

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 and 2 answered orally.*

### Accident and Emergency Services Provision

3. **Deputy Finian McGrath** asked the Minister for Health the position regarding the trolley issue in the accident and emergency department at Beaumont Hospital, Dublin; and if he will make a statement on the matter. [6978/14]

**Minister for Health (Deputy James Reilly):** The Department of Health, the HSE SDU and the INMO are at one in regarding trolley waits to be an unacceptable feature of the Irish healthcare system which must be addressed. However, year to date on a national basis we are 2.9% ahead of 2013 and 33.7% ahead of the baseline 2011 trolley count. These percentages are equivalent to 237 and 4,015 fewer patients on trolleys respectively.

I am advised by the HSE that the Emergency Department in Beaumont Hospital has been under pressure for some weeks. Since the start of 2014, the rate of admission to the hospital from the ED has increased from just below 1 in 5 patients attending its ED to just below 1 in 3. This indicates that those presenting so far this year have tended to be sicker and requiring more care and treatment. Notwithstanding this, Beaumont has achieved reductions in the first 6 weeks of 2014, as it did also in 2013.

Beaumont Hospital: Patients on Trolleys for first 6 weeks of the year: 2012/2013/2014

W/ending	Number of patients on trolleys
10 February 2012	928
8 February 2013	778
7 February 2014	710

*Data published on Department website at <http://www.dohc.ie/statistics/tw/archive.html>*

Beaumont has taken a number of steps already to cope with the increased demand. All of the 15 beds that were closed have been re-opened. Routine elective procedures have been postponed and additional capacity for diagnostic tests at weekends has opened. Consultants and senior medical staff engage in regular ward rounds to ensure that patients are identified for discharge as appropriate in a timely manner. Access has been provided for Beaumont patients to twelve additional beds in nursing homes to reduce delayed discharges. The number of patients awaiting long-term care has reduced from 85 at 28 November 2013 to 63 at 30 January 2014. In terms of staffing, all medical posts have been filled since January and an additional six nurses were appointed in the last eight weeks.

As with all hospitals experiencing pressure in the early weeks of 2014, Beaumont Hospital is making ongoing process improvements in its Emergency Department, its Acute Medical Assessment Unit (AMAU) and in-patient wards, in collaboration with the SDU and HSE. These measures have led to significant improvements in the patient experience times in Emergency Departments.

I visited the Emergency Department & AMAU last week and met with the staff working there, who are doing great work.

*Questions Nos. 4 to 6, inclusive, answered orally.*

### **Care of the Elderly Provision**

7. **Deputy Finian McGrath** asked the Minister for Health if he will provide details of the services for senior citizens living on the north side of Dublin; and if he will make a statement on the matter. [6901/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** In line with Government policy, the Health Service Executive provides a range of community-based services aimed at ensuring older people receive safe, timely and appropriate care and treatment at the lowest level of complexity, and as close to home as possible. This means that they are facilitated and supported to stay in their own homes and communities for as long as it is viable, in accordance with the views expressed consistently by older people themselves. Older people with care needs must be provided with a continuum of services such as home care, day care, community support and/or intermediate care beds to avoid unnecessary acute hospital admissions, as well as longer term residential care.

The Local Health Office, which provides information, advice and assistance, is the entry point to community health and personal social services. HSE North Dublin provides a wide range of health and personal social services including Home Help services, Home Care Packages, Respite Care, Day Care, Meals on Wheels and various health promotion initiatives and programmes.

Home help Services are provided by three HSE funded organisations in north Dublin. The number of Home Help hours to be delivered in 2014 will be maintained at 2013 levels. Home Care Packages are provided by a range of agencies and almost 1,000 clients were in receipt of such packages at end of 2013. Arranged daycare and Alzheimer/Dementia services are provided through a range of community supports. A Social Worker for the protection of Older Adults provides a service to vulnerable clients in north Dublin. Finally meals on wheels services are provided by 17 different providers.

In addition, there are two public long stay units in North Dublin. Lusk Community Unit provides 45 long term care beds and 5 respite beds. Raheny Community Nursing Unit provides 100 long term beds.

Further details of Older People Services, including useful contact resources for people in the Dublin North area are available from the HSE website.

*Question No. 8 answered orally.*

### **Nursing Staff Remuneration**

9. **Deputy Mick Wallace** asked the Minister for Health if he will reverse the cut to the starting salary level for newly graduated nurses; and if he will make a statement on the matter. [6954/14]

**Minister for Health (Deputy James Reilly):** Under the Haddington Road Agreement, revised salary scales for ‘new entrant’ nurses are being prepared. These new salary scales will address the imbalance between those who entered the public service following 1 January 2011 and those who entered prior to this date. They are to apply retrospectively from 1 November 2013.

In a time of very limited recruitment opportunities in the public service, I am very pleased that up to 1,000 two-year contracts are being made available to graduate nurses and midwives in our health services under the Graduate Nurse/Midwifery Programme. In addition to giving employment opportunities, a major objective of the Nurse Graduate scheme is to put in place more cost-effective service delivery arrangements, having regard to the high rates of expenditure on agency staffing and overtime. The Minister for Public Expenditure and Reform agreed to the initiative on the basis that it would be outside the Employment Control Framework and deliver significant savings.

Under the Haddington Road Agreement it was agreed that participants will be paid 85% of the first point of the new entrant scale in the first year and 90% in the second. Alongside these valuable employment opportunities, those who take up offers will also be able to avail of supported further professional development. The scheme will support the retention of graduate nurses and midwives within the Irish health system and enable them to gain valuable work experience and development opportunities post-graduation. Participants will have access to a variety of care settings while gaining clinical experience.

The educational component of the graduate nurse and midwife programme comprises a 2 year part-time 3 module Certificate Graduate Education Programme that will be NMBI approved and academically accredited. This formally accredited programme will have currency for accreditation for prior learning by Higher Education Institutes when graduates wish to undertake further study and progress towards a Masters Level Award at a later stage in their careers.

Under the Programme, by the end of January 2014 the recruitment of over 600 graduate nurses was completed or in train, over 1,000 applications having been received.

*Questions Nos. 10 to 13, inclusive, answered orally.*

### **Speech and Language Therapy**

14. **Deputy Joe Higgins** asked the Minister for Health if his attention has been drawn to the long delays in assessment and access in respect of speech and language therapy in Dublin 15; the measures he will take to resolve same; and if he will make a statement on the matter. [6797/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Health related supports and interventions for children can be accessed through HSE Primary Care and Disability Services. The National Service Plan 2013 provided for additional funding of €20m to strengthen primary care services. This comprises over €18.5m for the recruitment of over 260 primary care team posts and over €1.4m to support Community Intervention Team development. Of the additional posts allocated, 52 whole-time equivalent Speech and Language Therapy posts were approved. The recruitment process is ongoing in relation to these posts, with the majority of the posts filled or offered, subject to start dates being agreed.

Five Speech and Language Therapy posts have been assigned to Dublin 15 which will bring the total number for this area to eleven. I have been informed that all of these new therapists are in place as of this week. Significant reductions in waiting times for speech and language

therapy services have already been achieved and further improvements should be seen over the coming weeks.

In terms of disability services, therapy services for children are being reconfigured into geographically-based multidisciplinary teams, as part of the Progressing Disability Services for Children and Young People Programme. The objective of the Programme is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to services for all children, regardless of where they live, what school they go to or the nature of their disability. The National Service Plan 2014 provides for targeted investment of €4m for the roll out of this Programme which equates to 80 additional therapy posts, including Speech and Language Therapy posts, with the northside of Dublin identified as one of the priority areas for 2014.

### **Maternity Services**

15. **Deputy Charles Flanagan** asked the Minister for Health the steps he will take to restore public confidence in the quality of the maternity service being provided at the Midlands Regional Hospital, Portlaoise, in view of the number of expectant mothers who will attend the hospital in the coming weeks and months. [6703/14]

**Minister for Health (Deputy James Reilly):** I believe that it is vitally important that we restore public confidence in the quality of the maternity services at Portlaoise, and have already taken steps to do so. My priority is to establish how our services failed the families involved and, if so, take remedial action to ensure that it can never happen again. I therefore moved immediately to ask the Chief Medical Officer to provide me with an urgent report on the issues arising. This report will inform the terms of reference of any subsequent HIQA review into this issue.

I am acutely aware of the concerns of many pregnant women throughout the country, and I want to reassure them that Ireland is a safe country in which to have a baby. Compared to neighbouring countries, we have low rates of perinatal deaths, and the rates continue to fall. The perinatal mortality rate is estimated by the ESRI at 5.9 per 1,000 live births and stillbirths in 2012 – a decline of 31% since 2003. Advances in antenatal, obstetric and neonatal care have contributed to our declining perinatal mortality rate.

The Deputy might also like to note that my Department, in conjunction with the HSE, will develop a new National Maternity Strategy this year. This will provide the strategic direction for the optimal development of our maternity services to ensure that women have access to safe, high quality maternity care, in a setting most appropriate to their needs. The Strategy will ensure that going forward our services are fit for purpose and in accordance with best available national and international evidence.

### **General Practitioner Services**

16. **Deputy Niall Collins** asked the Minister for Health the number of GP dispensing facilities that have been withdrawn by the primary care reimbursement services since the start of 2013; and if he will make a statement on the matter. [6937/14]

71. **Deputy Niall Collins** asked the Minister for Health the reason the PCRS is unilaterally withdrawing dispensing facilities from GPs; and if he will make a statement on the matter. [6936/14]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 16 and 71 together.

The General Medical Services (GMS) Scheme provides for general practice dispensing services in certain limited circumstances where there is no pharmacy in an area and clients are unable to access prescribed drugs or medicines from retail pharmacies. In 2013, the HSE conducted a review of doctor dispensing arrangements, the purpose of which is to improve standards and accountability for stock orders. The review identified where doctor dispensing arrangements are no longer required as pharmacies have opened in particular geographic areas or where doctors are no longer providing a dispensing service as patients are accessing medicines in local pharmacies.

At the time of the review, there were 94 dispensing doctors nationally. The HSE considered that 34 of these were no longer providing dispensing services. Of these 34 doctors, 17 asked the HSE to review its decision and offered some further information which is being considered by the HSE. The 17 doctors who did not request the HSE to review its decision had their dispensing status removed at the end of January 2014.

From 1 April 2014, new arrangements will be introduced by the HSE, including standards for doctor dispensing and the introduction of a computerised on line system to record items dispensed. Following engagement with the Irish Medical Organisation, the HSE will make the appropriate software available to the relevant GPs.

### **Consultancy Contracts**

17. **Deputy Catherine Murphy** asked the Minister for Health if he will confirm if the Health Service Executive has engaged the advice of external professional consultants on the appointment of persons to boards under the HSE's remit; the total cost in each case; if his attention has been drawn to instances where a person appointed to a HSE board after recruitment advice was received from professional external consultants was subsequently deemed to be unqualified for the duties and responsibilities attached to the role; and if he will make a statement on the matter. [6840/14]

**Minister for Health (Deputy James Reilly):** My officials have received confirmation from the HSE that an organisation called Boardmatch Ireland was used to assist in identifying replacement candidates to fill vacancies on the Board of the Central Remedial Clinic. The HSE has also confirmed that it has not been able to identify any instance where a person appointed to a HSE board after recruitment advice was received from external professional consultants, was subsequently deemed to be unqualified for the duties and responsibilities attached to the role.

Details of the cost of engagement of the external consultants will be provided directly by the HSE to the Deputy.

### **Air Pollution**

18. **Deputy Joan Collins** asked the Minister for Health his view regarding a potential health risk from the recent fire at the Oxigen plant in the Ballymount industrial estate (details supplied) in Dublin 12; and if he will indicate if there have been health implications resulting from this fire. [6699/14]

**Minister for Health (Deputy James Reilly):** Matters relating to air quality and the Environmental Protection Agency (EPA) are matters for the Department of the Environment, Community and Local Government in the first instance.

I have been advised that the results from the EPA's national ambient air quality monitoring network show that there was no breach of air quality standards at any of the monitoring stations in the network for the duration of the fire. Elevated pollution levels were recorded by the closest monitor, located at Ballyfermot Library, but these were still within prescribed pollutant

limit values for the protection of human health set out in national and EU air quality legislation.

The EPA issued health related advice to local residents. EPA inspectors undertook additional air monitoring over the duration of the fire. While it is too early at this stage to provide a fully detailed air quality report, these results are being compiled and a report on the monitoring undertaken will be prepared by the EPA. The HSE has advised that individuals most at risk from exposure to hazardous combustion products are those who have pre-existing respiratory diseases, such as asthma or chronic obstructive pulmonary disease. Acute exposure to smoke is likely to exacerbate these conditions. Elderly individuals, smokers and those with cardiac conditions may also be at greater risk than the general population. I am further advised that as the exposure was short-term, it is very unlikely to give rise to any long-term health effects.

### **Cancer Screening Programmes**

19. **Deputy Brendan Smith** asked the Minister for Health when BreastCheck will be extended to women aged 65 to 69; and if he will make a statement on the matter. [6949/14]

43. **Deputy Éamon Ó Cuív** asked the Minister for Health the reason the pledge to extend BreastCheck to women aged 65 to 69 is not being honoured in 2014; and if he will make a statement on the matter. [6935/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 19 and 43 together.

The BreastCheck Programme provides free mammograms to all women aged 50-64. Ireland has improved breast cancer survival rates due to a combined approach of screening, symptomatic detection and improved treatment. Breast cancer 5 year survival is now estimated at 81.8% for people diagnosed between 2003-2007, up from 76.8% for people diagnosed between 1998-2002.

Given the level of funding available, and the competing demands, it was not possible to include the age extension in the HSE's National Service Plan for 2014. The BreastCheck Programme aims to extend the upper age range to include the 65-69 age cohort as soon as possible in line with available resources. A priority of BreastCheck at present is to maximise national uptake in the 50-64 year age cohort and, in 2013, over 144,000 women were screened, compared with 128,800 in 2012.

### **Patient Safety**

20. **Deputy Denis Naughten** asked the Minister for Health the position regarding the recommendations contained in the patient safety investigation report into services at University Hospital Galway and as reflected in the care provided to Savita Halappanavar; and if he will make a statement on the matter. [6701/14]

**Minister for Health (Deputy James Reilly):** HIQA's 'Investigation into the safety, quality and standards of services provided by the Health Service Executive to patients, including pregnant women, at risk of clinical deterioration, including those provided in University Hospital Galway, and as reflected in the care and treatment provided to Savita Halappanavar' was published on 7 October 2013. On publication I made it clear that patient safety must become the number one priority for health system management and must be fully built into the governance, management and accountability systems throughout the HSE.

My Department is ensuring that the actions required to implement the recommendations of

the HIQA Report into the death of Mrs. Halappanavar are being undertaken across our health services with a view to improving patient safety and providing a more patient-centred model of care. I have also directed HIQA to ensure that their monitoring of the National Standards for Safer Better Healthcare include monitoring of the extent to which the health service has implemented the findings of both the HIQA and HSE investigations.

A Progress Report by the HSE's National Director of Acute Hospitals who has been assigned responsibility for this body of work was forwarded to my Department on 23rd January last. The report provides evidence that clear progress has been made:

- Irish Maternity Early Warning Scores (I-MEWS) introduced in all maternity units;
- Guidance on miscarriage and management of crucially ill obstetric patients in place.

Progress in implementing all of the local and national recommendations is well under way and will continue throughout the year. The Deputy will understand that implementation of some recommendations will necessarily require a longer time period beyond the current year.

Following on from the Authority's Report I have listed five key priorities in relation to patient safety:

- Patient Safety has been made a priority within the HSE's Annual Service Plan through specific measures focused on quality and patient safety including Healthcare Associated Infections, Medication Safety and implementation of Early Warning Score systems. My officials will meet the HSE each month to review progress on the Service Plan and patient safety will be a standing item on that agenda.

- My Department is leading the development of a Code of Governance which will clearly set out employers' responsibilities in relation to achieving optimal safety culture, governance and performance. It is expected that a Code of Governance will be developed during 2014.

- I have directed HIQA to ensure that my patient safety priorities are included in the monitoring programme against the National Standards for Safer Better Care, to ensure that there are clear governance and accountability mechanisms put in place and that there are clear arrangements to respond to the very specific findings in the above mentioned report.

- My Department, in conjunction with the HSE, will develop a new National Maternity Strategy this year. This will provide the strategic direction for the optimal development of our maternity services to ensure that women have access to safe, high quality maternity care in a setting most appropriate to their needs. Developing the Strategy will provide us with the opportunity to take stock of current services and identify how we can improve the quality and safety of care provided to pregnant women and their babies. The Strategy will ensure that going forward our services are fit for purpose and in accordance with best available national and international evidence,

- I have instructed the National Clinical Effectiveness Committee (NCEC) to commission and quality-assure four priority national guidelines on Sepsis, Clinical Handover, Maternal Early Warning Score and Paediatric Early Warning Score. This body of work is in progress.

## **Health Services Provision**

21. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the progress to date in the implementation of the recommendations of the North-South feasibility study on co-opera-

tion in the provision of health services on the island of Ireland; and if he will make a statement on the matter. [6916/14]

**Minister for Health (Deputy James Reilly):** The North-South Feasibility Study, finalised in 2009, examined the potential for joint co-operation in health across an extensive range of health and social care services. It set out 10 priority recommendations and many of these are already being taken forward. Areas of ongoing collaboration include - child protection, cancer research, health promotion, suicide prevention, radiotherapy services, congenital cardiac surgery and a range of initiatives under the Interreg IVA funding initiative, which are being delivered by Co-operation and Working Together (CAWT). The Study was published on the websites of the Irish Department of Health and the Department of Health, Social Services and Public Safety in Northern Ireland in December 2011.

At a departmental level co-operation between the two jurisdictions is active and ongoing. “Transforming Your Care: a Review of Health and Social Care in Northern Ireland” also recommends co-operation on a number of key issues. The Deputy will be aware that I meet with Minister Poots, Minister for Health Social Services and Public Safety in Northern Ireland (DHSSPSNI) under the auspices of the NSMC to discuss and share experiences on a wide range of issues. My officials liaise with their counterparts in the DHSSPSNI on progressing areas of co-operation.

I am committed to working together with my Northern colleagues on issues of common concern and benefit.

### **Ambulance Service Provision**

22. **Deputy Seamus Kirk** asked the Minister for Health his views on whether the ambulance service has the necessary resources for 2014; and if he will make a statement on the matter. [6932/14]

53. **Deputy Billy Kelleher** asked the Minister for Health his views on the concerns that have been expressed regarding the ambulance service; and if he will make a statement on the matter. [6925/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 22 and 53 together.

I am aware that concerns have been raised recently concerning ambulance service response times. In the circumstances, I have asked HIQA to bring forward its planned review of pre-hospital emergency care, which had been due to commence in Q2 2014. The Authority will review the governance arrangements of pre-hospital emergency care services to ensure the timely assessment, diagnosis, initial management and transport of an acutely ill patient to an appropriate healthcare facility. Planning for the review has now commenced and HIQA is currently in the process of designing an Assessment Framework against the National Standards for Safer Better Healthcare.

I should also explain that the National Ambulance Service will undertake its own capacity review, to determine current and future service delivery needs. This process will examine a number of areas, including staff numbers and skill mix, as well as resource distribution.

### **Health Services Staff Recruitment**

23. **Deputy Catherine Murphy** asked the Minister for Health further to Parliamentary Question No. 5 of 20 March 2013, if he will indicate the reason the €20 million ring-fenced in the 2013 national service plan for the recruitment of 250 primary care posts has not been fully



drawn down; if he will provide an update on the placement of new therapy posts to primary care teams across the four Health Service Executive regions, including those who have commenced working and those who are on a panel to be selected; if he will identify the regions most lacking in therapy providers and the proposals to tackle this gap in this financial year in view of the constraints on the 2014 service plan; and if he will make a statement on the matter. [6874/14]

**Minister of State at the Department of Health (Deputy Alex White):** In line with the commitment in the Programme for Government to a significant strengthening of primary care services, the National Service Plan 2013 provided for additional funding of €20 million to support the recruitment of prioritised front-line primary care team posts and enhance the capacity of the primary care sector (€18.525m for the recruitment of 264.5 posts to support Primary Care Teams and €1.475m to support the development and enhancement of Community Intervention Teams). The additional primary care posts included Public Health Nurses (PHNs), Registered General Nurses (RGNs), Physiotherapists, Occupational Therapists (OTs) and Speech and Language Therapists (SLTs).

The breakdown of the 264.5 posts by HSE Region is as follows:

HSE REGION	PHN	RGN	PHYSIO	OT	SLT	TOTAL
Dublin Mid Leinster	38.5	8.5	24.0	12.5	23.0	106.5
Dublin North East	12.0	9.5	14.5	9.0	14.5	59.5
South	12.0	8.5	7.0	18.0	6.5	52.0
West	9.5	14.0	2.0	13.0	8.0	46.5
TOTAL	72.0	40.5	47.5	52.5	52.0	264.5

Primary Notifications issued to proceed with the filling of the above posts on 5th April 2013.

As at 6 January 2014, a total of 160.0 (60%) of the posts have been filled. The following table sets out the geographical spread of these posts across the four regions.

HSE REGION	PHN	RGN	PHYSIO	OT	SLT	TOTAL
Dublin Mid Leinster	15.0	4.0	10.5	10.0	21.5	61.0
Dublin North East	7.5	6.5	2.5	7.5	12.0	36.0
South	2.0	3.5	4.0	17.0	2.0	28.5
West	4.0	11.0	1.5	12.0	6.0	34.5
TOTAL	28.5	25.0	18.5	46.5	41.5	160.0

A further 51.0 posts have been offered to candidates with start dates to be agreed and the remaining 53.5 posts are still going through the recruitment process, with the HSE's National Recruitment Service organising additional recruitment competitions to enable filling of these posts. A Resource Allocation Model was developed and the posts were allocated based on the analysis carried out by the HSE in identifying areas of deprivation and need. The allocation and distribution of the posts was based on bringing each Integrated Service Area, where staffing is below the national average, towards the national average.

The HSE is committed to having all the posts filled and in place by the 2nd quarter of 2014 and funding has been drawn down for all the posts filled to date.

### Midwifery Services

24. **Deputy Clare Daly** asked the Minister for Health if he will remove the public services recruitment embargo in respect of midwives as a matter of urgency in view of the closure of

Mount Carmel Hospital, which is placing further pressures on maternity hospitals to accommodate 1,200 additional births every year, and in view of the confirmation of severe midwifery staffing shortages, which are jeopardising pregnant women's care and which have been known to his Department since 2006 and to the Health Service Executive since 2008 when its own KPMG study reported a shortage of 221 midwives in the greater Dublin region. [6706/14]

**Minister for Health (Deputy James Reilly):** I wish to confirm to the Deputy that there is no embargo on the recruitment of midwives in the public health service. While the numbers employed across the public service must be reduced in order to meet fiscal and budgetary targets it is recognised that certain services such as maternity are demand led and require specialist staffing. Arrangements are in place in the HSE to allow the recruitment of such staff where it has been established that there is an urgent service requirement.

The number of Staff Midwives, including the Senior Staff Grade, in the public health service at the end of 2013 was 1,341 (WTEs) - including 20 on the Graduate Placement Scheme. The number at the end of 2007 was 933 (WTEs). The December 2013 figure is noteworthy, as it shows the manner in which the HSE has the capacity to focus recruitment in specific areas where increases are required. The number employed at the end of 2012 was 1,310 and at the end of 2010 the figure was 1,178. As I have previously stated, the HSE examined the possibility of the State taking over Mount Carmel. However, given the relatively low number of births at the Hospital and the falling birth rate it was decided that it would not be necessary to do so. Arrangements have been made for pregnant patients who were attending Mount Carmel to be transferred to the public maternity hospitals.

I am satisfied that it is open to the HSE to recruit the levels of frontline staff necessary to ensure that we have safe service provision. More generally, in order to mitigate the impact on frontline services of the reduction in employment numbers, the priority is to reform how health services are delivered in order to ensure a more productive and cost effective health system.

### **Hospital Waiting Lists**

25. **Deputy Thomas Pringle** asked the Minister for Health the way in which he plans to ensure that hospitals enforce the new deadlines for reducing waiting lists; his views on whether hospitals have adequate resources to do so; and if he will make a statement on the matter. [6955/14]

**Minister for Health (Deputy James Reilly):** The Operational Plan 2014 of the HSE Acute Hospitals Division states the specific access targets which have been determined by the SDU, sets out funding and activity requirements in relation to achieving overall reductions in respect of waiting times and provides assurance that these will be monitored on a monthly basis. In addition, targeted funding of €30m is provided to address areas of acute services which are likely to experience increased service demand, such as ED/inpatient services/day case procedures and outpatient services through the identification and utilisation of additional capacity and capability across the system. This approach of monitoring activity levels, supported by consistent robust data collection and targeted intervention where necessary, has proven to be effective in 2013.

As regards outpatient services, the HSE Service Plan aims to reduce the ratio of new to return OPD attendances from 1 (new): 2.6 (return) attendances in 2013 to 1:2 attendances in 2014. This is best international practice and its achievement will be assisted by the work of the clinical programmes and the concentrated engagement of the SDU. This, taken with the intense focus on OPD waits brought about by my initiatives in this area, will allow the HSE to reduce

the actual number of OPD attendances overall whilst aiming to achieve the Government waiting list target. All of these measures will enable the HSE to provide a flexible service to patients and will require co-operation from patients in maximising resources for all.

In relation to in-patient and daycase activity, the planned activity levels presented in the HSE Service Plan for 2014 are 2% below projected outturn for 2013. This is the maximum that could be planned for, given the resources that are available to the HSE which have to be balanced across all the services they provide. Every effort will be used to deploy the €30 million fund provided to address hospital service pressures as effectively as possible to achieve and surpass service plan activity targets.

I have written to the HSE, asking them to manage waiting lists such that target waiting times are achieved by mid-year 2014 and maintained thereafter, rather than allowing waiting lists to escalate in the course of the year as has happened previously. Finally, it is important to bear in mind that the requirement to provide treatment is not guided solely by waiting list targets, but rather by the requirement to effect necessary urgent or elective treatment in case of clinical need. The ability to manage scheduled care waiting lists will also be effected by varying levels of unscheduled care activity and the resultant admissions which may result in prioritisation of emergency procedures over elective activity.

### **Health Insurance Prices**

26. **Deputy Dara Calleary** asked the Minister for Health the measures he will be taking in 2014 to reverse the decline in the numbers with private health insurance; and if he will make a statement on the matter. [6929/14]

28. **Deputy Timmy Dooley** asked the Minister for Health his response to a Health Insurance Authority projection that the number of 18 to 29 year olds with health insurance will have fallen by almost 40,000 in March 2015 compared with July 2013; and if he will make a statement on the matter. [6940/14]

253. **Deputy Eoghan Murphy** asked the Minister for Health if he will provide an update on his engagement with health insurance providers regarding the increasing cost of private insurance, the need to encourage younger people to secure private insurance, and continued preparations towards the provision of a universal health care system. [7316/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 26, 28 and 253 together.

There are currently just over 2 million people, or 44.6% of the population with private health insurance. While this has fallen from a peak of 50.9% in 2008, Ireland continues to retain a high level of population holding voluntary private health insurance. There are a number of measures being progressed by my Department to help maintain a competitive and sustainable private health insurance market.

My immediate focus is to keep health insurance affordable for as many people as possible. I have been strongly seeking much greater cost control in the private health insurance industry and established the Consultative Forum on Health Insurance, comprising representatives from the private health insurance companies, my Department, and the Health Insurance Authority, to generate ideas to address health insurance costs. Last year, I appointed an independent Chairperson Mr. Pat McLoughlin, to work with my Department and the insurers under the auspices of the Forum on a review process to give effect to real cost reductions in the private health insurance market. Mr. McLoughlin's first report was published on 26 December 2013, and the second phase of the review has commenced and will report within three months. In particular it

will study further the drivers behind rising costs in the PHI industry and seek to address them.

I am supportive of the concept of Lifetime Community Rating (LCR) as a potential means of helping to address decreasing membership of the private health insurance market, in particular to provide an incentive for people to take out private health insurance at a younger age. This is important as the health insurance market requires a sizeable cohort of younger members, who are generally healthier, to offset the high cost of older and less healthy members, which is critical to the sustainability of our system of community-rated health insurance. My Department is working on proposals in this regard and will work, in conjunction with the Health Insurance Authority and industry stakeholders, to develop these further over the coming months.

With regard to the provision of a universal healthcare system, intensive work is currently underway on the preparation of a *White Paper on Universal Health Insurance* which will provide more detail on the UHI model for Ireland, including the overall design of the model, the standard package of services, funding mechanisms and the key stages of the journey to UHI. Drafting is at an advanced stage and I intend to bring the White Paper to Government very shortly with a view to publication as soon as possible.

### **Maternity Services**

27. **Deputy Mick Wallace** asked the Minister for Health his views on the statistics on public maternity units, recently released under freedom of information, which show a wide variation in caesarean section rates, ranging from 19.1% in Sligo General Hospital to 38% in St. Luke's General Hospital, Kilkenny; and if he will make a statement on the matter. [6953/14]

**Minister for Health (Deputy James Reilly):** I am aware of, and have noted, the variations in the rates of C-Section throughout the country. The Deputy may wish to note that a new National Maternity Strategy will be developed by my Department this year. This Strategy will determine the future model of services to ensure that women have access to safe, high quality maternity care in a setting most appropriate to their needs. As part of the development of the Strategy, it is proposed to review and evaluate current maternity services. The issue of variations in c-section rates will be considered in that context.

*Question No. 28 answered with Question No. 26.*

### **Health Services Funding**

29. **Deputy Michelle Mulherin** asked the Minister for Health if he will provide assurances that the necessary investment will be made in the refurbishment of St. Augustine's, McBride and D'Alton community nursing units in County Mayo in order that they will meet Health Information and Quality Authority standards after 2015, thus allowing these facilities to stay open; and if he will make a statement on the matter. [6702/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Health Insurance Regulation**

30. **Deputy Michael McGrath** asked the Minister for Health when he will address the regulatory position of the VHI; the reason this was not done in 2013 as previously pledged; and if he will make a statement on the matter. [6942/14]

54. **Deputy Michael McGrath** asked the Minister for Health his plans for the VHI; and if he will make a statement on the matter. [6943/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 30 and 54 together.

The Government agreed in December 2011 to address the European Court of Justice ruling of September 2011 and to work with the VHI in its application process for authorisation by the Central Bank of Ireland (CBI), subject to further Government consideration of any application for authorisation. Despite good progress, it was not possible to authorise the VHI before the deadline of 31 December 2013, and the EU Commission was notified accordingly. The Government has committed itself to continuing the work towards authorising the VHI as soon as possible and agreed that a request be made to the EU Commission to extend the deadline, with a commitment to seek to have VHI authorised by end 2014. The VHI Board has committed to this approach.

VHI's readiness for authorisation will be determined by the CBI after its assessment of VHI's application. Officials from my Department, the VHI and CBI continue to engage regularly to progress the application and my officials are also in regular contact with the EU Commission in relation to the authorisation and related issues.

### **Substance Misuse**

31. **Deputy Finian McGrath** asked the Minister for Health his position regarding dealing with binge drinking by young people; and if he will make a statement on the matter. [6900/14]

**Minister for Health (Deputy James Reilly):** Ireland has a significant alcohol problem which needs decisive and innovative action to address it. Last October, the Government approved an extensive package of measures to deal with alcohol misuse to be incorporated in a Public Health (Alcohol) Bill. These measures are based on the recommendations contained in the Steering Group Report on a National Substance Misuse Strategy. The aim is to reduce alcohol consumption to the OECD average by 2020 (i.e. 9.1 litres of pure alcohol per capita per annum). In 2011 the average per-capita pure alcohol consumption for everyone over the age of 15 was 11.63 litres in Ireland.

