people throughout the country have lost their jobs.

As the Minister is aware, the Independent Deputies who comprise the Reform Alliance were expelled from the Fine Gael Party for voting against the Government on an issue of conscience which we believed to be of significant importance. We kept our party's promise to the

electorate even though we were aware of what the repercussions of doing so would mean for us as individuals. As Independents, we are not entitled to receive the party leaders' allowance as Deputies who were elected as Independents do. The Fine Gael Party is continuing to enjoy the benefit of allowances in respect of seven former members - five Deputies and two Senators - whom it has seen fit to expel and who now comprise the Reform Alliance in the Oireachtas. I would like the €300,000 in question to be returned and used, like other taxpayers' funds, for proper purposes such as the restoration of the moneys that have been taken from children's, disability and other services. That would be only right and proper. When he spoke last Thursday, Deputy Naughten suggested that this money should "be returned to the Exchequer" and used in areas where it is much more needed, for example, to provide respite care or help with the medical costs of children with disabilities.

St. Michael's House, which is a vitally important resource in my constituency of Dublin Bay North, is crying out for funding and support. It helps 1,600 people with intellectual disabilities and their families. It has been struggling to provide the same level of service, year-on-year, as a result of the cuts in its budget. The money given to the Fine Gael Party - my allowance and that of my Reform Alliance colleagues - could be put to much better use by St. Michael's House or a similar facility that has suffered as a result of the recent economic collapse. It is upsetting to receive e-mails from constituents who are anxious that the St. Michael's swimming pool in Belcamp Park is no longer open to users on Saturdays. Those who use the pool greatly benefit from availing of this outlet. This purpose-built facility, which was designed for people with disabilities, gives children a chance to socialise. No other pool in my area can meet the needs of those who use it. Parents have raised concerns with me about the fact that this facility now has to close every Saturday, which is the most suitable day for families to go to the pool because of parents' work responsibilities during the week.

The Fine Gael Party is being allowed to continue to draw down the allowances I have mentioned and use them for its own research purposes. As Deputy Naughten and Creighton have pointed out previously, an extremely concerning article appeared in the *Sunday Independent* on 19 January last. The newspaper claimed to have spoken to a senior Fine Gael Party source who admitted that all steps would be taken to ensure a former member of the party will not be re-elected at the next general election. A senior party source told the newspaper that Fine Gael intends to help potential candidates "in every way and resource them" adequately. It is shocking that a political party is using public funds to block the re-election of a former member of that party.

Deputy Brendan Howlin: One cannot use public money for election purposes.

Deputy Terence Flanagan: Hard-pressed taxpayers would be concerned about this situation.

Deputy Brendan Howlin: It is not lawful.

Deputy Terence Flanagan: There is concern about the use of the funding that is going to the party in question. People would be concerned if public funds were to be used for internal party politics in this way. The funds being collected by the parliamentary party in the name of its former members are being used to actively campaign against them.

Deputy Brendan Howlin: They cannot be used in that way.

Deputy Terence Flanagan: This is another example of hidden expenditure within Dáil

Éireann. Many people are unaware of it. I am sure most people would agree that a political party should not be allowed to claim allowances in respect of Deputies and Senators who have been expelled from that party. I hope the Minister can consider the matter. Perhaps he will propose an amendment to this Bill on Committee Stage to deal with this issue.

It has not been pleasant for me to be expelled from a party for which I worked very hard over many years. Those of us who were expelled from Fine Gael were almost immediately removed from the committees on which we had worked hard and to which we had contributed. Less than 24 hours after I voted against the Government, my profile was removed from the Fine Gael website and my details on the Oireachtas website were changed to reflect my new status as an Independent Deputy. Initially, we were even denied speaking rights in this Chamber. This meant I was unable to contribute to important debates that I knew would have an impact on my constituency. I would like to take this opportunity to thank the Ceann Comhairle for providing another slot in this House to facilitate me and my Reform Alliance colleagues, including Deputies Mathews and Timmins, who had been denied the right to speak.

I am glad we are able to contribute to important debates and particularly debates that have a significant impact on my constituency. I no longer have the powerful backing of a parliamentary party behind me and do not have the access to funding for research that would assist me in my role as an elected representative. It all happened extremely quickly, but I was fully aware that it might happen as a result of my vote. I knew it was more important to stick to my principle and the principles of my party that I had signed up for. Having more politicians stand up for what they believe in would help address the public's concern over politicians not keeping their promises. A measure should have been included in the Bill to ensure this practice ended and to stop political parties from continuing to benefit financially from expelled Members.

Deputy McGrath talked about respect and that politicians need to lead by example. It was immoral that many former Ministers walked off with significant severance payments and pensions. The Minister needs to make every effort possible to cut the pensions of former Members who led the country over the cliff into the economic crisis, leaving it up to the current Government to pick up the pieces.

Acting Chairman (Deputy Peter Mathews): I call Deputy Timmins who has 20 minutes.

Deputy Billy Timmins: I will not take the full 20 minutes or anything near it. I forewarn the Minister that he will be summing up shortly.

I am delighted to speak on this legislation. I wish to elaborate on the point Deputy Terence Flanagan made about funding being used to prevent an individual getting elected. What he is talking about is that the money would be currently used to promote or support a potential candidate in the area at the moment.

I noted an opinion piece in *The Irish Times* written by the Houses of the Oireachtas head of communications in which he bemoaned the standing of politics and politicians and that no one understands us and the difficulties we have. I tweeted - I have become a practitioner in recent times - that it is difficult to expect the public to have respect for us when one half of us castigates the other for half the day and for the second half we change places and we point out the ills of the other side and *vice versa*. Then, when we leave the Chamber and the precincts of this House, we expect the public to love us. It does not work like that because we generally make good copy when we are tearing the heads off each other with the occasional derogatory

comment.

Notwithstanding that, this legislation is a relatively simple Bill dealing with a 10% cut across the board and the removal of the ministerial severance pay. In principle, no one could argue against it and it is appropriate in current times. The issue of funding for political parties has caused considerable difficulty and grief. Notwithstanding that the general public do not have much interest in this type of legislation and do not like the basic concept of putting their hands into their pockets to pay for the political system, they probably prefer it to what has happened over recent decades in this country. I feel, however, that the legislation is unfair and may be unconstitutional. I do not want to elaborate too much on our own position. I know the Minister thrashed this out during the debate in the Seanad and while he initially seemed hostile towards it, he mellowed a bit as the debate went on. I am not sure, however, that he has mellowed sufficiently to accept an amendment on Committee Stage.

I am a strong advocate of party discipline and of the party Whip system, which is necessary in virtually everything except perhaps some of the social issues. I know many commentators have suggested that removing the respite grant or special educational needs provision might have been social issues. However, when dealing with the allocation of economic or material resources at that stage it is not an issue of conscience, but an issue of choice. Nobody wants to cut the respite grant, but we do not have it in this bucket of money. People talk about austerity. I hear commentators continually lamenting and berating the austerity policies. In defence of the Government - I was a Government party Member for most of the time of this Dáil - I do not accept that living €11 billion of €12 billion above the country's means represents austerity. In our households, if we lived at 10% or 20% above our income, we would not be calling it austerity; we might call it being a little bit irresponsible.

Deputy Brendan Howlin: Profligacy.

Deputy Billy Timmins: It is important to remember that notwithstanding that we cannot borrow, we must be responsible in what we do. Throughout my time in this House I have grown tired of the Opposition consistently looking for expenditure and being very reluctant to outline how to gather in taxes other than the simplistic approach of taxing the wealthy by imposing a levy on everybody with incomes in excess of €100,000. By and large, we have a fairly progressive tax system.

I also get a bit weary of hearing about political reform, but it is in the context of trying to make the system better so that when we are gathering money from the public and spending that money we can do so in an efficient and progressive manner. Reference was made to Irish Water and the Minister spoke about the freedom of information going back to July of last year. When that legislation was going through here why did we not allocate enough time to debate it? Why did people not listen to the concerns Members had? I believe that establishing Irish Water as a statutory authority is a very worthwhile exercise. We would never have got our national road network in place without the National Roads Authority and I envisage Irish Water doing something similar. Even though there are many efficiencies in local authorities, all one has to do is to look at the various websites and see all the boil notices. It is impossible to put in major utility infrastructure on a local authority basis or to get co-ordination without having one authority. I would have been an advocate of a national housing authority some years ago, but I am not so sure if it is needed now; it has been fairly successful in Northern Ireland. However, it is not appropriate for Roscommon County Council and Westmeath County Council to put in separate systems when they could combine together and put in one system. So I am an advocate of it

and I believe it is a very good policy.

I am in favour of the basic principle of water charges, but owing to the manner in which we introduced it we have now undermined the positives of that body. Already the public in their minds have equated Irish Water to the HSE with the view that it is overstaffed, that people, who should not be paid, are being paid, and that it has spent too much money on consultants. That is all because it was not subject to the scrutiny and openness that should have applied.

For many years I took unvouched expenses; I changed to vouched expenses for a period before the last general election. While Members claiming the unvouched expenses got less money, it was more convenient for me to take unvouched expenses because I did not have to keep a record of things and I found it easier to operate. Political life is difficult enough and most politicians are very good at looking after everybody else's business but poor at looking after their own. It did not suit me to do it. However, now it has gone to the other extreme.

While I welcome accountability, etc., when I see the Minister for the Environment, Community and Local Government in conflict with the Standards in Public Office Commission - I am not blaming the Minister - I am reminded that we are supposed to be on the same side. This was done for accountability. Often the bodies we establish take their job too seriously. I do not use the term too lightly - it is not what I actually mean. Many years ago I studied law and the one thing I remember is that the British system - most of our law is based on the British system - had the golden rule and the mischief rule. The golden rule was that people interpreted legislation as per the intention of the legislation. If that meant going into the Committee Stage or the Report Stage of the legislation to understand the actual intention, that is what they did. However, in this country, particularly in recent years there seems to have been a move to the mischief rule by bodies and the Judiciary whereby they look at the legislation and try to arrive at an interpretation of the legislation that was not the intention of the Legislature. I have seen this when trying to find out if a certain individual had been treated fairly on the local authority housing list and running into data protection obstacles. One cannot find out. This is equally true of political parties.

When I was a member of the Fine Gael Parliamentary Party I sometimes wondered where the funding went. I recall once hearing that someone got a job in a political party, which I will not name. It was a new position and some months later I rang to speak to that individual and was put through to the individual's secretary. The pyramid was being built quite rapidly. Public money should all be available on the website, if there is no commercial sensitivity as for most of it there is not. The money a political party or an individual gets should be published on the site and every last cent spent should be published in so far as possible, while making allowances for some miscellaneous items. I do not like the idea of auditors arriving on my doorstep, or anyone's doorstep, to find out the mischief in the expenditure. Many politicians do not claim for things because they fear they will get into trouble and they bin the receipt.

I have raised an issue about expenses for politicians with three or four Ministers for the Environment, Community and Local Government in the past. Politicians' expenses grew rapidly in the decade of the Celtic tiger. Thirty years ago the politician's mother, sister, brother or wife hand wrote letters late at night, working for no money. Most of the politicians who came in here would have lost out financially. I do not expect any newspaper to report it, and I do not expect Joe Duffy to have me on "Liveline" lamenting this. They lost out because there are expenses and demands on a politician, as there are on anyone in business, for which he or she cannot claim. They are hard to discern and a bit intangible. It is hard to administer but we should con-

sider limiting expenditure between elections. There is the disadvantage that the person outside the system can spend *ad infinitum*.

If I have access to a great deal of money or raise funds, which I can still do, for example, if I sponsor football teams, that is a form of buying votes. If we were allowed a discretionary expenditure between elections, capped at, for example, €2,000 a year, it would take away the need that some people feel to raise funds. I appreciate that this does not come under the heading of expenses. It would also mean that people would not put pressure on for wage increases because much of a politician's wage goes on items that cannot be claimed as expenses. If they were in the public domain people would have no pity and call it buying votes. Unfortunately, the pressure of work and the nature of the environment in which we work requires this. This does not happen in some constituencies where people try to have arrangements. I once gave what I thought at the time was a substantial donation to a student for a project. Several months later, however, I heard the student was deeply unhappy with it because another politician had given a donation which was a multiple of mine. I did not lament the bad press but I lamented having given the money in the first place because it had only got me into trouble. If I had not given it at all, I might have my reputation and my few bob.