A broad range of complementary measures is required to successfully reduce consumption of, and harms associated with, alcohol misuse. The package of measures to be implemented will include provision for minimum unit pricing, regulation of the marketing and advertising of alcohol, regulation of sports sponsorship, structural separation of alcohol from other products in mixed trading outlets and labelling of alcohol products. Minimum unit pricing is a mechanism of imposing a statutory floor in price levels per gram of alcohol that must be legally observed by retailers in both the on and off trade sector. Its primary function would be thus to discourage at risk levels of alcohol consumption and is targeted in particular at harmful and hazardous drinking. The Government also agreed that new low risk limits for alcohol consumption be introduced based on Irish standard drink of 10 grams of alcohol i.e 11 standard drinks or 112 grams of pure alcohol per week for women and 17 standard drinks or 168 grams of pure alcohol per week for men.

Work is continuing in my Department on the development of a framework for the implementation of these measures. A health impact assessment, in conjunction with Northern Ireland, was commissioned in 2013, as part of the process of developing a legislative basis for minimum unit pricing. The health impact assessment will study the impact of different mini-

mum prices on a range of areas such as health, crime and likely economic impact. The study should be finalised by mid-2014.

The other measures (e.g. for the HSE, professional bodies etc) set out in the Steering Group Report on a National Substance Misuse Strategy, were endorsed by Government and are to be progressed by the relevant departments and organisations. The HSE has responsibility for implementing a number of recommendations, including a number specifically aimed at young people, and this is reflected in the HSE Service Plan for 2014.

### **Hospital Services**

**32. Deputy Finian McGrath** asked the Minister for Health if he will confirm that the new cystic fibrosis unit at St. Vincent's University Hospital is able to treat all cystic fibrosis patients; and if he will make a statement on the matter. [6898/14]

**Minister for Health (Deputy James Reilly):** St. Vincent's University Hospital is the designated National Adult Referral Centre for patients with cystic fibrosis. The hospital currently treats 330 adults, which accounts for over 50% of the CF adult population. The designated inpatient and day care CF unit in the Nutley Wing development at St. Vincent's University Hospital became operational during summer 2012 and represents a major improvement in the care of patients with CF in Ireland. The unit provides 20 single ensuite rooms which are dedicated for inpatients with CF. This reflects best practice in terms of infection control. It also provides a dedicated CF day unit which includes 10 single ensuite day treatment rooms. The hospital's management works closely with the cystic fibrosis clinicians to ensure that the needs of cystic fibrosis patients requiring inpatient treatment are met within the overall bed complement at the hospital.

With regard to the provision of services for all patients with cystic fibrosis, which are also provided in a number of other hospitals both adult and paediatric, I have asked the HSE to respond directly to the Deputy in regard to the detail of this service matter.

### **HSE National Service Plan**

**33. Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he remains satisfied regarding the ability of the Health Service Executive to deliver the full range of health services as set out in the national service plan for 2014; if particular contingency plans exist in the event of inadequacies emerging later in the year; the extent to which such situations are likely to be provided for in view of the demand-driven nature of health services; and if he will make a statement on the matter. [6872/14]

**Minister for Health (Deputy James Reilly):** There has been considerable focus, understandably, on the demanding and challenging financial and resource constraints within which the HSE has been required to prepare and adopt its 2014 Service Plan. Similar constraints have also applied in each of the last number of years due to the emergency financial situation the Irish State has had to address. During this period the HSE and its workforce have very successfully focused on how best to minimise the impact of these unavoidable constraints on front line services often by utilising innovative and more efficient and effective ways of using scarce resources.

The delivery of the health and social care services provided for in this year's Service Plan will again focus on the dual challenge of protecting patient outcomes while, at the same time,

reducing costs. This requires, inter alia, increasing emphasis on models of care that treat patients at the lowest level of complexity and provide safe quality services at the least possible cost. I have every confidence that, despite the unavoidable resource reductions already referred to, the HSE will again, throughout 2014, manage, to a very significant extent, to maintain core services while also supporting growing demand for services arising from population growth, increased levels of chronic disease, increased demand for drugs, higher numbers of medical card holders (up by 590,000 since 2008) and new costly medical technologies and treatments.

The HSE has management systems in place to monitor service delivery throughout the course of the year. Should any unexpected contingencies arise the HSE is well positioned to identify such contingencies and to promptly take any necessary remedial actions without undue delay.

### **Rare Diseases Strategy Publication**

34. **Deputy Thomas P. Broughan** asked the Minister for Health further to Parliamentary Questions Nos. 698 and 699 of 19 November 2013, the status of the drafting of a rare diseases plan as required under European Council Recommendation 2009/C/151/02 of 8 June 2009 on an action in the field of rare diseases. [6696/14]

47. **Deputy Thomas P. Broughan** asked the Minister for Health if research will be carried out into the prevalence of Ehlers-Danlos syndrome here to guide the provision and allocation of necessary supports and services to children and adults affected by this condition. [6697/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 34 and 47 together.

My Department is finalising a national plan on rare diseases which is set in the context of the council recommendation of 8 June 2009. While no specific rare disease is mentioned, the council decision declared that it is estimated that there are between 5,000 and 8,000 rare diseases; and hence it states that the specificities of rare diseases are:

- A limited number of patients and;
- A scarcity of relevant knowledge and expertise.

The council's decision recognised these specificities when it recommended that member states adopt a plan to guide actions in the general field of rare diseases. It is with this in mind that my Department is finalising a generic plan to apply to the 8,000 rare diseases - including Ehlers Danlos Syndrome - estimated to exist. An essential element of this plan is addressing broad epidemiological surveillance of rare disease in Ireland as an absence of such surveillance hinders - among other things - appropriate health and social service commissioning, and work-force planning.

### **Services for People with Disabilities**

35. **Deputy Robert Troy** asked the Minister for Health when he will move to tackle the enormous regional disparities in the provision of early intervention teams for children; and if he will make a statement on the matter. [6938/14]

56. **Deputy Colm Keaveney** asked the Minister for Health the way he will address the absence of early intervention teams for children in many areas of the country; and if he will make a statement on the matter. [6927/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 35 and 56

together.

The Government is committed to the provision and development of services for children with a disability, including early intervention services, within available resources. While these services are in the process of being reconfigured under the HSE's National Programme on Progressing Disability Services for Children and Young People (0-18 years), it is important to note that all HSE areas have significant early intervention services in place for children with disabilities aged zero to eighteen years. These are provided directly by the HSE or by voluntary service providers funded by the HSE.

The aim of the Programme on Progressing Disability Services for Children and Young People is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to services for all children, regardless of where they live, what school they go to or the nature of their disability. An additional €4m has been specifically allocated in 2014 to drive implementation of the Programme. This equates to approximately 80 therapy posts.

There are almost 60 geographic-based multi-disciplinary teams established as part of the reconfigured service model under the Programme. It is hoped that a further 30 teams will be reconfigured this year, bringing the overall total to approximately 90 teams by the end of 2014. These figures reflect all children's disability teams that provide early intervention services to children aged between zero and eighteen years. The transition to this new model is being implemented on a phased basis and, importantly, includes consultation and engagement with stakeholders, such as service users and their families.

### **Medical Card Data**

36. **Deputy Brendan Smith** asked the Minister for Health the number of discretionary medical cards currently in use; and if he will make a statement on the matter. [6948/14]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE has informed me that, as of 1 January 2014, there are currently 1,849,380 medical cards in circulation and, of this figure, 50,294 were granted on a discretionary basis.

### **Accident and Emergency Services Provision**

37. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the action that will be taken to address the crisis situation at Tallaght hospital as highlighted by the INMO; and if he will make a statement on the matter. [6920/14]

**Minister for Health (Deputy James Reilly):** The Department of Health, the HSE SDU and the INMO are at one in regarding trolley waits to be an unacceptable feature of the Irish health-care system which must be addressed. However, year to date, on a national basis we are 2.9% ahead of 2013 and 33.7% ahead of the baseline trolley count. These percentages are equivalent to 237 and 4,015 fewer patients on trolleys respectively.

There is intensive engagement between the SDU, hospitals, community services and regional management to address peak pressure in Emergency Departments where it arises, through a range of different measures. Tallaght Hospital has recently experienced a surge in activity, with a 5% increase in ED attendances and a 13% increase in admissions. The hospital has taken appropriate action to manage the situation and the CEO has provided assurance that the hospital is providing adequate patient care.



I am aware that the question of staffing had been raised and I am advised in this regard that Tallaght had 938 nurses in January 2014, more than at the same time the previous year, is actively recruiting and is using agency staffing where that is needed to address vacancies. As with all hospitals experiencing pressure in the early weeks of 2014, Tallaght Hospital is making ongoing process improvements in its Emergency Department, in collaboration with the HSE SDU. These measures have led to significant improvements in the patient experience times in Emergency Departments.

### HSE Reports

38. **Deputy Lucinda Creighton** asked the Minister for Health if he will provide the total number of Health Service Executive internal written reports that have been conducted into perinatal deaths since the HSE came into being; the total number of written reports that have been conducted into perinatal deaths where parents of those children have not been informed that such a report exists; the reasons in such cases those parents have not been informed that such a report exists; and if he will make a statement on the matter. [6892/14]

**Minister for Health (Deputy James Reilly):** The Health Service Executive conducts investigations into serious incidents including perinatal deaths and the Executive's Risk and Incident Investigation Process provides a framework for conducting such investigations. Investigations of serious incidents including baby deaths have been conducted under the Process with support provided by the Executive's National Incident Management Team as appropriate. The Department does not receive information on HSE investigations as a matter of course.

The Chief Medical Officer of my Department is currently preparing a report for me on the issues at Portlaoise. I have assured the families concerned that the process will be transparent, that they will be involved and will have the opportunity to see the report in advance of the release. The findings of the CMO's report will inform any subsequent work to be undertaken by HIQA or others including any wider review.

### Hospital Consultants Recruitment

39. **Deputy Billy Kelleher** asked the Minister for Health if he and the Health Service Executive will be making any changes to the terms and conditions in place for the recruitment of new hospital consultants; and if he will make a statement on the matter. [6923/14]

50. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of consultant posts, by discipline and hospital site, unfilled at time of responding; the posts that have been advertised and the period of time that each post has been unfilled; the reason he believes some posts remain unfilled for inordinate periods; and if he will make a statement on the matter. [6919/14]

266. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the number of hospital consultants available here compares to that in other jurisdictions; the degree to which it is anticipated to improve this situation; and if he will make a statement on the matter. [7378/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 39, 50 and 266 together.

Notwithstanding the need to reduce the numbers employed across the public service in order to meet fiscal and budgetary targets, the HSE has the capacity to recruit consultants. Arrangements are in place in the HSE to allow the recruitment of front-line staff where there is an

established service need. More generally, in order to mitigate the impact on frontline services of the reduction in employment numbers, the priority is to reform how health services are delivered in order to ensure a more productive and cost effective health system. The ability of the public service to attract and retain high quality consultants shapes the extent to which the HSE can maintain and develop the range of health services required.

If the health services are to continue to provide consultant-level opportunities for doctors to replace consultants who retire and eventually to expand overall capacity, this can only happen on the basis of a lower-cost model, hence the decision to reduce the pay of new consultants by 30%. This decision is being modified to enable consultants currently working in permanent posts within the public service to move to different posts, while retaining their existing salaries. Application of the revised guidance will support consultant mobility. Allowing serving clinical consultants retain their existing salaries will remove a blockage on movement within the system at present. This mobility will, in due course, also facilitate the roll-out of the Hospital Group model with staff appointed to the Group rather than being confined to specific locations.

It is Government policy to move to a consultant delivered service and there has been a significant increase in the number of consultants (Whole Time Equivalents) over the past 5 years. The number increased from 2,260 in December 2008 to 2,555 in December 2013. However, the rate of increase has slowed over the past three years. There are some specialties in which there is an international shortage and which have been traditionally difficult to fill, regardless of the salary scale. There are also some hospitals to which it has historically been difficult to attract applicants, in particular smaller hospitals that have onerous rosters due to the limited number of consultants. The establishment of Hospital Groups will also help to address this issue, as this will allow doctors to be appointed as group resources - instead of to just one hospital.

I established the MacCraith Group last July to carry out a strategic review of medical training and career structures. The Group submitted an interim Report focused on training to me in December and is now progressing examination of the career structure to apply on completion of specialist training with a view to reporting to me by the end of March. Broader issues relating to recruitment and retention of NCHDs and consultants will be given further consideration on receipt of this report.

I have referred the Deputy's questions seeking data to the HSE for direct reply.

### **Mobility Allowance Review**

40. **Deputy Timmy Dooley** asked the Minister for Health when a replacement for the mobility allowance will be brought forward; and if he will make a statement on the matter. [6941/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** In November 2013, the Government decided that the detailed preparatory work required for a new travel subsidy scheme and associated statutory provisions should be progressed by the Minister for Health, in consultation with other relevant Ministers. The Department of Health is working to progress this matter in line with the Government's decision. The Department will draw on the work, last year, of the Review Group on Transport Supports for People with Disabilities and the Inter-Departmental Group tasked by Government to consider details of a statutory replacement for the discontinued Mobility Allowance and Motorised Transport Grant Schemes.

### **General Medical Services Scheme Administration**

41. **Deputy Billy Kelleher** asked the Minister for Health if he will provide an update on

the negotiation of a new GP contract; and if he will make a statement on the matter. [6922/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Programme for Government provides for the introduction of a new GMS GP contract with an increased emphasis on the management of chronic conditions, such as diabetes and cardiovascular conditions. It is envisaged that the new contract, when finalised, will focus on prevention and will include a requirement for GPs to provide care as part of integrated multidisciplinary Primary Care Teams.

As part of Budget 2014, the Government announced that it will commence the roll-out of a universal GP service by providing all children under 6 years with access to a GP service without fees. The implementation of this measure will require primary legislation which is currently being drafted. The Government is providing new, additional funding of €37 million to meet the cost of implementing this service. Preparations are proceeding with a view to commencement of the new service for children under 6 years by June/July 2014. In this regard, the Department and the HSE have prepared a draft contract to facilitate the introduction of the service.

A consultation process started on 31 January 2014 relating to the content and scope of the contract. I met with key stakeholders - the Irish College of General Practitioners, the Irish Medical Organisation and the National Association of General Practitioners – to brief them on Government policy concerning the introduction of a universal GP service without fees and in particular, on the first phase concerning children under 6 years. Advertisements were published in the national newspapers on 1st February 2014, inviting the general public and other interested parties to submit their views on the contract to the HSE. The draft contract is available for review on the HSE website at [www.hse.ie/under6contract](http://www.hse.ie/under6contract) and the closing date for receipt by the HSE of written submissions is 21 February 2014.

In parallel with the public consultation on the content and scope of the contract, the Department of Health and the HSE is engaging in an exercise to develop a fee structure which will be the subject of further discussion with relevant stakeholders. The setting of the fee rates will be a matter for the Minister for Health, subject to the provisions of the legislation currently being drafted.

Under the auspices of the Cabinet Committee for Health, work is continuing on the development of a scheme for the provision of a GP service without fees to the entire population. This includes consideration of approaches, timing, administrative and financial implications of a range of options with a view to bringing developed proposals to Government. The extension of GP services without fees will have full regard to and ensure compatibility with developments in relation to Universal Health Insurance. When Government has made decisions on these proposals, further work will be carried out in relation to the GP contract to enable full implementation of universal GP care.

### **Hospital Accommodation Provision**

42. **Deputy Seán Kyne** asked the Minister for Health if capital investment is being considered for a new unit that will alleviate the pressure at peak time in the context of the high capacity levels at University Hospital Galway, which is in the Galway-Roscommon hospital group; and if he will confirm if Merlin Park is being used for step-down purposes to alleviate pressure on other health facilities. [6850/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter, I have asked the HSE to respond directly to the Deputy.

*Question No. 43 answered with Question No. 19.*

## **Disabilities Services Funding**

44. **Deputy Éamon Ó Cuív** asked the Minister for Health the funding being provided for disability services in 2014; the progress made to date in relation to the provision of services for school leavers in 2014; and if he will make a statement on the matter. [6698/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Government is providing funding of €1.4 billion to the Disability Services Programme in 2014, including an additional €14m to address the priority needs identified by the Minister for Health and advised to the Health Service Executive (HSE). The additional funding includes €7m for the provision of new places for school-leavers and rehabilitative (life-skills) training graduates.

The HSE, through its Occupational Guidance Service, is working with schools, service providers, young people and their families to identify training needs and explore suitable options for school-leavers graduating in 2014. Many young people with disabilities will progress to further education or vocational training funded by the Department of Education and Skills. For those young people who will require ongoing HSE-funded supports, the HSE has established a National Oversight Group to coordinate a timely response to processing applications for day services and rehabilitative training places. As a result, new arrangements have been put in place for a centralised regional application process.

The HSE have informed me that they are liaising with disability agencies and the National Council for Special Education to supply the necessary information to parents and students on the new application process. The deadline for applications was the 1st of February, however some flexibility will be given since the application process is in its first year. The next stage in the process will be to identify and agree the supports required for each individual, identify the service providers who have the capacity to respond to those support needs, and agree the allocation of additional resources to support individual placements. A communications process with all stakeholders will be put in place by the end of March, and young people and their parents will be advised of the placement which will be available to them by the end of June 2014.

## **HSE National Service Plan**

45. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health his views on the divisional plans recently published by the Health Service Executive. [6917/14]

**Minister for Health (Deputy James Reilly):** The 2014 HSE National Service Plan was published on 18th December last and sets out the health and social care services that the Executive is to deliver during the course of this year. The 2014 Service Plan was the first Service Plan prepared by the newly established HSE Directorate, set up under the Health Service Executive (Governance) Act 2013. Under this new legislative framework health and social care services are now organised on a Divisional basis with specific budgets allocated to each Division. These Divisions include Acute hospitals, Mental Health, Social Care (including Elderly & Disability), Primary Care (including PCRS), and Health and Wellbeing.

The detail of health and social services to be provided by each of these Divisions is outlined in the recently published Divisional Operational Plans. I very much welcome the fact that the focus in each Divisional Plan is on (i) ensuring the delivery of sustainable health services, (ii) Quality and Patient Safety (which underpins all service delivery), Staff (at the heart of patient care), and Performance Management Culture (with a key focus in 2014 on Quality & Safety, Activity, and Financial performance). The Divisional Operational Plans were published on 30th January last and are available on the HSE website.

## Maternity Services

46. **Deputy Robert Troy** asked the Minister for Health if maternity services at Midland Regional Hospital, Mullingar are on a par with those provided at similar hospitals; if all the recommendations of the Health Information and Quality Authority report into the death of Savita Halappanavar have been implemented; if not, the timeframe for same; and if he will make a statement on the matter. [6939/14]

**Minister for Health (Deputy James Reilly):** I am aware of the concerns of many pregnant women throughout the country and would like to assure them that Ireland is a safe country in which to have a baby. Compared to neighbouring countries, we have low rates of perinatal deaths, and the rates continue to fall. The perinatal mortality rate is estimated by the ESRI at 5.9 per 1,000 live births and stillbirths in 2012 – a decline of 31% since 2003.

The actions required to address the recommendations in the HIQA Report into the death of Savita Halappanavar are being undertaken across our health services with a view to improving patient safety and providing a more patient-centred model of care. An implementation plan is now in place, overseen by the HSE's Director of Acute Hospitals and is being monitored closely by both my Department and the HSE. I received a progress report recently and am pleased that progress has been made in addressing both local and national recommendations. Monthly updates on progress will be provided.

The Deputy might also like to note that my Department, in conjunction with the HSE, will develop a new National Maternity Strategy this year. This will provide the strategic direction for the optimal development of our maternity services to ensure that women have access to safe, high quality maternity care, in a setting most appropriate to their needs. The Strategy will ensure that going forward our services are fit for purpose and in accordance with best available national and international evidence. Development of the Strategy will necessitate a review and evaluation of current services. In that context, maternity services provision at Midland Regional Hospital, Mullingar will be examined.

*Question No. 47 answered with Question No. 34.*

## Disabilities Services Funding

48. **Deputy Finian McGrath** asked the Minister for Health if he will support the Prosper Fingal disability group and the services it provides in 2014; and if he will make a statement on the matter. [6899/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Prosper Fingal was established in 1978 as a parents and friends organisation (formerly called The Fingal Association for the Handicapped), to provide a local day service for adults with a moderate or mild learning disability. The aim of the organisation is to “enable people with disabilities develop their true potential towards full and independent participation in society”. Prosper Fingal provides personal and social services to adults with an intellectual disability on behalf of the Health Service Executive under Section 39 of the Health Act 2004. Services are provided through a Service Arrangement which is reviewed on an annual basis.

The Government currently provides funding of approximately €1.4 billion to the Disability Services Programme through the HSE's National Service Plan for 2014. In 2014, the HSE is seeking to maximise the provision of services within available resources and to maintaining a consistent level to that provided in 2013, by providing the following specialist disability services:

- residential services to over 9,000 people with a disability;
- day services to over 22,000 people with intellectual and physical disabilities;
- respite residential support for over 6,000 people with intellectual and physical disabilities;
- 3.7 million hours of Personal Assistant / Home Support

Additional funding of €14 million has been provided to address the priority needs within disability services identified by the Minister and advised to the HSE. This includes:

- €7 million to provide additional places for school-leavers and those leaving Rehabilitative training,

- €3 million to provide emergency placements, and

- €4 million to deliver the required increase in services for children with disabilities, including autism, and to reduce waiting lists under the Progressing Disability Services for Children and Young People (0-18s) Programme.

In addition a total of 150 people will be facilitated to move from institutions to homes in the community.

In relation to the specific queries raised by the Deputy, as these are service issues they have been referred to the HSE for direct reply.

### **Ambulance Service Response Times**

49. **Deputy Dara Calleary** asked the Minister for Health if he is satisfied with ambulance response times; the terms of references for the Health Information and Quality Authority review of the service; and if he will make a statement on the matter. [6930/14]

**Minister for Health (Deputy James Reilly):** The National Ambulance Service (NAS) uses the response time targets set out in the HSE National Service Plan. For ECHO (life-threatening cardiac or respiratory) 999 calls, the Service exceeded its 2013 response time target of 70% of patient-carrying vehicles on scene within 18 minutes 59 seconds. The DELTA (life-threatening other) response time performance was 4% below the national target of 68%. In 2014, the targets have increased to 80% for both call types.

I am aware that concerns have been raised recently concerning ambulance service response times. In the circumstances, I have asked HIQA to bring forward its planned review of pre-hospital emergency care, which had been due to commence in Q2 2014. The Authority will review the governance arrangements of pre-hospital emergency care services to ensure the timely assessment, diagnosis, initial management and transport of an acutely ill patient to an appropriate healthcare facility. Planning for the review has now commenced and HIQA is currently in the process of designing an Assessment Framework against the National Standards for Safer Better Healthcare.

I should also explain that the NAS will undertake its own capacity review, to determine current and future service delivery needs. This process will examine a number of areas, including staff numbers and skill mix, as well as resource distribution.

*Question No. 50 answered with Question No. 39.*

## Cancer Incidence

51. **Deputy Billy Kelleher** asked the Minister for Health his views on the recent UN report which forecasts a major increase in the incidence of cancer over the next 20 years; and if he will make a statement on the matter. [6926/14]

**Minister for Health (Deputy James Reilly):** The third World Cancer Report was published recently by the International Agency for Research on Cancer (IARC). This report outlines the scale of the growing cancer burden worldwide and urges governments to implement measures for the prevention and early detection of cancer. Meanwhile, the latest projections from the National Cancer Registry indicate that the incidence of cancer in Ireland is expected to double by 2040. They attribute this in the main to demographic changes such as population size and an aging population.

However, although demographic change will be the main factor driving an increase in cancer numbers in Ireland and worldwide, the National Cancer Registry indicates that trends in risk factor prevalence, such as tobacco use, the consumption of alcohol, diet, overweight/obesity and lack of physical exercise will also have an impact. Also, the welcome expansion of population-based screening for breast, cervical and colorectal cancers is likely to increase the cancer detection rate in the short-term. Ireland has focused on improving the quality of cancer services through reorganisation and expansion and has achieved significant improvement in the rates of cancer survival in recent years. Five-year survival rates for all cancers has increased to 56.4% for people diagnosed between 2003-2007, compared to 49.6% for people diagnosed between 1998-2002.

In regard to prevention, the recently published policy document *Towards a Tobacco Free Ireland* aims to achieve a decrease in smoking prevalence and to denormalise tobacco in society. Legislation in relation to alcohol is being drawn up and *Healthy Ireland - a Framework for Improved Health and Wellbeing 2013-2025* sets out the whole of Government approach to making Ireland a healthier nation.

## Speech and Language Therapy

52. **Deputy Joe Higgins** asked the Minister for Health the measures he will take to ensure that a child (details supplied below) in Dublin 15 will receive immediate access to speech and language therapy in view of the fact that the application was first made in 2011. [6798/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the particular issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

*Question No. 53 answered with Question No. 22.*

*Question No. 54 answered with Question No. 30.*

## Medicinal Products Availability

55. **Deputy Michael Moynihan** asked the Minister for Health the number of hospitals in which access to the asthma medication omalizumab (Xolair) is provided to patients; and if he will make a statement on the matter. [6947/14]

63. **Deputy Michael Moynihan** asked the Minister for Health the reason progress has not

been made in providing access to the life-changing medication for severe asthma, omalizumab (Xolair), to patients in Cork University Hospital; and if he will make a statement on the matter. [6946/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 55 and 63 together.

In relation to the specific queries raised by the Deputy, as these are service matters they have been referred to the HSE for direct reply.

*Question No. 56 answered with Question No. 35.*

### **Accident and Emergency Services Provision**

57. **Deputy Seán Ó Fearghaíl** asked the Minister for Health the measures being put in place to address overcrowding in the emergency department at Tallaght hospital; and if he will make a statement on the matter. [6934/14]

**Minister for Health (Deputy James Reilly):** The Department of Health, the HSE SDU and the INMO are at one in regarding trolley waits to be an unacceptable feature of the Irish healthcare system which must be addressed. However, year to date on a national basis we are 2.9% ahead of 2013 and 33.7% ahead of the baseline 2011 trolley count. These percentages are equivalent to 237 and 4,015 fewer patients on trolleys respectively.

Tallaght hospital is experiencing an unprecedented surge in the number of people attending the Emergency Department. The CEO of Tallaght Hospital has categorically stated that it is not the case that the health of patients is under threat. He has provided assurances that the situation is being actively managed and that the hospital is providing adequate patient care.

I have been advised by the HSE that a small number of day case procedures have been cancelled and these patients have been notified. As is standard practice when EDs are experiencing a surge of attendances, other measures to be utilised include using closed beds, beds designated for day procedures, treatment rooms and where no other option remains, by putting additional beds onto wards. No-one considers this last option to be desirable, but it has been shown to be clinically safer than leaving patients in over-crowded Emergency Departments. It is also acknowledged that additional patients bring additional responsibilities for front line staff, but this has always been the case at peak times. By placing patients in wards, they are removed to a less stressful environment, where they are afforded a greater measure of comfort, privacy and dignity, and where their clinical needs can be appropriately managed.

With regard to staffing issues, the number of nurses has increased from February 2013, with 938 nurses currently employed at Tallaght, 30 of whom were recruited in the last month. Further recruitment is ongoing.

### **Medical Card Data**

58. **Deputy Billy Kelleher** asked the Minister for Health the number of discretionary medical cards he expects there to be at the end of 2014; the number there was at the end of 2013; the number of new discretionary medical cards issued in 2013; the number withdrawn in 2013; the number of discretionary medical cardholders who were awarded a non-discretionary medical card in 2013; and if he will make a statement on the matter. [6924/14]

**Minister of State at the Department of Health (Deputy Alex White):** As I have put on



the record of the House on more than one occasion, there is no such entity as a discretionary medical card. 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.

Under the Health Act, 1970 eligibility for a Medical Card or a GP Visit Card is determined on the basis of an assessment of financial means. Eligibility may be granted if the applicant cannot arrange general practitioner, medical and surgical services, for themselves and their dependants, without undue financial hardship. It is important to note discretion is not a stand-alone exercise but has been and remains, an integral part of the assessment process for a medical card.

As at 1 January 2014, the number of medical cards granted on the basis of the exercise of discretion was 50,294 and the number of GP Visit Cards granted on the basis of the exercise of discretion was 25,793. As at 1 January 2013, the number of medical cards granted on the basis of the exercise of discretion was 62,987 and the number of GP Visit Cards granted on the basis of the exercise of discretion was 15,972.

As the Deputy will be aware, fluctuations in the number of cards awarded on a discretionary basis can, in part, be attributed to the fact that more people, who previously were marginally over the normal qualifying limit, became eligible under review for medical cards under the normal qualifying scales. They were previously recorded on the medical card register as having had eligibility for a medical card granted on a discretionary basis and now, based on their financial income, are recorded on the register simply as eligible for a medical card.

The HSE is not in a position to speculate on the number of medical cards that are likely to be issued on grounds of discretion in 2014.

### **Services for People with Disabilities**

59. **Deputy John Browne** asked the Minister for Health if the reduction in staff levels in the health services mean that, with regard to disability services, the capacity does not exist to implement Government policy; and if he will make a statement on the matter. [6945/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The vision for the Health Service Executive's Disability Services Programme is to contribute to the realisation of a society where people with disabilities are supported, as far as possible, to participate to their full potential in economic and social life, and have access to a range of quality personal social supports and services to enhance their quality of life. The Health Service Executive National Service Plan 2014 and the recently published 2014 Operational Plan for the Social Care Division outline the quantum of specialist services, the key reform initiatives and the additional investment in 2014 which it has assured me will give effect to this vision in 2014. The HSE will spend €1.4 billion and employ a staff level of approximately 15,000 whole time equivalents in 2014 to provide specified levels of services.

The Key Priorities for Disability Services in 2014 include the following measures which reflect the Government's policy on transforming disability services

- Implementation Framework – Value for Money and Policy Review
- People moving from institutional settings to homes in the community
- Reconfiguration of day services and services for young people leaving school / rehabilitation programmes

- Disability services for children and young people (0-18s)
- Service user involvement and quality in the development of services

In 2014 the HSE will provide the following quantum of service in support of Government policy:

- Provide Residential Support Services for almost 9,000 people with disabilities.
  - Provide Day Services for 22,000 people with disabilities.
  - Provide staffing in Children's Disability Services equivalent to 9 Children's Disability Network Teams.
  - Commence assessments under the Disability Act 2005 on behalf of more than 4,500 children.
  - Provide residential Respite Services for nearly 6,000 people with disabilities.
  - Provide 1.3m hours of Personal Assistance to more than 1,800 people with disabilities.
  - Provide 2.4m hours of Home Support to more than 8,000 people with disabilities.
- 2014 will see an additional investment of €14m and 130 additional staff to;
- Provide places for an estimated 1,200 young people leaving school or Rehabilitative Training nationwide - 35 additional staff - €7m.
  - Provide "emergency" placements for people with disabilities whose care or family circumstances have changed and who now require an immediate and unplanned service response - 15 additional staff - €3m.
  - Roll out a new model of assessment and intervention, the objective of which is to provide one clear referral pathway for all children (0 – 18s), irrespective of their disability, where they live or the school they attend - 80 additional therapy staff - €4m.

The delivery of high quality and safe services will remain an important focus in 2014. A particular focus will be placed on the implementation of the Health Information and Quality Authority standards for residential services for people with a disability.

### **Maternity Services**

60. **Deputy Lucinda Creighton** asked the Minister for Health if he will outline, since the Health Information and Quality Authority report into the standards of maternity care at the hospital where a person (details supplied) died almost a year ago, the subsequent recruitment that has taken place for all hospitals in maternity care here, as indicated was necessary in the report; and if he will make a statement on the matter. [6893/14]

**Minister for Health (Deputy James Reilly):** My Department is ensuring that the actions required to implement the recommendations of the HIQA Report into the death of Ms Halapanavar are being undertaken across our health services with a view to improving patient safety and providing a more patient-centred model of care. A Progress Report by the HSE's National Director of Acute Hospitals, who has been assigned responsibility for this body of work, was forwarded to my Department on 23rd January last. Progress in implementing both local and national recommendations are well under way and will continue throughout the year. The Deputy

will understand that implementation of some of the recommendations will necessarily require a longer time period beyond the current year.