Without deviating too much from the legislation, I can purchase out of my own pocket 1,000 posters, as Deputy Mathews did. I have not seen it but I am told that there is a very attractive poster of him in the vicinity of Dublin 2-----

Deputy Brendan Howlin: It is outside the door.

Deputy Billy Timmins: I have not been outside the door.

Deputy Terence Flanagan: It is in Merrion Square.

Deputy Billy Timmins: Deputy Mathews can use those posters during election time but they do not count as election expenditure. That is my understanding of the legislation and the election expenditure. It does not count towards the election expenditure, if it is purchased outside the election period. Am I correct in that?

Deputy Brendan Howlin: No.

Deputy Billy Timmins: Am I incorrect?

Deputy Brendan Howlin: Yes.

Deputy Billy Timmins: I am not so sure that I am incorrect. The Minister might deal with that point in his response. I have used posters for two or three elections. Like Dorian Grey, I have never aged. Like most Members, I have used posters from two or three elections back.

Deputy Brendan Howlin: The first communion photograph.

Deputy Billy Timmins: I have re-presented them.

Acting Chairman (Deputy Peter Mathews): On a point of information, I wish to advise the Deputy of the time.

Deputy Billy Timmins: How much time do I have left?

Acting Chairman (Deputy Peter Mathews): The Deputy has six minutes. He can see it

on the clock. This clock is the easiest one for him to see.

Deputy Billy Timmins: When one lives in a constituency like mine, one learns to have eyes in the back of one's head so I can see all four clocks.

I have used posters from one or two elections back and did not declare them as expenditure in the election. I hope I am not going to get the cosh now. No better buachaillí, I am thinking of doing it when I leave here. That would be my interpretation of the legislation. The Minister is going to correct me.

Acting Chairman (Deputy Peter Mathews): It is expenditure incurred.

Deputy Billy Timmins: That was my understanding. Maybe I am talking too much and will get myself into a bit of trouble. Maybe it is time to stop.

I listened to Deputies Naughten and Terence Flanagan speak. I apologise for missing Deputy Mathews's contribution. I also listened to Deputy Creighton. They all made very genuine points. No matter how one considers it, in the realm of fairness and equity, I do not expect funding to follow those who lose the party Whip. That would be chaotic. I do not know how many members are in Labour's parliamentary party, whether it is 31 or 32.

Deputy Brendan Howlin: A few more.

Deputy Billy Timmins: I know the party has that appendix, like some of the other parties. It is amazing that, unlike the human appendix, most of the good in this Parliament seems to lie in the appendix to each traditional party.

The logic of this legislation is that if 29 of those Labour Parliamentary Party members decided to lose the Whip, their funding, which is approximately €1.4 million, would be left to two people in the party. That is not logical. If the same happened in Fine Gael, it would have approximately €2.3 million to spread between four or five individuals.

Deputy Brendan Howlin: I think a general election might be called if that happened.

Deputy Billy Timmins: That may well be. I know I am taking this to an illogical extreme but it shows the weakness in the legislation. I heard quotes from "senior Fine Gael sources" but most people in Fine Gael are fairly honourable, decent people, as they are in every party. I do not know if such a "senior source" exists. Most people are involved in the administration of fairness. Will the Minister go back to Cabinet and consider the idea that the funding not go back to the party? It should not go back to the individual because maybe one has to take a hit or a penalty if one stood under a certain banner. I can see the difficulty there. The money could go into some other fund, be it Irish Aid, or to assist in the administration of political systems in our programme countries, rather than go to one political party to spend it on removing some other party that is trying to promote a bright young star in Deputy Terence Flanagan's constituency.

I believe this legislation is unfair. If it was challenged there is a strong possibility it would be found to be unconstitutional. That is something that may happen. The Standards in Public Office Commission has a difficult task but when it is inspecting compliance with this it should try to adhere to the spirit of the legislation, to the golden rule rather than the mischief rule.

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I thank all Deputies for contributing. I stayed for as long as I possibly could, as I try to do on legislation I

am sponsoring myself. I also heard most of the contributions I was not physically present for, in so far as that was possible. Some thoughtful contributions were made, by and large supportive of the legislation, but obviously wanting to touch on extraneous matters that are not captured by this particular legislation and about which quite clearly some Members, and certainly former members of political parties, have very strong views. I am cognisant of that aspect. I know some people argue with passion but, if I have a different view, it does not mean that I am wrong. It just means that I have a different perspective. Where I do disagree with Deputies, I respect their views, which were well-presented by a number of Deputies on a range of issues during the course of this debate.

For the record, I want to highlight again the main thrust of the Bill, focusing on its three aspects. First, it is important to say what the Bill is about because much of the debate focused on things the Bill is not about. We will reduce the amount paid under the parliamentary activities allowance, which was the old party leaders allowance, by 10%. This was an amendment that came from the Seanad and which I accepted. This will mean that, for the first time since it was introduced in 1938, this allowance will be reduced. If one thinks back to 1938, we have come through fairly rough economic times in this country in terms of general standards of living, even given the awfulness of the last few years. However, this is the first time we have ever reduced the party leaders allowance, which is important.

Second, we will require full----

Deputy Peter Mathews: For the purposes of clarification, does this mean the real value of that amount has diminished hugely since 1938?

Deputy Brendan Howlin: No, of course not. I am saying it has always been incrementally increased and this is the first time a Minister has ever come in and said, “I want to actually reduce the total amount payable”.

The second point is that we will require full and transparent accountability for the money received. There was a great deal of disquiet about some categories of recipients having what I think one former denizen of this House called “walking around money”, which was not properly accounted for. While I am very confident the vast bulk of that was spent, and all Independent Members spent it, appropriately and properly, it is important that this is done transparently so we can be sure of that.

I am extending the reporting and audit provisions in the Bill to Independents who have not been required before now to comply with external auditing or to submit documents to the Standards in Public Office Commission. All of us know of this, and I think I have filled in four declarations in the past week. I take some care with this because I am always conscious of doing everything right, as far as I can. There is a great deal of scrutiny of public affairs, which is right and proper. We have the trust of the people and we need to ensure we continue to have it. It has been dented and bruised and, some would say, crushed in the recent times. Part of my job as Minister with responsibility for reform issues is to put in place a series of structures to try to restore that over time.

We are also expanding the role of the Standards in Public Office Commission, for example, by allowing it to produce guidelines in regard to the allowance. This is important and is one of the things it asked us to do. I believe it will be helpful for everybody concerned that there are clear guidelines independently produced by the commission.

29 January 2014

Third, as many Deputies have averted to, I am proposing the abolition of severance payments to Ministers. All current Ministers, whose pensions have already been reduced by virtue of pay reductions, will no longer be entitled to any severance payments once we leave office. I think that is right and proper. It is something we have done. These severance payments have been paid for decades. While I do not expect to get kudos for this, I want to acknowledge it.

I heard Deputy Finian McGrath talk in terms of “lead by example”, which is a very powerful and real argument. However, I would put it to Deputy McGrath and everybody present that this House has led by example. It might be instructive to give the actual figures. To take the rate of remuneration of a Deputy, on 30 June 2013, the current rate payable, when the FEMPI reductions of last year are taken into account, is €87,258. This is from a peak in 2009 of €100,191, giving a reduction of 20.01%. To take the Taoiseach, there is a reduction from a peak in 2009 of €285,583 to the current rate, after FEMPI, of €185,350. That is a reduction of €117,000, or 41%. If we look through the economy, there are very few examples at that level. For the Tánaiste, the reduction is 36.6%, or nearly €90,000 in cash terms, for Ministers, it is 36.48%, or €82,000 in cash terms, and so on right through the system. Very real reductions have been made. Of course, the reduced rate will determine our pensions in due course, so there will be a 30% to 40% reduction in our pensions as well as the abolition of severance. It is right and proper that it should be done but it has sometimes gone unnoticed that it has been done.

Deputy Peter Mathews: Our families notice it.

Deputy Brendan Howlin: I know that. It is true.

Deputy Terence Flanagan: What about the pensions of the former Ministers who destroyed the economy?

An Leas-Cheann Comhairle: I understood all questions had been dealt with before I took the Chair.

Deputy Brendan Howlin: I will deal with all of these questions. One of the first things I did was to see how we could mitigate the pensions that were based on those high salary levels. I took very strong advice and that is why, in the FEMPI legislation, I introduced an additional take, so the marginal rate of deduction is very high indeed. I will give the Deputies the exact figures, although I do not have them to hand.

Deputy Peter Mathews: It is a case of *déjà entendu*. The Minister explained it very well in committee.

Deputy Brendan Howlin: It is a very significant reduction, in so far as I could do so without putting the entire FEMPI legislation at risk, which I could not do because it is so important in regard to economic affairs.

On the Bill before us, there is an issue that has been raised again and again, particularly by the Deputies present, so I am glad to have the opportunity to respond to it. This is the fact parties continue to receive their allocation of funding even if individual members choose to leave the party or were expelled from the party.

Deputy Peter Mathews: There was no “or”. It was only “expelled”.

Deputy Brendan Howlin: Some people have chosen to leave in the past. The principle I have outlined remains. This allowance, the parliamentary activities allowance, is intended to

support our party political system - that was why it was introduced in 1938. It is the *raison d'être* for its introduction and was argued for.

Deputy Peter Mathews: That is not-----

Deputy Brendan Howlin: Please, Deputy. I did not interrupt anybody and I listened to all of the debate.

Deputy Peter Mathews: I apologise.

Deputy Brendan Howlin: It was not introduced to support individual Members of Dáil Éireann. There are measures such as staff allocations for each Member and a substantial parliamentary standard allowance in place to provide assistance to individual Deputies. As I have said, the parliamentary activities allowance provides funding to political parties using the metric of the number of Deputies and Senators who were elected or nominated as members of each party at the time of election. We have to have some metric to decide how to allocate this party funding. It is done by the most recent vote of the people in terms of the number of Deputies and Senators elected. Again, this is the metric used for calculation purposes, not an allocation to individual Members. I will go through it in some detail in a moment. It is not allocated to individual Members. It is a system that decides the weight with which the activities of a political party are supported. While some funding is allocated to those elected as Independent candidates, that is solely because they were elected as Independent candidates and not because they became Independents after the decision of the people in a general election.

Deputy Peter Mathews: We got a mandate.

Deputy Brendan Howlin: It has been suggested by several Deputies that the provision in the legislation for the merger of two parties sets a precedent for the transfer of funds from a party to an individual. However, the legislation actually provides for the situation where two parties decide to merge and the parties decide to pool their resources. It is the party funding being welded together. That is provided for and is understood.

It is very different from an individual member of a party deciding he or she does not wish to be a member of or being expelled from a party and then either wanting to take the resources with him or him or quash those resources being provided to the party of which he or she was formerly a member.

Deputy Peter Mathews: It benefits coalition parties.

Deputy Brendan Howlin: The party decides what to do with funding, not one individual.

Deputy Peter Mathews: What about coalition parties?

Deputy Brendan Howlin: Deputy Mathews should stop shouting Members down.

Deputy Peter Mathews: I am not shouting the Minister down. I am asking a question.

Deputy Brendan Howlin: Yes, he is.

An Leas-Cheann Comhairle: The Minister has possession of the floor.

Deputy Brendan Howlin: I listened with respect to every Member so Deputy Mathews should afford me the same courtesy.

Deputy Peter Mathews: I will, but I am asking the question.

Deputy Brendan Howlin: The party decides what to do with the funding, not one individual or one small group. As Deputy Ó Cuív put it, the money is our money collectively, not individually. We have been consistent in our interpretation in this regard. This is the reason the Ceann Comhairle is included in the calculations as the money is for the party, not for the use of the Ceann Comhairle. He was elected as a member of Fine Gael and, therefore, is included in the metric for the calculation of the allowance distributed between the parties. That is why if a Member dies, the money stays with the party until a by-election is held and the money is then decided in terms of the vote of the people subsequently. It is not for the individual Member. It is for the party grouping to which that person was elected by a vote of the people. People have strong views on this but we will have further discussion on this matter on Committee Stage.