Following on from the Authority's Report I have listed five key priorities in relation to patient safety:

- Patient Safety has been made a priority within the HSE's Annual Service Plan through specific measures focused on quality and patient safety including Healthcare Associated Infections, Medication Safety and implementation of Early Warning Score systems.

- My Department is leading the development of a Code of Governance which will clearly set out employers' responsibilities in relation to achieving optimal safety culture, governance and performance.

- I have asked HIQA to ensure that my patient safety priorities are included in the monitoring programme against the National Standards for Safer Better Care.

- My Department, in conjunction with the HSE, will develop a new National Maternity Strategy this year to provide the strategic direction for the optimal development of our maternity services.

- I have instructed the National Clinical Effectiveness Committee (NCEC) to commission and quality-assure four priority national guidelines on Sepsis, Clinical Handover, Maternal Early Warning Score and Paediatric Early Warning Score. This body of work is in progress.

In relation to recruitment I would like to advise the Deputy that despite our falling birth rates, increased numbers of midwives have been employed in the health service. The number of Staff Midwives employed at the end of 2010 was 1,178 (WTE's). By the end of 2013, the number had increased to 1,341, including 20 recently qualified midwives participating in the Graduate Nursing/Midwifery Programme. This increase reflects the capacity of the HSE to appoint critical front-line staff where it is necessary to do so, notwithstanding overall recruitment constraints.

### **Palliative Care for Children**

61. **Deputy Seán Ó Fearghail** asked the Minister for Health if the Health Service Executive will be providing paediatric care packages for children with life-limiting conditions; and if he will make a statement on the matter. [6933/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** In 2010, the Department of Health published "Palliative Care for Children with Life-limiting Conditions in Ireland - A National Policy". The report contains 31 recommendations which are being implemented under the aegis of the National Development Committee which is a multi-stakeholder representative group, chaired by the Health Service Executive (HSE). The national policy provides the framework for the development of services for children with life-limiting conditions and their families. The policy places significant emphasis on supporting families and health care professionals to provide care for children in their own homes.

A programme of care for children with life-limiting conditions is being jointly funded by the HSE and the Irish Hospice Foundation. The programme includes the appointment in 2011 of the first Paediatric Consultant with a Special Interest in Palliative Care based in Crumlin. As well as supporting other paediatricians, the Consultant also provides clinical support and advice to maternity hospitals and neonatologists. The programme has also provided eight Children's Outreach Nurses whose role is to ensure that children being cared for at home by their families, have access to co-ordinated and supportive services.

The nurses liaise closely with statutory and voluntary service providers including local GPs, Public Health Nurses, Disability Services, the Jack and Jill Foundation and LauraLynn's Children's Hospice etc. An evaluation of the outreach nursing component of the Children's Palliative Care Programme is planned to take place this year. This will provide information on how the programme is working to-date and provide pointers for future development. The study will be undertaken on behalf of the Irish Hospice Foundation, the HSE and the Department of Health.

Another aspect of the children's programme is the provision of structured education programmes for all health care staff who care for children with life-limiting conditions. This is being delivered in partnership with Our Lady's Children's Hospital in Crumlin. These programmes will help ensure that children and their families will have the necessary care and support provided to them, regardless of the location of that care.

In the HSE's National Service Plan for 2014, the key priority in relation to children is to develop and integrate community based paediatric palliative care services. In 2012, HSE regions spent approximately €8.58 million on home nursing for children with life-limiting conditions. However, it is widely acknowledged that because of how the financial system is set up, this figure did not capture all relevant expenditure and that the total spend was significantly higher. It is also acknowledged that children with life-limiting conditions, and particularly children with palliative care needs, are prioritised within HSE regions. Every effort is made to care for these children to the maximum extent possible, including home care for the children and their families.

In addition to this, the Palliative Care National Development Committee has commenced working on the development of a model for the provision of Hospice at Home care. This is being carried out in partnership with current voluntary providers such as the Irish Hospice Foundation, LauraLynn's Children's Hospice and the Jack & Jill Foundation.

In 2013, the budget for Palliative Care Services was €72m. The budget for 2014 is almost €73m.

### **European Court of Human Rights Judgments**

62. **Deputy Clare Daly** asked the Minister for Health if he has assessed the implications of the judgment of the European Court of Human Rights in a case (details supplied) for the 250 or so legal actions for medical negligence taken by survivors of symphysiotomy and pubiotomy. [6707/14]

**Minister for Health (Deputy James Reilly):** I understand the HSE who is one of a number of defendants in these cases, will be taking appropriate legal advice in relation to the impact, if any, of the European Court of Human Rights Judgement. Accordingly. I am not in a position to make any further comment on this matter.

In relation to symphysiotomy, on 26 November 2013, the Government approved the appointment of retired Circuit Court Judge Yvonne Murphy to assist in setting out a possible course of action in relation to women who have undergone this surgical procedure. Judge Murphy has been asked to meet a number of key interested parties, particularly the support groups for the women, the State Claims Agency, and the hospitals' insurers. Judge Murphy and I met the three support groups - Survivors of Symphysiotomy, Patient Focus and Survivors of Symphysiotomy Limited - after the Government meeting on 26 November, to outline this plan to them.

On completion of her work, Judge Murphy will provide me with a report, setting out recommendations, as soon as possible. I hope then to be in a position to revert to Government with

detailed proposals, so that a decision can be taken as early as possible regarding a way forward that will facilitate closure for the women concerned. Any proposals brought to Government will also take into account the findings of the independent research report in relation to the practice of symphysiotomy in Ireland that was commissioned by my Department, along with any other relevant information.

*Question No. 63 answered with Question No. 55.*

### **Mental Health Services Funding**

64. **Deputy Colm Keaveney** asked the Minister for Health the reason funding has been withdrawn from the National Service Users Executive in 2014; if this action is compatible with the implementation of *A Vision for Change*; and if he will make a statement on the matter. [6928/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** *A Vision for Change* recommended that a National Service User Executive (NSUE) be established to inform mental health policy makers and service providers on issues relating to user involvement and participation in planning, delivering, evaluating and monitoring services. Both, the HSE and I fully recognise the importance of ensuring service user involvement in the on-going development of our mental health services, have supported the establishment and development of the NSUE and collaborated closely with the NSUE in the delivery of its remit.

However, since October 2012, the HSE has been pursuing with the NSUE issues regarding the governance and day to day management of the organisation raised with it by some NSUE Executive members and some staff of the NSUE. Unfortunately, the HSE has been unable to bring these matters to a satisfactory resolution to date due to the unavailability of key individuals from NSUE over an extended period of time. Arising in part out of that experience, I understand that the HSE having lost confidence in the capacity of the NSUE to operate in accordance with the financial regulations of the public service which apply to all publicly funded organisations, took the decision to cease the funding of the organisation from July 2013.

In line with mental health policy, the HSE, in September 2013, commenced a consultation process with a range of stakeholders representing service users, family members and carers to seek to determine how the independent voices of service users, family members and carers will continue to be heard and heeded in the development and delivery of mental health services into the future.

In addition, the HSE recently appointed an Interim Head of Service User Engagement and agreement has also been reached on the establishment of a Reference Group to provide service user, family member and carer input to new organisational structures.

### **Nursing Homes Support Scheme Resources**

65. **Deputy Seamus Kirk** asked the Minister for Health if he is satisfied that there are sufficient resources in place for the fair deal scheme; and if he will make a statement on the matter. [6931/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The needs of our older people are, and will remain, a very high priority for me and for the Government, and the resources that are available will be applied to provide the best possible mix of supports and services.

The Budget for long-term residential care in 2014 is €939m, a reduction of €35m on the 2013 position. The funding that is available for services for older people must be balanced across all of the various service areas in a way that achieves the best possible outcomes for the greatest number of service users and prioritises areas of greatest need as far as possible.

The priority for 2014 is the development of an integrated model of care with a strong emphasis on home care and other community services. This is seen as a first step in aligning the model of care more towards the community, in line with Government policy and the expressed wishes of older people. In this regard, €23m has been transferred from the Nursing Homes Support Scheme budget to community services.

This €23m will be used as follows:

- €10m to provide 190 Intensive Home Care Packages (IHCPs) to benefit 250 people annually.

- €3m to commission 25 intermediate/transitional care beds to benefit 650 people & 20 beds for complex cases to benefit 130 people.

- €10m to address funding shortfalls in the provision of public short stay beds, maintaining current provision of 1,860 beds.

### **Disabilities Services Funding**

66. **Deputy John Browne** asked the Minister for Health his response to the recent statement by the Disability Federation of Ireland that health service funding for disabilities should be organised on a multi-annual basis to improve and facilitate proper planning; and if he will make a statement on the matter. [6944/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The level of funding available for the health budgets are considered as part of the annual estimates and budgetary process. Pending completion of the national estimates, budgetary and service planning process it is not possible to predict the service levels to be provided for the disability sector.

### **Ambulance Service Response Times**

67. **Deputy Charlie McConalogue** asked the Minister for Health if there is a specific module in the Health Information and Quality Authority review of ambulance services focusing on the circumstances which led to a 50-minute delay in an ambulance attending the scene of an accident involving a person (details supplied) on 30 December 2013; and if he will make a statement on the matter. [6841/14]

**Minister for Health (Deputy James Reilly):** In line with standard procedures following events with an adverse outcome, the tragic incident referred to in the Deputy's question has been the subject of a review by the National Ambulance Service (NAS). Following the review in this particular instance, the NAS has established an escalation process with Letterkenny General Hospital, to address any capacity, activity or other challenges which may impede service delivery.

In general, HIQA does not investigate individual incidents. However, at my request, HIQA has agreed to bring forward the review of pre - hospital emergency care, which had been due to commence in Q2 2014. The Authority will review the governance arrangements of pre-hospital emergency care services to ensure the timely assessment, diagnosis, initial management and

transport of an acutely ill patient to an appropriate healthcare facility. Planning for the review has now commenced and HIQA is currently in the process of designing an Assessment Framework against the National Standards for Safer Better Healthcare.

### **HSE Waiting Lists**

68. **Deputy Richard Boyd Barrett** asked the Minister for Health the number of public patients on public waiting lists that were sent to private beds and private consultants in public hospitals in 2012 and 2013; the amount the Health Service Executive paid to these private consultants in public hospitals in 2012 and 2013; and if he will make a statement on the matter. [6957/14]

**Minister for Health (Deputy James Reilly):** In relation to the detailed information requested by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy.

### **Mental Health Services Provision**

69. **Deputy Denis Naughten** asked the Minister for Health if he will review the plans for the provision of acute mental health facilities nationally; and if he will make a statement on the matter. [6700/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** In the context of a developing community mental health services, “A Vision for Change” recommends a ratio of 17 acute in-patient beds per 100,000 population, and also that these beds include acute in-patient provision for General Adult, Psychiatry of Old Age, Mental Health and Intellectual Disability (MHID), and Eating Disorders, for that population.

Community mental health team capacity for General Adult, Psychiatry of Old Age, and MHID, is therefore being enhanced, arising from investment in mental health services over 2012 -13 and continuing this year. The objective of the HSE, having regard to the stage of development of community mental health team provision, is to reduce adult acute in-patient capacity to 20:100,000.

By the end of 2014, the HSE expects to be close to completion of the planned reduction in adult acute in-patient beds to circa. 20 beds per 100,000 people. As such, I have no plans at present to review the provision of acute mental health facilities nationally.

I am satisfied that the approach now being adopted best reflects implementation at local level of the widely agreed policy “A Vision for Change”, and reflects also what is practicable in line with service and resource priorities recently agreed under the HSE Service Plan 2014 for continued improvements overall to our mental health services.

### **Hospital Services**

70. **Deputy Finian McGrath** asked the Minister for Health if he will provide an update on the cystic fibrosis service at Beaumont Hospital as there is an urgent need to develop this service; and if he will make a statement on the matter. [6897/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter, I have asked the

HSE to respond directly to the Deputy.

*Question No. 71 answered with Question No. 16.*

### **Health Insurance Prices**

72. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he and his Department continue to monitor and address the issues which appear continually to drive private health insurance premiums upward; the extent to which such premiums are affected by the public or the private health sector; and if he will make a statement on the matter. [6873/14]

**Minister for Health (Deputy James Reilly):** The main legislative provisions for the regulation of the Irish private health insurance market are included in the Health Insurance Acts 1994 to 2013 and Regulations made under those Acts. Under this legislation, my Department oversees the maintenance of a competitive and sustainable private health insurance market and monitors developments on an ongoing basis.

There are a number of factors which affect the cost of private health insurance premiums such as increased usage of hospital services and the increasing cost of claims, the age profile of those holding private health insurance and ongoing medical innovations which, while welcome, can have an impact on the cost of care. There has been a significant increase in private hospital capacity over recent years, which can be considered as a contributory factor to increased utilisation of private hospital accommodation. As a result, a significant number of private health insurance claims are for procedures which are performed in private facilities and the negotiated price for procedures in private hospitals is a “package” price, which may include the cost of surgery, drugs, pathology and accommodation. Taking all relevant factors into account, the insurance companies, operating as commercial providers, then make commercial decisions when setting their premium prices each year.

I have been strongly seeking much greater cost control in the private health insurance industry and have consistently emphasised the vital need to address the rising cost of private health insurance and the necessity for all private health insurers to address their cost base aggressively. Last year I established the Consultative Forum on Health Insurance, comprising representatives from the private health insurance companies, my Department, and the Health Insurance Authority, to generate ideas to address health insurance costs. I appointed an independent Chairperson Mr. Pat McLoughlin, who will work with my Department and the insurers under the auspices of the Forum on a review process to give effect to real cost reductions in the private health insurance market. Mr McLoughlin’s first report was published on 26 December 2013, and the second phase of the review has commenced and will report within three months. In particular it will study further the drivers behind rising costs in the PHI industry and seek to address them.

The Government remains committed to keeping down the cost of health insurance, so that it is affordable for as many people as possible, as part of measures to ensure the sustainability of the private health insurance market in the transition to Universal Health Insurance.

### **Maternity Services**

73. **Deputy Charles Flanagan** asked the Minister for Health if he is satisfied with the level of accommodation, staffing levels, implementation of national protocols, equipment, professional training and development for personnel in the maternity unit at the Midland Regional Hospital, Portlaoise, County Laois; and if he will make a statement on the matter. [6704/14]



**Minister for Health (Deputy James Reilly):** As the Deputy may be aware, in light of reports of a number of perinatal deaths at Portlaoise hospital in recent years, I have asked the Chief Medical Officer (CMO) to provide me with a report on the issues arising. Pending completion of that report, it would not be appropriate for me to make any comment regarding facilities or services at the hospital. I can however assure the Deputy that the CMO's report will be completed as expeditiously as possible.

### **Ambulance Service Staff**

74. **Deputy Richard Boyd Barrett** asked the Minister for Health if he will investigate reports received by this Deputy that three relatives of the chief ambulance officer national ambulance service have recently been employed in the positions of ambulance control supervisor, acting team leader and ambulance controller, following interviews by a panel which included the chief ambulance officer; if these reports are confirmed if such recruitment practices are deemed acceptable in the public service and might also jeopardise health and safety considerations which should apply to the ambulance service; and if he will make a statement on the matter. [6956/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply. Since 1 April 2005, recruitment for appointments to positions in the HSE is subject to the provisions of the Public Service Management (Recruitment and Appointments) Act, 2004 (the Act) and is regulated by the Commission for Public Service Appointments (CPSA.). Appointments to positions in the Health Service Executive, apart from those positions which are subject to the Local Authorities (Officers and Employees) Act 1926, are subject to the Codes of Practice published by the CPSA. The Codes of Practice set out how the core of principles of probity, merit, equity and fairness are to be applied on a principle basis.

### **International Summits**

75. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade if Ireland will play an active part in the second international conference on the humanitarian impact of nuclear weapons, taking place in Mexico on 13 to 14 February 2014. [7206/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Deputy may be assured that Ireland strongly supports international efforts to focus on the humanitarian impact of nuclear weapons and that we will continue to play an active part in all related discussions, including at the Second International Conference on the Humanitarian Impact of Nuclear Weapons in Mexico this week. Officials from my Department will actively participate in that Conference.

At the Nuclear Non-Proliferation Treaty (NPT) Preparatory Committee meeting in Geneva in 2012, which marked the beginning of the 2015 Nuclear Non-Proliferation Treaty review cycle, Switzerland delivered a joint statement on behalf of sixteen countries, including Ireland, on the humanitarian dimension of nuclear disarmament. Since then, over successive NPT and UNGA First Committee meetings, support for the statement has grown from 16 to 35 to 80 and, at the 2013 First Committee meeting of the UN General Assembly, to 125 states - a majority of UN members. Ireland participated in the First International Conference on the Humanitarian Impact of Nuclear Weapons, hosted by the Norwegian Government in Oslo on 4 and 5 March 2013. We will remain closely associated with this humanitarian initiative, as one of the original sixteen initiators of the joint statement. I believe that discussion of the humanitarian consequences of a nuclear detonation offers a basis for reframing the nuclear disarmament debate

in such a way that the catastrophic consequences so evident in Hiroshima and Nagasaki guide international efforts to eliminate nuclear arsenals entirely.

### **Passport Applications**

76. **Deputy Jack Wall** asked the Tánaiste and Minister for Foreign Affairs and Trade if, due to the circumstances of a family (details supplied), a family member can use any other mechanism to resolve their passport problems; and if he will make a statement on the matter. [7304/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** All passport applications are subject to the provision of Passports Act, 2008 (the Act). The issue of a passport is, therefore, the culmination of an important and legally-binding process. The checks and balances within the passport process embrace the standard principles that are provided for in the Act and help to ensure that the identity of the applicant is known and that the person in question is an Irish citizen. This serves to maintain the worldwide good reputation and integrity of the Irish passport, which, in turn, ensures the safe travel and wellbeing of Irish citizens, as they travel abroad. Moreover, it helps to combat passport and identity fraud.

The Act underpins a long-standing passport policy in regard to the use of verifiable civil documents such as civil birth certificates for first-time applicants. These documents confirm the details of a person's birth name, date and place of birth, all of which are critical components of a person's identity.

The Passport Service received an application from the person in question on 12 March, 2013. It could not be finalized at that time because the person concerned did not provide their civil birth certificate or passport from country of birth. As advised to Deputy Wall in recent correspondence the Passport Service the Irish Embassy in Vietnam, in their efforts to assist the applicant, has advised that whilst the original records for birth registration were lost, the applicant can have their birth re-registered and obtain their birth certificate at Hai Phong Department of Justice in Vietnam. Once the applicant's official birth certificate is received, the Passport Office can progress this Passport application.

### **Undocumented Irish in the USA**

77. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has had contact with Members of the US Administration or Members of Congress following the recent comments by the speaker of the US House of Representatives, Mr. Boehner, on the immigration reform Bill in view of the need to regularise the position of many undocumented Irish in the United States; and if he will make a statement on the matter. [7352/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Following passage of the comprehensive immigration reform legislation, on a bi-partisan basis, by the US Senate last June, the issue has been under consideration in the Republican controlled House of Representatives. Public comments and private conversations which I, the Taoiseach and our Embassy in Washington DC had with leaders of the House Republican caucus, had given rise to expectations that the House would take up consideration of a series of immigration reform bills last autumn. Unfortunately that did not come to pass.

Early last month, further public comments from Speaker John Boehner, Majority Leader Eric Cantor and Chief Whip Kevin McCarthy again raised hopes that the Republican leader-

ship in the House saw the need to proceed with immigration reform. To that end, the leadership prepared a set of draft principles that would guide their action on immigration in the House and presented them to the members of their caucus for consideration at a meeting on 30 January 2014.

Informed by that discussion, Speaker Boehner gave a press conference on 5 February in which he expressed doubts that the House would pass immigration reform legislation this year. He did reassert that immigration reform is something that needs to get done and that he would continue to consult his members. Given that expectations had again been raised, these and other comments are disappointing. However, it is important that we keep our focus on the end-game. The Government through our Ambassador in Washington DC and her team are continuing an extensive outreach and engagement with members of Congress and with the Irish groups and organisations who are lobbying for immigration reform. We are monitoring the ongoing discussions within the Republican Party and continuing to press the case for addressing the concerns of our undocumented and to provide for a future legal flow for Irish immigrants to the United States. The forthcoming St. Patrick's Day visits to the United States will provide a further important opportunity to engage with US leaders in support of our immigration objectives and to assess the prospects for the weeks and months ahead. We remain fully committed to the effort to achieve an outcome that addresses the needs of our undocumented and creates a legal path for the future.

### **Property Taxation Administration**

78. **Deputy Eoghan Murphy** asked the Minister for Finance if the local property tax adjustment allowed by local authorities is the maximum cumulative increase or decrease permissible in a given year or over a period of years, that is, could it be reduced by 15% every year; and, if it will be the local authorities or central government responsible for setting the basic rate at the next valuation in 2017. [7313/14]

**Minister for Finance (Deputy Michael Noonan):** Section 20 of the Finance (Local Property Tax) Act legislation enables local authorities to increase or decrease the rate of local property tax by a local adjustment factor on properties located in their area. This factor cannot exceed +15% or -15% of the central national rate. The Minister for the Environment, Community and Local Government may make regulations regarding the setting of the local adjustment factor. Section 17 of the Act provides for a central national rate of **0.18%** on the first €1m in value and **0.25%** on the portion of the value above €1m (where no banding will apply). Any adjustment to the central rate would require an amendment of the Act. As I advised the House during the debate on the Finance (Local Property Tax) Bill, the central national rate will not vary for the lifetime of this Government.

### **Customs and Excise Controls**

79. **Deputy Michael McCarthy** asked the Minister for Finance the current rate of import duty and taxes when importing goods into Ireland from outside the EU whether by a private individual or commercial entity; the rationale for same; his views on whether this is at variance with other jurisdictions which do not impose such a charge; and if he will make a statement on the matter. [7245/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that, the EU Common Customs Tariff (Council Regulation 2658/87) specifies the duty to be applied to all goods coming into the EU from 3rd countries, whether imported by private individuals or by commercial entities. This EU wide system is applied in all 28 Member States.

There is no single rate of duty. The rates of duty vary from one product to another and can be further influenced by factors such as the origin of the goods and whether preferential treatment is warranted under an international agreement or a quota regime. VAT at the point of entry to the European Union may also be chargeable at the prevailing rates for the goods in question. It is difficult to be more helpful to the Deputy in the absence of specific details of the goods being imported. However if the Deputy has a specific issue in mind he may wish to contact the Revenue Commissioners directly.

### **Tax Credits**

80. **Deputy Dominic Hannigan** asked the Minister for Finance the way the change to civil partnership legislation has affected cohabiting couples who are seeking to share tax credits when one is working and the other is not; and if he will make a statement on the matter. [7246/14]

**Minister for Finance (Deputy Michael Noonan):** A couple who enter into a civil partnership in accordance with the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 can avail of the same treatment for tax purposes as married couples including joint assessment. This includes the right to share tax credits and reliefs. The relevant taxation provisions extending this tax treatment to civil partners were set out in the Finance (No. 3) Act 2011. The tax legislation also provides for relief for maintenance payments made on the breakdown of the civil partnership in the same way as for separated or divorced spouses. Thus legally enforceable maintenance payments made for the benefit of a separated or former civil partner are fully deductible for tax purposes in the hands of the payer. There is also Capital Gains Tax relief for property transfers between civil partners or former civil partners on separation or on dissolution of a civil partnership.

In the case of cohabitants, and arising from the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, the Finance (No. 3) Act 2011 introduced a new Part 44B into the Taxes Consolidation Act 1997 (TCA), which provides for the same maintenance relief as for a married couple or civil partners for a financially dependent cohabitant in the event of the cessation of the cohabiting arrangement. This tax relief applies to legally enforceable maintenance arrangements made under section 175 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. There is also Capital Gains tax relief for property transfers arising from orders made under section 174 of the same Act.

Other than arrangements for redress on the break down of a cohabiting relationship, there are no provisions in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 for legal recognition of such relationships. Cohabitants do not have the same legal rights and obligations as a married couple or a couple in a civil partnership. Where a couple is cohabiting, rather than married or in a civil partnership, each cohabitant is treated for the purposes of income tax as a separate and unconnected individual. Because each of them is a separate entity for tax purposes, credits, tax bands and reliefs cannot be transferred from one co-habitant to the other.

### **Pensions Levy Issues**

81. **Deputy Michael McGrath** asked the Minister for Finance if he will abolish the pension fund levy at the end of 2015; and if he will make a statement on the matter. [7270/14]

**Minister for Finance (Deputy Michael Noonan):** I announced in my Budget 2014 speech that the 0.6% Pension Fund Levy introduced to fund the Jobs Initiative in 2011 will be abolished from 31 of December 2014. I have, however, introduced an additional levy on pension funds at 0.15% for 2014 and 2015 in Finance (No. 2) Act 2013. I am doing this to, among other things, continue to help fund the Jobs Initiative. This legislation does not provide for a levy

beyond 2015.

### **Corporation Tax Regime**

82. **Deputy Terence Flanagan** asked the Minister for Finance if he has considered the introduction of a levy on corporation tax in the national interest; and if he will make a statement on the matter. [7286/14]

**Minister for Finance (Deputy Michael Noonan):** Companies operating in Ireland are chargeable to corporation tax at the 12.5% rate on the profits that are generated from their trading activities here. A higher 25% rate applies in respect of investment, rental and other non-trading profits, as well as certain petroleum, mining and land dealing activities, while chargeable capital gains are taxable at the capital gains tax rate of 33%.

The Taoiseach, myself and other members of the Government have repeatedly expressed the Government's commitment to these rates and I do not foresee any changes in this regard.

### **Property Taxation Administration**

83. **Deputy Róisín Shortall** asked the Minister for Finance the reason a local property tax letter was issued to a person (details supplied) in Dublin 9 living in a Dublin City Council senior citizens' complex; and if he will make a statement on the matter. [7296/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by Revenue that a key aspect of the work undertaken in regard to Local Property Tax (LPT) was the development of a comprehensive register of residential properties in the State. During the compilation of the Property Register some matching difficulties were encountered when consolidating the various Government and non-Government data sources and in a relatively small number of cases, properties were incorrectly linked to non-liable individuals. These incorrect linkages resulted in Revenue issuing LPT Returns or payment notifications to people in respect of properties, which they were not liable for.

As part of its comprehensive LPT communications strategy, Revenue clearly stated that errors in the compilation of the Property Register were inevitable given the scale of the task. For that reason Revenue requested that anybody, including tenants, who received incorrect notifications to contact the Helpline as soon as possible to ensure that the record was amended to reflect the correct information, thereby avoiding any future unnecessary communications or compliance interventions.

In the specific case to which the Deputy refers, Revenue linked the person in question to the particular property based on data imported to the Property Register from another Government source, and issued her with an LPT 1 Return in March 2013. As Revenue did not receive any correspondence in regard to the issue, the Property Register was not updated with the correct information and a further Return/payment reminder letter issued to the person on 27 January 2014.

Revenue has confirmed to me that on foot of the Deputy's representation it has examined the case and amended the Property Register to reflect the correct ownership details for the property in question.

### **Central Bank of Ireland**

84. **Deputy Eoghan Murphy** asked the Minister for Finance if it should be the practice of

the Financial Regulator to publish the main decisions made by the office in a given year which are in the public interest. [7309/14]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank is statutorily obliged to publish information on the main issues addressed during the year including information on how it carried out its regulatory and supervisory activities.

In accordance with Section 32L of the Central Bank Act 1942 (as amended), the Central Bank is required to prepare an Annual Performance Statement on its financial regulatory activities undertaken during the previous year within four months of the end of each financial year.

In accordance with Section 32K of the Central Bank Act 1942 (as amended), the Central Bank is required to prepare an Annual Report on its activities during the year within six months after the end of each financial year,

Both of these documents are laid before each House of the Oireachtas.

Furthermore, under Section 33BC of the Central Bank Act 1942 (as amended), the Central Bank must publish, subject to certain confidentiality requirements, the particulars of a prescribed contravention that is being or has been committed. The publication would normally include:

- the name of the regulated entity on whom a sanction has been imposed;
- details of the prescribed contravention(s) in respect of which the sanction has been imposed;
- details of the sanction imposed; and
- the grounds upon which the findings are based

In addition, the Central Bank publishes annually, in summary form, information on its actions under Part IIIC of the Central Bank Act 1942 (as amended).

### **Banking Sector Issues**

85. **Deputy Michael McGrath** asked the Minister for Finance if he is satisfied with the manner in which Danske Bank closed its personal banking operations; his views on whether adequate notice was given to customers that their accounts were being closed; and if he will make a statement on the matter. [7326/14]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has informed me that, since Danske Bank's original announcement of its commercial decision to withdraw existing day to day personal customer products and services on a phased basis during the first half of 2014, and also to discontinue the provision of personal and business banking products to new customers, the Bank has been in communication with Danske Bank. Under the Central Bank's Consumer Protection Code, banks are required to give a minimum of 2 months' notice before they close a consumer's account. It is important that consumers are given adequate notice to allow them to take the required steps to close or transfer their accounts. Danske has confirmed that it provided this required notice in December last for those accounts closing in February and also that it issued reminder letters.

I wish to highlight that all banks providing current accounts in Ireland are subject to the Central Bank's Current Account Switching Code, which is designed to make the process of

switching current accounts easier and quicker and to offer protection and support for consumers when switching bank account. The Switching Code places obligations and time limits on both the old and the new bank when completing the switching process. Where accounts include credit facilities, such credit facilities will be subject to the credit assessment process applicable at the receiving bank.

Customers with any concerns or questions about their accounts are advised to contact Danske Bank on telephone 1890 866 866 for Personal Banking and 1890 866 860 for Business Banking. Other information is available on Danske Bank's website [www.danskebank.ie](http://www.danskebank.ie). If customers have made a complaint to Danske Bank and are not satisfied with the outcome, they have the right to refer the complaint to the Financial Services Ombudsman.

### Banking Sector Issues

86. **Deputy Michael McGrath** asked the Minister for Finance the current value of the State's investments in AIB, Bank of Ireland and Permanent TSB; and if he will make a statement on the matter. [7327/14]

**Minister for Finance (Deputy Michael Noonan):** I can confirm for the Deputy the following in relation to the current valuation of the State's remaining investments in AIB, Bank of Ireland and Permanent tsb.

Bank	Investment	Valuation	Source
Allied Irish Banks	Equity	€6.5bn	NPRF
-	Preference Shares	€3.5bn	NPRF
-	Contingent capital (CoCo)	€1.6bn	Par redemption value
Bank of Ireland	Equity	€1.35bn	Current market price
Permanent tsb	Contingent capital (CoCo)	€0.4bn	Par redemption value

In addition to its investment in the CoCo, the State also has invested €2.3bn in Permanent tsb equity. The State holds this investment at the investment value in the Finance Accounts. No recent independent valuation has been commissioned, nor is such an independent valuation required for the Finance Accounts.

### Tax Code

87. **Deputy Róisín Shortall** asked the Minister for Finance further to the changes introduced in the Finance Act which have resulted in the loss of tax credits and tax band allowances for single parents, the steps, if any, he is taking to review the impact of these measures on the parents affected and to assess whether or not they are proportionate; and if he will commit as part of any review to consider the introduction of a system that bases the credit on proven maintenance payments in respect of the children concerned. [7359/14]

**Minister for Finance (Deputy Michael Noonan):** The position is that the new Single Person Child Carer Tax Credit is designed to be an activation measure, which was the original intention behind the One Parent Family Tax Credit, which it replaced. It is designed to be an in-work benefit to support a principal carer to take up, or remain in, employment.

The Commission on Taxation acknowledged that the One-Parent Family Tax Credit played a role in supporting and incentivising the labour market participation of single and widowed parents. However, in its recommendations it concluded that the credit should be retained but that it should be allocated to the principal carer only. The restructuring of the credit achieves

such an outcome.

The Deputy will be aware that this issue was discussed at length during the passage of the recently enacted Finance (No. 2) Act 2013, during which I brought forward an amendment to allow the credit to be relinquished by a principal carer such that a secondary claimant can avail of it provided they meet certain qualifying conditions.. As such I do not intend to review the matter in the short term.

With regard to your proposal that consideration be given to linking the credit to proven maintenance payments, this would mean that more than one individual could again be in receipt of the tax credit in respect of the same child. It should be noted that married couples do not receive tax credits to help them with the costs of rearing their children and therefore it would not be appropriate to provide tax credits to individuals solely on the basis that they pay maintenance in respect of children from their former relationships.

### **Financial Instruments**

88. **Deputy Andrew Doyle** asked the Minister for Finance if he will indicate the tools to avoid excessive speculation in commodity derivatives under the new markets in financial instruments directive and regulation which he has described; if he will further indicate who the regulators here will be; and the commodity derivatives which will be affected here. [7397/14]

**Minister for Finance (Deputy Michael Noonan):** On 14 January 2014, the European Parliament and the Council reached a provisional agreement on a revision of the Markets in Financial Instruments Directive (MiFID II) and a new Markets in Financial Instruments Regulation (MiFIR). The Directive and Regulation are likely to enter into force sometime in the middle of 2014, with transposition into national law to follow within the period allowed for.

In Ireland the Central Bank is the national competent authority, although the Deputy should note there are no commodity exchanges in Ireland.

MiFIR will provide powers to national competent authorities, with the guiding hand of the European Securities Markets Authority (ESMA), to establish and apply position limits in commodity derivative markets. This will help curb excessive speculation in commodity derivative markets and serve to reduce price volatility in the underlying commodity markets.

The ESMA will be centrally involved in co-ordinating the position limit regimes among regulators. ESMA will also draw up the technical standards which lay down the details of how the rules will work. Each regulated market, MTF or OTF will have to publish publicly a weekly report with the aggregated positions held by each firm, according to instrument type and the category of entity. There is also a position reporting obligation to national competent authorities.

Furthermore, subject to the final agreement between the co-legislators, competent authorities will have product intervention powers whereby they may prohibit or restrict the trading of financial instruments in markets, including commodity derivative markets, when there is a threat to the orderly functioning and integrity of the market in question.

### **National Debt**

89. **Deputy Terence Flanagan** asked the Minister for Finance the size of the national debt over the past five years; the cost of servicing the debt in interest payments for the past five years and for 2014, 2015 and 2016; and if he will make a statement on the matter. [7404/14]

**Minister for Finance (Deputy Michael Noonan):** A time series on the outstanding stock of national debt and the servicing of national debt is available in the Budgetary & Economic



Statistics, published by my Department in late December. However, as general government debt expressed as a percentage of gross domestic product is the standard metric internationally for assessing debt levels, this is the more appropriate metric to look at and general government data sourced from Budget 2014 are provided below.

-	<b>General Government Debt</b>	-	<b>Interest on General Government Debt</b>
Year	€ billion	as % of GDP	€ billion
2009	104.5	64.4%	3.3
2010	144.2	91.2%	5.0
2011	169.2	104.1%	5.3
2012	192.5	117.4%	6.1
2013f	205.9	124.1%	7.6

Source: CSO & Department of Finance

### **Interest on General Government Debt**

<b>Year</b>	<b>€ billion</b>
2014f	8.2
2015f	8.8
2016f	9.2

Source: Budget 2014, Department of Finance

While the tables above show the Budget 2014 estimate of General Government debt for 2013, the Deputy will be aware that the National Treasury Management Agency completed the buyback, on the 17th of December 2013, of €4.102 billion of a 4% Treasury bond due to mature on 15 January 2014. One of the impacts of this buyback was to reduce the estimated General Government Debt for 2013 to around 122% of GDP.

### **Mortgage Arrears Proposals**

90. **Deputy Terence Flanagan** asked the Minister for Finance if his Department has approved AIB writing off debt by way of split mortgages and other products; his Department's policy in this area; and if he will make a statement on the matter. [7406/14]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware under the Relationship Framework the State does not intervene in the day to day operations of the bank or their management decisions regarding commercial matters.

I have been informed by AIB that the split mortgage product is just one of a number of sustainable solutions available to customers in arrears. Customers in arrears will be reviewed for eligibility and debt compromise will not necessarily form part of the new split mortgage. The solution will be proposed to the customer based on their affordability if they are deemed to be eligible.

On a general policy level, however the Government has taken a number of important steps to address this serious problem.

An innovative Personal Insolvency Act is now in place and the Insolvency Service of Ireland has been established to operate the new non-judicial debt settlement arrangements along

with the changes made to the bankruptcy rules. A Mortgage to Rent scheme now provides a solution to keep those with severe mortgage difficulty to remain in their homes. The Mortgage Advisory and Information Service has been established and includes an information website, a telephone helpline, and independent advice for mortgage holders. The Central Bank is continuing its engagement with the lenders and has now introduced meaningful targets on the 6 main banks to offer solutions to their distressed mortgage holders.

All of the necessary elements to effect meaningful solutions to the mortgage arrears problem are now in place. The expectation now is that the banks with the co-operation from their customers in difficulty will work together to ensure that this issue is addressed in a definitive manner over the course of 2014.

### **NAMA Loan Book**

91. **Deputy Lucinda Creighton** asked the Minister for Finance further to Parliamentary Question No. 47 of 22 January 2014, if the National Asset Management Agency will provide the information in the format requested, as promised; and if he will make a statement on the matter. [7450/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by NAMA that the information is not currently available in the format sought by the Deputy but that it is currently collating the information in the format requested. I am further advised by NAMA that the information will be provided to the Deputy, subject to any consideration of commercial sensitivity, by 17 of February 2014.

### **Banking Sector Issues**

92. **Deputy Michael McGrath** asked the Minister for Finance the amount of money AIB spent on corporate hospitality in 2012 and 2013; if his Department has expressed a view to AIB on corporate hospitality expenditure; and if he will make a statement on the matter. [7451/14]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware under the Relationship Framework the State does not intervene in the day to day operations of the bank or their management decisions regarding commercial matters. I have been informed by AIB that the bank does not disclose this information. The bank manages corporate hospitality within its commercial business requirements. AIB has a Code of Conduct in place for all staff which covers, inter alia, corporate hospitality. AIB Management and staff may accept or provide entertainment or gifts only if they are not intended to compromise independent decision making, are small in value and comply with applicable laws and regulations and are in accordance with internal thresholds.

### **Financial Services Regulation**

93. **Deputy Michael McGrath** asked the Minister for Finance if any further action is being taken by his Department or the National Treasury Management Agency following the overcharging of the National Pensions Reserve Fund by State Street Global Advisors when acting as portfolio manager on behalf of the National Pensions Reserve Fund; if the amount of the overcharging has been recovered; if any additional compensation is payable; the way the overcharging will impact on the manner in which the NPRF liquidates the discretionary portfolio; and if he will make a statement on the matter. [7452/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the National Treasury Management Agency (NTMA), as Manager of the National Pensions Reserve Fund (NPRF), that State Street Global Advisors are a separate part of the State Street group from that involved in the overcharging issue. State Street Global Advisors managed a passive equity mandate for the NPRF. However, following the publication of the U.K. Financial Conduct Authority's report on 31 January 2014, their services were terminated by the NPRF.

The full amount of overcharging has been recovered. Following the publication of the U.K. Financial Conduct Authority's report on 31 January 2014, the NPRF Commission will now consider whether there is a case for compensation. With respect to the manner in which the NPRF liquidates investments, the NPRF has taken on board a combination of recommendations made by the Comptroller and Auditor General and internal recommendations to improve on the market standard approach previously used.

### Tax Credits

94. **Deputy Michael McGrath** asked the Minister for Finance the number of recipients of the one-parent family tax credit in each year from 2010 to 2013; and if he will make a statement on the matter. [7453/14]

95. **Deputy Michael McGrath** asked the Minister for Finance the expected number of recipient of the single person child carer tax credit in 2014; and if he will make a statement on the matter. [7454/14]

96. **Deputy Michael McGrath** asked the Minister for Finance the number of claims for a tax repayment in respect of the one-parent family tax credit for the years 2010 to 2013 which have been received since the announcement of the abolition of the credit in budget 2014; and if he will make a statement on the matter. [7455/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 94 to 96, inclusive, together.

I am advised by the Revenue Commissioners that the number of individuals in receipt of the One Parent Family Credit (OPFC), for the years requested by the Deputy, are as set out.

#### OPFC

##### Year - Number

2010 - 95,500 (Revenue Statistical Report)

2011 - 104,200 (Revenue Statistical Report)

2012 - 101,400 (Estimate)

2013 - 76,800 (Provisional estimate based on preliminary data)

These figures represent the number of individuals who were able to utilise the credit in whole or in part to reduce their tax liabilities. The number of claimants of OPFC shown above may change given that a person has a four-year timeframe in which to claim a refund of tax.

I am also informed by the Revenue Commissioners that OPFC has been granted to 3,943 individuals since 16 October 2013. Based on information extracted from their records, claims relate to the following tax years:

Year	Number of Claims
2010	667
2011	1,001
2012	1,549
2013	3,198

It should be noted that some individuals have claimed the tax credit for a number of years. In addition, some of the claims shown may not be new claims and may be updated claims (i.e. credit being reinstated having been withdrawn previously). It is not possible to provide data on actual new claims.

The One-Parent Family Credit ceased with effect from 31 December 2013 and was replaced by the Single Person Child Carer Credit, (SPCCC), from 1 January 2014. Only one credit in respect of any qualifying child is available. This credit will only be granted to a primary claimant who has a qualifying child residing with him or her for the whole or greater part of a tax year; that is, for a period in excess of six months. However, the primary claimant can surrender the credit to a secondary claimant where the child resides with the latter individual for at least 100 days in the year.

To ensure the minimum inconvenience to taxpayers in the introduction of the new credit, Revenue automatically allocated it to individuals who had previously claimed the One-Parent Family Credit, and where Department of Social Protection records showed there was also an entitlement to Child Benefit. This approach was adopted because entitlement to Child Benefit would generally indicate that the child resides with the individual for most of the year.

The outcome of this automatic allocation was that 74,420 individuals were allocated the Single Person Child Carer Credit, at the start of 2014. However, this number included all individuals entitled to the OPFC and in receipt of Child Benefit, regardless of whether the credit was of benefit to them in reducing their tax liabilities or not; for example, people who were unemployed or suffered a reduction in earnings, or who qualified for other allowances or reliefs which reduced their taxable income. It also included individuals who are not entitled to the credit because their circumstances had changed for example, they were now cohabiting- but Revenue had not been made aware of the change of circumstances.

Currently 79,007 individuals have been allocated the credit. This is an increase of almost 4,600 since the start of the year, representing individuals who were entitled to the credit but were not automatically allocated it; for example, because Child Benefit was not being paid to the claimant in respect of the child. This figure includes 538 cases where the credit has been relinquished by the primary claimant and subsequently taken up by a secondary claimant.

It is not possible, at this stage, to quantify the final number of individuals who will claim or will be allocated the SPCCC for 2014, nor how many of those individuals will be able to utilise it in whole or in part to reduce their tax liabilities. However, in assessing the budgetary effect of the new measure, Revenue calculated that the new SPCCC would be availed of by 13,400 fewer claimants than the OPFC.

### Banking Sector Remuneration

97. **Deputy Michael McGrath** asked the Minister for Finance the number of meetings his Department officials have had with AIB which included discussion of a reinstatement of bo-

nuses at the bank; and if he will make a statement on the matter. [7456/14]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware this Government's policy with respect to banking remuneration has been in place since mid-2011. In summary, remuneration in State supported banks is capped at €500,000 (excluding normal pension entitlements) and the payment of bonuses is not permitted.

I can confirm that at a meeting which took place between AIB and officials from the Department of Finance in January 2014, AIB raised the issue of new staff incentivisation measures in the context of our shared objective to return the bank to profitability and ultimately deliver a return for the taxpayer.

No policy changes are planned in the area of banking remuneration. I personally reinforced this point when my officials and I met the Chairman and a number of Board members earlier this week.

### **Tax Credits**

98. **Deputy Willie Penrose** asked the Minister for Finance the reason a person (details supplied) in County Westmeath has had their tax credits significantly reduced in the context of the one-parent family tax credit, which resulted in their marginal rate of tax being increased from the 20% standard rate to 41% while they are still paying a mortgage and contributing significant funding towards the upkeep of their children; if there are any tax credits available in relation to maintenance payments made by them for the maintenance of their spouse and children; and if he will make a statement on the matter. [7458/14]

**Minister for Finance (Deputy Michael Noonan):** The new Single Person Child Carer Credit (SPCCC) is of the same value i.e. €1,650 per annum as the one-parent family tax credit and it also carries the same entitlement to the additional €4,000 extended standard rate band, which increases it to €36,800 per annum, before liability to the higher rate of income tax arises. However, the credit is more targeted, in that it is in the first instance, only available to the principal carer of the child. A system that allows multiple claims in respect of the same child or children is unsustainable. The change follows a recommendation from the Commission on Taxation that the credit should be retained but that it should be allocated to the principal carer only. In order to qualify for the credit the principal carer cannot be married, in a civil partnership or cohabiting.

The principal carer is initially being identified as the person who is receiving Child Benefit in respect of the child. Where, for whatever reason, a principal claimant who is entitled to the credit does not wish to avail of it, he or she can choose to surrender it to a secondary claimant. A secondary claimant may then make a claim for the credit, provided that the qualifying child resides with him or her for not less than 100 days in the tax year. The secondary claimant cannot be married, in a civil partnership or cohabiting.

I am advised by the Revenue Commissioners that in the case in question, the SPCCC has automatically been granted to the principal carer (i.e. the ex-spouse of the individual referred to in the Deputy's question).

I should point out that there is no specific tax credit for children in the tax code. Therefore, married or cohabiting couples are unable to avail of any additional credit to assist them in the financial maintenance of their children. In certain cases, such couples also need to maintain two households due to the location of employment, for example.

Legally enforceable maintenance payments made for the benefit of a separated or former spouse or civil partner are fully deductible for tax purposes in the hands of the payer and are

treated as taxable income in the hands of the recipient. Alternatively separated spouses or separated civil partners may elect to continue to be jointly assessed in which case no regard is taken of the maintenance payment.

Maintenance payments made for the benefit of children are not deductible for tax purposes. However, they are also not treated as income in the hands of the beneficiary. This is similar to the tax treatment of monies used by married couples for the maintenance of their children. Ultimately, child maintenance payments are a matter for parents and if necessary, the courts to decide. It is not possible, and indeed would not be appropriate, for the tax code to take account of every possible variable.

In Budget 2012, in recognition of the difficulty some people have in meeting their mortgage commitments, I fulfilled a Programme for Government commitment to increase the rate of mortgage interest relief to 30 per cent for first time buyers who took out their first mortgage between 2004 and 2008. This was the period during which house prices peaked. In addition, the increased rate of tax relief for first time buyers who took out their first mortgage in that period will continue up to and including the 2017 tax year.

### **Special Educational Needs Services Provision**

99. **Deputy Niall Collins** asked the Minister for Education and Skills the actions he will take to deal with the call made to him by parents of the outreach classes in a school (details supplied) in Dublin 12 in respect of the proposed closure of this school with particular consequences for the two ASD classes; if he will appreciate the serious concerns of the parents and the community; and if he will make a statement on the matter. [7300/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm for the Deputy that while my Department is aware of the Patron's proposals to merge three schools including the school to which he refers, I have not received any proposal from the Patron in the matter. The initiative for any amalgamation or re-organisation may come from a variety of sources, such as parents, staff, Boards of Management and patron. Any such proposal to amalgamate schools must involve consultation with all of the relevant stakeholders and follow decisions taken at local level. The decision making authority for any amalgamation belongs to the Patron of a school, subject to the approval of the Minister for Education and Skills. The Deputy will be aware that the establishment of a network of autism-specific special classes in schools across the country has been a key educational priority in recent years. The National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports, including the establishment of special classes in various geographical areas as required. The NCSE operates within my Department's criteria in allocating such support. The NCSE met recently with the principals from the three schools in question in relation to the issue of an amalgamation with particular reference to the autism classes in the school. The SENO has also met with some of the parents concerned. The NCSE will continue to liaise with these schools on the concerns raised.

### **Student Grant Scheme Eligibility**

100. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills further to Parliamentary Question No. 60 of 22 January 2014, the way a person under 23 years of age may prove their estrangement from their family in order to be assessed on their own means for Student Universal Support Ireland grant applications in cases where a social worker will not see them because they are over 18 years, a youth worker or family support worker will not see them as they have never been linked in to that worker before, and they are not in need of a Health Service Executive counselling service; and if he will list any other appropriate officers

of the HSE who may be able to attest to a person being estranged from their family. [7208/14]

101. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if provision of evidence from a GP will be accepted as evidence of estrangement for the purposes of persons under 23 years of age applying for Student Universal Support Ireland grants based on assessment of their own means. [7209/14]

104. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the reason Student Universal Support Ireland will not accept the same standard of proof that a person under 23 years of age is not residing in the family home and is estranged from their family for the purposes of assessing them on their own means for grants that the Department of Social Protection accepts for assessing eligibility for social welfare payments. [7212/14]

105. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills further to Parliamentary Question No. 60 of 22 January 2014, the relevant legislative provision, circular or statutory instrument which stipulates that independent verification of estrangement for assessment of Student Universal Support Ireland applications may only be provided by the persons listed in this reply; if his attention has been drawn to the fact that SI 159 of 2013, section 21(3) (b), contains no such list of persons and states that a student may be assessed on their own means where it is established to the satisfaction of the relevant awarding authority that the student is irreconcilably estranged from their parents and that financial supports are not being provided to them; the reasons SUSI is not satisfied with evidence of proof of estrangement in the form of records of living outside the family home, letters from GPs, college counselling services or correspondence from other Departments; and if he will make a statement on the matter. [7226/14]

108. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if his attention has been drawn to the fact that under the Mental Health Act, a general practitioner is considered an approved officer of the Health Service Executive to make a recommendation for a patient to be involuntarily admitted to a psychiatric facility in their capacity as that person's GP; and the reason a person's GP is not deemed sufficiently qualified by Student Universal Support Ireland to attest to the fact a person is estranged from their family for the purposes of assessing an application for a grant. [7265/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 100, 101, 104, 105 and 108 together.

As advised to the Deputy in previous Parliamentary Questions, for student grants purposes, students are categorised according to their circumstances either as students dependent on parents or a legal guardian, or as independent mature students. Where the applicant is a dependent student, the income of the applicant and his/her parents must be taken into account in calculating whether the means are within the limits to be eligible for a grant.

The Student Grant Scheme S.I. No 159 of 2013 makes provision in Article 21(3) which allows a dependent student to be exempted from having parents' income taken into account where it is established to the satisfaction of the relevant awarding authority that the dependent student is irreconcilably estranged from both of his or her parents and neither of his or her parents furnishes financial support to him or her. This provision allows the awarding authority to assess dependent students, in genuine estrangement cases, without reference to their parents/guardians income or address. Cases of genuine estrangement are relatively rare and each one has unique circumstances. The scheme does not stipulate precisely how an awarding authority satisfies itself. This is to allow the grant awarding authority sufficient flexibility to assess the evidence of irrevocable estrangement in each individual case. The assessment of a case of estrangement however has to be carefully considered to ensure there is sufficient evidence to demonstrate that the exceptional circumstances pertaining in such cases genuinely exists. The type of evidence

required is dependent on the applicant's individual circumstances. Compelling evidence of irreconcilable estrangement must be provided to allow a grant awarding authority to fully satisfy itself that the conditions for the application of exemption are met. An awarding authority in assessing the evidence presented will have regard to the particular circumstances in each case and the corroborative nature of the evidence available to support the claim of estrangement. Different State support schemes have different objectives and in this case parents have a responsibility to support their children attending college. Where they fail to do so, the grant awarding authority must satisfy itself that genuine and irreconcilable estrangement exists. Confirmation that a student is living separately from his/her parents/guardians is not sufficient, as very significant numbers of third level students move out of the family home while at college and continue to be supported by their parents while in full-time education. The purpose of the student grant scheme is to provide an additional assistance where parental income is below a certain threshold and warrants additional assistance by way of a grant. Evidence from services, including the Courts services and the Health Service Executive, working in a professional capacity with the family of the student, which demonstrates and confirms the genuine and irreconcilable nature of the estrangement would generally be necessary for an awarding authority to satisfy itself of the veracity of the case. The appropriate officer(s) depends the individual's particular circumstances. A letter from a GP would generally not be acceptable in isolation. However, where a GP could demonstrate referring the student to relevant professional support services, the GP report could be considered in conjunction with a report from the specific support service utilised.

### **Student Grant Scheme Eligibility**

102. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the reason married persons under 23 years of age who reside with their spouses in a separate home from their parents are still assessed on their parents' means for the purposes of Student Universal Support Ireland grant applications. [7210/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** For student grants purposes, a student may be assessed as an independent student if he/she has attained the age of 23 on the 1st of January of the year of first entry to an approved post leaving certificate course or an approved higher education course, or of re-entry to an approved course following a break in studies of at least three years, and is not ordinarily resident with his/her parents from the previous 1 October. Otherwise he/she would continue to be assessed on the basis of his/her parents' income.

When assessing the means of students other than independent mature students, the scheme specifies that parental income must be taken into account.

I have no plans at present to change the current arrangements.

### **Student Grant Scheme Eligibility**

103. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the reason persons aged over 23 years who have a gap of a number of years in their education are still assessed on their parents' income for the purposes of a Student Universal Support Ireland grant if they began their third level education when they were under 23 years. [7211/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** For student grants purposes, a student may be assessed as an independent student if he/she has attained the age of 23 on the 1st of January of the year of first entry to an approved post leaving certificate course or an approved higher education course or of re-entry to an approved course following a break in studies of at



least three years, and is not ordinarily resident with his/her parents from the previous 1 October. Otherwise he/she would continue to be assessed on the basis of his/her parents' income.

If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to the appeals officer in SUSI.

Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board. The relevant appeal form is available to download from [http://www.studentfinance.ie/downloads/1375344221/2013\\_SGAB\\_appeal\\_form.pdf](http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf).

I have no plans at present to change the current arrangements.

*Questions Nos. 104 and 105 answered with Question No. 100.*

### **School Patronage**

106. **Deputy Dominic Hannigan** asked the Minister for Education and Skills his views on the progress made by the Catholic management in the 23 primary schools where parents voted in 2013 to change the patronage of the school and to divest control from the Catholic Church; when his Department expects this change to happen; and if he will make a statement on the matter. [7248/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** No Catholic primary school has voted to change its patronage or divest control of its building from the Catholic Church. What has happened is that, following on from the Forum on Patronage and Pluralism in the Primary School sector, 43 towns with stable populations were surveyed to determine if parents in those towns want a greater choice of primary school. In 28 of these areas, parental demand for more choice was identified.

I wrote to the Catholic patrons in each of these areas and requested that they identify re-configuration options which would allow a suitable school premises to be made available for an alternative patron provider.

My Department is working with the patron bodies to try to advance progress in a number of areas where potential options have been identified. While this is a slow and sensitive process, it is hoped to have progress in a small number of areas soon, in order for sufficient time to be given to new patrons to open from as early as this coming September.

### **Student Grant Scheme Eligibility**

107. **Deputy Jack Wall** asked the Minister for Education and Skills if a course (details supplied) entitles an applicant to any financial assistance for enrolment and course fees; and if he will make a statement on the matter. [7255/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under my Department's student grant scheme, eligible candidates may receive funding provided they are attending an approved course at an approved institution.

An approved course is defined as a full-time undergraduate course of at least two years duration, or a full-time postgraduate course of not less than one year duration pursued in an

approved institution.

I understand the course referred to by the Deputy does not meet the prescribed requirements of an approved course as it is provided on a part-time over one year.

*Question No. 108 answered with Question No. 100.*

### **Special Educational Needs Services Provision**

109. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills if he will approve additional resource hours for a child (details supplied) in County Laois; and if he will make a statement on the matter. [7273/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to inform the Deputy that all schools were advised to apply to the National Council for Special Education (NCSE) for resource teaching and SNA support for the 2013/14 school year by 15 March, 2013.

The NCSE published details of all of their allocations for resource teaching and SNA support for the 2013/2014 school year in June 2013.

In order to meet any late demand for resource teaching and SNA support arising between 15 March, 2013 and the start of the school year, the NCSE requested all schools to submit outstanding applications for resource teaching and SNA support to the NCSE by 20 September, 2013.

The NCSE has now published details of the additional Resource Teaching and SNA allocations which have been made to schools since the initial allocations were made to schools in June. The NCSE published details of these revised allocations on 21 October, 2013. These details are now available on the NCSE website, [www.ncse.ie](http://www.ncse.ie), and detail the allocations made for each school on a per county basis.

The NCSE also retained a small number of resource teaching posts for allocation to schools, subsequent to these allocations having been made, for new entrants or emergency cases, and has made a number of allocations to schools on this basis.

As the Deputy's question refers to an application for resource teaching hours to the NCSE for an individual child I have referred this question to the NCSE for their consideration and direct reply to the Deputy.

### **Site Acquisitions**

110. **Deputy Eoghan Murphy** asked the Minister for Education and Skills if he will make a request to the Office of Public Works regarding the purchase of a site (details supplied). [7308/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that officials from my Department have made initial enquiries with the OPW in relation to the feasibility of securing long term use of the site in question to meet future potential school needs in the catchment area.

### **Irish Language Issues**

111. **Deputy Eoghan Murphy** asked the Minister for Education and Skills his plans to protect funding for the Irish language in future budgets. [7315/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As you are aware I am committed to the implementation of the 20 Year Strategy for the Irish Language 2010-2030, as its recommendations relate to the remit of my Department. This is being done on a phased basis over the twenty year time span.

For example, there is a lot of activity underway in reforming the Irish language curricula at primary and post-primary. At primary there is the new Integrated language curriculum which is being developed for the infant classes through to first and second classes. At Junior Cycle, a consultation process has just been completed on a background paper relating to the development of a new specification for Irish at Junior Cycle. At senior cycle there is a revised assessment arrangement in place which allocates 40% of the Leaving Certificate marks to the oral component of the examination. This additional allocation to oral Irish is currently being reviewed.

Work has also commenced on a review of education in the Gaeltacht areas.

### **Student Grant Scheme Appeals**

112. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will expedite a student grant appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [7338/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed that the student referred to by the Deputy has appealed the decision of the awarding authority to the independent Student Grants Appeals Board. The appeal was received by the Board on 21 January 2014 and will be heard within the timeframe set out in the Student Support Act 2011. The student will be notified directly of the outcome of the appeal.

### **Residential Institutions Redress Scheme**

113. **Deputy Clare Daly** asked the Minister for Education and Skills if persons are being employed under JobBridge or any other labour activation scheme in relation to operating Caranua; and his views on whether it is appropriate that unqualified persons would work in such a sensitive area with persons who are extremely vulnerable as a result of the abuse they suffered. [7345/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Caranua is the service name used by the Residential Institutions Statutory Fund, which is an independent statutory body under the aegis of my Department. From enquiries made by my officials to Caranua I understand that it has not provided any internships under the JobBridge initiative or any other labour activation scheme. I agree that care should be taken to ensure that Caranua employees are in a position to deal effectively and sensitively with those survivors who are vulnerable as a result of the abuse they suffered as children.

### **Residential Institutions Redress Scheme**

114. **Deputy Clare Daly** asked the Minister for Education and Skills the reason the Linden Home in Blackrock was excluded from the residential institutions redress scheme; and the steps that are open to former residents to obtain redress. [7365/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Schedule to the Residential Institutions Redress Act, 2002 included 123 specified institutions and section 4 of the Act enabled the Minister for Education and Science to provide for the insertion into the Schedule of

“any industrial school, reformatory school, orphanage, children’s home, special school which was established for the purpose of providing education services to children with a physical or intellectual disability or a hospital providing medical or psychiatric services to people with a physical or mental disability or mental illness in which children were placed and resident and in respect of which a public body had a regulatory or inspection function.” Two Orders were made specifying 16 additional institutions, in November 2004 and July 2005, bringing the total number of scheduled institutions to 139. Since then, no further institutions have been added to the Schedule. Following the publication of the Ryan Report in May 2009, there were a range of demands for the redress scheme to be extended, including demands to include specific institutions and categories of institutions. However, the Government of the time decided against the inclusion of any further institutions within the scheme. The decision not to extend the scheme has meant the exclusion of a range of institutions which could have been considered for inclusion. The closing date for receipt of applications by the Redress Board was 15 December, 2005. The Board could however accept late applications in exceptional circumstances, up until September 2011. The Board is currently finalising the remaining applications it received. I understand that requests to include Linden Convalescent Home in the Schedule were considered by my Department and refused on the basis that the Home did not come within the terms of section 4.

### **Schools Building Projects Administration**

115. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will list all stages for schools buildings projects; the average length of time it takes a school in each stage; the total average from stage 1 to the building of the school; if there are any proposed changes to the process; and if he will make a statement on the matter. [7405/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** At present, there are five stages of architectural planning involved in the delivery of major school projects. The stages reflect the Capital Works Management Framework developed by the Department of Public Expenditure and Reform. The stages and indicative timelines are as follows: Stage 1 – Preliminary (2 to 5 months); Stage 2 - Design (which is divided into Stage 2a - Developed Sketch Scheme and Stage 2b - Detailed Design) (9 to 12 months); Stage 3 - Tender Action, Evaluation and Award (5 to 8 months); Stage 4 – Construction (12 to 24 months); and Stage 5 - Handover of Works and Final Account (12 months minimum). The period of time it takes to progress through each of these stages varies from project to project depending on its size and complexity. Design Teams are appointed to progress major projects through the stages of architectural planning. In normal circumstances once a Design Team has been appointed, the project should be progressed expeditiously to the completion of Stage 2b i.e. the preparation of Tender Documents. The responsibility for the progression of the project from Stage to Stage (in accordance with the Project Brief and the Department’s Design Guidelines) rests with the Design Team in agreement with the client, subject to the project timelines and the availability of funding. The written authorisation of the Department to proceed is always required prior to progression to stages 3 (tender) and 4 (contract award and construction). More details on the procedures governing each of these stages are available on my Department’s website at <http://www.education.ie/en/School-Design/Procedures-and-Cost-Plans/Procedures-and-Cost-Plans.html>. The procedures were last revised in 2012.

### **School Curriculum**

116. **Deputy Terence Flanagan** asked the Minister for Education and Skills his plan regarding the removal of religion from the school curriculum; and if he will make a statement on

the matter. [7424/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I have no intention of taking religion off the school curriculum. In fact, Religious Education is one of the seven curricular areas in the primary curriculum. Primary schools have been given suggested weekly times for the seven areas including 2.5 hours for religion. Individual schools and teachers use their discretion on the implementation of the suggested times, having regard to the needs of their pupils and their school.