The second point to which we responded is that raised by Deputy Donnelly who provided figures which he claimed showed that the funding provided to parties far outweighs that provided to Independent Members. Those figures provided by Deputy Donnelly were re-used by several other Members in their contributions. They are misleading and I want to explain why. Deputy Donnelly included all funding provided to parties and simply divided the totality of funding by the number of Deputies in order to compare the parliamentary activities allowance received by Independent Members of this House in a manner that suited the narrative he was presenting. Deputy Donnelly has gone even further in so far as he ignored Senators in his calculations, as did Deputy Catherine Murphy in respect of the figures she subsequently referred to. Deputy Donnelly has also included funding provided to parties under the Electoral Acts, which is calculated on the basis of first preference votes with no relationship to Deputies in a party. It is the votes cast by the people that determine that allocation so one cannot divide that up on a Deputy basis. Funding under that Act is also intended to fund a much broader range of activities by parties than simply parliamentary activities for which the allowance we are discussing here is intended, for example, improving female and youth participation in politics.

The reality is that when one takes the total current amount of the allowance paid to the parties based on the number of Deputies at the time of election and the allowance paid to Independent Deputies and divides the figure by the number of Deputies, the average amount paid out is €39,681. Independent Deputies such as Deputy Donnelly receive €41,152 so Independents actually get above the average.

Deputy Peter Mathews: I get nothing.

Deputy Brendan Howlin: As I have already stated, this allowance is designed to support a party political system.

Deputy Peter Mathews: Nothing for the next two and a half years.

An Leas-Cheann Comhairle: The Minister, without interruption.

Deputy Peter Mathews: Let us tell the truth.

An Leas-Cheann Comhairle: This is not Question Time.

Deputy Brendan Howlin: The Chair should protect me. The Deputy is incapable of listening to anybody but his own voice.

Deputy Peter Mathews: The Minister does not listen to us.

Deputy Brendan Howlin: It is unfair of the Deputy to suggest that I am not telling the truth. I have never been accused of that in 30 years in this House and will not stand idly by as the Deputy does it now.

Deputy Peter Mathews: I am getting nothing. That is the truth. When the Minister says he is getting nothing, I will believe him.

An Leas-Cheann Comhairle: The Minister must conclude. The Minister, without interruption.

Deputy Brendan Howlin: I have explained *ad nauseam* but the Deputy understands it better than me that this is a party funding system. He does not agree with it but shouting me down does not help convince me of his argument. As I have already stated, the average per Member is €39,681. If one looks at the individual allocation, it proportionately gives an advantage to the smaller parties and a greater advantage to parties in opposition. So the average amount per Member of the People Before Profit Alliance is €71,520; the Socialist Party, which now has only one Member, gets €71,520; Sinn Féin gets €67,433; Fianna Fáil gets €64,743; the Independents get €41,152; the Labour Party gets €36,639, which is below the average; and Fine Gael gets €27,858, which is well below the average of €39,681. If we are going to argue facts, let us argue facts and be accurate and honest.

By and large, I have covered the substantive issues that the Deputies have raised relating to the Bill. It is a short piece of legislation, as many Deputies have properly indicated. Its aim is to do a number of discrete and specific things about which I have spoken. I have not heard anybody disagree with the actual Bill. They only spoke about what they wanted to graft on to the Bill. I think there is agreement that the parliamentary activities allowance should be reduced by 10%, that there should be full accountability by all who receive it and that the current severance payment available to Ministers should be ended. I thank Deputies for thoughtful and passionately felt expressions of views that I respect. All I ask is that if I hold a contrary view on some of the matters, that would also be respected.

Question put and agreed to.

Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 [Seanad]: Referral to Select Committee

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I move:

That the Bill be referred to Select Sub-Committee on Public Expenditure and Reform pursuant to Standing Orders 82A(3)(a) and (6)(a) and 126(1) of the Standing Orders relative to Public Business.

Question put and agreed to.

Sitting suspended at 6.45 p.m. and resumed at 7.30 p.m.

29 January 2014

Estimates for Public Services 2014: Message from Select Sub-Committee

An Leas-Cheann Comhairle: The Select Sub-Committee on Public Expenditure and Reform has completed its consideration of the following Revised Estimate for the Public Service for the year ending 31 December 2014: Vote 13 - Office of Public Works.

Health Services: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Billy Kelleher on Tuesday, 28 January 2014:

That Dáil Éireann agrees that the 2014 national service plan of the Health Service Executive is inadequate to meet fully all of the growing demands being placed on the health services and that the lack of sufficient resources will not be in the best interests of patient care and this is already evident in accident and emergency departments.

Debate resumed on amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“agrees that the 2014 national service plan provides a comprehensive basis for the Health Service Executive, HSE, to continue to deliver safe and high quality health and social care services to the general public throughout the year;

notes that the overriding priority reflected throughout the 2014 national service plan, at a time of undoubted financial constraint, is the commitment to patient safety;

notes that the HSE has set the advancement and implementation of the Government’s programme of health reform at the centre of its service planning for 2014; and

notes, in particular, the progress that has been made in reducing the waiting times for patients on trolleys in emergency departments, with a reduction of 8,814 in the year to 27 December 2013, down 34% from 2011.”

- (Minister for Health)

An Leas-Cheann Comhairle: The next slot is shared by Deputies Wallace, Maureen O’Sullivan, Healy and Clare Daly. The Deputies have two and a half minutes each. Obviously, we will make up the time at the end.

Deputy Mick Wallace: The Euro Health Consumer Index 2013 ranks Ireland in 14th place and it looks like we are still falling. The Government was elected to office on promises of free general practitioner care for all and universal health insurance. In reality, the Government has cut services and increased health care costs for the public year on year. This year, 35,000 people over the age of 70 years will lose their medical cards due to tougher eligibility rules. They will instead receive GP cards, thereby removing their claim to free medication and public hospital beds while doing away with the exemption from accident and emergency department charges.

The Government’s failure in the health service manifests itself most starkly in the number of people on waiting lists. Last September, more than 49,000 people were on hospital waiting lists compared with more than 41,000 in September 2012. Even though the Minister for Health,

Deputy Reilly, accelerated upgrades at Wexford General Hospital at the behest of the Minister for Public Expenditure and Reform, Deputy Howlin, the situation there continues to worsen. Some 280 adults and children were waiting for inpatient and day case appointments at the hospital at the end of September, an increase of 102 on the same period in 2012. Wexford General Hospital is also experiencing direct cuts to resources and a recruitment embargo that has led to junior doctors working excessively long shifts without proper periods of rest. Some doctors are working 36 hours without a break.

All this has been taking place against the backdrop of austerity cuts to the health services that are destroying people's lives. As noted by Michael Taft yesterday, since the beginning of the crisis, health expenditure has been cut by 12.6%, with a further 2.6% cut planned this year. Health spending was once seen as a positive investment that carried tangible economic and social benefits, but now we have a neoliberal government with a different vision. While our public services are getting bad press, the ground is being made fertile for the bogus claim that the private sector must step in to pick up the slack, while failing to mention that this would mean reinforcing the two-tier system where the poor are punished for their inability to pay and the rich are rewarded for their ability to pay. This further entrenches inequality in Ireland, which is currently four times the OECD average. Ministers may claim that they have a different vision on how things should be done, but it is probably a bit far-fetched to call it a vision.

Deputy Maureen O'Sullivan: Ar dtús, ba mhaith liom aitheantas a thabhairt do na bun-táistí agus na rudaí dearfacha a bhaineann leis na seirbhísí sláinte. It is important to acknowledge the progress that has been made. I would like to acknowledge the palliative care available to people here. I had experience of it before Christmas, and it was an excellent service. Waiting lists are improving, but the difficulty now is that while people are getting the initial appointment quicker, the delay then starts. I would love to see the statistics on the time between the initial appointment and the actual date of the operation, the treatment, the occupational therapy or the physiotherapy, or the detox bed, or presenting with an eating disorder or a mental health issue.

Before Christmas, the director general of the health service gave a briefing on the service, and I was one of three Deputies who attended. It was excellent for the three of us because we had real one to one engagement. It was very obvious, looking at the plan, that there are challenges and reductions, and it is difficult to see the match between the requirements and the increasing demands and resources and funding available. It is happening today with a further increase in private health insurance, which will see more demands on the public service.

I would like to list a couple of examples which show that we are very far behind, one of which is related to CAHMS. I am hearing from the management of schools and from doctors who are referring young children to the Child and Adolescent Mental Health Services, and who are being refused. They do not make those referrals lightly, so I do not know if it is a resource issue or if the criteria have changed, but certainly there are many more refusals and there is still a big gap for those presenting with issues in the 16 to 18 age group.

Diabetes is an area in our medical system that does not get very much attention, but I think there is a need to look at those presenting with chronic diabetes in a much more holistic way. If patients come into an accident and emergency department with a kidney or heart problem, it should not be seen in isolation from the diabetes. I hear from people who have serious difficulties because they have chronic diabetes. The same is the case with stroke victims. While the therapies are good, there can be shortfalls in medical care.

I want to make one plea on substance misuse in the service plan. I hope that all of the local knowledge and the initiatives that have been built up in the communities most affected by the drugs issue will not be lost, and there will be supported drug recovery and accommodation. We must separate those in recovery from those who are actively using.

In the Government amendment there is a commitment to patient safety, but I recently came across an incident of a young woman delivering a baby in one of our maternity hospitals who was sent home and came back on three occasions because she continued to bleed for ten days after birth. It was discovered on the third occasion that the cutting had happened during birth. With the extent of the loss of blood, that is not patient safety.

Deputy Seamus Healy: Serious and significant damage has been done to the health service over the last five to six years, with huge cuts of €3 billion and 11,000 staff. Again this year we have €619 million of cuts and 2,600 staff lost. I pay tribute to health staff all over the country who work above and beyond the call of duty, every hour of every day. I especially wish to pay tribute to the dedicated and committed staff at South Tipperary General Hospital. This is a progressive, modern hospital which, in spite of a loss of one quarter of its budget and almost 200 staff, has increased its activity levels over the last few years. It is now akin to a regional hospital, with patients attending from north Tipperary, Waterford, Cork and Limerick.

Cuts to budgets and reductions in staff have serious implications for patients, and one of the serious problems at the hospital is the ongoing difficulty for patients on trolleys, not just in the emergency department, but also in the corridors and the atrium of South Tipperary General Hospital. This is simply unacceptable and must stop. I have made continual representations on this. I finally got a commitment from the HSE for the opening of ten beds which were closed in the hospital. Even though there is a significant number of patients on trolleys, beds were actually closed in the hospital. There is a commitment to open those beds and to provide additional staff for the emergency department. However, the national recruitment service is simply unworkable and there are huge delays in filling posts. I call on the Minister to allow for local recruitment in cases such as this. There is an ongoing difficult situation in respect of patients on trolleys. Beds have been closed and we have approval to open those beds, but that has been delayed by the delay in appointing staff through the national recruitment service. That could and should be done locally and I ask the Minister to ensure that approval is given for filling those posts through local competition.

Deputy Clare Daly: We used to aspire to having a society and a health service where we look after people from the cradle to the grave, but I want to deal with the period before we get to the cradle and the crisis that exists in the maternity services in this State. Since 2001, the directors of the midwifery services and the CEOs of the three major maternity hospitals have spoken about having a scenario of too few obstetric staff, too few midwives and overstretched to the point of raising fundamental concerns about safety. Despite that, in response to the closure of the Mount Carmel Hospital last weekend, the Minister for Health states, without a shred of evidence, that the existing hospitals will absorb the 1,000 plus births that Mount Carmel Hospital used to deliver. How could this miracle possibly happen? It is true, as the Minister stated, that the birth rate has declined slightly, but we are nowhere near the levels that we were at in 2007 and 2008, when at that time the HSE commissioned a report into our maternity and gynaecological services in the greater Dublin area which declared a crisis. The report stated that the hospitals were understaffed and they needed an additional 20 obstetricians, 221 midwives, 20 neonatal nurses and 35 theatre staff across the three main maternity hospitals. Since then, the birth rate has increased by about 40% and the CEO of the Rotunda said at the end of 2012 that

the figures given to staff those hospitals, at a full-time equivalent of 707.73 staff, were not sufficient. Yet last year, the hospital was given 679.42 full-time equivalent staff.