### Special Educational Needs Services Provision

117. **Deputy Terence Flanagan** asked the Minister for Education and Skills his plans to include Down's syndrome as a low-incidence disability so that it qualifies for resource teaching hours; and if he will make a statement on the matter. [7429/14]

118. **Deputy Terence Flanagan** asked the Minister for Education and Skills the cost of including Down's syndrome as a low-incidence disability so that it qualifies for resource teaching hours; and if he will make a statement on the matter. [7430/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 117 and 118 together. I wish to firstly explain to the Deputy that, regardless of the manner in which the resource hours are allocated to schools, resource teaching/learning support is available for all pupils with Down syndrome. I wish to explain also that pupils with Down syndrome attending mainstream schools may receive additional teaching support in primary schools, either under the terms of the General Allocation Model (GAM) of teaching supports, if the pupil's educational psychological assessment places the pupil in the mild general learning disability/high incidence disability category, or through an allocation of individual additional resource teaching hours which are allocated by the National Council for Special Education (NCSE), if the child is assessed as being within the low incidence category of special need, as defined by my Department's Circular Sp Ed 02/05. Pupils with Down syndrome may therefore be allocated resources under the category of mild general learning disability, or under the categories of moderate general learning difficulty or Assessed Syndrome, in conjunction with another Low Incidence disability. There is not currently a distinct disability category of Down syndrome for resource allocation purposes. As such, it is not possible to advise of the number of children with Down syndrome who will be attending school for the 2013/14 school year and accordingly my Department is not in a position to cost the inclusion of Down Syndrome as a low incidence disability. The National Council for Special Education (NCSE) has a formal role under the Education for Persons with Special Educational Needs (EPSEN) Act, 2004 in advising me in relation to any matter relating to the education of children and others with disabilities. My Department requested that the NCSE consider the issue of whether Down Syndrome should be reclassified as a low incidence disability in all instances, regardless of assessed cognitive ability, in the context of its preparation of comprehensive advice on how the educational system supports children with special educational needs in schools. The NCSE report on Supporting Children with Special Educational Needs in Schools has now been published and is available on the NCSE website [www.ncse.ie](http://www.ncse.ie). The report recommends that under the new resource allocation model proposed by the NCSE in its report, children should be allocated additional resources in line with their level of need, rather than by disability category. The NCSE has recommended that in the short-term, pupils with Down syndrome who are in the Mild General Learning Disability (Mild GLD) category should continue to be supported by schools' Learning Support allocation in the same way as other pupils with a Mild GLD. The NCSE policy advice did not recommend that an exception should be made for children with Down syndrome who are in the Mild GLD range, over other children who are in the mild range and who also may have other co-morbid conditions. However, the NCSE report states that it is confident that the introduction of a new

allocation model will overcome the difficulty posed by all children with mild general learning disabilities, including children with Down syndrome, who have additional difficulties and who can be supported according to their level of need and in line with their learning plan process. In the meantime, schools are reminded that they can differentiate the level of learning support granted to ensure that available resources are used to support children in line with their needs. The NCSE has established a Working Group to develop a proposal for consideration for a new Tailored Allocation Model, which is set out as one of the principal recommendations of the report. I understand that the Working Group will report its findings before the end of spring 2014.

### **Special Educational Needs Services Provision**

119. **Deputy Terence Flanagan** asked the Minister for Education and Skills his plans to increase the maximum number of resource teaching hours provided to each pupil; and if he will make a statement on the matter. [7431/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that this Government is committed to the protection of frontline services for pupils with special educational needs and has maintained and increased provision for this area for this school year, despite requirement to make expenditure reductions elsewhere. There are now over 10,700 additional teachers in schools supporting children with special educational needs, which is more than at any time previously. This is in comparison to 10,305 posts for the 2012/13 school year and 9,950 such posts for the 2011/12 year. For the 2013/14 school year, there are 5730 resource teaching posts allocated to schools by the National Council for Special Education (NCSE) to support pupils with low incidence special educational needs. This should be compared to an NCSE allocation of 5265 posts in the previous year, or 5175 posts in 2010. For the current school year, in order to meet growing demand from schools for low incidence special educational needs support, 480 additional new resource teaching posts were made available for schools, in order to maintain allocations at their current rate. So the Government has been increasing the overall number of resource teaching posts available in recent years. The Deputy may also be aware that the NCSE recently published comprehensive policy advice on Supporting Students with Special Educational Needs in Schools. The advice recommends that under a new resource allocation model proposed by the NCSE in its report, children should be allocated additional resources in line with their level of need, rather than by disability category. I have, as suggested by the Report, requested the NCSE to establish a Working Group to develop a proposal, for consideration, for a new allocation model for resource teaching supports for children with Special Educational Needs based on the profiled educational needs of children in schools, and which will aim to ensure that resources are directed to those children and schools who need them most. I understand that the Working Group will report its findings before the end of Spring 2014.

### **Public Procurement Contracts**

120. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform if a local authority can include as part of its agreement with a contractor a formal requirement for the company or developer to recruit a percentage of its staff within the local authority area; and if he will make a statement on the matter. [7280/14]

127. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform if a public body can as part of its procurement process include a formal requirement for the company or developer to commit to try and recruit and procure services within a local area; and if he will make a statement on the matter. [7281/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 120 and 127 together.

Under EU rules on public procurement public works, supplies and service contracts above certain thresholds must be advertised on the Official Journal of the EU and awarded on the basis of objective and non-restrictive criteria. The aim of these rules is to promote an open, competitive and non-discriminatory public procurement regime which delivers best value for money. It would be a breach of these rules for a public body to favour or discriminate against particular candidates and there are legal remedies which may be used against any public body infringing these rules. Requiring a company either foreign or domestic to employ a person or purchase goods or services from a specific geographical location would be against European Procurement rules and EU Treaty principles in relation to trade and the free movement of labour.

The European Commission has issued guidance on this issue which stressed that when incorporating social considerations into the procurement process one of the key challenges is ensuring compliance with the EU Treaty Principles and the Procurement Directives. EU rules primarily envisage that social considerations may be included as contract performance conditions, provided they are not discriminatory and are included in the tender notice or contract documentation and relate to the performance of the contract. For example, EU rules state that contract performance conditions may, in certain circumstances, be intended to favour on-site vocational training; the employment of people experiencing particular difficulty in achieving integration; or, the protection of the environment. In such cases this type of clause would have a relatively narrow application.

In terms of impact, challenges arise from the need to ensure that:

- value for money is not adversely affected;
- additional costs are not placed on domestic suppliers relative to other potential suppliers (making indigenous suppliers less competitive and therefore be damaging in the long run);
- displacement is avoided (such a policy could adversely impact those currently employed); and,
- the targeted benefit is capable of being measured and monitored during execution of the contract.

Finally, it is important to remember that open tendering is a two way street and that it provides Irish companies with opportunities to compete abroad. The public procurement market in the EU is valued in excess of €2.4 trillion. In this regard, it is worth pointing out that the open market regime offers opportunities for Irish companies to win business abroad and reliable EU studies indicate that many Irish businesses are successful in this regard.

### **Flood Relief Schemes Funding**

121. **Deputy Patrick O'Donovan** asked the Minister for Public Expenditure and Reform his plans to protect an area (details supplied) in County Wexford from further coastal erosion and flooding; and if he will make a statement on the matter. [7298/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The investigation and addressing of coastal erosion and flooding problems in Wexford, including the location referred to by the Deputy, are matters for Wexford County Council in the first instance. If the Council decides that upgrading of existing defences or construction of new defences is required, it is open to it to apply for funding to the Office of Public Works (OPW) under the Minor Flood Works and Coastal Protection Scheme. Any such application would

be considered in light of applications from local authorities generally and having regard to the OPW's overall availability of resources.

Wexford County Council submitted an application in 2012 under the Office of Public Works Minor Works Scheme for coastal protection works at St. Kieran's Wall, Bannow Bay. The OPW wrote to the Council in March, 2013 requesting further information on this application, including a requirement for a revised cost-benefit analysis. This has not been provided to date.

With regard to existing defences, the OPW wrote on 10th January to City and County Managers in coastal areas indicating that it will accept applications under the Scheme for funding to assist with repairs to built flood defences and coastal protection structures which have been damaged by the recent storms. This is a once-off measure to reinstate built coastal defences to their pre-storm condition. The specific application form for this entitled *Coastal Storm Damage Flooding Questionnaire 2014* is available on OPW's website [www.opw.ie](http://www.opw.ie) under Flood Risk Management. The work for which funding is sought will be carried out by the Local Authorities.

It is also open to the Council to carry out works using its own resources.

### **Flood Relief Schemes Funding**

122. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the level of funding provided and works required to deal with flooding in Raheny village; and if he will make a statement on the matter. [7413/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** Dublin City Council was allocated funding of €135,000 in 2011 under the Office of Public Work's (OPW) Minor Flood Works and Coastal Protection Scheme for flood mitigation works in the area referred to by the Deputy. The identification of the works required to address the problem and the progression of those works is a matter for the Council. The OPW understands that Phase 1 of the flood alleviation works upstream of Harmonstown Road Bridge is complete and that the Council is currently progressing with the design of Phase 2 of the scheme. The Council has indicated that the completed Phase 1 defences on their own will significantly reduce the flood risk to buildings in the Raheny Village area.

### **National Lottery Regulator Establishment**

123. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will provide a complete breakdown of the Estimate of €552,000 for the establishment of the new lottery regulator; the way the Estimate figure was arrived at; and if he will make a statement on the matter. [7234/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The €552,000 figure is a provisional estimate of the once-off potential costs associated with the establishment of the Regulator's office. It relates to the costs for staffing, accommodation, development of an IT system, office furniture and other start-up costs. No monies have been spent to date. Details of spending will be furnished to the Oireachtas as is normal.

The Regulator's Office will be fully funded by an annual levy payable by the operator of the next National Lottery licence from the time the new licence comes into effect. It is envisaged that the licence, which is currently being finalised, will come into effect before the end of 2014.



Therefore, the Exchequer will not need to meet any costs associated with the Regulator's office in future years.

The decision to separate the regulatory function from the Department has been vindicated by the conclusion of the competitive process which will yield €405 million to the State, in addition to annual revenues for Good Causes, and which will support a series of job-rich projects and contribute to the building of the new National Children's Hospital.

This issue was subject to a full debate as the legislation passed through the Houses.

### **National Lottery Licence Sale**

124. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will provide a breakdown of the total costs in respect of the sale of the national lottery licence, including consultancy fees paid to a company (details supplied), and a complete breakdown of this and all other costs; and if he will make a statement on the matter. [7235/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Three payments totalling €693,750 (excluding VAT) have been made to Davy Corporate Finance to date under a contract to provide financial and commercial advice regarding the National Lottery licence competition, which was agreed in October 2012. The total payment to Davy Corporate Finance is expected to be €1,156,250 (excluding VAT). I expect the licence to be finalised shortly so the contract will have covered a 17 month period.

A payment of €500 (excluding VAT) was made to Davy Corporate Finance in relation to a separate study on options for the next National Lottery licence which it carried out in early 2012.

Departmental costs of approximately €4,700 have been incurred in relation to the overall process, primarily relating to travel and subsistence and access to online Lottery publications.

### **Public Sector Staff Recruitment**

125. **Deputy Michael Lowry** asked the Minister for Public Expenditure and Reform his policy for the internal advertising of Civil Service jobs; if his attention has been drawn to the fact that jobs are being advertised internally for those on a temporary contract; his views on whether this is fair particularly to those who may have recently finished on their temporary contract and are therefore precluded from applying; and if he will make a statement on the matter. [7237/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Since 2004, recruitment to the Civil Service has taken place under the Public Service Management (Recruitment and Appointments) Act 2004. This legislation established the Commission for Public Service Appointments (CPSA), the body which licences, regulates and audits recruitment processes. Recruitment processes are governed by the provisions of the Act as applied under Codes of Practice prescribed by the CPSA. The bulk of appointments to the Civil Service are made under the general Code of Practice for Appointment to the Civil and Public Service which covers the majority of recruitment to the Civil Service. The CPSA has also published a Code of Practice for Atypical Appointments to the Civil Service and Certain Public Service Bodies. Under the Atypical Code, a confined process may be held where it is deemed appropriate that the selection process be confined to unestablished civil servants. Departments and Offices have

the option of using such a confined process.

In respect of the competition referred by the Deputy, the Revenue Commissioners identified an urgent need to appoint a small number of Clerical Officers to mission critical posts in the Collector General's Office in Limerick. The appointments were deemed necessary to ensure the continued effective operation of the revenue collection system and will be deployed primarily for Local Property Tax (LPT) duties. No suitable staff were available on the public service redeployment panel and sanction to recruit 21 Clerical Officers was granted by my Department in December 2013.

Arising from the urgency of the matter and the relatively small number of posts to be filled, in the interest of efficiency it was decided to run an atypical recruitment process under the CPSA Atypical Code. The process was confined to serving Temporary Clerical Officers in Revenue including a cohort of temporary clerical staff with the skills and experience required who were currently operating on critical LPT duties and who had been recruited through a Public Appointments Service process. The competition was also open to serving Service Officers, Service Attendants in Revenue who had become eligible to apply as result of the operation of the General Council Agreement on Cross-Stream Promotion in the Civil Service.

I am advised by the Revenue Commissioners that the closing date for applications was 24 January 2014. A total of 98 applications for the positions have been received. Interviews are due to commence on 17 February 2014 in Limerick. Under the CPSA Atypical code only serving staff are eligible to compete.

### **National Lottery Licence Sale**

126. **Deputy Dominic Hannigan** asked the Minister for Public Expenditure and Reform the amount his Department spent on external advisers and consultants in relation to the competition for the national lottery licence; the number of consultants hired; the hourly rate; the number of hours they worked in total; and if he will make a statement on the matter. [7252/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In October 2012, I announced the appointment, following an open competitive tendering process, of Davy Corporate Finance as financial and commercial advisers to the Department in relation to the next National Lottery licence. Under the contract, Davy Corporate Finance is being assisted by Q-Lot, an international firm with expertise in lotteries.

Davy Corporate Finance is being paid a fee on the basis of reaching of a number of milestones during the process rather than on the basis of an hourly or daily rate.

Three payments totalling €693,750 (excluding VAT) have been made to Davy Corporate Finance to date in relation to the competition for the next National Lottery licence. The total payment to Davy Corporate Finance is expected to be €1,156,250 (excluding VAT). I expect the licence to be finalised shortly so the contract will have covered a 17 month period.

*Question No. 127 answered with Question No. 120.*

### **Office of Public Works Staff**

128. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the number of engineers and technical staff who have left the flood management section over the past five years and not been replaced; the amount of money paid during that time on reports carried out by external engineers; and the number of those reports that were commissioned to Irish-based

engineers and companies. [7347/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The engineering and technical staff numbers employed in the flood management section of the Office of Public Works (OPW) has reduced by 3 over the past five years.

In carrying out its work in the flood risk management area the OPW has always used the services of external engineering consultancy firms to assist in the development and delivery of flood relief schemes and in the ongoing work associated with flood risk assessment and management such as, for example, the CFRAM Programme. Such external consultants would prepare reports as an integral and routine part of the work they are engaged in. The fees paid to the consultants would incorporate the production of any such routine reports.

Outside of the normal, ongoing work, the OPW flood management section commissioned one report of a once off nature during the last five years from external engineers at a cost of €68,611 (excl. VAT). This report was prepared by a UK based company with a significant operational presence in Ireland.

### Corporate Governance

129. **Deputy Dominic Hannigan** asked the Minister for Jobs, Enterprise and Innovation if he will be enhancing the powers of the Director of Corporate Enforcement to ensure a more successful prosecution of white-collar crimes and provide more dissuasive sanctions; and if he will make a statement on the matter. [7249/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I have no further plans to enhance the powers of the Director of Corporate Enforcement. The Director previously brought to my attention that section 77 of the Finance Act 2011 inserted a new section into the Taxes Consolidation Act 1997 which restricted the amount of information from the Revenue Commissioners that the Director could properly obtain and use in support of his investigative and civil enforcement work under the Companies Acts. Section 6 of the Companies (Miscellaneous Provisions) Act 2013, which was enacted on 24 December 2013, has resolved this difficulty.

Section 5 of the 2013 Act also provided that if a designated officer of the Director is named in a search warrant and subsequently ceases to be an officer of the Director, or is otherwise unable to act, that another designated officer may apply to a judge of the District Court for an order that his or her name be substituted for the original designated officer's name on the search warrant. That amendment was also made on foot of a request from the Director.

Sanctions for breaches of company law are addressed in the Companies Bill 2012 which it is hoped will be enacted by year end. One of the innovations in the Bill is set out in section 872 and it involves the introduction of a new four-tier categorisation of offences. All offences are clearly identified and categorised throughout the Bill and the associated sanctions are clearly set out.

This reform follows on from a recommendation of the Company Law Review Group (the statutory body tasked with the responsibility of examining company law and making recommendations to me). It is proposed that, subject to a small number of exceptions in the case of the most serious offences which are covered by separate legislation, that all offences under the Companies Acts should be categorised according to this four-tier scheme.

Category 1 offences carry, following conviction on indictment, a term of imprisonment up to 10 years and/or a €500,000 fine. A summary prosecution for a category 1 offence will result in a Class A fine (as defined in the Fines Act 2010. The maximum is €6348.69 and/or a term of

imprisonment up to 12 months. An example of a category 1 offence is set out in section 723. This concerns the offence of fraudulent trading with intent to defraud creditors.

A category 2 offence carries a similar penalty for a summary conviction and for a conviction on indictment, will result in imprisonment of up to 5 years and/or a €50,000 fine. For example, if a company enters into a transaction in contravention of section 240 (prohibition of loans etc. to directors and connected persons) any officer who is in default of this prohibition shall be guilty of a category 2 offence.

Category 3 is a summary offence only, attracting a term of up to 6 months' imprisonment and/or a Class A fine. An example of category 3 offence is to be found in section 394. If a statutory auditor fails to notify the Director of Corporate Enforcement and Registrar of Companies of his or her opinion that a company has committed a category 1 or 2 offence then he or she shall be guilty of a category 3 offence.

Category 4 offences can also only be tried summarily and are punishable by imposition of a Class A fine.

A further new provision has been introduced at section 873 where it is proposed that, following a conviction for an offence under this Bill, the trial court may order that the convicted person should remedy any breach of the Bill in respect of which they were convicted.

### **Job Losses**

130. **Deputy Seán Ó Feargháil** asked the Minister for Jobs, Enterprise and Innovation if he will request IDA Ireland to ensure that steps are taken to match those being made redundant at a company (details supplied) in Newbridge with appropriate vacancies that may arise at a company in Naas; and if he will make a statement on the matter. [7306/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** It is unfortunate that due to over capacity factors affecting the parent company, some redundancies were announced in this plant in Newbridge late last year, involving slightly over one fifth of the total workforce at that facility. These redundancies are scheduled to take place throughout 2014. The company is currently working through the redundancy programme and, thankfully, a significant proportion of the jobs to be lost will be effected on a voluntary basis. The company is actively working with the employees concerned to identify new employment opportunities. IDA Ireland is working closely with the company as this process develops.

With regard to pursuing alternative employment opportunities for the staff concerned, the Government have been pursuing the adoption of a better approach as to how the State engages with and supports the unemployed to get back into the workforce. This cross organisational approach is reflected in the Protocol for Cooperation recently agreed between the Department of Social Protection, my Department, the Enterprise Development Agencies and the County Enterprise Boards. The main aim of this Protocol is to maximise the recruitment of appropriately skilled personnel from the Live Register by the client companies of the enterprise agencies. This initiative will lead to the development of more structured links and enhanced cooperation between the relevant State bodies.

Job creation prospects in a new company operation in Naas, which was supported by my Department through Enterprise Ireland, represent a very exciting opportunity for County Kildare and I look forward to that project developing as planned.

In relation to the wider work of the IDA, at present there are currently 25 IDA Ireland supported companies in Kildare employing approximately 10,172 people.

Regarding the Pharmaceutical sector overall in Ireland, while occasional job losses arise, due to globalisation, consolidation and patent expiry factors, it should be noted that employment in that sector overall has shown growth over the past 4 years, with an additional 2,000 net new jobs having been created in Ireland and 4 more companies now operating here.

In addition, further significant new investments in the Pharmaceutical sector have been recently announced; to create approximately 550 additional jobs in different centres around the country. IDA is confident that there will be other investment announcements during 2014.

### **Local Enterprise Offices Establishment**

131. **Deputy Terence Flanagan** asked the Minister for Jobs, Enterprise and Innovation the way the new one-stop shop for small business will operate; if he will provide details of its staffing levels and budget for 2014; and if he will make a statement on the matter. [7402/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** When established, the Local Enterprise Offices (LEOs) will become the first-stop-shop through which information on national and local supports for business can be accessed, where new start-up and micro-enterprises can be grant-aided, where small businesses can receive training and mentoring, and where businesses with clear high growth potential can be fast-tracked to the next level of support from Enterprise Ireland. The 31 LEO offices, with a dedicated complement of 122 CEB and 50 Local Authority staff, supported by 40 Local Authority liaison personnel, will be the local hub for enterprise support, delivering a comprehensive service to local entrepreneurs and businesses.

The new service means that national enterprise policy and local business supports will be brought together to strengthen the local business culture and environment, combining the best of the County Enterprise Boards and the Local Authorities. The newly established Centre of Excellence within Enterprise Ireland will be responsible for developing an improved environment for small and micro business and bring this sector into the heart of national enterprise policy. A robust Service Level Agreement between Enterprise Ireland and the Local Authorities will provide a framework for the delivery of an enhanced service to micro and small enterprises and will be periodically reviewed to ensure that impact and value for money are being optimised via the LEO network.

Each LEO will develop a local plan for boosting enterprise. Key targets in the local plan will be new business start-ups, business expansions and jobs created or sustained as well as wider economic impacts such as exports, mentoring, training and enterprise promotion. The Local Authorities will also bring new initiatives and opportunities for supporting local enterprise.

The Exchequer allocation, as secured by my Department, will continue to be the primary source of funding for the LEOs. A total of €29.4m has been allocated for the CEBs/LEOs in 2014 and this includes an additional 3.5 million which will be targeted at a suite of new initiatives focussed on youth entrepreneurship and young people with a business idea who wish to start their own business. It is also anticipated that Local Authorities will provide funds for other related activities particularly in relation to enterprise promotion through their normal budgetary processes.

### **Registered Employment Agreements**

132. **Deputy Terence Flanagan** asked the Minister for Jobs, Enterprise and Innovation the

background and content of the framework document he has issued which is aimed at reinstating the registered employment agreement and wage-setting mechanisms in the lower-paid sector of the workforce; and if he will make a statement on the matter. [7415/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In the judgment delivered on 9 May 2013 in *McGowan and others v The Labour Court, Ireland and the Attorney General*, the Supreme Court held that Part III of the Industrial Relations Act 1946 was invalid having regard to Article 15.2.1 of the Constitution.

That Article provides, in effect, that the exclusive power to make laws is vested in the Oireachtas. The Supreme Court took the view that REAs were instruments having the status of laws made by private individuals. While the Constitution allows for the limited delegation of law making functions, the provisions of the 1946 Act went beyond what is permissible under the Constitution.

The effect of this decision was to invalidate the registration of employment agreements previously registered under Part III of the 1946 Act. As a result, all such agreements no longer have any application beyond the subscribing parties and are not enforceable in law.

However, existing contractual rights of workers in sectors covered by Registered Employment Agreements were unaffected by the ruling. Contractual rights can be altered only by agreement between the parties involved.

The striking down of the REAs means that new employees in these sectors can be hired at a rate agreeable between workers and their employers. This is subject only to the provisions of the National Minimum Wage Act, 2000.

From the parties' perspective, the primary objective of REAs was to provide them with a sense of certainty around terms and conditions that would apply when the employer is tendering for and working through contracts and to have in place agreed grievance and industrial peace provisions. The agreements also had the effect of ensuring that the industry terms and conditions were recognised and maintained. In addition, the existence of these legally backed agreements was recognised under European Union law and ensured, in accordance with the Posted Workers Directive, that contractors from outside the jurisdiction, who may be using employees from lower wage economies, did not obtain an advantage over local contractors in terms of wage costs.

Having considered the legal advice from the Attorney General on the implications of the Supreme Court ruling, and given the importance of the issue for employers and their employees, particularly in relation to rates of pay and tendering for contracts, I undertook to bring forward legislation to address the ruling and to provide for a revised legislative framework that would be fully informed by the Supreme Court judgment and be expected to withstand constitutional challenge in the future.

To this end, on 7 February last, a draft framework document was circulated to relevant stakeholders for consideration. The new framework proposes a mechanism whereby, in contrast with the previous REA system which provided for employment agreements made between trade unions and employer representatives being given general application by means of a statutory order, groups substantially representative of workers and employers may jointly or separately request the Labour Court to undertake a review of the pay and/or pension and sick pay entitlements of workers in a particular sector and make a recommendation to the Minister on the matter.

It is proposed that a trade union and/or employer body that is substantially representative of

workers or employers of such workers in a sector may make the application to the Labour Court to initiate the process. Interested parties will be given an opportunity to make submissions to the Labour Court in the context of a review.

The new legislation will provide the Labour Court with specific principles and policies that it will be obliged to take into account when considering whether to make and, if so, what recommendation to make to the Minister in relation to pay and/or pension/sick pay terms in a particular sector. If satisfied, the Minister will give effect to the recommendation by Order. The Order must then be laid before the Oireachtas.

In addition to the proposed new sectoral framework, it is proposed to reintroduce the facility for the registration of employment agreements to which there are only two parties i.e. individual employer and trade unions. As such agreements are not legally binding beyond the subscribing parties, it is not considered necessary to provide for the same level of principles and policies that would apply in the case of agreements that would have sector-wide application. Neither, for the same reasons, is it considered necessary for the registration of such agreements to be confirmed by Ministerial order.

It is proposed to have discussions on the draft framework with relevant stakeholders shortly with a view to bringing proposals to Government as soon as possible.

### **Pension Provisions**

133. **Deputy Peadar Tóibín** asked the Minister for Social Protection the position regarding community employment supervisors' entitlement to a pension scheme in view of the fact that the Labour Court recommended that FÁS implement a pension scheme in 2008 and some CE supervisors who have finished work still have no pension scheme in place. [7219/14]

**Minister for Social Protection (Deputy Joan Burton):** I would like to refer the Deputy to my reply to Questions 99, 89 and 102 dated 1 December 2011 on this matter. The position remains unchanged.

### **Family Income Supplement Eligibility**

134. **Deputy Robert Dowds** asked the Minister for Social Protection the degree to which family income supplement is paid to persons supporting families who live abroad. [7229/14]

**Minister for Social Protection (Deputy Joan Burton):** Family Income Supplement (FIS) is a social welfare payment which provides an income support for employees on low earnings with families. To qualify for FIS the applicant(s) must be employed in the Republic of Ireland and their weekly family income must be below the set income limit for their family size which is based on the number of qualified children in the family.

As FIS is a family benefit under EU regulations, the residency of the qualified children within the EU does not affect entitlement. FIS is currently in payment to approximately 44,225 families and, of these, approximately 755 families (or less than 2% of total families) have children resident in another EU country.

*Question No. 135 withdrawn.*

### **Social Welfare Appeals Issues**

136. **Deputy Tom Fleming** asked the Minister for Social Protection if she will expedite a living alone allowance appeal in respect of a person (details supplied) in County Kerry, taking

into consideration the findings of the Ombudsman; and if she will make a statement on the matter. [7243/14]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that the file of the person concerned was received from the Office of the Ombudsman on 7 February 2014. The appeal in question has been referred to the Appeals Officer dealing with this case. The Appeals Officer will be in contact with the person concerned as soon as the review of her appeal has been finalised.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

### **Social Welfare Offices**

137. **Deputy Robert Dowds** asked the Minister for Social Protection if she will provide an update on the provision of Intreo offices in Clondalkin, Dublin 22, and Lucan, County Dublin. [7244/14]

**Minister for Social Protection (Deputy Joan Burton):** A total of 44 Intreo offices have now been opened. The Department is working closely with the OPW on the rollout of the service (including the refurbishment and where necessary the acquisition of offices).

It is expected that the remaining 16 offices, including Clondalkin will be delivering the full Intreo service by the end of 2014. The Department is also actively pursuing accommodation for a new office in the Lucan/Adamstown area.

### **Social Welfare Appeals Issues**

138. **Deputy Patrick O'Donovan** asked the Minister for Social Protection when a file will be sent to the Social Welfare Appeals Office from the disability allowance section in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [7264/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 21 November 2013. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers were received in the Social Welfare Appeals Office on 10 February 2014 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

### **State Pension (Non-Contributory) Appeals**

139. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress



made to date in respect of an appeal for a State pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [7266/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 23 January 2014, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

*Questions Nos. 140 and 141 withdrawn.*

### **Domiciliary Care Allowance Application Numbers**

142. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the number of applications for domiciliary care allowance received by her Department in 2012 and 2013; if she will provide a breakdown of the applications approved and refused; and the number of these applications which are pending. [7288/14]

**Minister for Social Protection (Deputy Joan Burton):** In 2012 a total of 4,339 Domiciliary Care Allowance (DCA) applications were received by the Department. There were 4,680 applications fully processed in 2012, with 2,204 allowed by a deciding officer with a further 874 allowed and 29 partially allowed by the Appeals Office.

In 2013 a total of 4,829 Domiciliary Care Allowance (DCA) applications were received by the Department. There were 4,404 applications fully processed in 2013, with 2,244 allowed by a deciding officer with a further 783 allowed and 23 partially allowed on appeal.

At 31 Dec 2013 there were 694 applications pending decision.

### **National Internship Scheme Administration**

143. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding the JobBridge scheme; and if she will make a statement on the matter. [7297/14]

**Minister for Social Protection (Deputy Joan Burton):** JobBridge is focused on providing unemployed people with high quality real workplace experience. JobBridge is a voluntary scheme where interns choose the internship best suited to their needs. Potential interns cover the spectrum of needs, qualifications and experiences. Therefore, it is necessary that JobBridge provides real opportunities with real potential employers across that spectrum of qualifications and experiences, including the lower skilled and inexperienced as well as graduates. It is important to highlight that individuals at all skill and educational levels have an equal right to this activation measure.

The Department has a number of controls in place to prevent abuse of the scheme. Over 4,400 monitoring visits have been conducted to date, 98% of which were found to be satisfactory. There are also limits placed on the number of internships that can be offered by any one organisation related to the number of staff employed by the company and there are restrictions on the repeat or sequential use of internships.

A total of 35 companies have been disqualified from participating in the scheme due to breaches of the terms and conditions. However, it is worth highlighting that over 11,600 companies have participated in the scheme across all sectors and the overwhelming majority of companies are providing quality internships for jobseekers.

On average, a JobBridge internship costs the Exchequer €238 per week, inclusive of the €50 top-up. However, the independent evaluation has shown that the scheme has been good value for money through high rates of progression into employment.

### **Community Employment Schemes Eligibility**

144. **Deputy Willie O’Dea** asked the Minister for Social Protection if her attention has been drawn to the fact that as a result of the Social Welfare and Pensions Act 2012, a welfare recipient with a dependent adult and dependent children who takes up a community employment scheme will lose most of the €20 increase in payment as they are subject to 4% PRSI on all income; if she realises that this creates a particular and undesirable barrier for unemployed parents who wish to return to work and training; the actions she will take to address this issue; and if she will make a statement on the matter. [7299/14]

**Minister for Social Protection (Deputy Joan Burton):** Participants in certain employment schemes, including community employment schemes (CE), receive a weekly payment which is equal to the social welfare payment appropriate to their family size, plus a top up of €20, subject to a minimum payment of €208 per week. This income is treated in the same manner as earnings from employment for PRSI purposes and accordingly is subject to Class A PRSI. Therefore participants on CE schemes, similar to other private sector employees who pay Class A, can establish entitlement to the full range of short term benefits including job-seeker’s benefit, illness benefit, and maternity benefit and to long term benefits including State pension (contributory).

In Budget 2013 the weekly PRSI-free allowance of €127 was abolished for all Class A contributors. This measure had no impact on Class A contributors who do not pay PRSI where their earnings are less than €352 per week. For those earning in excess of €352 per week and paying PRSI at 4%, this increased the weekly PRSI charge by €5.08. This affected all Class A contributors who were paying 4% PRSI on their earnings. It also affected participants on CE schemes whose income is treated as earnings for PRSI, in the same manner as it impacted the earnings of employees.

At the end of January 2014 there were 1,896 CE participants earning over €352 per week and who pay PRSI. In the vast majority of cases, even taking account of the increased PRSI charge, the amount of the CE payment exceeded their underlying social welfare entitlement. There were only 31 cases where the CE recipient would have been better off financially if they retained their original social welfare payment, when compared with the CE payment.