This crisis is replicated around the country. There are high sick levels, there is an embargo on recruitment and staff and midwives are leaving. The result of this is the type of analysis that we got in the report commissioned by HIQA in the services at University College Hospital Galway last year, where there was deemed to be a general lack of provision and fundamental care. The answer to this has been to cut funding further. Unless we have a radical overhaul of our maternity services, then further lives will be put at risk. The safest way, with the best results for women and their children, has been established as an investment in midwifery and midwife services, yet this Government has failed to replicate the pilot programmes that were carried out. If we were to invest in that, we would save money and have a better outcome for women and their children. Cutting budgets and failing to attend to that will not deliver.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I welcome the opportunity to speak to the service plan for the health service. I agree with some of the commentary on what needs to be done in the health service and the challenge facing the Health Service Executive and Department of Health. As Deputy Maureen O'Sullivan acknowledged, we are, for the first time, advancing a planned service. Some areas have made much greater progress than others in this regard. The areas with which I am most familiar are mental health and disability services and services for older people.

In the areas of disability and mental health, my main aim has been to ensure people are removed from institutions and, where this is not possible, to provide for sufficient inspection safeguards for such institutions. That we have managed to pull this over the line through the establishment of the Health Information and Quality Authority and the provision of residential places for people with disabilities is a significant achievement.

We are also continuing with our programme of closing mental health institutions. It is sometimes thought that this job has been done now that the large Victorian institutions such as St. Senan's Hospital in Wexford, Our Lady's Hospital in Cork and St. Columba's Hospital in Sligo have been closed. That is not the case because many smaller units also need to be reconfigured. We are in the process of doing this.

Approximately 95% of the posts provided for in 2012 have been filled. In today's Topical Issue debate, a Deputy spoke of the need to allow recruitment to take place at local level in highly specialised areas. We are examining this issue and the barriers that surround it. It is of little value recruiting someone to a post in the Central Mental Hospital if he or she is waiting to move to Tralee when a post becomes available there. These types of barriers and structural issues need to be examined. The same position pertains in respect of the posts provided for in 2013. We have not yet started the process for 2014 because a business case must be made in terms of what is available and where the gaps are. This applies not only in the areas of nursing and psychiatry but also psychology, speech therapy, occupational therapy and specialised nursing posts.

I am asked to account for myself more frequently than other most other Ministers because I have responsibility for mental health. This is understandable given that mental health services are starting from a very low base. I repeatedly point out that we are doing our best and moving as quickly as possible. While I understand there are barriers in place, I am also annoyed by the resistance to change we encounter. Everyone is in favour of the strategy A Vision for Change

until it reaches their patch.

The message we send out in respect of mental health is very important. Anyone who knows anything about mental health will be aware that those who have a mental health difficulty are very sensitive to the message that is sent out. While I do not have a problem if people argue that we have not done this or that or that we made this or that promise, the negative messaging must stop for the simple reason that one cannot ask people to seek help and, at the same time, send out a subliminal message that help is not available.

I may have to return to the House to beat myself up for making the following prediction. This year, for the first time, we will not have a crisis caused by people leaving school in the summer and failing to find training places. We have allocated €12 million specifically for this purpose and emergency placements. This type of forward planning is in place for the first time.

Furthermore, despite the circumstances in which we find ourselves, we have secured €4 million for disability services for children aged up to 18 years. This money will be used to ensure children who are not attached to a particular service and wish to be mainstreamed will have access to the same services and will not have to sign up to a particular service to obtain a service.

We have also reallocated €23 million from the fair deal scheme to enhanced home care packages. If I or any other Deputy is asked where we want to end our days, our preference will be to spend our final days at home or in the community. We are making progress and taking a more enlightened approach to doing business.

Deputy Jim Daly: I welcome the opportunity to speak to the motion. Reading through the text, I was struck by the line “the lack of sufficient resources will not be in the best interests of patient care”. One could also propose that all Deputies support world peace as both statements are obvious and lack depth. I mean no offence to the author of the motion, Deputy Billy Kelleher, but those were my first thoughts on reading the motion.

This is a timely opportunity to examine the reason for the current lack of resources. Winds can change very fast. The Minister of State, Deputy Kathleen Lynch, referred to negative messaging. This week, an RTE programme featured a claim that hospital consultants need to be paid more because there is a shortage of consultants in the system. While this is a sensible argument, it was not long ago that people were screaming that consultants were being paid too much. There is a danger that we will get carried away and forget that we are still in a difficult position. We need to be a little more realistic and mature in this debate. We are in this position because we have only recently exited a bailout programme and the country is broke. People have endured horrendous challenges and I do not need to remind the author of the motion of the reasons we ended up in circumstances where every budget and Department had to be squeezed to the nth degree to ensure the State could survive with some semblance of financial security. In that respect, we are not out of the woods yet.

Expenditure on health has been reduced by €3 billion per annum and the health service is operating with 10,000 fewer staff than when the Government took office. People on hospital trolleys were a common sight in the heyday of the so-called Celtic tiger. The solution offered by the Government at that time was to throw more money at the health service. This was false revenue that must now be repaid, however, because it was generated by a building boom. The then Government’s solution to all problems was to throw more money at them. In the case of the health sector, that policy achieved nothing. To cite only one example, the number of people

on trolleys was much higher during the boom than it is now, despite the billions of additional funding available to the health service at the time.

When the Government took office in 2011 it decided to face the challenge by doing more with less. That is real politics. Will Deputy Kelleher or the party he represents make some constructive proposals on sources of additional funding for the Department of Health? Should they include the Department of Social Protection or a reduction in the number of gardaí by the Department of Justice and Equality? When the Deputy's party makes some grown up choices we will be able to have a substantial debate on the issue.

Deputy Billy Kelleher: Irish Water is one option.

Deputy Jim Daly: In the absence of substance, it is difficult to debate a motion which states that a lack of sufficient resources will not be in interests of patient care. We are debating in a vacuum.

I commend the Minister for Health, Deputy Reilly, and the Minister of State, Deputy Kathleen Lynch, who is present, on the work they have done and the challenges they have both faced and embraced since taking office. Notwithstanding the unwillingness of many Opposition Deputies and some members of the media to acknowledge them, the Ministers have introduced significant changes at various levels of the health service with a budget that has been reduced by €3 billion and with 10,000 fewer staff. I would prefer if Deputies used this debate to be more constructive and examine issues in the health service such as the high rate of absenteeism or how we could improve the management system. Addressing a myriad of similar issues would be much more constructive than debating the merits of pouring more money into the health service.

8 o'clock

Deputy Tom Barry: I welcome the opportunity to address the House on this motion.

We all want delivery of an excellent health care system. The national figures are improving. This should not be taken for granted because they are improving at a time when there are huge constraints on our finances, our population is increasing and there is an embargo on recruitment. We are trying to do the impossible and it is being done. It is a brave person that would take on the health portfolio at this time. At the time the Minister took up office up to 5,000 people a day were ill, which meant addressing the health service was a huge task. The health service is being addressed by a number of Ministers.

It is important to set out the facts. For decades and under many Administrations, it was feared that Mallow General Hospital would close. Many Members of the House will recall the huge task it was to ensure it remained open. It is now regarded as part of Cork University Hospital. I do not think people realise the huge amount of work being done at Mallow General Hospital. Approximately 40-day care surgeries are carried out at the hospital. While all surgery requiring specialist surgeons is undertaken in Cork University Hospital, other less serious surgery, which can be carried out on a day-care basis, is being undertaken at Mallow hospital. The hospital has a future, which is great news for all those who rely on its services. This did not happen by accident. Many sacrifices had to be made, including the replacement of the accident and emergency department with a minor injuries unit, which is working very well. I recently attended the unit with my son. The treatment received was outstanding.

29 January 2014

The Minister is to be complimented on what has been achieved at Mallow General Hospital. When we met with the consultants at the hospital their enthusiasm was almost infectious. They wanted to make this work. The hospital is a template for the future role and functions of small hospitals. There is also a new endoscopy unit at the hospital, which is the first new additional building there during my lifetime. These are huge changes. I invite the authors of the motion to travel around the country and see the fine work that is being done rather than engage in criticism of what is or is not being done. Fine work is being done.

There is nothing more devious and upsetting than negative commentary around people's health. I agree with the Minister of State, Deputy Kathleen Lynch, that this negative commentary must stop. If members opposite take nothing more from this debate than that point I will be happy. While some people have serious mental illness others are suffering from depression. All of us meet people in our clinics on a weekly basis who have genuine concerns. Negative commentary about our health system is shocking. Fianna Fáil should be ashamed of itself for instilling fear in people. That is what they are doing.

We are all aware of the challenge that is the health service. However, the model is working. I take this opportunity to acknowledge the challenging work being done by staff in the HSE. While the HSE is often fairly criticised this does not mean that everybody in the HSE deserves criticism. There are some very good people in the HSE and this must be recognised. What we are doing is delivering better services to patients with fewer resources. We are moving in the right direction. Money does not always solve the problem. Often what is required is organisation, for which no one will be thanked. However, this should be recognised.

Deputy Regina Doherty: I am rarely party political in my contributions to debates. However, this motion is attention seeking. It is akin to a bold child looking for notice. I concur with Deputy Barry that the people who provide our health services are fine, upstanding and extremely hard-working people. Fianna Fáil, in tabling this blatantly political motion, does a disservice to those people.

Deputy Billy Kelleher: The Deputy clearly has not read the motion.

Deputy Regina Doherty: It goes without saying that reform of our health services is challenging. This Government is the first in a long time to concentrate on outcomes for patients rather than throw money at the delivery of health services. We are all well aware that if money alone was the answer, Fianna Fáil would have provided a state of the art health service during its tenure in office. However, that did not happen. The reality is that for years thousands of people have been waiting years for outpatient appointments. The number of people now waiting 12 months or longer for an appointment has reduced by 99%. During the tenure of the former Minister for Health and Children, Mary Harney, there were 569 people on trolleys on one day in January. The number of people on trolleys has now been reduced by 34%, not least because of the reforms put in place by the current reforming Minister and the dedication and hard work of the staff who have to carry out those reforms, all of whom are to be commended this evening.

I take particular umbrage with the sentence in the motion which reads, “[S]ufficient resources will not be in the best interests of patient care”. For anybody that has bothered to read the health service plan, patient safety is mentioned 54 times. This was also reiterated by the director general of the HSE at a meeting of the health committee last week when he stated that every single thing done in terms of the delivery of services in this country is patient focused and patient led. The patient safety agency is fundamental in this regard. My only concern is the

lack of resources to finance independent patient advocacy groups such as the Irish Society for Quality and Safety in Healthcare, ISQSH, and Patient Focus, both of which had their funding reduced over the past few months. I look forward to the day when that funding can be provided again.

I wish Dr. Stephanie O’Keeffe well in her new role as director of health and well-being. The reform agenda ensures a vital shift in this service plan towards prevention, promotion and improvement in the health of Irish people. This is recognised throughout the service plan. Dr. O’Keeffe is charged with developing a three-year health implementation plan for a healthy Ireland. I am sure the impending appointment of members to the health council will provide her with the back-up and support she needs in this regard.

The Irish Pharmaceutical Union, representatives of which met recently with the Minister, has stated its willingness to participate in moving towards prevention rather than cure, extension of the vaccination programme, the provision of a smoking cessation service, medical use reviews and the discarding of old medicines, all of which is to be welcomed and encouraged. I appreciate that the Minister is in negotiations with the IPU in this regard and wish all involved well.

I welcome the health identifiers Bill and in particular the use of IT services across our health services. As somebody with a history in IT, I was astonished to learn that we have 1,700 different IT systems across our health services, the vast majority of which cannot share information. If we cannot share information how are we to focus and concentrate on outcomes for patients in a real and meaningful way? I believe the health identifiers Bill will assist in that regard.

In regard to medical card reviews, I welcome the €37 million provided in respect of the provision of medical cards for 250,000 children under six. However, I would like to focus on children with Down’s syndrome. I welcome the Minister’s commitment to review the long-term illness scheme.

An Ceann Comhairle: Deputy Doherty is eating into another Member’s time.

Deputy Jerry Buttimer: Last night, the Minister for Health outlined the improvements that have been made in respect of outpatient and inpatient hospital treatment. The HSE service plan which is the subject of this debate includes an ambitious programme of key health reforms.

No member of Fianna Fáil has served as Minister in the Department of Health for over a decade. They ran from that Department. The current Minister is a reforming Minister. He has compiled the first list in terms of outpatient appointments, in respect of which there has been a 95% reduction, for which the special delivery unit, the National Treatment Purchase Fund and staff in our hospitals are to be commended.

Deputy Kelleher will be interested to hear that no person in Cork is now waiting more than 12 months for an outpatient appointment. The figure in this regard last March in respect of Cork University Hospital was 5,000 and for Mercy University Hospital was almost 400. The figures today are zero. There are still more than 300 people waiting more than 12 months for an appointment at South Infirmity Victoria University Hospital. While some improvements have been made there are still 300 people waiting for an appointment.

There has also been a reduction of more than 90% in the number of people waiting between one and three years for an appointment. The reduction in respect of those waiting more than

three years is over 80%. Inpatient waiting lists have also been reduced. There has been a 27% reduction across the inpatient waiting list at Cork University Hospital, with no one now waiting more than eight months. The number of people on the inpatient waiting lists at Mercy University Hospital and South Infirmity Victoria University Hospital for between three and 12 months has been significantly reduced and there is no one waiting more than 12 months. The staff and management of the hospitals deserve our congratulations for their efforts and commitment. They have delivered on behalf of the people and the patients who require services. Their work is improving the situation for patients.

The Minister had six Bills passed by the Oireachtas in 2013, more than in any other calendar year since 1997. In 2013 the Minister also put through 57 statutory instruments. That represents one Bill every two months and more than one statutory instrument every week. Let us contrast that with Deputy Micheál Martin when he was Minister for Health. On average, he got three Bills passed per year, while Ms Mary Harney did somewhat better but still only passed three Bills per year on average. With this reform and change the Minister and the Health Service Executive service plan are delivering on behalf of the people.

I wish to address mental health. The Members opposite have a new spokesperson on mental health and I am sorry he is not in the House tonight. Anyway, some weeks ago he put out a tweet decrying the Government for spending more on photography than mental health strategy. I wish to put on record that the Government is spending €766 million plus €20 million on mental health each year, more than 2,800 times what Deputy Keaveney claimed in his tweet. I hope he will clarify and correct that tweet in the interests of the people, patients, families and service users who require the treatment and services of the Health Service Executive.

We live in extraordinary times. We do not have what Fianna Fáil had in the boom, a pot of money to throw at things. We have built reform and change. Key reforms are part of this Health Service Executive plan. Those who write about and comment on the Health Service Executive plan and those involved in debating it should examine the facts rather than discussing what they would like to see in the faraway hills.

We have difficulties, there is no doubt about it. We cannot expect a health service to continue as normal when there has been a 20% reduction in the health budget, a 10% reduction in staff numbers and an 8% increase in population. However, what the Government is doing is meeting the needs and putting in place a reform plan to best serve the people. I am confident that when the history of this Government is written, the Minister and the Ministers of State, Deputy Kathleen Lynch and Deputy White, will be seen as transformative, reforming Ministers in respect of the delivery of health on behalf of our people.

Deputy Michelle Mulherin: I welcome the examination of the HSE national service plan for 2014. Since the health portfolio is so vast, often in debate it is easy to rubbish or take a position to instil fear in vulnerable people in respect of the health service. If we examine the health service plan we see that there is so much to be considered and so many checks and balances in respect of what has been a limited and reducing budget such that many things are considered and covered.

Rather than dwell on acute services I wish to focus on community services, especially services for older people. People at this stage of life can be particularly frightened by news items and statements made in the media for political reasons.

I welcome the fact that, at least to begin with, the level of home help and the standard home health care packages will remain the same as in 2013. I am keen to see this area of the budget increased more and more because it is cheaper to provide care for people in their own homes but they need support for that to materialise. I know this was a particular problem last year because when there are budget crunches, such as those of last year, community services are often the first areas to be squeezed. People who receive home help had reductions in their home help care last year. However, when we consider the value to the State of allowing people the dignity to stay in their own homes, we see it is important to invest in this area. Otherwise it will cost us. If people cannot get out of hospital they will have to stay in acute beds, when others need to be in those beds. Really those people could be in their own homes. To that end, I welcome the €23 million which has been transferred from the fair deal scheme budget to community services. This is welcome and practical too. The measure will ensure more individualised home care packages. An extra €10 million is being spent on this area, some €3 million of which will go towards providing additional intermediate care on community support beds. This will give a greater range of care options, which is what is required to be achieved and what is being talked about. Some of this €10 million funding will go towards making up a shortfall in the funding of public short-stay beds. All of these are welcome and practical proposals within the service plan.

I am aware of the HIQA deadline for the facilities of community nursing homes to be upgraded by June 2015. Since we have an ageing population we need to ensure proper plans and provisions are in place for the future. Furthermore, we need to ensure that we will have spaces in community nursing homes. I welcome the substantial funding being put into the Sacred Heart Hospital nursing home in my county. However, I call for reassurance to be given to other community nursing homes in due course, including St. Augustine's Community Nursing Unit, Ballina, the Dalton Community Nursing Unit, Claremorris, and the Mac Bride Community Nursing Unit, Westport. Their facilities need to be upgraded.

Deputy Regina Doherty made a particular point as she was concluding. I very much welcome the Minister's commitment to require the HSE to put together a review group to ascertain how the medical needs of people with long-term medical conditions such as Down's syndrome or Crohn's disease can be provided for more compassionately. This is a humane development and presents an opportunity to examine how people who have a lifelong medical condition, which we know will not change, can be properly catered for. I look forward to hearing the progress of the review group.

Deputy Joe McHugh: I am thankful for the opportunity to speak on health-related matters. Specifically, I wish to acknowledge the Minister's direct role in response to the flooding at Letterkenny General Hospital last summer. I wish to acknowledge Noel Daly, Ambrose McLoughlin and Bill Maher for their hands-on role in ensuring the temporary accident and emergency unit was up and going within six weeks. On 3 March the new accident and emergency unit will be up and going again. It is important to acknowledge their role. It is also important to point out that we will have infrastructure and services second to none. Some €6 million is going into radiology services infrastructure and possibly a total of €30 million plus will go to rebuilding the hospital. I wish to acknowledge the difficulty for the staff who are working in an environment which is only half a hospital as well as the duress they are under and the heroic efforts they are making.

I wish to highlight the Minister's proactive role in bringing forward the HIQA review into ambulance services. It was the untimely, sad and tragic death of Mrs. Maura Porter in Carnonagh that led to the review being brought forward from quarter 2 to quarter 1. I hope the

Porter family's experience will be recognised during the review and investigation. It is an absolute tragedy that a person has to die along the side of the road when there are ambulances in the area and in the county unable to come at the particular time. It is important to take this review seriously and I am keen to see a close examination of the circumstances of Mrs. Porter's tragic death.

I do not intend to use the two minutes available to me as a political football opportunity. Fianna Fáil was in the Department of Health and created the system. We have inherited the legacy. That is the reality. I remember when Ms Mary Harney was the Minister, the Fianna Fáil Members in my neck of the woods used to blame her and said it was not the fault of Fianna Fáil. I do not intend to waste time on that issue but I have had an opportunity to see the weaknesses within the system. There are vast challenges involved in reforming the system. The Minister, Deputy Reilly, and the Minister of State, Deputy White, are certainly making great efforts to reform the system. It is not without its difficulties and there are weaknesses. I came across an example this morning. I met a gentleman who has been waiting seven years for a hip replacement. That is totally unacceptable and the system which lends itself to this example is totally unacceptable. I am from a farming background and Deputy Billy Kelleher has experience as a farmer. No farmer would wait seven hours to bring an animal to the vet. In this case, it has been seven years and the gentleman cannot sit down or stand up without pain. When I asked whether he experienced any relief when he is in bed, he replied that he had not slept in years.

This is just one example of the legacy we inherited and the weaknesses within the system. The question is how we go about addressing them. We in this House have a responsibility and obligation to help the people who are trying to change the system. We can continue with the banter across the Chamber, making the issue into a political football, but that will not solve anything. We must work together with the people who are charged with implementing change. There are proactive and reforming people in the health sector, pioneers in their field and people who have experience in other jurisdictions. We must assist them to build a system under which it is no longer acceptable to have people waiting seven years for a hip replacement.

Deputy Michael P. Kitt: I propose to share time with Deputies Dara Calleary, Éamon Ó Cuív and Seamus Kirk.

An Ceann Comhairle: That is agreed.

Deputy Michael P. Kitt: I support Deputy Billy Kelleher's motion regarding the Health Service Executive's service plan for 2014. The plan is not adequate to meet the growing demands on the health services, as is evident from what is happening in hospital emergency departments throughout the State. I would be failing my constituents if I did not mention the busy 24-hour emergency unit at Portiuncula Hospital in Ballinasloe. Ballinasloe Town Council is seeking clarification on the status of the hospital, which is currently a level three facility. The council is anxious to allay concerns in this regard and to remind the HSE and this House of the guarantees and promises given regarding the retention and upgrading of services in Ballinasloe. It is requesting a guarantee from the HSE that there are no plans to cut services at the emergency unit. The status of the hospital is of vital importance to the services it provides not only to people in Ballinasloe and County Galway, but to a broad hinterland which includes Roscommon, Clare, Tipperary, Offaly, Longford, Westmeath and other counties.

Another issue of concern is the forthcoming controversial report that is expected to recommend the downgrading of the maternity unit at Portiuncula Hospital and the transfer of services

to Galway city. This proposed amalgamation was reported in last week's edition of *The Connacht Tribune*. It is very difficult to see how Ballinasloe could, as proposed, retain a midwife-led service after the main maternity operation has transferred to Galway. Portiuncula Hospital has scored very well for perinatal care on the Rate My Hospital website and accommodates more than 2,000 births per year. I understand representatives of HSE management said at a recent Oireachtas committee meeting that they would like to roll out a national perinatal service but are not in a position to do so.

Given the ongoing speculation regarding potential cost-cutting measures, hospitals throughout the country would like to know what funding they will receive in 2014. Like all public representatives in Galway, I hope we will discover at the meeting taking place this coming Friday what the position is in regard to the hospitals in the region. The downgrading of mental health services at St. Brigid's Hospital in Ballinasloe has already led to great upset and protests locally. Any attempt to reduce the maternity service at Portiuncula Hospital will meet similar strong resistance. In a week when there was good news regarding the clinical trials to manufacture stem cells at Galway University Hospital, the local media were more concerned with the cancellation of all non-urgent surgical procedures scheduled for Wednesday, Thursday and Friday of last week and the hospital's refusal to say how many patients are affected. The article in *The Connacht Tribune* was entitled "Galway surgeries cancelled due to Emergency Dept overcrowding".

Specialist trainees in emergency medicine have written to the Health Information and Quality Authority to highlight the continuing and unacceptable overcrowding in emergency departments throughout the country and the risks arising for patients and staff as a consequence. There must be an effective system of planning to address emergency department overcrowding. The Irish Association for Emergency Medicine has pointed to several causes of this overcrowding, including fewer beds, inefficient use of beds, reduced staff numbers and lack of access to long-term community care. Until solutions are found to these problems, emergency department overcrowding will continue to be a problem. The association has said it is time for the HSE and its special delivery unit to adopt a zero tolerance policy when it comes to overcrowding. The reality, however, is that the 2014 service plan envisages catering for fewer inpatients, outpatients and day cases in hospitals, in a context where the HSE initially told the Government that it anticipated needing €545 million to provide all the services it considers necessary this year.

The evidence of a shortfall in funding is clear across the health sector. Every public representative knows there is increased demand for dental treatment services, for instance, which will require additional funding. There has been a long campaign for an ambulance service in north Galway. I was one of several public representatives who organised petitions to have the ambulance base located in Tuam. We expected a 24-hour service, but what we received is a day service which is not yet operational. There is not even a timetable available. On the one hand we are told there is an embargo on recruitment and, on the other, that there are staff willing to transfer to provide the service. In the meantime we can only wait.