Any proposal to re-introduce the PRSI-free allowance to address this issue would reduce income to the Social Insurance Fund and could only be considered in a Budgetary context.

### **Social Welfare Appeals Status**

145. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied); and if she will make a statement on the matter. [7341/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office

has advised me that an appeal by the person concerned was registered in that office on 3 February 2014. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

### **Services for People with Disabilities**

146. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if she will give an assurance that the Government will deliver on its commitments to persons with disabilities (details supplied); and if she will make a statement on the matter. [7350/14]

**Minister for Social Protection (Deputy Joan Burton):** People with disabilities are a priority for my Department which will spend €19 billion on social protection measures in 2014.

My Department has maintained this level of financial support for people with disabilities against a background where very significant reductions in the Department's budget over successive years had to be imposed in order to comply with the national recovery programme. I would emphasise that core weekly social welfare payments for people with disabilities have been maintained for 2014.

I should also add that my Department, along with nine other Departments of state, is contributing to the National Disability Strategy Implementation Plan (2013-2015) which was published in 2013 and which has the full backing of the Taoiseach and various Ministers through the Cabinet Committee on Social Policy.

*Question No. 147 withdrawn.*

### **Pension Provisions**

148. **Deputy Clare Daly** asked the Minister for Social Protection in view of the Element Six Commercial Court decision delivered on 4 February 2014, if the Pensions Board guidance notes will now give formal recognition to compensation funds which are being proposed, as well as comments on the expected behaviour of employers and the relationship between a funding proposal and contract. [7360/14]

**Minister for Social Protection (Deputy Joan Burton):** Guidance notes issued by the Pensions Board must comply with and operate within the policies and principles set down in primary legislation. Guidance notes are kept under review and updated as required. Where it is considered necessary to extend the policy and principles then proposals would be brought forward to amend primary legislation.

The judgement in the Element Six case, as with other Court cases arising in relation to pension provision, will be considered in detail and any proposals for change to pension provision will be brought forward in that context.

## **Social Welfare Code**

149. **Deputy Clare Daly** asked the Minister for Social Protection the reason the monthly docket system for casual workers is being replaced by a requirement for workers to submit their dockets to the local social welfare office on a weekly basis. [7361/14]

**Minister for Social Protection (Deputy Joan Burton):** The Department is committed to ensuring that the correct payment issues to the appropriate person in a timely manner and in order to achieve this aim in relation to jobseeker payments it is necessary to administer two separate systems for those who are partially employed each week.

In the majority of cases, where a person is engaged in casual or part-time work the days worked each week can vary. Accordingly, in order to ensure that the correct weekly payment issues, customers are required to complete a form on a weekly basis setting out the days on which they worked and the days on which they were unemployed.

In circumstances where a person's work pattern does not fluctuate from week to week, arrangements are in place for the above to be replaced by monthly certification. However, if the employment pattern subsequently varies, it is necessary for the customer to revert to weekly certification.

### **Rent Supplement Scheme Payments**

150. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason rent support has not been paid for four months resulting in severe hardship and imminent eviction in the case of a person (details supplied) in Dublin 15; and if she will make a statement on the matter. [7391/14]

**Minister for Social Protection (Deputy Joan Burton):** The rent supplement claim for the person concerned has now been approved and she has been sent notification of this decision. An arrears payment to cover the period from October to December 2013 inclusive has been issued to her, and her arrears payment for January will be included with her payment for February.

### **Disability Allowance Appeals**

151. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason for disallowance and disallowance of appeal in respect of disability allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [7392/14]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, decided to disallow the appeal of the person concerned by way of a summary decision. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts.

In light of the additional medical evidence submitted by the Deputy the Department has been requested to return the file to the Social Welfare Appeals Office. On receipt of this file, the Appeals Officer will review the case. The person concerned will be contacted when the review of his appeal has been finalised.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

### **One-Parent Family Payments**

152. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the current weekly amount payable in respect of one-parent family allowance and the total receipts in respect of same year for the year ending 2013 in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [7393/14]

**Minister for Social Protection (Deputy Joan Burton):** The current amount of one parent family payment in the case of the person concerned is €247.60 per week. The total amount of monies received by the person concerned in respect of one parent family payment during 2013 was €13376.70.

### **Jobseeker's Benefit Eligibility**

153. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if the full amount of €188 for jobseeker's benefit is only based upon stamps accrued (details supplied). [7396/14]

**Minister for Social Protection (Deputy Joan Burton):** Since the extension of full social insurance cover to part-time workers from April 1991, a range of measures were introduced to the short-term illness and jobseeker's benefit schemes in order to ensure that disincentives to employment were not created. In the absence of these measures, a situation would exist whereby many workers on low incomes would have access to weekly social welfare payments greatly in excess of their income from employment. For instance, while someone earning €31.17 a week or more would have been liable for PRSI Class A contributions, the maximum personal rate of illness and jobseeker's benefit from January 1993 was €70.60 a week, i.e. the social welfare benefits available could have been more than twice the level of income from employment for some people.

To overcome the potential disincentives involved, new arrangements were introduced with effect from January 1993 to relate the rate of benefit payable to the level of the claimant's earnings. These measures must be regularly updated to keep pace with changes in benefit levels. Most recently, adjustments in Budget 2009 sought to bring the income threshold and banding structure back into line with the level of benefits payable. Under the current arrangements jobseeker's benefit recipients with earnings of less than €300 per week in the relevant tax year – for claims in 2014, the relevant tax year is 2012 – get a personal rate ranging from €84.50 to €147.30, and reduced rates for qualified adults may also apply. Jobseeker's benefit recipients with average earnings over €300 per week in the relevant tax year will receive a personal rate of €188 per week.

Any person who is in receipt of a reduced rate illness or jobseeker's benefit payment and where their income is insufficient to meet their needs may be eligible for a top-up under the supplementary welfare allowance scheme. Recipients of jobseeker's benefit may also opt to transfer to jobseeker's allowance.

### **Supplementary Welfare Allowance Eligibility**

154. **Deputy Terence Flanagan** asked the Minister for Social Protection the financial help available to householders whose homes are flooded; the numbers and the cost of providing help to households flooded over the past five years; and if she will make a statement on the matter.

[7427/14]

**Minister for Social Protection (Deputy Joan Burton):** The Department of the Environment, Community and Local Government is the lead Department for severe weather emergencies and the Office of Public Works has responsibility for capital flood relief activities. However, the Department of Social Protection has an important role to play in assisting households in the immediate aftermath of emergency events such as the recent severe weather conditions under the supplementary welfare allowance scheme (SWA).

Under the SWA scheme, the Department can make a single exceptional needs payment (ENP) to help meet essential, once-off, exceptional expenditure, which a person could not reasonably be expected to meet out of their weekly income. ENPs are payable at the discretion of the officers administering the scheme, taking into account the requirements of the legislation and all the relevant circumstances of the case to ensure that the payments target those most in need of assistance.

In addition to the payment of ENPs, SWA legislation also provides for assistance in the form of an urgent needs payment (UNP) which can be made to persons who would not normally be entitled to SWA. The person may be required to pay the money back in respect of a UNP at a later date, for example, if the person had significant capital or income or was later compensated by an insurance company.

A humanitarian assistance scheme was approved by Government in November 2009. The scheme, which is means tested, is available to assist people whose homes are damaged by flooding and who are not in a position to meet costs for essential needs, household items and in some instances structural repair. The Government has not set a limit on the amount that can be paid to an individual household under this scheme. Levels of payment depend on the relative severity of damage experienced and the household's ability to meet these costs ensuring that the funding is appropriately targeted. Humanitarian assistance does not cover risks that are covered by insurance policies or cover business or commercial losses.

Total expenditure on the humanitarian assistance scheme to the end of 2013 was approximately €2.2 million in respect of approximately 3,500 payments. The statistics available show that payments issued ranged from approximately €50 to €28,000.

In dealing with events of this nature the DSP generally adopts a three stage approach as follows:

- Stage 1 is to provide emergency income support payments for food, clothing, personal items and temporary accommodation in the immediate aftermath of the event. A relatively small amount of financial assistance is generally provided initially but this will increase as the extent of the problems become clearer.

- Stage 2 generally involves the replacement of white goods, basic furniture items and other essential household items. It is not until the flood water abates and houses dry out that the full extent of the damage to homes will become known.

- Stage 3 is to identify what longer term financial support or works are required. It could take several months before this stage of response commences and this involves a cross Departmental/Agency response. Work carried out can include plastering, dry-lining, relaying of floors, electrical re-wiring, painting etc.

Any person who is experiencing hardship as a result of the recent weather events should contact the Department's local representative administering SWA who may be able to offer assistance.

### **One-Parent Family Payment Appeals**

155. **Deputy Willie Penrose** asked the Minister for Social Protection the position regarding an application for one-parent family payment in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [7459/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 14 January 2014. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers were received in the Social Welfare Appeals Office on 5 February 2014 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

### **Turf Cutting Compensation Scheme Applications**

156. **Deputy Colm Keaveney** asked the Minister for Arts, Heritage and the Gaeltacht the plans, either now or in the future, to compensate a person (details supplied) in County Galway under the cessation of the turf cutting compensation scheme as this person was awarded compensation at the beginning of the scheme and has now been told that they no longer qualify; and if he will make a statement on the matter. [7371/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The qualifying criteria for the cessation of turf cutting compensation scheme, administered by my Department, are that:

- The claimant must have a legal interest in one of the 53 raised bog special areas of conservation – ownership or turbary right;
- The claimant must have been the owner or entitled to exercise turbary rights on the land in question on 25 May 2010;
- The turbary on the site must not be exhausted;
- The claimant must have been cutting turf on the land in question during the relevant five year period; and
- No turf cutting or associated activity is ongoing on the property.

An application for compensation under the scheme has been received by my Department from the individual referred to in the Deputy's Question. I am advised that a payment of €1,500 in respect of year 1 of 15 (2011) and a payment of €1,500 in respect of year 2 of 15 (2012) have been made to the applicant.

Following an inspection by an official of my Department of the plot of bog in respect of which the applicant has applied for compensation, it appears that turf, to meet the needs of a domestic household, had not been cut on this site during the relevant five year period.

An official from my Department wrote to the applicant in December 2013 informing him

that he did not fulfil the qualifying criteria of the scheme and outlining the appeal process in the event that the applicant wished to appeal this decision of the Department.

### **National Monuments**

157. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the State purchasing and refurbishing the 1916 Moore Street site; and if he will make a statement on the matter. [7401/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I refer to the reply to Questions Nos. 23 and 93 on 29 January 2014. In the meantime, the National Asset Management Agency has confirmed that it has approved funding for works to repair and restore the national monument buildings.

### **Special Areas of Conservation Designation**

158. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht if Cloonchambers bog in Castlerea, County Roscommon is a redesignated bog; and if he will make a statement on the matter. [7432/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Cloonchambers bog in County Roscommon is within one of 53 sites that have been nominated for designation as Special Areas of Conservation (SACs) for the protection of raised bog habitat. These sites are protected under EU law and there are clear legal parameters within the Habitats Directive that prescribe how such sites must be protected. There are no proposals to change the designation of these SAC sites. Further detail in relation to the legal provisions which apply to raised bog SACs is available in the draft National Raised Bog SAC Management Plan, which is currently open for public consultation and is available to view on my Department's website.

Cloonchambers bog is for the most part in public ownership and it will remain an SAC. There is alternative State-owned non-designated bog nearby which is under consideration for the relocation of qualifying turf cutters from Cloonchambers Bog.

### **Turf Cutting Compensation Scheme Applications**

159. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht the reason compensation was not provided to a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [7433/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The qualifying criteria for the cessation of turf cutting compensation scheme, administered by my Department, are that:

- The claimant must have a legal interest in one of the 53 raised bog special areas of conservation – ownership or turbary right;
- The claimant must have been the owner or entitled to exercise turbary rights on the land in question on 25 May 2010;
- The turbary on the site must not be exhausted;



- The claimant must have been cutting turf on the land in question during the relevant five year period; and

- No turf cutting or associated activity is ongoing on the property.

I am advised that the majority of the land in the raised bog special area of conservation referred to in the Deputy's Question is registered in the ownership of State authorities. An application for compensation under the scheme has been received by my Department from the individual referred to. However, the applicant has not, to date, been in a position to show evidence of a legal interest in the bog plot.

My Department is considering the legal issues raised in this and similar cases and the applicant has been advised that his application is still under consideration. My Department will be writing further to the applicant regarding same as soon as possible.

### **Broadcasting Service Provision**

160. **Deputy Dan Neville** asked the Minister for Communications, Energy and Natural Resources if it is possible for a new transmitter to be erected over the Abbeyfeale area to ensure that residents in the area will have coverage again through Saorview; if an official from his Department will contact a person (details supplied) in County Limerick to discuss this matter and provide alternative assistance; and if he will make a statement on the matter. [7217/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I refer to the reply to Question No. 220 of 3 December 2013. The position is unchanged. 2RN recommends that the individual concerned contact a competent local aerial installer who will be able to connect his home to either SAORVIEW or SAORSAT.

### **Broadcasting Sector Regulation**

161. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources if he will provide a copy of the staff and members' code of business conduct of the Broadcasting Authority of Ireland that was available up to 22 January; if he will further provide a copy of the code which replaced it; the reason the changes were made; and if he will make a statement on the matter. [7260/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** In common with all public service bodies and in accordance with section 31.1(iv) of the Code of Practice for the Governance of State Bodies, the BAI affirms on an annual basis that its Code of Business Conduct is in place and has been adhered to. A copy of the BAI's Code of Business Conduct is available on the BAI web-site: [http://www.bai.ie/wordpress/wp-content/uploads/20131119\\_RevisedCodeOfBusinessConduct\\_PK.pdf](http://www.bai.ie/wordpress/wp-content/uploads/20131119_RevisedCodeOfBusinessConduct_PK.pdf). The revised Code was approved by the Authority in November 2013 on the recommendation of the Finance Audit and Risk Committee. It replaced the previous Code, dating from October 2010, a copy of which will be forwarded to the Deputy. The purpose of the revision was to reflect new and proposed legislation pertaining to bribery and corruption. In addition, the BAI's Policy on Whistleblowing was appended to the revised Code. The Code of Conduct contains a number of specific provisions governing matters of conflict of interest. In addition, certain staff members holding 'designated positions' and members of the statutory Authority and Committees are subject to the obligations placed on them by the Ethics in Public Office Act, 1995 and the Standards in Public Office Acts, 1995 and 2001. 'Designated positions' refer to staff at the grade of Higher Executive Officer

and higher. Authority and Committee members, as well as staff, are also subject to Sections 21 and 22 of the Broadcasting Act 2009, which provides for the disclosure of any conflicts of interest. In addition, Section 20 of the Broadcasting Act places duties of accountability to Oireachtas Committees on the Chief Executive, Chairperson of the Authority and the Chairpersons of the Statutory Compliance and Contract Awards Committees.

### **Broadcasting Sector Regulation**

162. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the measures that exist, either statutorily, through regulation or by internal code of conduct, or otherwise, to ensure that no individual member of the board of the Broadcasting Authority of Ireland may find themselves subject to a conflict of interest, in particular if a member wishes to pursue an action for personal damages against an entity which he or she has a responsibility to regulate; and if he will make a statement on the matter. [7261/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The BAI is an independent statutory body established by the Broadcasting Act 2009 to regulate content across all Irish broadcasting services. Section 23 of the Broadcasting Act 2009 obliges the Authority to draw up and adopt a Code of Conduct in respect of controls on interests and ethical behaviour to apply to each member of the Authority, statutory committee, advisory committee and members of staff; Section 24 of the 2009 Act states that the Authority shall be independent in the performance of its functions. In common with all public service bodies and in accordance with section 31.1(iv) of the Code of Practice for the Governance of State Bodies, the BAI affirms on an annual basis that its Code of Business Conduct is in place and has been adhered to. A copy of the BAI's Code of Business Conduct is available on the BAI web-site: [http://www.bai.ie/wordpress/wp-content/uploads/20131119\\_RevisedCodeOfBusinessConduct\\_PK.pdf](http://www.bai.ie/wordpress/wp-content/uploads/20131119_RevisedCodeOfBusinessConduct_PK.pdf).

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### **Renewable Energy Generation Issues**

163. **Deputy Terence Flanagan** asked the Minister for Communications, Energy and Natural Resources his plans to generate renewable energy from the seas around Ireland; and if he will make a statement on the matter. [7414/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):**

I published the Offshore Renewable Energy Development Plan (OREDP) on 7 February. The Plan, and the associated Strategic Environmental Assessment documentation, can be found on my Department's website.

The OREDP identifies the opportunity for Ireland of realising the potential of our offshore energy resources for increasing indigenous production of renewable energy, thereby contributing to reductions in greenhouse gas emissions, improving the security of our energy supply and creating jobs in the green economy, especially in coastal communities where job creation faces particular challenges.

The OREDP will provide the mechanism through which action across government departments and agencies to support the development of offshore renewable electricity generation can be fully coordinated in areas such as environmental monitoring, research and development, consenting procedures, infrastructure requirements and enterprise development. In this way the OREDP will provide the framework for the sustainable development of our offshore energy resources.

My Department already supports ocean energy through the work of the Sustainable Energy Authority of Ireland (SEAI) in administering the Prototype Development Fund, developing the Atlantic Marine Energy Test Site (AMETS) off County Mayo, and through its contribution to funding for the Integrated Marine Energy Research Centre, a partnership between University College Cork, Cork Institute of Technology and the Irish Naval Service. In total my Department has allocated €26.3 million for ocean energy over the period 2013-2016. As announced in the OREDP, subject to further Government approval and European State Aid approval, I will also be introducing an initial market support scheme, limited to 30 MW, of €260 per megawatt hour for wave and tidal generation from 2016.

## Energy Prices

164. **Deputy Terence Flanagan** asked the Minister for Communications, Energy and Natural Resources if the energy regulator ensures that consumers get lower prices for petrol when oil prices fall per barrel; and if he will make a statement on the matter. [7420/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Commission for Energy Regulation has no statutory function in the regulation of petrol and diesel prices. The Maximum Prices Order was removed in 1991 and the market was deregulated. The Irish oil industry is fully privatised, liberalised and deregulated and there is free entry to the market. There is no price control in the oil sector and it is Government policy to encourage price competition and consumer choice.

Prices at the pump reflect volatile market prices, transportation costs, trends in exchange rates and other operating costs along with taxation.

The Irish Petroleum Industry Association have noted in their publication "*What determines pump prices?*" that while the long-term trend in the price of crude oil has generally had an effect on the price of refined products, the pressures of supply and demand for refined products have tended to lag those of crude oil and can be affected by other forces.

The Deputy will be aware that the National Consumer Agency has specific responsibilities for protecting the rights of consumers. In December 2008, the National Consumer Agency published an *Investigation into Petrol and Diesel Price Movements*. In this, they concluded that: "There is little evidence to suggest unwarranted delays in the passing on of wholesale price changes to the consumer at the pump. Direct comparison between fluctuations in crude oil

prices and petrol and diesel pump prices is inappropriate and does not reflect the reality of the petrol and diesel supply chain. . . . Examination of the accounts of the larger oil companies in Ireland suggest there is relatively modest profit to be made in the downstream supply of refined oil products .”

### **Political Funding**

165. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if he will, in view of the findings of the recently-published EU anti-corruption report, act on the recommendations for Ireland, including placing an overall limit on the amount a person may give to a political party and electoral candidates or elected representatives who are members of that party, imposing a reasonably short time limit for political parties to discharge their financial disclosure obligations, and the regulation of financing of referendum campaigns; and if he will make a statement on the matter. [7253/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Electoral (Amendment) (Political Funding) Act 2012 introduced significant reforms to the regulation of political funding which are acknowledged in the EU Anti-Corruption Report published on 2 February 2014. The report notes that Ireland has tightened rules on the financing of political parties and promoted greater transparency as regards party accounts. The report also acknowledges the positive assessment given by the Council of Europe Group of States Against Corruption, known as ‘GRECO’, in December 2013 on the actions undertaken by Ireland to enhance the transparency of party funding and to strengthen the financial discipline of political parties.

Further legislative change, including the recommendations made in the EU Anti-Corruption Report, can be considered in the context of the Electoral (Amendment) (Referendum Spending and Miscellaneous Provisions) Bill. This Bill is to provide for the disclosure of expenditure and donations at referendum campaigns and to provide for the extension of the spending limit period that applies at Presidential, Dáil, European Parliament and local elections.

### **Flood Prevention Measures**

166. **Deputy Patrick O’Donovan** asked the Minister for the Environment, Community and Local Government if water is threatening to flood a private dwelling house and the local authority has sourced a solution which involves taking pipes or drains across the property of a third party so as to be drained into a river, whether State agencies, councils or the Office of Public Works have the authority to proceed with such a solution without the consent of the third party; and if he will make a statement on the matter. [7220/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I have no responsibility for, or role in relation to, managing or dealing with improvement works relating to flooding.

### **Local Authority Housing Rents**

167. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government his views regarding the passing on of local property tax by local authorities to local authority tenants by adding a charge to their rent. [7247/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Housing authorities are responsible, under section 58 of the Housing Act 1966, for determining the rents of their dwellings, subject to complying with

broad principles laid down by my Department, notably that the rent payable should be related to income and that low-income households should pay a lower proportion of income in rent.

The current statutory basis for determining local authority rents will be repealed on the coming into force of section 31 of the Housing (Miscellaneous Provisions) Act 2009, as amended by the Housing (Amendment) Act 2013. Section 31 rents will continue to relate to household income and composition, and will be set by the local authority in accordance with a rent scheme adopted by the elected members. Rent schemes must provide for matters set down in regulations that I intend to make under section 31 in the near future but councillors will, nonetheless, have a degree of discretion in specifying the parameters for rent setting in their schemes.

Neither section 58 of the Housing Act 1966 nor section 31 of the Housing (Miscellaneous Provisions) Act 2009 allow for a specific levy or charge in respect of works or services provided otherwise than under the Housing Acts 1966 to 2013. However, these enactments do not prevent a housing authority from setting the amount of rent at a level that will generate funds to pay for, or contribute to payment of, the authority's annual liability for Local Property Tax in respect of its residential properties.

### Planning Issues

168. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government his response to the recently published EU anti-corruption report; if he intends to act on the recommendations for Ireland, which include ensuring that planning enforcement powers are vested in an independent urban planning regulator with capacity and powers to investigate systemic problems, ensuring that local authorities implement plans for the prevention of fraud and corruption, and ensuring the effective prevention and detection of conflicts of interest, notably at local level; and if he will make a statement on the matter. [7251/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** In line with the recommendation contained in the Final Report of the Mahon Tribunal, the Government, at its meeting on 7 May 2013, approved proposals for the preparation of a new Planning and Development Bill to establish a new Office of the Planning Regulator (OPR). The primary function of the OPR, which will be established with an independent corporate identity, will be to carry out independent appraisal of regional and local level statutory plans prepared and adopted under the Planning and Development Act 2000, as amended, namely, development plans, local area plans, regional planning guidelines etc. The OPR will also have investigative powers to examine, *inter alia*, possible systemic failings in the planning system, again taking account of the recommendation of the Mahon Tribunal in this regard. On foot of the Government approved proposals, my Department is preparing a General Scheme of a new Planning and Development Bill giving consideration to the detailed issues to be addressed including those raised in the question. It is intended to bring the General Scheme of the Bill to Government for approval by Easter, 2014.

Part 15 of the Local Government Act 2001 provides an ethical framework that requires both elected members and employees to maintain proper standards of integrity, conduct and concern for the public interest. The legislation is complemented by Codes of Conduct issued by the Minister. The framework sets out clear requirements and procedures for a councillor who has a pecuniary or other beneficial interest in a matter arising for consideration by a local authority. In particular, a councillor is prohibited from influencing or seeking to influence a decision of a local authority on any such matter. Under the Act, failure to comply with these requirements constitutes an offence.

The broader issues relating to fraud and corruption, and a unified ethical framework for the public sector, are matters for my colleagues, the Minister for Justice and Law Reform, and the

Minister for Public Expenditure and Reform, respectively.

### Local Authority Housing Repossessions

169. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government the number of repossessions of local authority rented properties in the years from 2010 to 2013; the reason for repossession; the household characteristics; the number that were voluntarily surrendered compared to the execution of an eviction process; if he will provide any information on the alternative housing provided or occupied by the household after repossession; and if he will make a statement on the matter. [7275/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The table sets out data provided by housing authorities to my Department concerning the numbers of dwelling repossessions under section 62 of the Housing Act from 2010 to 2012, broken down by ground for repossession. My Department is currently collating corresponding data for 2013. Information is not collected on the characteristics of households whose dwellings were repossessed or on the number of households who voluntarily surrendered their properties in the context of a repossession process.

Housing authorities may, under section 10 of the Housing Act 1988, incur expenditure on the provision of emergency accommodation and related services for homeless persons. In the longer term, a household whose accommodation was repossessed by the housing authority because of a serious breach of the tenancy agreement may, if its circumstances permit, secure and fund its own accommodation in the private sector. Alternatively, the household may qualify for rent supplement from the Department of Social Protection in certain circumstances. The household may also apply to a housing authority for social housing support but cognisance must be taken of section 20(8) of the Housing (Miscellaneous Provisions) Act 2009, which provides that a housing authority carrying out a social housing assessment may disregard the accommodation currently occupied by a household where the authority believes that the household deliberately, or without good and sufficient reason, did or failed to do anything (other than an action or omission in good faith), in consequence of which the household’s current accommodation is less suitable for its adequate housing than other accommodation which it would have been reasonable for the household to occupy.

No. of repossessions carried out on foot of section 62 Warrants

Year	Reason	Number in total
2010	Anti-Social Behaviour	14
-	Rent Arrears	28
-	Refusal to transfer Tenancy	2
-	Squatters	0
-	Other	0
-	Total	44
2011	Anti-Social Behaviour	15
-	Rent Arrears	45
-	Refusal to transfer Tenancy	4
-	Squatters	0
-	Other	6
-	Total	70

Year	Reason	Number in total
2012	Anti-Social Behaviour	6
-	Rent Arrears	35
-	Refusal to transfer Tenancy	0
-	Squatters	6
-	Other	36
-	Total	83

### EU Solidarity Fund

170. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government if an application will be made to the EU solidarity fund to seek financial assistance to support the clean-up and costs which have arisen from the damage caused by recent severe storms. [7283/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department and the Department of Public Expenditure and Reform had discussions with the European Commission on possible EU funding under the Solidarity and Regional Support schemes to support the cost of repairing the damage caused to public infrastructure by the recent severe storms and floods.

Following discussions with the European Commission, the Government has noted that the impact of the storms does not meet the threshold conditions for EU Solidarity Fund assistance. The thresholds for regional/exceptional applications are also very high and the EU budget has been reduced from €1 billion to €534 million per annum. The Commission has signalled that this will mean grants for successful applications being cut from 2.5% to about 1.33%. Essentially, for every €100 million of damage, the most that Ireland could possibly access is €1.33 million assistance under this fund and, accordingly an application has not been made to the fund.

### Water Charges Administration

171. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government his views on the amount of revenue raised from water charges in 2013 that has been invested into local government; if he will outline the money what this money has been spent on by local government; and if he will make a statement on the matter. [7284/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The levying and collection of local charges, including water charges in 2013, are matters for each individual local authority. Water income data are published by local authorities in their Annual Financial Statements. 2011 is the latest year for which fully audited local authority Annual Financial Statement data are available. The Local Government Audit Service is currently at an advanced stage in undertaking the audit of the 2012 Annual Financial Statements, which should be completed shortly.

### Housing Assistance Payments Implementation

172. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Community and Local Government in relation to the forthcoming Housing (Miscellaneous Provisions) Bill due to be published during the summer session, if tenancy rights will be extended to those who reside in hostels due to homelessness; the current legal situation for those who reside in temporary hostel accommodation; the residency rights they currently hold; and if he will make a

statement on the matter. [7342/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The Government, on 17 December 2013, approved drafting of a Housing (Miscellaneous Provisions) Bill that will provide for the Housing Assistance Payments scheme; a new procedure for the repossession of local authority dwellings; a new tenant purchase scheme for existing local authority houses on the incremental purchase model and related matters. Drafting of the Bill is proceeding as a priority in my Department with a view to publication and enactment as soon as possible. This Bill does not include provision to extend tenancy rights to those who reside in hostels due to homelessness.

My Department’s role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. Statutory responsibility in relation to the provision of accommodation for homeless persons rests with the housing authorities. It is a matter for individual authorities to determine the level and category of accommodation to be included in their funding programmes. Emergency accommodation options may include hostel, bed and breakfast type accommodation and temporary supported arrangements.

In February 2013, I published the Government’s Homelessness Policy Statement which emphasises a housing-led approach to homelessness. This is about accessing permanent housing as the primary response to all forms of homelessness and it should reduce the amount of time spent in homeless services, in particular emergency accommodation.

### **Community Development Initiatives**

173. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government if he will address the concerns of local development (partnership) companies in relation to the local and community development programme being implemented from 2015 and which is now subject to open tender; if the companies will have less influence on the delivery of programmes and the way they will be carried out; and if he will make a statement on the matter. [7343/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department intends implementing a successor Programme to the Local and Community Development Programme (LCDP) in 2015. The Local Government Reform Act 2014 provides a legislative underpinning for the establishment of Local Community Development Committees (LCDCs) in 31 local authority areas and for the preparation and implementation of Local Economic and Community Plans. These committees will comprise stakeholders from local government, local development, State agencies and the community and voluntary sector, and they will focus on identifying the local and community development needs and priorities for their area. It is the intention that local development companies and other relevant stakeholders will input to the Local Economic and Community Plan and that the establishment of LCDCs in all local authority areas will be progressed in the coming months, with a tendering process for the new LCDP to follow thereafter.

The Programme will be overseen and managed by the LCDCs of the Local Authorities who will request tenders for its delivery in their areas. The competitive process will be open to Local Development Companies, other not-for-profit community groups in general and commercial firms that can provide the services to be tendered for, to deliver the new Programme. The new Programme will reflect the main findings of the LCDP Mid Term Review and ensure that it remains a locally accessible, frontline intervention for the people most difficult to reach in terms of preparation for employment.



## **Election Management System**

174. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding voting procedures; and if he will make a statement on the matter. [7349/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In order to be able to vote at elections and referendums in this jurisdiction, a person's name must be entered in the register of electors for a constituency in the State in which the person ordinarily resides.

Postal voting is provided for in electoral law in respect of certain categories of person who are entered in the register of electors. The Electoral Act 1992 provides for postal voting by whole-time members of the Defence Forces, members of the Garda Síochána, and Irish diplomats serving abroad and their spouses or civil partners. Subsequent legislation enacted by the Oireachtas has extended postal voting to other categories: electors living at home who are unable to vote because of a physical illness or a physical disability (the Electoral (Amendment) Act 1996); electors whose occupation, service or employment makes it likely that they will be unable to vote in person at their local polling station on polling day and full-time students registered at their home who are living elsewhere while attending an educational institution in the State - in these cases, the law provides for completion of the necessary voting documentation at a Garda station (the Electoral Act 1997); certain election staff employed at the poll outside the constituency where they reside (the Electoral (Amendment) Act 2001); and electors who because of the circumstances of their detention in prison pursuant to an order of a court are likely to be unable to go in person on polling day to vote (the Electoral (Amendment) Act 2006).

While electoral law is subject to ongoing review, I have no proposals at present to extend existing arrangements for postal voting.

## **Housing Issues**

175. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government when approval will issue to Monaghan County Council in respect of a housing project (details supplied) in County Monaghan; and if he will make a statement on the matter. [7353/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** My Department's Capital Assistance Scheme (CAS) provides funding to approved housing bodies of up to 100% of the approved costs of accommodation for people with specific categories of housing need, including people with a disability. My Department's involvement with the CAS relates primarily to the provision of funds for individual projects. The detailed administration of the scheme, the certification that projects comply with the terms and conditions of the scheme and the processing of applications for funding are the responsibility of the relevant local authority, in this case Monaghan County Council.