It is time now to review the situation in every county. There is much talk about reconfiguration of hospitals from Galway up to Donegal. What I find difficult to accept, however, is the lack of equity and fairness in the health service plan. This inequity is having a particular impact on rural areas, and especially on older people living in rural areas. The plan does not address the serious deficiencies in services, of which I have had time to mention only a few. I ask, in particular, that the emergency department issue be investigated by the Department.

Deputy Dara Calleary: I thank Deputy Billy Kelleher for once again giving us the opportunity to discuss issues relating to the health service, in this case the Health Service Executive's service plan for 2014. Government amendments to Private Members' motions are always worth a read. In this instance the amendment states: "[T]he 2014 national service plan provides a comprehensive basis for the Health Service Executive, HSE, to continue to deliver safe and high quality health and social care services to the general public throughout the year." This is a document which sets out various grandiose plans but includes a funding hole of €108 million in respect of what are referred to as unspecified pay-related savings. The Minister, Deputy James Reilly, confirmed at the health committee last week that €108 million in savings must be found, yet we are presented this week with an amendment which refers to comprehensive and high quality health and social care.

The service plan has all the elements of the dog ate my homework scenario about it. It has targets, lovely graphs and all types of other things, but it is not at all reflective of the reality for people who avail of the health service. The Minister of State, Deputy Alex White, will know from his own constituency what is happening in terms of medical cards, ambulance services, cancellation of surgeries at short notice and so on. That is the reality of the health service.

The issue of medical card probity is something that has been the subject of much discussion both inside and outside this House since last October. I have almost gone beyond being shocked at some of the decisions that are being made. This is no reflection on the staff of the processing centre in Finglas, who are doing an excellent job. Since they got their systems up and running, they have proved a pleasure to deal with, willing to engage and generally doing their best. Last Monday morning, I met a woman at my clinic whose husband has the use of only one lung and is blind. Even though he and his wife are pensioners, they learned last week from their GP that their medical card is being revoked. One can only imagine the additional stress this is causing to two people who are already under a great deal of stress. We have to go through the whole process with them of getting their GP letters and contacting the team in Finglas. We are hoping for a positive outcome. This situation is simply not fair.

The Taoiseach and the Minister, Deputy Reilly, keep telling us there never was a system of discretionary provision of medical cards, but we all know that is not true. Medical cards were always, in the past, allocated to persons with certain medical conditions. The Minister of State is looking surprised, but it is a fact that under the health boards and formerly under the HSE, before the Minister, Deputy Reilly, got his mitts on it, credence was given to patients with cancer. That certainly was my experience in my part of the country.

On Monday I met a woman who was diagnosed last October with a very aggressive form of breast cancer. She is a business owner and, as is always the case, had to jump through a series of hoops. This is not just a HSE issue but arises right across the system. It is almost as if business people are hiding something or sitting on a pile of money. This woman is undergoing chemotherapy and approaching a mastectomy. It is crazy what she is being asked to go through, which is adding to the stress of her illness. Again, this is not fair and it is not right.

There must be an acknowledgment that there are conditions for which a medical card used to be provided, although not necessarily on a consistent basis across the country. It is only right, by God, that a person diagnosed with a very serious form of cancer should get some sort of temporary medical card in order that the financial stress he or she is experiencing might be alleviated. If the person involved has means, then the matter can be discussed at a later date and the money reimbursed. Do we honestly expect people to jump through hoops in the first months

following diagnosis and provide information relating to their accounts and income, while also expecting them to travel across the country for treatment? What people are expected to do is simply awful.

In the context of his remit, I ask the Minister of State, Deputy White, to examine the position with regard to the rural GP service, which is creaking under the pressure. It is increasingly difficult to get young GPs to commit to practising in rural areas. In the past we got many young GPs involved in rural practices. They built medical centres and took various other measures in order that they might provide services. These individuals are now under huge pressure as a result of their ambition for their patients and they have experienced huge reductions in their incomes since taking the steps to which I refer. Action must be taken. I am not suggesting that there should be a write-off of their debts but some form of support needs to be offered or entire swathes of the country will be left without properly-resourced GP services. This will lead to increased pressure on accident and emergency departments which, in turn, will have an impact on waiting lists.

Consultants are being frightened away from working in this country. I welcome the report in Monday's edition of *The Irish Times* to the effect that the Minister, Deputy Reilly, is finally waking up to the position in this regard. The consultants' contract is driving away people. Individuals who gained experience abroad and who want to return to Ireland in order that they might use this to the benefit of patients are not prepared to do so. They are being offered jobs but they are not taking them because they cannot afford to do so. The value of their experience is not being recognised. I welcome the Minister's initiative in respect of this matter. There is no doubt that urgent action is required in respect of it.

One issue in which I have taken a particular interest in recent weeks is that which relates to the national ambulance service. The other Minister of State, Deputy Kathleen Lynch, has just left the Chamber. I wish to acknowledge that she intervened on my behalf in respect of a particular matter that was brought to my attention. Last October it took two hours for an ambulance to be dispatched to attend at a serious incident. When I investigated the matter I discovered that the ambulance had to travel to the scene from Boyle in County Roscommon, a journey of some 40 miles. The ambulance was obliged to traverse an area known locally as "the Gap". On the same evening, another ambulance responded to a call in Ballina. It came from Clifden. This was because the Ballina ambulance - as we used to think of it - had responded to a call in Roscommon. Therefore, one ambulance travelled from Roscommon to Ballina and another travelled in the opposite direction. Apparently, this is now the norm.

When I contacted the ambulance service about the matter to which I refer, I was informed that my thinking in respect of ambulances is wrong, that these vehicles are no longer static and instead move around and that Mayo is now part of a region. In geographical terms, Mayo is the third largest county in the country. It is not like Dublin city, which one can traverse relatively quickly at night. I tabled a parliamentary question on this issue in November and, after the exertion of much pressure, I received a reply from the HSE ten days ago. Actually, I received half a reply. I obtained a full reply this week when the Minister of State, Deputy Kathleen Lynch, intervened on my behalf. It appears that at night there are two ambulances on call in Castlebar, one in Ballina and one in Belmullet. The call status of the ambulance in Belmullet is different from the call statuses of the other three vehicles. Belmullet is the capital of the Erris Peninsula, which, in geographical terms, is as big as County Louth and in which the Corrib gas field and many natural heritage areas are located. One ambulance serves this entire area. Castlebar, one of the biggest towns in the country, has two ambulances and these must also provide cover for

Westport. Two weeks ago, the three ambulances on call were out of the county. If one of the ambulances is obliged to respond to a call in north Roscommon, it is obliged to transport the patient to the Midland Regional Hospital in Mullingar. Had there been an incident on the night two weeks ago to which I refer, there would have been a scramble to get ambulances in from Galway, Roscommon and Sligo. Thank God no such incident occurred.

Any basic management information system should be capable of supplying statistics. However, I have asked for statistics in respect of the number of occasions on which ambulances have responded to calls outside the county and I have been informed that such statistics are not available. I welcome HIQA's intervention in respect of this matter. The service plan indicates that HIQA's target for ambulance response times in certain parts of the country is 18 minutes and 59 seconds - 19 minutes in anyone else's language - and that should be met 95% of the time. The HSE hopes it will achieve a figure of 80% in that regard this year. It certainly will not do so with three ambulances serving a county the size of Mayo, particularly if those vehicles are obliged to respond - at any given time - to calls outside the county. I cannot understand the reluctance to provide information in respect of this matter. It would be easier to extract information from North Korea than it is to obtain it from the national ambulance service in the context of how it operates. Deputies McHugh and McConalogue both referred to the appalling incident which occurred in Donegal during the Christmas period. Reference was also made to another appalling incident in Louth. How many more incidents must occur before those who run the national ambulance service wake up to the fact that the model of service provision which has been adopted is not suited to the kind of geography which obtains in this country? If those to whom I refer are intent on sticking with this model, then they need to purchase more ambulances. It is not good enough that there are only three ambulances to cover a county the size of Mayo. The gap in service in the context of both geography and response times is not acceptable.

It is only fair to state that some good things are happening. The response to what happened in Letterkenny Hospital is a good example of how the hospital groups are beginning to work. In the immediate aftermath of the flooding at the hospital, food for patients was prepared in Castlebar and then ferried to Letterkenny. However, gaps remain in ambulance, rural GP and other services and waiting lists - currently at nine months - are beginning to climb again. With regard to the latter, the Minister has become obsessed with Trolley Watch. His mantra seems to be that the numbers on trolleys should be kept down and that those on waiting lists can be allowed to increase. Surely it is possible to arrive at a better way of dealing with people who are stuck on those lists and awaiting surgery.

I wish matters were better. Many Government backbenchers have had a go at Deputy Kelleher and others for frightening people. I wish they had been present during the lifetime of the previous Dáil in order that they might have heard some of what we were obliged to put up with from the Minister, Deputy Reilly, when he was in opposition. I refer, in particular, to the concerns to which his comments on the cancer control programme gave rise among people. We must get things right. The Minister of State, Deputy White, must examine the position with regard to the rural GP service, which is creaking under the pressure being exerted on it. Unless action is taken in respect of it, the pressure on other services will increase.

Deputy Éamon Ó Cuív: I seem to be receiving more inquires about matters relating to health than ever was the case previously. I accept that major challenges exist. A common remark which tends to be made in this House is that there is no money. I decided to check the position in that regard and discovered that the Estimate for health for 2014 is €13.162 billion. In 2006, during the height of the Celtic tiger era, the amount allocated was €13.146 billion. The

two amounts are almost identical. It might be stated that inflation has taken its toll but cuts to people's wages in the interim have countered most of the effects of inflation. Two issues arise. The first is that according to the HSE, insufficient money has been allocated in respect of the services which must be provided. Mr. Tony O'Brien has made that very clear. The second issue which arises relates to the areas on which we should focus our efforts. In the context of the first issue, I refer Members to the shambles which marked the introduction of the budget for this year and the famous issue of probity. Instead of negotiating a plan, achieving the best service at the lowest possible cost and seeking the necessary funding, the budget was worked out on a horse-trading basis. The HSE was informed that the money to provide the services it stated were necessary was not available and that regardless of the fact that it was not possible to argue that they were necessary, the level of funding allocated would be cut in any event. When the budget was presented to the House, figures were bandied about at random until they were picked up on. That is not the way to budget in respect of health services.

There is a need to make choices. The Government allocates almost €53 billion each year in respect of voted expenditure. That money relates to day-to-day services and 25% of it is allocated in respect of health. The question which arises is whether more should be spent on health and whether that money should be taken from another Department's budget. I am of the view that the Ministers in the Cabinet should swap portfolios every now and again. Perhaps Deputy Burton could serve as Minister for Health for a while. She always seems to get in early to secure funding for the Department of Social Protection and is then very capable of defending her position against all comers. Even when the service plan is presented to the Minister which shows a certain requirement for money that was not greatly above what is available - hundreds of millions rather than billions of euro because the billions are not there - she can always hold on to the money, whereas the Minister for Health cannot. The top-end structures are always being changed, including the making of grandiose appointments and changes to the HSE and hospital groups. We are obsessed with structures on the one hand, while on the other hand, we are often very slow to deal with the day-to-day aspects as a means of making life a lot better for people.

I cite the example of queues for public services. It always fascinates me that anyone going to see a doctor in a private clinic will be given an appointment time and seen at that time, give or take five to ten minutes. However, the same type of procedure or examination at a public clinic will involve everyone being given the same appointment time. I have often said that queues cost money. Staff are needed to service the queue and to answer queries on the telephone. Much of this is down to simple mundane management. Similarly, it is the practice in accident and emergency departments that everyone must be processed through that department. If this system was practised in an hotel so that every client who wanted to go to the bar for a pint was required to check into the hotel, there would always be a queue and chaos at the front desk. Quite sensibly, everyone looking to use a hotel or any other business is not put into the same queue; people are segmented depending on what service they require.

The accident and emergency departments deal with the very significantly ill, including those who have suffered very serious injuries and those who need a quick check for a minor matter. For example, when I was managing an Irish college, it was often necessary to bring a student to an accident and emergency department for an X-ray in case of concern that a bone had been broken. It was often a case of waiting eight hours for an X-ray, not because the X-ray machine was busy but because that was our position in the queue, which was a general queue for all complaints and injuries. I refer to Kilkenny hospital which for years has an efficient system in place

29 January 2014

to deal with queues. I was in Kilkenny at a football match. One of the players had come from London and needed to return there that evening. He was brought to the accident and emergency department at half time but he was back on the bus by the time the rest of the team had finished the match. This turnaround would not be possible in the regional hospital in Galway.

I will make some points about the ambulance service. We are always told about the golden hour. We need a service that will get an ambulance to a patient, no matter where he or she lives, within a fixed period of time. That should be easy enough to organise. It will mean that the rural areas should have that same opportunity of the golden hour as anyone living anywhere else in the country. In my area we tried to resolve this issue because it would take two hours for an ambulance to come from Galway. When I was Minister we encouraged communities to provide their own ambulance service. We gave capital grants to set up voluntary ambulance crews on a self-help basis. All were either Order of Malta or Red Cross validated personnel. Six months ago because there was some argument that they might not have some qualification, they were told they could no longer bring patients to Galway even though the ambulance was within ten minutes of the patient. If I was sick and I was given the choice of going with the ambulance staffed by these trained personnel - people in the community who had done a lot of training - compared to waiting for the other ambulance to come from Galway, I would take the local ambulance any time. It is time to support innovative solutions rather than argue that it was better to die waiting for the perfect service than live using a service that was 99% good enough. That issue needs to be examined, in particular, for the more isolated communities where it will not be possible to get an ambulance to them with any great speed. As my colleague, Deputy Calleary said, if the Clifden ambulance is taken away, it takes two hours each way to drive from Galway to Ballyconneely in an ambulance. It would be better to get sick on the Aran Islands than on most of the mainland in Connacht away from the urban centres.

There is a lot that could be done. I suggest that reform should start with getting the mundane simple things right. If they were right, the structures would fall into place rather than thinking that changing the structure at the top will deliver a more efficient service at a time when the organisation of many of the services is for some reason designed to be endemic, with queues the norm.

Deputy Seamus Kirk: This debate is held against the background of the health service plan for 2014 which has significant budgetary implications of savings of €619 million in addition to projected deficit problems of €419 million. Those statistics alone have profound implications for the operation of the plan in the coming year. Deputy Ó Cuív outlined the statistics which show that significant taxpayers' resources are being utilised to support the health service, therefore, the issue of very great demand for services and cutbacks has serious implications which are profound.

Last week the House discussed the fair deal scheme. The service plan proposals have serious implications for that scheme. The population is ageing and the demand for places in nursing homes is increasing. The budgetary provision is such that there will be a decrease in the number of beds available. This is a serious situation. I have written to the Minister of State, Deputy White to outline an individual case which I hope he will consider. The circumstances of the case graphically illustrate the problems and difficulties arising in the fair deal scheme.

I refer to a local constituency issue, which is the availability of ambulances in the Drogheda area in the proximity of Our Lady of Lourdes Hospital. The Garda Síochána brought a seriously injured man from the Rathmullen estate to the hospital because the ambulance was other-

wise engaged. It begs the question whether there is a sufficient number of ambulances. It is a concern in particular during peak times such as Friday nights or at the weekends. The rostering of ambulance staff needs to be examined. The unexpected emergency can arise at any time, whether on a Monday or a Tuesday as distinct from a Friday or a Saturday.

Earlier today somebody mentioned to me a pilot scheme in place in the UK where at weekends, in particular, in the large cities and towns, the St. John Ambulance, in some instances manned by volunteers, is available to treat minor and superficial injuries in order to take pressure off the accident and emergency service. There are huge pressures on the accident and emergency department in every hospital, in particular at weekends. We need to look at the possibility of moving the treatment of minor injuries away from the accident and emergency departments in order that more time and resources are available to deal with the serious cases.

A few months ago I and my party spokesperson on health, Deputy Kelleher, visited Daisy Hill Hospital in Newry, and it was certainly enlightening. It is embracing new technology to enhance efficiency, the well-being of patients and the alacrity with which the health service can be delivered. For instance, it has a technological linkage with Craigavon. Some personnel from the HSE, although they may be aware of it, should look at that to see if there is something we could adopt to enhance and improve our health service.

We should actively pursue the possibility of developing cross-Border synergies and co-operation in certain areas. With the movement of population towards the east coast and the Dublin-Belfast corridor, where there are densely populated regions, inevitably the demand for health services will be all the greater. This is a small island and the health services on both sides of the Border are growing and more resources are being put into them. I am not sure of the current position of CAWT, the agency set up to look at the possibility of developing synergies and co-operation between the North and the South, but we need to look at that area as there may well be potential to enhance the health service in the Border areas.

Minister of State at the Department of Health (Deputy Alex White): I thank the Deputies for a lively and engaging debate on our health service in the context of the 2014 national service plan. It is an issue of vital importance to us all. Throughout the deliberations, there has been, understandably, considerable focus on the financial constraints within which the HSE has been required to deliver its service plan commitments over recent years. These constraints apply again this year. Notwithstanding these constraints, the HSE and its workforce are to be commended on their continued focus on minimising the impact on front-line services by utilising their reduced resources in a more efficient and effective way.

The delivery of services by the HSE has, as a consequence, focused over recent years on the dual challenges of protecting patient outcomes and reducing costs. This has required increasing emphasis on models of care which treat patients at the lowest level of complexity and provide safe quality services at the least possible cost. Despite unavoidable resource reductions, successive plans have managed, to a very significant extent, to maintain core services while also supporting growing demand resulting from population growth. Deputy Ó Cuív needs to have regard to that when he shows that the overall budget has not changed over a period of years. We have had population growth, increased levels of chronic disease, increased demand for drugs, a higher number of medical card holders, which is up by 590,000 since 2008, and new costly medical technologies and treatments. The HSE, in its 2014 national service plan, has again sought to minimise the impact of constrained financial resources on front-line services and to maintain patient safety in line with the Minister for Health's stated overriding priorities for the

service plan.

I will not have an opportunity to address many of the issues raised, but perhaps I might touch on one or two. In regard to medical cards, several Deputies claimed that I stated there is no such entity as a discretionary medical card, and they are correct. I said that in reply to a parliamentary question because it is true. There is only one medical card. Medical cards provided on the basis of means or where discretion is involved are identical and provide access to the same set of health services. The contention that there is a major policy change in the awarding of medical cards on a discretionary basis, even to the extent of “erasing medical cards from the system”, as has been suggested, could not be further from the truth. Such spurious and unfounded comments only serve to cause concern and distress.

I have consistently said, as have my colleagues in the HSE, that the assessment procedures used to determine eligibility for medical cards and GP-visit cards have not changed. The scheme continues to operate in such a way that those who suffer genuine financial hardship as a result of a medical condition receive the benefit of a medical card. It is important to note discretion is not a stand-alone exercise. Exercising discretion has been, and remains, an integral part of the assessment process for a medical card. In previous years, there was a decentralised process across 100 locations throughout the country. This meant people may have been awarded discretionary medical cards in some parts of the country while they would not have been in others because of the lack of a centralised and standardised approach.

Deputy Calleary raised a number of compelling and thoughtful points in his contribution but he made the point in regard to discretionary medical cards that there was always such a thing. The particular example he gave related to people suffering from cancer. The only basis on which the HSE can award eligibility to any individual in the State must be on the basis of a statute and we have a statutory provision in the 1970 Act. It is very clear that a medical card can be awarded on the basis of undue hardship.

I understand the humanity of the case Deputy Kelleher and others, including many in my party, make that persons who become ill suddenly are in a situation of great need and great stress. The fact is that the system put in place in 1970 determines eligibility on the basis of financial means. The medical situation only enters into the equation when a person’s medical situation affects their financial means. Deputy Kelleher knows that is what the law states. If we are to change that, we would have to look at the medical illnesses for which we would give an individual a medical card. Would there be any medical illnesses for which a person should not have a medical card? We would end up adding illnesses and adding conditions to the law all the time.

What I would prefer to do is to look to introducing universal access to GP services. Again, I invite Deputy Kelleher to support me and the Government in this regard. The programme for Government refers to universal access to GP services. We are starting this process and I will meet the medical organisations this Friday. We will introduce this within the lifetime of the Government and we are starting on the long road.

No one has shown in this debate, and there have been many interesting contributions, how the HSE could manage the resources it has in a better way. There have been many criticisms but nobody has shown a better way to manage the resources the HSE has, and it is doing this admirably.

Deputy Billy Kelleher: I welcome all the contributions to the motion I moved on behalf of Fianna Fáil. What surprises me is that praise was lavished on the Minister for Health, the Minister of State, Deputy White, in his absence-----

Deputy Alex White: It never is when I am here.

Deputy Billy Kelleher: -----and on the Minister of State, Deputy Lynch, by Deputies opposite. However, in view of the fact so much praise was lavished on them in our Private Members' time, I cannot understand why they pulled the six hour debate scheduled for Government time when it would have given the Government Deputies more time to lavish more praise on the Ministers because, as we well know, most Ministers' appetite for praise is insatiable. That debate would have facilitated their need for more praise.

Deputy Alex White: The Deputy should speak for himself.

Deputy Billy Kelleher: The real reason they pulled the six hour debate scheduled for today was not because Fianna Fáil had tabled a Private Members' motion on health but that it would have stifled debate. Six hours on top of our three hours would have brought it to nine hours. That would have given Deputies ample time to go through the detail of the HSE service plan and to highlight their concerns and, in the event of praise being required, giving a fair amount of that also.

I would like to think I am reasonably fair as an Opposition spokesperson. If there are areas in the HSE service plan which should be acknowledged, I will do so. For example, an issue on which we all campaigned and for which we are appreciative is the inclusion of the bilateral cochlear implant programme and the expansion of that in Beaumont Hospital. That is a very positive step and it will have a transformative effect of the lives of a number of people.

9 o'clock

My motion was very short, concise and to the point. I was accused by several Deputies on the other side of the House of frightening people or of scaremongering. In my view, this four-line motion could not scare anyone. It is much more frightening to see people standing outside hospitals with placards saying that people will die if certain services are removed. That would scare people. There is a lack of credibility on the other side of the House regarding many health issues because of the Government's attempts to row back on many of the commitments that were made before the last general election.

Reference has been made to the politicisation of the health service. I would like to think the HSE was set up as part of an effort to depoliticise the health service. The general purpose of the establishment of the HSE was to allow public representatives to engage in a constructive debate on broad policy, with the implementation of that policy being done by the HSE at one remove from the political establishment. That was the reasoning behind it. We realised we were unable to ensure that health services in certain areas would be provided on the basis of need, as opposed to being provided on the basis of forms of interference from the political process, such as the lobbying that used to be done by Ministers, Governments and the old health boards. That was the reasoning behind it. The rationale was that a single organisation should be overseeing the delivery of health care throughout the country.

I assure those who have suggested that my motion has been tabled to grab headlines or seek attention that I could find many more imaginative ways of seeking attention. I am doing my

duty by standing in this Chamber to highlight the issues that concern the public in a calm and rational way. I believe the contributions to the debate from Deputies on this side of the House, like the motion itself, have generally been fair and reasonable in their observations. I agree that everybody must come up with solutions. If one is to identify a solution, one must first identify that there is a problem. There are many problems in the health service. My motion came about because of what we are experiencing on a daily basis and what is being said by those who are directly responsible for the delivery of health care in this country. The major problems in our health services are being highlighted on a daily basis by the director general of the HSE, Mr. O'Brien, and by senior clinicians, consultants, medical professionals and front-line service providers in all areas of the HSE. Those who are professionally involved in health service delivery are making it clear that patient safety is being put at risk.

While I do not wish to be alarmist, I would be failing in my duty if I failed to highlight the facts which are being outlined by organisations that represent people who have a central role in the delivery of health care, including the Irish Emergency Medicine Trainees Association, the Irish Nurses and Midwives Organisation and the Health Information and Quality Authority. Other groups, including those representing consultants, hospital management and front-line service providers, are stating that there are issues of concern. I would be failing in my duty if I were to sit here quietly and say nothing. That is why we used our Private Members' time to highlight the deficiencies in the HSE service plan. I think the removal from the schedule of this Parliament of a six-hour debate that was planned for this week was a very cheap shot. It stymied Deputies on all sides of the House who wanted an opportunity to express their views on the HSE service plan. Approximately €13 billion is to be spent under the plan, which makes it the second biggest tranche of State expenditure every year, after the expenditure of the Department of Social Protection. That is why we tabled this motion.