In April 2013, my Department approved CAS funding of €900,000 for the provision of a group home for people with physical and sensory disabilities at Drummond Otra, Convent Lands, Carrickmacross. On 2 December 2013, Monaghan County Council submitted a tender report for the project showing a substantial increase in construction costs compared to the initial cost plan prepared by the Council and requesting approval for an all-in cost of €1.378 million. Considering that the cost has increased by over 50%, my Department requested a value-for-money appraisal of the project. This appraisal is now to hand and my Department's Inspectorate is liaising with the Council's technical staff with a view to identifying cost savings.

## **Water Services Provision**

176. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government if he will provide an update on the east Meath, Drogheda and south Louth water supply scheme which was included in the Water Services Investment Plan 2007-2009; if he will provide an overview of the scheme including its stage of progress; and if he will make a statement on the matter. [7369/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Following on from the completion of the Water Services Investment Programme 2007 – 2009, the 2010 – 2013 Programme provided for the development of a comprehensive range of new water services infrastructure in Counties Louth and Meath.

The 2010 – 2013 Programme aimed to prioritise projects that targeted environmental compliance issues and support economic and employment growth as envisaged at that juncture. A key input to the development of the Programme was the assessment of needs prepared by local authorities, including Louth and Meath County Councils, in response to my Department's request to the authorities in 2009 to review and prioritise their proposals for new capital works in their areas. These were subsequently appraised in the Department in the context of the funds available and key criteria that complemented those used by the authorities. Inevitably, through this process, certain projects that had been proposed had to give way to others that were more strategically important at that time, as the total value of contracts and schemes proposed by local authorities exceeded the level of resources likely to be available in the period.

The scope and format of the Programme for 2010 to 2013 was designed to better reflect ongoing environmental and economic priorities, to maximise the return on public funds being invested in the sector and to ensure that the Programme was realistic in its level of ambition.

The contracts and schemes that did not rate sufficiently for inclusion in the Programme on that occasion were those which did not feature highly on public health grounds or other environmental compliance requirements and projects that were proposed simply for capacity expansion and which in the case of water supply could be deferred, in many cases, in favour of accelerated water conservation measures. The proposed East Meath, Drogheda and South Louth Water Supply Scheme fell into this latter category. I understand that, in the interim, the local authorities have not advanced the planning of the scheme.

Since 1 January 2014, Irish Water is responsible for the delivery of water services capital infrastructure. It is currently preparing a Capital Investment Plan for 2014 – 2016 that will provide for the transition of projects included in the 2010-2013 Water Services Investment Programme.

## **Homeless Accommodation Funding**

177. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 210 of 16 January 2014, if he will provide a breakdown of the total funding to include a full list of the organisations that received funding under section 10 of the Housing Act 1988 for the past five years; the amount of money Dublin City Council used from its own resources to deal with homelessness for the past five years; and if he will make a statement on the matter. [7400/14]

179. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the way in which funding under section 10 of the Housing Act 1988 may be spent; if audits are carried out on the way this funding is spent; if any weaknesses have been identified in these audits over the past five years; and if he will make a statement on the matter.

[7419/14]

182. **Deputy Willie Penrose** asked the Minister for the Environment, Community and Local Government when is it envisaged that regional homeless forums will be advised of budgets for 2014; and if he will make a statement on the matter. [7463/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 177, 179 and 182 together.

My Department’s role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. Statutory responsibility in relation to the provision of accommodation for homeless persons rests with the housing authorities. The purposes for which housing authorities may incur expenditure in addressing homelessness are prescribed in Section 10 of the Housing Act 1988.

My Department does not fund any service directly but provides funding to housing authorities towards the operational costs of homeless accommodation and related services under Section 10 of the Housing Act 1988.

Payments made by my Department under Section 10 generally equate to 90% of costs incurred by housing authorities and these authorities provide at least 10% of the cost of such services from their own resources.

Housing authorities may incur additional expenditure on homeless related services which supplements funding by my Department and other agencies including the Health Service Executive.

The bulk of Section 10 funding from my Department goes towards the costs incurred in the provision of accommodation services by the voluntary sector providers who have built up the services over the years. In addition, Section 10 funding is used to support day services such as drop-in centres and food services, as well as outreach services, settlement and tenancy sustainment services and the cost of local authority and voluntary sector staff.

The Section 10 funding provided by my Department to housing authorities on a regional basis for the years 2009 to 2013 is set out in the table.

Funding Provided under Section 10 of the Housing Act 1988

<b>Region</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Dublin	€38,967,542	€40,521,375	€35,732,525	€32,398,290	€31,322,223
South East	€1,945,792	€1,742,886	€2,110,476	€1,848,877	€1,787,469
North East	€1,197,451	€1,037,617	€912,250	€910,194	€879,963
Midlands	€872,375	€666,344	€624,897	€672,027	€649,707
South West	€5,458,211	€4,270,143	€3,505,749	€4,418,967	€4,272,197
Mid-West	€4,110,166	€3,435,607	€2,905,457	€3,516,119	€3,399,336
West	€2,175,312	€1,699,288	€1,227,696	€1,581,478	€1,528,951
Mid East	€885,801	€906,842	€697,665	€839,146	€811,275
North West	€444,206	€423,355	€406,335	€360,865	€348,879
<b>Total</b>	<b>€56,056,856</b>	<b>€54,703,457</b>	<b>€48,123,050</b>	<b>€46,545,963</b>	<b>€45,000,000</b>

In addition, details of the funding provided by my Department to organisations tackling the

issue of homelessness under the Scheme to Support National Organisations for the years 2009-2013 are set out in the table.

-	2009 - €	2010 - €	2011 - €	2012 - €	2013 - €
Simon Communities of Ireland	191,040	171,936	112,915	90,000	84,780

The 2014 budget towards the operational costs of homeless accommodation and related services is €45 million. I will shortly allocate this funding to the 9 regions.

With regard to auditing of expenditure incurred by local authorities, each local authority is required to prepare and publish a financial statement in respect of each financial year. These financial statements are audited by the Local Government Audit Service which provides an independent and professional public sector audit service to the Local Government sector.

### Local Government Reform

178. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the proposed new role for councillors and management in local authorities in view of his recent local government reforms; and if he will make a statement on the matter. [7412/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Action Programme for Effective Local Government - Putting People First, set out Government decisions for a range of local government reform measures, including matters covered in Chapter 11 to reinforce the primacy of the elected council within the local government system and to rebalance the role of the council in relation to the present position of county manager. Building on this, the Local Government Reform Act 2014 reinforces the primacy of the elected council within the local government system, and provides a legislative basis for a stronger and more explicit statutory expression of the powers of elected members and the duty of the Manager to comply with policy as set down by the elected members, together with measures to strengthen the capacity generally of the elected council to oversee the business of the authority.

The Act also provides for the replacement of the traditional County/City Manager position by a new post of “Chief Executive”. The change from manager to chief executive is an important aspect of clarifying, in a more modern sense, the appropriate roles of the executive in implementing the policy of the council, with the elected members acting as, in effect, the board of directors of the authority. In that context, elected members will have the power of decision over the appointment of the individual recommended by the Public Appointments Service for the chief executive post in their authority, while retaining the independence of the selection procedures of the Public Appointments Service.

More importantly, the change to a chief executive post is accompanied by a range of significant provisions to give substance to the rebalancing of roles. For example, there are increased obligations on the chief executive to provide additional advice and assistance to elected members in the discharge of their roles at council and municipal district levels and in various committees. Chief executives will be obliged to have regard to the views of elected members while policy options are still in formation and will have to assist elected members in the development of new policies at an early stage of the policy formation process. Chief executives will also have to prepare monthly management reports for the elected members.

The powers of the elected members in overseeing the implementation of policy by the chief

executive are also being strengthened, including specific provision for oversight and superintendence of action taken pursuant to directions of the elected council. Where members are not satisfied with the chief executive's approach to implementation of their policy, they may request a report in which the chief executive must indicate what new or different actions may be pursued or other possible adjustment to the policy.

The Local Government Reform Act also creates some important new reserved functions to be discharged by the elected members, including the adoption of integrated local economic and community development plans, and service delivery plans. The role of the elected members is also being strengthened in the context of the new system of municipal districts, including in the context of the draft local authority budgetary plan.

The timing of the commencement of the various provisions outlined is currently being considered in the context of the timetable for commencement of provisions in the Act generally.

*Question No. 179 answered with Question No. 177.*

### **Housing Grant Payments**

180. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government if he will provide an update on Parliamentary Question No. 220 of 19 December 2013; and if he will make a statement on the matter. [7428/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** I refer to the reply to Question No. 220 of 19 December 2013, which set out details with regard to the suite of Housing Adaptation Grants for Older People and People with a Disability.

Last month, some changes to the terms and conditions of these schemes were notified to Local Authorities. These changes were made on foot of the report of a review group, established last year by my Department, to examine the terms and conditions governing the suite of Housing Adaptation Grants for Older People and People with a Disability. Membership of the group included members of both the County and City Managers' Association (CCMA), the Housing Practitioner Network, Local Authority housing personnel and my Department. Consultations were held with organisations working with older people and people with a disability. The aim of the review was to spread the benefits of the schemes as widely as possible and to ensure fairness and value for money in their operation.

There has been no change to the maximum grant available under the Housing Adaptation Grant for People with a Disability which remains at €30,000 or the Mobility Aids Grant which remains at €6,000. In the case of the Housing Aid for Older People, the maximum grant has been reduced from €10,500 to €8,000. The average grant paid under this scheme in 2011, 2012 and 2013 was €4,162, €4,106 and €3,995 respectively, well below the maximum available. The age limit for eligibility has been increased from 60 to 66 years. However, a lower age limit may apply at the discretion of the local authority in certain cases.

Changes have also been made with regard to the assessment of means of applicants. To bring it into line with the means assessment for applicants for social housing, all household member's income, with certain exceptions, will be included in the assessment of means. The level of income beyond which no grant is payable has been reduced from €65,000 to €60,000. In the case of an applicant where a household member is aged under 65 there is no impact on grant eligibility. However, where appropriate their income will be taken into account in accessing household income.

I have increased the level of funding available for the grant schemes by 12% in 2014 to €38.4 million. Every local authority has increased funding for grants compared to the initial allocation in 2013. The detailed administration of these schemes, including the assessment, approval and payment of grants to applicants under the various grant measures, is the responsibility of the relevant local authority.

Dublin City Council's overall allocation under the grant schemes for 2014 is €5,821,222.

### **Local Government Reform**

181. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government his plan to have a directly elected mayor for Dublin; the anticipated role and function; the year in which a directly elected mayor will come into effect; and if he will make a statement on the matter. [7435/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Part 11 of the Local Government Reform Act 2014 provides for a plebiscite on a directly elected mayor for the four Dublin local authorities within the Dublin Metropolitan Area to be held in conjunction with the local and European elections in May, should a resolution for the plebiscite be adopted by a majority of the total membership in each of the four local authorities concerned no later than 31 March 2014.

The Lord Mayor of the City of Dublin convened a forum representative of the members of Dublin City Council, and Dun Laoghaire Rathdown, Fingal and South Dublin County Councils to consider the possible options for the future local governance arrangements for the Dublin Metropolitan Area including the establishment of an office of a directly elected mayor and the possible role and functions of such an office. This forum has recently submitted its report and statement, which I am currently examining. My role, should I be of the view that a resolution should be put to the four authorities, is to approve the statement accompanying the resolution setting out the advantages and disadvantages, costs and benefits, etc. of the proposal for the office of directly elected mayor developed by the elected local authority members from the four authorities in the forum to assist in ensuring the electorate has the necessary information when voting in the plebiscite.

If a plebiscite on the matter is held and a majority of the votes cast is in favour of the proposal, section 69 of the Act provides that within two years of the date of the plebiscite the Minister for the Environment, Community and Local Government shall submit to both Houses of the Oireachtas a report containing proposals for legislation to provide for the establishment of an office of directly elected mayor of an authority for the Dublin Metropolitan Area or containing a statement of the reasons for not making proposals to legislate on the matter.

*Question No. 182 answered with Question No. 177.*

### **Infant Mortality Data**

183. **Deputy Charles Flanagan** asked the Minister for Justice and Equality the number of inquests carried out in relation to perinatal or infant deaths at each maternity unit in the State each year for the past ten years. [7203/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been advised by the

Coroners' Service that the specific details sought by the Deputy are not available and that it would not be practicable for the Service to compile the relevant data.

### **Crime Data**

184. **Deputy Michael McGrath** asked the Minister for Justice and Equality if he will set out in tabular form the notional value of counterfeit bank notes seized in the State in each year since 2010; the action being taken to counteract counterfeiting; and if he will make a statement on the matter. [7328/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Both An Garda Síochána and the Central Bank have in place a range of measures in relation to the detection and investigation of counterfeiting offences. I am awaiting a report from the Garda authorities with respect to the specific information sought by the Deputy and I will contact him directly to set out the position in full when I have received the report.

### **Crime Levels**

185. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the reason, as noted by the EU anti-corruption report, the number of convictions for white-collar crime in Ireland has fallen from 579 in 2003 to 178 in 2010; and if he will make a statement on the matter. [7249/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Insofar as the figures cited are concerned, the position is that 'white collar crime' is not a distinct category of offences under the classification system applied by the Central Statistics Office in the official Recorded Crime Statistics. It appears that the figures referred to by the Deputy may be those for one of the sub-categories of 'Fraud Offences', under the CSO classifications. That category encompasses a wide variety of criminal activities, potentially ranging from elaborate corporate fraud to lower level instances of deception against individuals. The figures cited also exclude other offences which might be considered as 'white collar' crime, including certain offences for which the appropriate regulatory and investigatory bodies are the Office of the Director of Corporate Enforcement, and the Central Bank respectively. As such the figures cited are not necessarily a reliable indicator of overall trends in this regard.

It is also important to note in interpreting figures for detection and conviction rates that the investigation, detection and prosecution of any offence may take a considerable time. This is particularly so where the crime may be complex, as is often the case in fraud offences. Accordingly, the initial conviction rate for any given year will inevitably appear lower than the eventual rate. For this reason caution should be exercised in comparing conviction rates for offences recorded in 2003 with those recorded in 2010.

I can, however, assure the Deputy that I continue to attach the highest priority to the full investigation of white collar offences and bringing the perpetrators of such crimes to justice. Shortly after taking up office I moved urgently to introduce additional legislation in this area which was enacted as the Criminal Justice Act 2011, and provides vital assistance to An Garda Síochána in white collar crime investigations. The Garda Commissioner is aware that any further legislative proposals he might have which would assist in the investigation and detection of white collar crime, or of fraud offences generally, will be positively considered by me.

## **Charities Regulation**

186. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the estimated cost of the new charities regulator and when he or she is likely to be appointed; and if he will make a statement on the matter. [7250/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** On 24th January 2014 I issued a call for Expressions of Interest from suitably qualified persons who wish to be considered for appointment to the Board of a new Charities Regulatory Authority, with a view to making appointments before Easter. Arrangements are also being made to appoint an interim CEO to the new Authority and a number of other administrative staff from within existing resources. The initial indicative resource allocation is some €960,000 over a 12 month period. I intend to have these staff in place by the end of February to enable the Authority to carry out the necessary preparatory work before coming formally into operation later this year.

In time, and in order to enable the development of the services provided by the Authority, charities themselves will be required to meet some of the costs of its operation through payment of a modest and proportionate annual fee. This is provided for in the Charities Act. In this way, the regulation of charities will become largely self-financing in due course. It is only through utilising this provision that we are able to establish these new structures at this time of constraint in Government spending. The proposal to levy annual fees on charities was contained in the consultation documents published this time last year and charities had the opportunity to give their views on and propose alternatives to a suggested fee structure. I will take account of the views expressed and alternatives proposed before putting a fee structure in place. Registration fees will not be payable by charities before 2015 at the earliest.

## **Asylum Applications**

187. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will review an application for asylum in the case of a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [7263/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy is aware, if the person whose details were supplied has made an application for asylum or subsidiary protection, the position is that it is not the practice to comment on such applications for so long as they are in the protection process.

## **Garda Operations**

188. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will report on Garda Operation Spoke; the number of persons arrested and charged to date as part of this operation; the number of successful convictions obtained to date; and if he will indicate if the operation is still live. [7289/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that Operation Spoke is an operation conducted within the Bridewell Garda District for specific periods of time on an ongoing basis. It was last put into effect on 11 and 12 February, 2014. I am further informed that Operation Spoke has resulted in 33 arrests resulting in 39 charges and 21 convictions. The main objective of the operation is to ensure a high visibility Garda presence in the District in order to prevent the unauthorised taking of bicycles. Local Gardaí also provide advice to members of the public on bicycle security and encourage them to register their bicycles.



## **Garda Síochána Ombudsman Commission Investigations**

189. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the number of complaints investigated by the Garda Síochána Ombudsman Commission in 2011 on foot of complaints from family members of persons who were killed or seriously injured in road traffic collisions where the drivers of the cars involved in the collisions were not members of An Garda Síochána; and if he will provide a breakdown of the results of those investigations including the number of complaints which were upheld, dismissed or are pending. [7291/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Ombudsman Commission that the position remains as previously outlined in the response given to the Deputy's Parliamentary Question Number 144 of the 5th February, 2014. While acknowledging that the Deputy has narrowed the focus of his query in his current question, the information requested is not readily available and the generation and collation of that information would place an inordinate burden on the Ombudsman Commission in terms of time and resources.

As previously indicated, the Ombudsman Commission would be happy to meet with the Deputy to discuss in more detail the information he is seeking and to ascertain what is feasible. If the Deputy would like to accept the offer from the Ombudsman Commission he may contact them directly or, should he prefer, I can ask my officials to set up a meeting at a convenient time.

## **Magdalen Laundries**

190. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the position regarding the fund set up for former residents of Magdalen laundries in respect of a person (details supplied); and if he will make a statement on the matter. [7302/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Due to the sensitive and personal nature of the applications I am not in a position to provide details on individual cases. I can advise that applications to the ex gratia scheme, established by the Government, for the benefit of those women that were admitted to and worked in the Magdalen laundries, St Mary's Training Centre, Stanhope Street and House of Mercy Training School, Summerhill, Wexford, are being processed by my officials as quickly as possible. If an applicant has any query in relation to the ex gratia scheme they should be advised to contact my officials in the Restorative Justice Implementation Unit at Tel: 01 4768660 and their queries will be answered in a helpful and sensitive manner.

## **Illegal Immigrants**

191. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality the number of persons who are working in the country illegally; and, if the assumed number is considerable, if he is considering granting any form of amnesty in this area. [7318/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Accurately estimating the number of illegal migrants working in Ireland is immensely difficult due to the clandestine and covert nature of the activity. In this respect Ireland is no different to any other jurisdiction. As a consequence, there are no reliable estimates for this category of migrant worker. I do not therefore propose to make what would be essentially a guess at the figure. I have no plans to introduce an amnesty or any other scheme to legalise the residency of undocumented and illegally present foreign nationals in this State. It is the responsibility of all non-EEA nationals who are resident in Ireland to ensure that they have an appropriate permission from the Minister for Justice and Equality.

## **Asylum Applications**

192. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality his plans to grant an amnesty to all those in the asylum system for a period of four years or more. [7319/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** There are no plans to grant an amnesty to asylum seekers based on the length of time spent in the asylum system. The Deputy might wish to note that at EU Level, the Member States, in agreeing the European Pact on Immigration and Asylum at the European Council in October 2008 made specific commitments “to use only case-by-case regularisation, rather than generalised regularisation, under national law, for humanitarian or economic reasons”. While the Pact is not legally binding, the political commitment among Member States, then and now, is clearly against any form of process that would in any way legitimise the status of persons present in the State without first examining the merits of their individual cases. In Ireland’s case there are also considerations based on maintaining the integrity of the Common Travel Area with the UK which must be taken into account. Any significant departure from well established policies in this respect would have a major impact on the operation of the Common Travel Area both here and in the United Kingdom. It must also be emphasised that broad regularisation programmes are problematic, in particular as they could give rise to unpredictable and potentially very costly impacts across the full range of public and social services.

## **Garda Vetting of Personnel**

193. **Deputy Clare Daly** asked the Minister for Justice and Equality when gardaí will be told that their vetting process is to adhere to the National Vetting Bureau Act 2012, since this Bill became an Act of law upon the President’s signature on 26 December 2012, under which those convicted under section 1(1) of the Probation Act 1906 would finally see the minor details of their offences deemed withheld upon the grounds of specified information, that is, upon the nature of the given offence, as such a conviction may not be revealed if it deems one not to be a threat to children or vulnerable people; and the reason citizens are not being vetted in accordance with the new law. [7335/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 has not yet been commenced as provisions relating to the disclosure of convictions have had to be reviewed in the light of legal developments. In particular, a judgment of the UK Court of Appeal in (On the Application of) T and others v Chief Constable of Greater Manchester [2013] raised new legal issues regarding vetting. The UK Court considered the circumstances in which it is appropriate to disclose convictions for old, minor offences with particular regard to Article 8 of the European Convention on Human Rights. Having considered the judgement in that case, I intend bringing proposals before the Oireachtas to provide that certain old minor convictions will not be disclosed under the provisions of the 2012 Act. Given the close relationship between this Act and the Spent Convictions Bill, which is before the Oireachtas at the moment, any changes to the Vetting Act will have to be reflected in the Spent Convictions Bill. The amendment of the Vetting Act will also be done via the Spent Convictions Bill.

The National Vetting Bureau (Children & Vulnerable Persons) Act 2012 also sets out procedures to allow the disclosure of “Specified information”. This is information other than a court determined criminal record. For example, “specified information” includes conclusions from investigations of child abuse or neglect that have been conducted by the HSE, where such investigations have concluded that a person poses a threat to children or vulnerable persons.

The procedures set out in the Act are designed to ensure that the human rights of the person

being vetted are adequately protected. It is important to note that before specified information can be disclosed, the person who is the subject of the information must be given a copy of that information and must be given the opportunity to challenge the proposed disclosure. The Act also provides that a disclosure of such information will only occur where there is a *bona fide* concern that the person poses a threat to children or vulnerable persons, and the information has been assessed for its reliability and relevance, and the disclosure is in accordance with principles of natural justice. The Act provides for the appointment of an independent Appeals Officer who will be responsible for assessing and deciding appeals against the proposed disclosure of specified information. The Act also provides that a decision of an Appeals Officer may be appealed to the High Court, on a point of law.

By confining the information that can be disclosed to information arising from criminal investigations or statutory inquiries, and by ensuring that individuals who are the subject of such information have their right to defend their name protected in the Bill, the Bill seeks to ensure that information such as vague rumours, or innuendo or false allegations cannot form any part of the vetting process. The Bill also ensures that the constitutional right of all citizens to protect their good name, as provided in Article 40.3.2 of the constitution, is protected.

I expect to be in a position to commence the provisions of the 2012 Act in the autumn of 2014. In the meantime, the vetting of persons working with children and vulnerable persons continues to be done on a non-statutory basis.

### **Asylum Applications**

194. **Deputy Clare Daly** asked the Minister for Justice and Equality further to Parliamentary Question No. 459 of 25 June 2013, the number of persons living in direct provision and elsewhere here who made their application for protection more than five years ago and are awaiting or engaged in asylum related judicial review proceedings; and if he will provide a breakdown by duration of persons within this group who have had deportation orders made against them, and by duration and current stage of asylum process of persons within this group who do not have deportation orders against them. [7362/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. Not all asylum seekers stay in RIA accommodation: some choose to stay with friends or relatives or live on their own resources.

Extensive statistical information on the Direct Provision system is available on the RIA website - [www.ria.gov.ie](http://www.ria.gov.ie). The December 2013 monthly report has just been published on the site as are its Annual Reports covering the years from 2007 to 2012 inclusive. A variety of additional information is also provided including overall details on the length of time persons have been residing in the direct provision system. The 2013 Annual Report is currently being compiled and will be published before the end of March, 2014.

The details sought by the Deputy are considerable and would require a significant level of staff resources to compile. The Irish Naturalisation and Immigration Service (INIS) of my Department will examine this data request in detail and endeavour to provide as much data as is readily available and can be compiled without a disproportionate effect on the day to day work of INIS. I will correspond directly with the Deputy on this matter at a later date.

### **Charities Regulation**

195. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his Depart-

ment's role in the regulation of homelessness charities; and if he will make a statement on the matter. [7399/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Charities Act 2009 provides for an integrated system of registration supervision of charities in Ireland. This includes homelessness charities.

The various sections of the Charities Act are subject to implementation through commencement orders. Sections that it was possible to commence in advance of the establishment of the Charities Regulatory Authority, as provided for under the Act, have been commenced. The remaining sections, including those relating to regulation and supervision, can only be commenced following the establishment of the Authority.

On 24 January 2014 I issued a call for Expressions of Interest from suitably qualified persons who wish to be considered for appointment to the Board of a new Charities Regulatory Authority, with a view to making appointments before Easter. Arrangements are also being made to appoint an interim CEO to the new Authority and a number of other administrative staff from within existing resources. I intend to have these staff in place by the end of February to enable the Authority to carry out the necessary preparatory work before coming formally into operation later this year.

### **Judicial Appointments**

196. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his plans to reform the way judicial appointments are made; and if he will make a statement on the matter. [7403/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that, under the Constitution, judges are appointed by the President on the advice of the Government. The current process for the appointment of judges in Ireland is set out in sections 12 to 17 of the Courts and Courts Officers Act 1995 which established the Judicial Appointments Advisory Board.

Under the existing system of judicial appointments, the Board submits to me, as Minister for Justice and Equality, the names of the persons who have applied for appointment and whom it recommends as suitable for appointment. This procedure has been in place since 1995 and, at my request, my Department is currently undertaking a review of the judicial appointments process. This review will consider how best to ensure and protect the principle of judicial independence and includes consideration of issues such as the appointment process, eligibility criteria, the role of the Judicial Appointments Advisory Board and the need to promote equality and diversity.

In December I initiated a public consultation process which involved not only members of the judiciary and the legal profession generally, but also engaged the broader public who benefit daily in innumerable ways from the protection of an independent judiciary. A number of submissions have been received and they are being considered within my Department. The consultation process sought submissions within the current Constitutional provisions and any proposal to introduce a new system of appointments which would require statutory amendments would, of course, be a matter for consideration by Government in the first instance.

### **Court Procedures**

197. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his proposed

reform of the court poor box; the amount collected over the past five years; and if he will make a statement on the matter. [7409/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The court poor box is a non-statutory system used mostly by the District Courts to impose a financial charge on a defendant to be used for a charitable purpose, usually instead of imposing a criminal conviction. Payments made to the court poor box are accounted for by the court office concerned and the accounting procedures are subject to audit by the Comptroller and Auditor General. Generally, charities are the recipients of poor box contributions but the decision is solely at the discretion of the Judge who is independent in the matter of sentencing, as in other matters concerning the exercise of judicial functions, subject only to the Constitution and the law.

In order to be of assistance to the Deputy, I have had enquiries made and the following table provides details of court poor box receipts for the period concerned.

Year	Amount
2013	€1.995m
2012	€1.903m
2011	€1.734m
2010	€1.691m
2009	€1.979m

Last week, the Government approved the drafting of the Criminal Justice (Community Sanctions) Bill and the publication of the General Scheme of the Bill. The proposed legislation will replace the Probation of Offenders Act 1907 with modern provisions dealing with community sanctions and the role of the Probation Service in the criminal justice system. The legislation will abolish the Court Poor Box and replace it with a statutory Reparation Fund to provide for a fair, equitable and transparent system of reparation that will apply only to minor offences dealt with by the District Court. The replacement of the Court Poor Box with a statutory Reparation Fund was recommended by the Law Reform Commission in its 2005 report *The Court Poor Box: Probation of Offenders*.

The new Reparation Fund will be used to provide additional funding for services for the victims of crime and compensation payments payable by the Criminal Injuries Compensation Tribunal. The legislation will clearly provide that the Reparation Fund may not be used for any purpose other than the provision of compensation, reparation and assistance for the victims of crime. It is intended that monies to be paid into the Reparation Fund will be collected by the Courts Service, transmitted to the Department of Justice and Equality and allocated between organisations supporting victims of crime and the Criminal Injuries Compensation Tribunal.

### Asylum Support Services

198. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the number of asylum seekers in State centres for the past five years; the cost of housing for the past five years; and if he will make a statement on the matter. [7410/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The direct provision system is managed by the Reception and Integration Agency (RIA) of my Department. For the most part, this represents a cashless system with the State assuming responsibility for providing suitable accommodation for asylum seekers on a full board basis. Currently, there are 4,355 residents

in 34 centres across the State under contract to RIA.

The numbers of asylum seekers residing in direct provision has reduced significantly over the last five years. At the end of December 2013 there were 4,360 residents in direct provision compared with 6,424 at the end of December 2009. This represents a reduction of 2,064, or 32%, in the number of residents in direct provision in that period. There was also a corresponding reduction in the cost of providing accommodation in the direct provision system. The budget outturn for 2009 was €86.5 million compared to €55.2 million in 2013. That represents a drop of €31.3 million, or 36%, in the cost of providing direct provision accommodation over that period.

The table sets out the total number of residents in direct provision at the end of December from 2009 to 2013 and the corresponding budget outturn for those years.

Year	Number of residents in Direct Provision at 31 December	Budget Outturn (€ million)
2009	6,424	86.5
2010	6,107	79
2011	5,423	69.5
2012	4,841	62.3
2013	4,360	55.2
2014	4,355 (as of 02/02/14)	51.9 (Estimate Provision)

More detailed statistics are available on the RIA website - [www.ria.gov.ie](http://www.ria.gov.ie).

### Asylum Support Services

199. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the amount of outsourcing carried out by the State for asylum seekers for the past five years; and if he will make a statement on the matter. [7411/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I presume that the Deputy is referring to the outsourcing of work to external service providers which is ordinarily undertaken by civil servants. Since 2009 there have been two occasions where work has been outsourced in the asylum area, the details of which are below:

- Establishment of a Presenting Panel of legally qualified persons in 2009 to represent the Refugee Applications Commissioner in some 1200 cases at appeals hearings before the Refugee Appeals Tribunal;

- Establishment of a panel of legally qualified persons in 2013 to assist the Refugee Applications Commissioner with the processing of subsidiary protection applications.

The Deputy will also be aware of course that accommodation facilities and other ancillary services are provided by external service providers for the asylum community.

### Community Policing

200. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his plans to expand the role of community policing and increase the numbers of gardaí involved in community policing in Dublin; and if he will make a statement on the matter. [7425/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will appreciate, the Garda Commissioner is responsible for the distribution, direction and control of all personnel among the Garda Regions, Divisions, and Districts. Garda management keep this

distribution under continuing review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of these resources.

The Deputy will be aware that all Gardaí have responsibility, *inter alia*, to deal with Community Policing issues as and when they arise. I have however, been informed by the Garda Commissioner that the number of dedicated Community Gardaí, in each Garda Division in the Dublin Region, on 31 December 2013, the latest date for which figures are readily available, is set out in the table.

<b>Division</b>	<b>Strength</b>
D.M.R. East	29
D.M.R. North	68
D.M.R. North Central	152
D.M.R. South	53
D.M.R. South Central	58
D.M.R. West	68

An Garda Síochána places great emphasis on the importance of the partnership between An Garda Síochána and the community in preventing and detecting crime, and maintaining a safe environment for everyone. In this regard the Garda National Model of Community Policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. An Garda Síochána continues to invest time and energy in community partnerships and relationships and this involves participation in a wide range of local fora, including Joint Policing Committees and through partnership programmes such as Community Alert and Neighbourhood Watch.

### **Crime Prevention**

201. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his plan to tackle violent crime; and if he will make a statement on the matter. [7426/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy that the incidence of violent crime continues to be monitored closely by Garda management and that appropriate measures are in place to target this type of criminality. He will be aware that the most recent recorded crime statistics show that total recorded crime was down 7.1% over the 12 months to the end of September 2013, which reflects well on the policing measures which are in place.