Last night, the Minister, Deputy Reilly, announced with great fanfare his major achievement of reducing the number of people on the waiting list for outpatient appointments from over 100,000 to approximately 4,500. I know that is a public relations stunt, as by any stretch of the imagination it involves a complete massaging of the figures. We will expand on that in the next few days as the drip-drip of information from the Department continues. When we analyse the figures in detail, we will realise that "all that glistens is not gold" in the context of the pronouncements we heard from the Minister, Deputy Reilly, yesterday. We know for certain there is a bulge in the figures as they relate to people who have been waiting list for outpatient appointments for less than 12 months, and particularly those who have been waiting for between six and nine months.

The Minister did not point out that many of those who were on the list when more than 100,000 people were waiting for outpatient appointments might never have presented. They were never going to go in the first place, even if a genuine referral had been made on their behalf some time previously. We all know that the list which is being used as a benchmark could have been whittled down. Many of the 100,000 people on the list were there in name only. Having said that, I welcome the fact that individual people - I am not talking about the broad generics of a list - who have been on the list for over a year will see consultants within a reasonable space of time. The major problem is that a significant number of people have been waiting to see a consultant for less than 12 months, but will have to wait for close to 12 months before they see that consultant. That is happening across the health service in the context of outpatient appointments. As I have said, I will comment further on this aspect of the matter when the Minister, Deputy Reilly, announces the figures in more detail at some future time.

The Government's spin is evident in its amendment to my motion, which states that the Minister "notes, in particular, the progress that has been made in reducing the waiting times for patients on trolleys in emergency departments, with a reduction of 8,814 in the year to 27 December 2013, down 34% from 2011". One would normally expect a year-on-year comparison to be included with such a statistic. The amendment should have mentioned that the 2013 figure was 2% higher than the 2012 figure. That is what the Minister should have said, but instead he decided to pick out a figure from which it could be extrapolated that there had been some kind of major achievement. The harsh reality is that the number of people on trolleys last year was 2% higher than the number of people on trolleys the previous year. There is no point in denying the statistical fact that it is going in the wrong direction. We should also note that behind the statistic in the amendment is that fact that some 410 people were on trolleys in this country's hospitals yesterday. That is an indication of the major difficulties that exist and are being highlighted on a continual basis by clinicians and other professionals who work at the coalface in accident and emergency departments throughout this country. They are saying consistently that this is an issue.

When we talk about the HSE plan, we are talking about the investment of public funding in the provision of health care in this country. In that context, I want to draw the Minister of State's attention to the issue of private health insurance, which equally funds the public health system through the various charges that are levied as part of the system of full cost recoup for private patients in public beds. The cost of private health insurance is escalating. My attention has been brought to a statement of claim from Laya Healthcare regarding treatment provided at the Mater Private Hospital from 9 September 2013 to 10 September 2013. The statement makes it clear that the patient in question was in semi-private accommodation in the hospital for one night, and that the amount of claim was €17,280.75.

Deputy Brendan Howlin: That is shocking.

Deputy Billy Kelleher: The amount paid by Laya Healthcare to the Mater Private Hospital was €16,905.75, meaning the person in question owed the Mater Private Hospital €375. Those figures relate to the accommodation only. The cardiac surgery itself cost €2,000. Laya Healthcare paid €17,000 for one night's accommodation in the Mater Private Hospital. The difficulty we have with all of this is that the private health insurance market is now unsustainable for many reasons, including the fact that the economic downturn has meant there are fewer people at work and income levels have dropped. Private health insurance is being systematically undermined by the Government's policies, which are inflating prices. Just four months ago, the Minister for Finance, Deputy Noonan, announced in this House that he intended to cap tax relief on gold-plated health insurance policies. It subsequently transpired that almost every health insurance policy that has been retained by the average family in this country will be affected by that taxation measure.

Deputy Alex White: That was the subject of a report by the Commission on Taxation.

Deputy Billy Kelleher: When one is in government, one must make decisions and stand by them. I do not think the Government should hide behind the Commission on Taxation with regard to this issue.

Deputy Alex White: We are not hiding.

Deputy Billy Kelleher: This is a tax on hard-pressed families that are already finding it

extremely difficult to retain their private health insurance. The Government intends to move to universal health insurance in the next few years, but what will we have in the meantime? The Government and the health insurers are out-competing each other to inflate the cost of private health insurance for families.

Deputy Alex White: Does the Deputy have any proposals?

Deputy Billy Kelleher: I have. I will outline them in good time. However, the Minister is being hoodwinked to a certain extent. I give this advice. It is not in the private health insurers' interests to keep down the cost of private health insurance to families because they know that the Government, if it continues with its universal health insurance policy, will row in at some stage and pick up the slack. That is the problem the Government will face in time to come. Certainly the Government should publish the White Paper on universal health insurance quickly because we will be discussing private health insurance when we will have no more private health insurance that will be affordable to ordinary families. Those policies need to be assessed very quickly.

Between 2007 and 2013, the cost of private health insurance for the average family almost doubled, which is not sustainable in the present climate. It will do nothing to help underpin the Government's stated policy of universal health insurance. I know there are divergent views in the Government as to whether universal health insurance will follow a social insurance model or whether the private insurers will decide the element of care to be provided.

Many speakers made reference to older people and the fair deal. We can look at page 44 of this fictional piece of work on funding of our health services. It is stated in the opening of the plan that this will not sustain the level of service required for 2014. I am not making this up. The director general of the HSE, Mr. Tony O'Brien, stated this emphatically. The Cabinet had an exchange of views with regard to sanitising the truth behind the publication of the HSE national service plan. There were also other changes in the plan. A blunt statement in the introduction to the plan, signed by Mr. O'Brien, declared that the level of investment required to meet many of the critical service priorities cannot be met.

Deputy Brendan Howlin: Priorities - that is new services.

Deputy Billy Kelleher: It was changed in the published version to "some service priorities...may not be met."

Deputy Brendan Howlin: New services.

Deputy Billy Kelleher: That was sanitising the truth in terms of what will be achieved in the provision of service in this plan.

Deputy Brendan Howlin: New services.

Deputy Billy Kelleher: All of us here tonight, including those on the other side of the House, know that if this plan is to be implemented in full, there will be further cutbacks in services; it is written into it. This will include cutbacks in the area of the fair deal scheme, funding for the elderly, provision of long-term and respite care, and provision of home helps and home-care packages. All these are being squeezed to the point where the acute hospital system is under pressure, as is evidenced by what we see in emergency departments throughout the country. The circle is narrowing the whole time. The Ministers present, as Labour Party

Ministers, should accept that it is not possible to continually cut without something giving. In this context patient safety is under pressure, as stated by many front-line people. That is why we tabled this motion.

While I could go on, I urge the Ministers present along with the Minister for Health, Deputy Reilly, to look at the matter quickly in the context of the escalating costs of private health insurance to families. There are many other areas to be looked at. I commend the motion, which was not tabled to frighten people throughout the country. It was tabled so that we could have a constructive debate in this Chamber. We should also have had a further six hours to have a constructive debate to give every Deputy a chance to congratulate and condemn the Government in equal measure.

Deputy Alex White: We all spoke up.

Amendment put:

<i>The Dáil divided: Tá, 80; Níl, 41.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Bannon, James.</i>	<i>Adams, Gerry.</i>
<i>Barry, Tom.</i>	<i>Boyd Barrett, Richard.</i>
<i>Breen, Pat.</i>	<i>Broughan, Thomas P.</i>
<i>Burton, Joan.</i>	<i>Browne, John.</i>
<i>Butler, Ray.</i>	<i>Calleary, Dara.</i>
<i>Buttimer, Jerry.</i>	<i>Colreavy, Michael.</i>
<i>Byrne, Catherine.</i>	<i>Crowe, Seán.</i>
<i>Byrne, Eric.</i>	<i>Daly, Clare.</i>
<i>Cannon, Ciarán.</i>	<i>Doherty, Pearse.</i>
<i>Carey, Joe.</i>	<i>Donnelly, Stephen S.</i>
<i>Coffey, Paudie.</i>	<i>Ellis, Dessie.</i>
<i>Collins, Áine.</i>	<i>Ferris, Martin.</i>
<i>Conaghan, Michael.</i>	<i>Flanagan, Luke 'Ming'.</i>
<i>Conlan, Seán.</i>	<i>Fleming, Tom.</i>
<i>Connaughton, Paul J.</i>	<i>Grealish, Noel.</i>
<i>Conway, Ciara.</i>	<i>Halligan, John.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Healy, Seamus.</i>
<i>Costello, Joe.</i>	<i>Healy-Rae, Michael.</i>
<i>Creed, Michael.</i>	<i>Higgins, Joe.</i>
<i>Daly, Jim.</i>	<i>Kelleher, Billy.</i>
<i>Deasy, John.</i>	<i>Kirk, Seamus.</i>
<i>Deenihan, Jimmy.</i>	<i>Kitt, Michael P.</i>
<i>Doherty, Regina.</i>	<i>Lowry, Michael.</i>
<i>Dowds, Robert.</i>	<i>Mac Lochlainn, Pádraig.</i>
<i>Doyle, Andrew.</i>	<i>McDonald, Mary Lou.</i>
<i>Durkan, Bernard J.</i>	<i>McGrath, Finian.</i>
<i>English, Damien.</i>	<i>McGrath, Mattie.</i>
<i>Farrell, Alan.</i>	<i>McLellan, Sandra.</i>

<i>Feighan, Frank.</i>	<i>Moynihan, Michael.</i>
<i>Ferris, Anne.</i>	<i>Murphy, Catherine.</i>
<i>Fitzgerald, Frances.</i>	<i>Ó Cuív, Éamon.</i>
<i>Fitzpatrick, Peter.</i>	<i>Ó Fearghail, Seán.</i>
<i>Griffin, Brendan.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Hannigan, Dominic.</i>	<i>O'Brien, Jonathan.</i>
<i>Harrington, Noel.</i>	<i>O'Sullivan, Maureen.</i>
<i>Harris, Simon.</i>	<i>Pringle, Thomas.</i>
<i>Hayes, Brian.</i>	<i>Ross, Shane.</i>
<i>Hayes, Tom.</i>	<i>Stanley, Brian.</i>
<i>Heydon, Martin.</i>	<i>Tóibín, Peadar.</i>
<i>Hogan, Phil.</i>	<i>Troy, Robert.</i>
<i>Howlin, Brendan.</i>	<i>Wallace, Mick.</i>
<i>Humphreys, Heather.</i>	
<i>Keating, Derek.</i>	
<i>Kehoe, Paul.</i>	
<i>Kenny, Seán.</i>	
<i>Kyne, Seán.</i>	
<i>Lawlor, Anthony.</i>	
<i>Lynch, Ciarán.</i>	
<i>Lynch, Kathleen.</i>	
<i>Lyons, John.</i>	
<i>McCarthy, Michael.</i>	
<i>McGinley, Dinny.</i>	
<i>McHugh, Joe.</i>	
<i>McLoughlin, Tony.</i>	
<i>Maloney, Eamonn.</i>	
<i>Mitchell O'Connor, Mary.</i>	
<i>Mulherin, Michelle.</i>	
<i>Murphy, Dara.</i>	
<i>Murphy, Eoghan.</i>	
<i>Nash, Gerald.</i>	
<i>Neville, Dan.</i>	
<i>Nolan, Derek.</i>	
<i>Ó Riordáin, Aodhán.</i>	
<i>O'Donnell, Kieran.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Sullivan, Jan.</i>	
<i>Phelan, John Paul.</i>	
<i>Reilly, James.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Shatter, Alan.</i>	

Dáil Éireann

<i>Spring, Arthur.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Varadkar, Leo.</i>	
<i>Wall, Jack.</i>	
<i>Walsh, Brian.</i>	
<i>White, Alex.</i>	

Tellers: Tá, Deputies Paul Kehoe and Emmet Stagg; Níl, Deputies Seán Ó Fearghaíl and Michael Moynihan.

Amendment declared carried.

Motion, as amended, put and declared carried.

The Dáil adjourned at 9.30 p.m. until 9.30 a.m. on Thursday, 30 January 2014.