The circumstances surrounding violent crime vary considerably, from carefully planned attacks carried out by organised criminals, to unpredictable incidents often associated with abuse of alcohol or drugs. Accordingly, An Garda Síochána has in place policing strategies to combat these varying circumstances to the greatest extent possible.

These include proactive targeting of public disorder and anti-social behaviour including targeted high visibility patrols and monitoring of areas identified as hotspots for this type of crime, as well as intelligence-led operations, involving specialist units, to tackle and dismantle serious and organised criminality.

While we should not underestimate the policing challenges presented by violent crime, I can assure the Deputy that An Garda Síochána are determined to respond effectively and to bring people to justice whenever possible, and they have my full confidence and support in that regard.

### **Deportation Orders Re-examination**

202. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will review the proposal in respect of a person (details supplied) in Dublin 12 who has a spouse and three children, the latter having received a full education here, the family having integrated with their local community, which is strongly supportive of their cause, and the person concerned being self-employed and his family completely self-sufficient; if the case can be urgently reviewed; and if he will make a statement on the matter. [7436/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to is the subject of a Deportation Order and therefore has no entitlement to residency in the State.

Representations were received on behalf of the person concerned asking that his Deportation Order be revoked, in accordance with the provisions of Section 3(11) of the Immigration Act, 1999 (as amended). This application is under consideration at present. When a decision has been made on that application the outcome of that decision will be conveyed in writing to the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Deportation Orders**

203. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and-or expected residency status and-or eligibility to seek naturalisation in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [7437/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned is a failed asylum applicant. Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 8 July, 2010, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the then Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for subsidiary protection.

The person concerned initiated judicial review proceedings in the High Court, challenging the decision of the Refugee Appeals Tribunal in her case. The judicial review proceedings were struck out on 13 May, 2013 meaning that the earlier decisions of the Refugee Appeals Tribunal and the then Minister stood.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. Any representations submitted will be considered before a final decision is made. Once a final decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person



concerned.

Given that the person concerned has no current right of residency in the State, the issue of an application for a Certificate of Naturalisation does not arise at this time.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Deportation Orders**

204. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status and-or eligibility to apply for naturalisation in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [7438/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to is the subject of a Deportation Order and therefore has no entitlement to residency in the State.

I am satisfied that the applications made by the person concerned for asylum and all refoulement issues were fully considered prior to making the Deportation Order. His case was also examined under Section 3(11) of the Immigration Act 1999 (as amended).

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter outside the State. The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Deportation Orders**

205. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and-or expected residency status and-or eligibility for long-term residency in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [7439/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to is the subject of a Deportation Order and therefore has no entitlement to residency in the State.

The case of the person concerned was considered under Section 5 of the Refugee Act, 1996, as amended, Section 3(6) of the Immigration Act 1999, as amended, Section 4 of the Criminal Justice (United Nations against Torture) Act 2000, and the European Convention on Human Rights Act 2003. Refoulement was not found to be an issue in this case. Therefore the decision to deport him is justified.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter outside the State. The enforcement of the Deportation Order remains an operational matter for the Garda National Immigration Bureau.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Residency Permits**

206. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and-or expected residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [7440/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy is aware, if the person whose details were supplied has made application for asylum or subsidiary protection, the position is that it is not the practice to comment on such applications for so long as they are in the protection process.

I can say that the person concerned has submitted an application for leave to remain in the State based on the principles of the Zambrano judgment. When consideration of this application has been completed the person will be notified in writing of the outcome.

### **Naturalisation Applications**

207. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in determination of application of naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [7441/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that the application has entered the final stage of processing and I intend to grant citizenship. A letter has issued to the person referred to by the Deputy asking her to submit the prescribed fee and other documents. When the fee and documentation has been received, a certificate of naturalisation will issue to the person concerned on behalf of her minor child.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Naturalisation Applications**

208. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed to facilitate validation of an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [7442/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Section 15 of the Irish Na-

tionality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- intend in good faith to continue to reside in the State after naturalisation
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—
  - (i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and
  - (ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law. Section 15A provides that the Minister may waive certain conditions for naturalisation if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

It is open to the person concerned to lodge a fresh application for a certificate of naturalisation if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended. An online residency calculator is available on the website [www.inis.gov.ie](http://www.inis.gov.ie) which may be of assistance in establishing if the residency requirements are met.

I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that applicants who are EU citizens for more than five years are required to submit proof of residence in the State for a total of five years in the last nine years, to include the year prior to application. Three different proofs of residence for each year showing name and address i.e. household bills (gas, electricity, phone or cable/satellite TV), bank statements, revenue letters, mortgage agreement, social welfare, letter from employment, doctors letter etc. are required.

If an applicant is an EU citizen for less than five years they should submit a copy of their passport showing permission to remain stamps from date of arrival in the State to date of becoming an EU citizen and proof of residence in the State from date of becoming an E.U. citizen

to date of application. As previously stated three different proofs of residence for each year showing name and address for this period i.e. household bills (gas, electricity, phone or cable/satellite TV), bank statements, revenue letters, mortgage agreement, social welfare, letter from employment, doctors letter etc. are required.

### **Naturalisation Applications**

209. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed to facilitate validation of an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [7443/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a
  - total residence in the State amounting to four years
  - intend in good faith to continue to reside in the State after naturalisation
  - have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—
    - (i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and
    - (ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law. Section 15A provides that the Minister may waive certain conditions for naturalisation if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

It is open to the person concerned to lodge a fresh application for a certificate of naturalisation if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended. An online residency calculator is available on the website [www.inis.gov.ie](http://www.inis.gov.ie) which may be of assistance in establishing if the residency

requirements are met.

I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that applicants who are EU citizens for more than five years are required to submit proof of residence in the State for a total of five years in the last nine years, to include the year prior to application. Three different proofs of residence for each year showing name and address i.e. household bills (gas, electricity, phone or cable/satellite TV), bank statements, revenue letters, mortgage agreement, social welfare, letter from employment, doctors letter etc. are required.

If the applicant is an EU citizen for less than five years they should submit a copy of their passport showing permission to remain stamps from date of arrival in the State to date of becoming an EU citizen and proof of residence in the State from date of becoming an EU citizen to date of application. As previously stated three different proofs of residence for each year showing name and address for this period i.e. household bills (gas, electricity, phone or cable/satellite TV), bank statements, revenue letters, mortgage agreement, social welfare, letter from employment, doctors letter etc. are required.

### **Naturalisation Applications**

210. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status and-or progress in respect of determination of residency or naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [7444/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy.

I can inform the Deputy that processing of the application is well advanced and the case will be submitted to me for decision as expeditiously as possible.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Naturalisation Applications**

211. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current status in regard to the determination of eligibility for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [7445/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy. The first reference mentioned by the Deputy is correct. The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Ques-

tions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Leave to Remain**

212. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed in the case of a person (details supplied) in County Kildare in order to update their stamp 3 status, the person having arrived in this jurisdiction accompanied by their parents at age four; and if he will make a statement on the matter. [7447/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned is a sibling of an Irish born citizen child born in the State prior to 1 January, 2005, whose parents were granted permission to remain in the State in 2002 under the arrangements then in place for the non-EEA parents of Irish born citizen children. The person concerned was granted permission to remain in the State by the Garda National Immigration Bureau (GNIB) on Stamp 3 conditions in 2011. I am informed that this permission is currently valid until 1 May, 2014.

I would advise the person concerned to make a written application for an extension and upgrade of his permission to remain in the State to the Irish Naturalisation and Immigration Service (INIS) c/o PO BOX 10003, Dublin 1. He should also enclose his original passport, two passport size photos, signed on the back, his original birth certificate and letters from school/college to prove continuous residency in the State with his application. Upon receipt of the appropriate documentation, his case will be examined by the relevant officials in the INIS and a decision communicated to him in due course.

Queries in relation to general immigration matters may be made directly to the Irish Naturalisation and Immigration Service (INIS) of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Open Disclosures Policy**

213. **Deputy Lucinda Creighton** asked the Minister for Justice and Equality further to his indication in a speech of 8 February 2014 to the Family Lawyers Association of Ireland that he has commenced work with a view to enshrining the principles of open disclosure in legislation, if a specific Bill from his Department will be published; if such a Bill would be in addition or complementary to the Health Information Bill, which, as was indicated in a response to Parliamentary Question No. 250 of 6 February 2014, will contain provisions to afford some degree of protection for health care personnel in line with the Madden report; if he will confirm when the legislation he referred to in his speech will be published; and if he will make a statement on the matter. [7448/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Minister for Health and I are working closely together on this issue. I am looking at how we might facilitate the early admission of liability in instances where medical negligence has occurred. As I indicated in the speech to which the Deputy refers, I see potential benefits, in terms of the efficiency of the administration of justice and the delivery of more satisfactory and timely outcomes for litigants and taxpayers. These potential benefits, which are clearly of interest to me in my capacity as Minister for Justice and Equality, arise in areas such as costs, length and focus of litigation (in

terms of the level of expense and distress which is caused to families or victims of medical incidents and in terms of where the focus of such legislation should be on the liability issue or the issue of quantum of damages) and in limiting the use of taxpayers' moneys by State agencies to defend actions where there may be no clear basis for such defence.

An examination is currently under way as to how this outcome might best be achieved. My work in this area is complementary to that of the Minister for Health who will include provisions on open disclosure in the Health Information Bill, updated Heads of which are expected to be considered by the Government later this year.

### **Defence Forces Deployment**

214. **Deputy Robert Dowds** asked the Minister for Defence if he would be willing to ask the Defence Forces to review new rules removing the possibility of exemption from the age limits for foreign deployment. [7230/14]

**Minister for Defence (Deputy Alan Shatter):** The upper age limits for Defence Forces Personnel serving overseas is governed by Paragraph 108 of Administrative Instruction C.S. 5 (New Series). Officers may be nominated for overseas service up to the retirement age for their rank. The age limits for Privates and Corporals is under 45 years of age on the scheduled date of deployment, for Sergeants it is under 50 years of age on the scheduled date of deployment. Other NCOs may be nominated for overseas service up to their retirement age for their rank.

There are circumstances in which certain enlisted ranks can be granted an age waiver for a specific appointment, within a specific mission. Such waivers are conditional and can only be approved by the Deputy Chief of Staff (Support) where there is 'no equally suitable candidate under the designated age limit.'

Administrative Instruction C.S 5 (New Series) came into force in June 2013 and I have been advised by the Military Authorities that there are currently no plans to review this specific aspect of the instruction.

### **Coillte Teoranta Staff**

215. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if the spouse of a person (details supplied) in County Kerry is entitled to half of their pension; and if he will make a statement on the matter. [7348/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Coillte Teoranta was established as a private commercial company under the Forestry Act 1988 and day-to-day operational matters, such as pension payments from the company, are the responsibility of the company.

The details supplied were accordingly conveyed to the company. Coillte advise that, while the PPS number provided is different from that on their records, on the basis of the other details provided, the position is that the person concerned was not a member of the Coillte Teoranta Widow's and Orphan's Pension Scheme or the Spouse and Childrens' Pension Scheme and therefore his surviving spouse does not qualify for a spouses' pension.

### **Poultry Industry**

216. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine the supports that will be provided for the poultry sector under the new rural development pro-

gramme; and if he will make a statement on the matter. [7205/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The development of a new Rural Development Programme (RDP) for the period 2014-2020 will be a key support in enhancing the competitiveness of the agri-food sector, achieving more sustainable management of natural resources and ensuring a more balanced development of rural areas. As you are aware I have recently published a consultation document on the new RDP, which sets out a range of proposed measures for inclusion.

The main areas proposed for support in the new RDP are:

- a substantial new agri-environment/climate scheme (GLAS), which will build on the progress made under REPS and AEOS. This will provide for a maximum payment of €5,000 for up to 50,000 farmers, and a further payment of up to €2,000 for a limited number of farmers who take on particularly challenging actions,

- continued strong support for disadvantaged areas (now Areas of Natural Constraint), to the tune of about €195 million per year,

- incentives for on-farm capital investment,

- knowledge transfer and innovation measures, aimed at underpinning farm viability, sustainability and growth through the adoption of best practice and innovative solutions,

- a new beef data and genomics measure worth up to €52 million per year aimed at improving the genetic quality of the beef herd, and

- other supports aimed at collaborative farming, artisan producers, organic farming etc.

While the above measures are available to all farmers, it should also be noted that there is provision for support specifically for the poultry sector. The proposed new on farm capital investment measure refers to possible support for pig and poultry investments in energy, water meters and medicines, while the suite of knowledge transfer measures proposed includes support for knowledge transfer groups in the pig and poultry sectors.

The proposed measure outlines are now available on my Department's website and will form the basis for a public consultation. Written submissions are now being sought by the deadline of 19th February 2014. This consultation process will be a key step in designing a draft RDP for submission to the EU Commission for their approval.

### **Agrifood Sector Issues**

217. **Deputy Dominic Hannigan** asked the Minister for Agriculture, Food and the Marine the progress made to date on joint agricultural development and agribusiness investments in Ethiopia and Ireland; the other opportunities being explored for agribusiness in Africa; and if he will make a statement on the matter. [7257/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I believe that Ireland's agri-food sector has a role to play in assisting Ethiopia and other African countries to reach their full potential in developing sustainable agriculture production. During the 3rd Africa Ireland Economic Forum, held in Dublin in October 2013, I met my counterpart from Ethiopia, Mr. Tefera Derbew, to discuss current developments in the agri-food sectors in Ireland and Ethiopia. At this meeting we signed a joint Statement of Intent which encourages enhanced cooperation between Ireland and Ethiopia in the areas of agriculture, in particular continued cooperation in the areas of Agricultural Research and Training.



In follow up to this at the end of October 2013 Teagasc signed a Memorandum of Understanding with the Ethiopian Institute of Agricultural Research which provides for further close collaboration between the two bodies.

In addition in 2012 the Tanaiste and I launched the Africa Agri-food Development Fund (AADF). The Fund aims to develop partnerships between the Irish Agri-Food Sector and African countries to support sustainable growth of the local food industry, build markets for local produce and support mutual trade between Ireland and Africa.

One project currently under consideration for support from the Fund is a project in Ethiopia which aims to introduce two new Irish technologies, from start-up companies based in Nova UCD. These technologies are complementary and have the potential to create significant efficiencies in the use of inputs in Ethiopian and African agriculture. The project ultimately aims to develop manufacturing facilities and jobs in both Ireland and Ethiopia with a view to supplying products throughout Africa.

This is a clear example of how Irish technology and innovation can be used to develop sustainable agriculture in Africa and I will continue to encourage the Irish agri-food sector to explore the significant opportunities which exist in Africa.

### **Agrifood Sector Issues**

218. **Deputy Dominic Hannigan** asked the Minister for Agriculture, Food and the Marine the progress made during the trade visit to Nigeria on agribusiness potential, in view of the fact that some of the fastest growing states in the world are in Africa; and if he will make a statement on the matter. [7258/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The trade mission to Nigeria took place from 13 to 15 November last. It was organised by Enterprise Ireland and led by my colleague Minister of State for Trade and Development, Joe Costello. The visit was part of a wider programme that also encompassed South Africa. The overall aim of the visit was to develop trade in this important emerging market in Africa. Nigeria is the most populous country in Africa with over 160 million people, approximately half the population of the United States and has a GDP rate of increase of 7% per annum.

Irish food and drink exports to Africa were €526 million for 2012, representing an increase of 7.3% on the 2011 figure of €490 million. The main components of the trade are Dairy Ingredients (Skimmed Milk Powder and Whole Milk Powder), Pelagic fish and Beverages. Nigeria is by far the largest market accounting for €170 million: dairy exports reached €100 million and seafood €68 million and it is becoming a hub for Irish companies wanting to expand their exports into the ECOWAS economic bloc.

Bord Bia participated in the trade visit with a view to supporting Irish companies already present in this market, identifying new business opportunities, assisting Irish industry regarding certain export constraints and endorsing the Kerry Group during their official opening of a new office in Lagos.

### **Agriculture Schemes Payments**

219. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding single farm payment and disadvantaged area payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [7274/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While an application under the 2013 Single Payment Scheme/Disadvantaged Areas Scheme was received

from the person named on 11 April 2013, as the person named does not hold any payment entitlements, there is no payment due to the person named under the 2013 Single Payment Scheme.

Payment under 2013 Disadvantaged Areas Scheme issued directly to the nominated bank account of the person named on 27 January 2013, immediately the holding of the person named was confirmed as having satisfied the minimum stocking density requirements of the 2013 Scheme.

### **Rural Environment Protection Scheme Payments**

220. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Monaghan will receive their rural environment protection scheme payment; and if he will make a statement on the matter. [7285/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 October 2009 and received payments for the first four years of their contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU regulations which require detailed administrative checks on all applications to be completed before any payments can issue. During an on-farm inspection in 2013 an issue was discovered in relation to Supplementary Measure 3 (Conservation of Rare Breeds) and documentation confirming membership of the Connemara Pony Breeders' Society which is a requirement under the Terms and Conditions of the Scheme was outstanding. The document confirming membership was lodged with my Department on 16th January 2014 and the 75% Year 5 payment has been authorised for payment. It is expected that this payment will issue in the next week. The remaining 25% balancing payment will issue shortly.

### **Rural Environment Protection Scheme Payments**

221. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their REP scheme payment . [7303/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 in June 2008 and received payments for the first five years of their contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU regulations which require detailed administrative checks on all applications to be completed before any payments can issue. Following the Land Parcel Identification System (LPIS) Review an area discrepancy was identified which has resulted in the necessity for further clarification. This issue is currently being investigated with the intention of an early resolution and payment in respect of Year 6.

### **Single Payment Scheme Appeals**

222. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Galway did not receive a single farm payment; and if he will make a statement on the matter. [7321/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While the person named contends that the 2013 SFP application form was submitted on their behalf my Department has no record of the person named having lodged an application under the 2013 Single Payment Scheme. Unfortunately, the subsequent documentation submitted did not en-

able my Department to form the view that the application was submitted on time. The person named lodged an appeal to the Agricultural Appeals Office on 12 December 2013. The person named will be notified of the outcome of the appeal by that Office as soon as it is finalised.

### **Single Payment Scheme Payments**

223. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a single farm payment will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [7323/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The 2013 Single Farm Payment/Disadvantaged Areas' Scheme application of the person named was selected for a ground eligibility inspection.

This inspection identified discrepancies between the area declared and the area found, resulting in an over-declaration in area of between 3% and 20%, in respect of the Single Farm Payment Scheme. Based on the Terms and Conditions of this scheme, this resulted in the 2013 payment being based on the found area having being reduced by double the difference between the area found and the area claimed.

The person named was notified of this decision on 16 December 2013. The person named has appealed this decision and this request for a review is currently being examined. The person named will be notified of the outcome of this review as soon as possible. In the event that the person named is dissatisfied with the outcome of this review, the decision can be appealed to the Independent Agriculture Appeals Office, within 3 months.

Payment under the 2013 Single Payment Scheme, on the basis set out above, issued to the nominated bank account of person named on the 19 December 2013.

### **Single Payment Scheme Eligibility**

224. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a ground inspection will be carried out on a farm (details supplied) in County Galway; and if he will make a statement on the matter. [7329/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A review of the land declared by the person named under the Single Payment Scheme revealed that several of the land parcels declared contained ineligible features.

The farmer in question was written to by my Department and informed of the outcome of the review. He was also informed that a ground verification check would be arranged to clarify the matter. The applicant will be contacted shortly with a view to making arrangements for this visit. My Department will be in direct contact with the person named regarding the outcome of the review once this verification check has been completed. If the applicant is not satisfied with the outcome of the review, he can appeal his case to the Independent LPIS Appeals Committee.

### **Disadvantaged Areas Scheme Payments**

225. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when payment under the 2013 disadvantaged areas scheme will issue in respect of a person (details

supplied) in County Galway; the reason for the delay in issuing this payment; and if he will make a statement on the matter. [7330/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment in respect of the 2013 Disadvantaged Area Scheme issued directly to the nominated bank account of the person named on 27 January 2014, immediately the holding of the person named was confirmed as having satisfied the minimum stocking density requirements of the 2013 Scheme.

### **Scéim Talmhaíochta**

226. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Talmhaíochta, Bia agus Mara cén uair a dhéanfar íocaíocht faoi REPS le feirmeoir i gContae na Gaillimhe (sonraí tugtha); cén fáth go bhfuil moill leis an íocaíocht seo; agus an ndéanfaidh sé ráiteas ina thaobh. [7331/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Chuaigh an duine ainmnithe isteach sa Scéim REPS 4 i mí Eanáir 2010 agus fuair íocaíochtaí don chéad trí bliana den chonradh.

Is beart faoin gClár um Fhorbairt Tuaithe 2007-13 é REPS 4 agus bíonn sé faoi réir rialachán AE a éilíonn go dtugtar seiceálacha riaracháin mionsonraithe ar gach iarratas chun críche sula ndéantar aon íocaíocht. Tá an próiseas sin tugtha chun críche maidir le híocaíochtaí 2013 agus eisíodh an íocaíocht 75% Bliain 4, arbh fhiú €3,702.45 é, an 7 Feabhra 2014. Eiseofar an iarmhéid de 25% go luath.

### **Forestry Management**

227. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an application for a forestry felling licence in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [7340/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The application for a General Felling Licence from the above named was received in my Department on 3rd May 2013. The postal address stated on the application form was that of the applicant's forestry company. A General Felling Licence issued to the applicant on 31st October 2013 to the address on the application form, i.e. to his forestry company. Therefore, the applicant should contact his forestry company to obtain the licence (or a copy of it).

### **Early Retirement Scheme**

228. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if a person on early retirement from farming with two years remaining can purchase agricultural land while under this scheme for the purposes of leasing it out; if this would contravene the terms of the scheme; and if he will make a statement on the matter. [7354/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A participant in the early retirement from farming can purchase land for the purpose of leasing it out. Such a participant would not be in contravention of the scheme conditions once they did not revert to farming themselves.

### Common Agricultural Policy Reform

229. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the latest permissible date to inform the European Commission of the national decisions made in relation to Pillar 1 of the Common Agricultural Policy reform programme 2015-20; and if he will make a statement on the matter. [7356/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the new Direct Payment Regulation, there are a number of dates relating to various aspects of the new Schemes by which Member States must notify the Commission of the national arrangements under Pillar I. As there is an option for the review of certain decisions throughout the period of the Scheme, the process of notification is ongoing. The earliest notification date relevant to Ireland is 1 August 2014.

### Common Agricultural Policy Reform

230. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the minimum proposed activity that will be required for farmers to be eligible for payment under Pillar 1 of the Common Agricultural Policy reform programme; and if he will make a statement on the matter. [7357/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** To participate in the Basic Payment Scheme and related schemes a person must be an ‘active farmer’ as defined in the Direct Payment Regulation. Only persons who fulfil one of the following can be considered as an ‘active farmer’ and will be eligible to receive a direct payment:

a. A ‘farmer’ is defined as a person who carries out an agricultural activity such as ‘the rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes’.

b. Persons who do not engage in one or more of these activities must at a minimum maintain their land in ‘good agricultural and environmental condition’.

c. Where land can be described as an area ‘naturally kept in a state suitable for grazing or cultivation’ (marginal land), each Member State must establish a level of ‘minimum activity’ to be carried out by farmers on such land.

The Commission is obliged to lay down a framework in the Delegated Acts within which Member States will define this ‘minimum activity’. This framework remains the subject of negotiation between Member States and the EU Commission and I am not in a position to define a ‘minimum activity’ for Ireland until the relevant Delegated Acts are published.

### Common Agricultural Policy Negotiations

231. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if it is intended from 2015 onwards to pay the greening payment with the BNS payment; if it is intended to pay it in two tranches; and if he will make a statement on the matter. [7358/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the new regime, which will replace the Single Payment Scheme in 2015, with four separate elements, viz (i) the Basic Payment, (ii) the Greening element, (iii) the Top-up for Young Farmers

and (iv) the coupled Aid for Protein. However, with discussions on-going at EU level on both the delegated Act and the implementing Act, it is not possible, at this stage, to indicate precisely what the payment arrangements will be.

### Youth Services Data

232. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs the number of youth workers employed by the Health Service Executive and their locations. [7200/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** There are no youth workers directly employed by the Child and Family Agency, TUSLA, formerly part of the Health Service Executive. The Social Work and Family Support workers employed by the Child & Family Agency work closely with their colleagues in all agencies to ensure that vulnerable young people fully engage in community youth services.

### Family Support Services

233. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs the number of family support workers employed by the Health Service Executive and their locations. [7201/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Family is the most important influence in a child's life. From birth, children depend on parents and family to protect them and provide for their needs. Sometimes parents need help, support and additional resources to do this. Family Support Services provide a flexible programme of interventions which are provided through a broad range of skilled personnel including Family Support Workers, Project Workers and Youth Workers. The 140.6 whole time equivalent Family Support Workers employed by the Child & Family Agency, TUSLA, are an important aspect of this multi-faceted service which supports parents, guardians and carers to sustain the care of their children within the home setting by engaging with them to meet their changing needs through the use of consultation, plans, reviews and feedback.

The Child & Family Agency has identified as a priority objective for 2014 the development of a strategy for Family Support to complement the Department of Children & Youth Affairs National Policy Framework. This will address the alignment of the Family Resource Centres with the overall Agency approach to prevention and early intervention. This work will comprise a quality review of the implementation of family support processes in each area as well as the integration of Family Resource Centres within the Service Delivery Framework by the end of this year.

I am pleased to set out below a breakdown of Family Support Workers in each location as requested.

Area	Number
Carlow/Kilkenny/South Tipperary	11.5
Cavan/Monaghan	3
Cork	3.53
Dublin City North	21.73
Dublin North	3.04
Dublin South Central	10

Area	Number
Dublin South East/Wicklow	12.42
Dublin South West/Kildare	15.26
Galway/Roscommon	1.33
Kerry	1.02
Louth/Meath	12.14
Mayo	2.8
Midlands	17.31
Mid West	12.31
Waterford/Wexford	13.21
Total	140.6

### Inter-Country Adoptions

234. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs if her attention has been drawn to a petition and submission from a group (details supplied) regarding inter-country adoption; and if she will make a statement on the matter. [7293/14]

235. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs the current status of negotiations between Ireland and India to conclude a bilateral agreement on inter-country adoption. [7294/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 234 and 235 together.

The Republic of India has ratified the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, as such it is not necessary to have a bilateral agreement with India. As a contracting state under the Hague Convention, the Adoption Act 2010 provides that adoptions by Irish prospective adoptive parents may be made subject to Irish and Indian requirements being satisfied in line with relevant laws and the provisions of the Hague Convention.

It is a matter for contacting states whether they wish to impose restrictions on whether and how intercountry adoptions of citizens of that State may be effected. In this regard, the Authority advises that there remains a general moratorium by the Indian Central Authority (CARA) on India accepting adoption applications from other countries other than in special circumstances. The Authority has recently received an announcement from CARA that India is currently accepting packs from non-resident Indian prospective adoptive parents for the adoption of Indian children (normal category). This means that India remains closed to non-Indian prospective adoptive parents at this time in respect of its normal categories of children. The Adoption Authority understands that CARA is accepting applications in respect of special needs children, which includes children over five years of age and sibling groups. The Authority is currently attempting to establish from CARA a possible time frame for the acceptance of application packs in the 'normal' category from non-Indian nationals.

The Adoption Authority has advised it is their position that it is necessary to have an Irish registered accredited body to facilitate intercountry adoptions from India in order to safeguard the process for the child and the adoptive parents. The Authority has two applications for India from Irish agencies which are being considered. Any accreditation being considered by the Authority can only apply to the Indian Special Needs Programme at this time. The accreditation of agencies to facilitate adoptions is solely a matter for the Adoption Authority under law.

I have raised with the Adoption Authority the likely timescale of reaching conclusions on these applications and I understand it is intended to finalise the process promptly.

Furthermore, the Authority advises that it is the policy of CARA to impose the following age limits and age differentials. Again, they are a matter for the Indian authorities and are not specific to Ireland.

- To adopt a child in the age group of 0-3 years, the maximum composite age of the prospective adoptive parents should be 90 years wherein the individual age of the prospective adoptive parents should not be less than 25 years and not more than 50 years.

- To adopt children above three years of age, the maximum composite age of the

PAPs should be 105 years wherein the individual age of the PAPs should not be less than 25 years and not more than 55 years.

- In the case of a single applicant, he or she should not be less than 30 years of age and shall not be above the age of 50 years. The maximum age shall be 45 years to adopt children in the age group of 0-3 years and 50 years for adopting children above 3 years.

Updates in relation to intercountry adoption from India are posted on the Authority website when available ([www.aai.gov.ie](http://www.aai.gov.ie)).

I have received a submission from this group in relation to intercountry adoption and arrangements for a meeting with this group are currently being finalised

### **Services for People with Disabilities**

236. **Deputy Finian McGrath** asked the Minister for Health the number of persons with an intellectual disability in residential day care and on respite waiting lists; and if he will make a statement on the matter. [6979/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Specialist Disability services are provided by or on behalf of the HSE to enable children and adults with a disability to achieve their full potential and maximise independence, including living as independently as possible in the community. Disability services are provided in a variety of community and residential settings in partnership with service users, their families and carers and a range of statutory, non-statutory, voluntary and community groups. Voluntary agencies provide the majority of services in partnership with or on behalf of the Health Service Executive.

In planning for the delivery of intellectual disability services, the Health Service Executive (HSE) and disability service providers maintain the National Intellectual Disability Database (NIDD).

The NIDD provides a comprehensive database for decision-making in relation to the planning, funding and management of services for people with an intellectual disability. The 2012 Report of the NIDD forecasts the future residential, day care and respite requirements of people with an intellectual disability in the period 2013 to 2017 based on 2012 data. However, it is important to emphasise that the NIDD acts as a planning and forecasting tool and does not match individuals to the actual service they will require at the specific time it will be required. This will often depend on individual and family circumstances which will change over time.

The Report forecasts that in excess of 4500 additional residential, day and residential support/respite places will be needed to meet service requirements in the period 2013 – 2017. Of



these 4500 individuals it is forecast that 197 will require a day service, 2054 will require a residential support or respite service and 2271 will require a full-time residential service.

In 2012, the 2271 individuals forecast as requiring a full-time residential service between 2013 and 2017 were in receipt of specialist disability services to meet their needs at that time. 99.4% of this group of 2271 were in receipt of a day service or a residential support service and 96.0% of the 2271 lived at home.

The HSE's National Operational Plan for 2014 provides an additional €7m towards meeting the needs of approximately 1200 young people with a disability leaving secondary school or Rehabilitative Training. In addition, €3m has been allocated to provide emergency places for people whose care or family circumstances may have changed and who require an immediate response.

### **Hospital Mortality Rates**

237. **Deputy Charles Flanagan** asked the Minister for Health the number of perinatal deaths recorded at each maternity unit in the State each year for the past ten years. [7202/14]

**Minister for Health (Deputy James Reilly):** Information on perinatal deaths is not routinely published by individual maternity unit at a national level. In addition, as the Deputy may be aware, there are issues regarding differences between reporting systems. These issues are currently the subject of review in the context of the report which I have asked the Chief Medical Officer to prepare in relation to Portlaoise Hospital. When this report has been finalised, I will give a full account of its findings and recommendations in this area.

### **Hospital Mortality Rates Report**

238. **Deputy Charles Flanagan** asked the Minister for Health the number of Health Service Executive reviews carried out at maternity units in the State in respect of perinatal or infant hospital deaths each year for the past ten years. [7204/14]

**Minister for Health (Deputy James Reilly):** The Health Service Executive's Risk and Incident Investigation Process provides a framework for conducting investigations into serious incidents. Investigations of serious incidents including baby deaths have been conducted under the Process with support provided by the Executive's National Incident Management Team as appropriate. The Department does not receive information on HSE investigations as a matter of course.

The Chief Medical Officer (CMO) of my Department is currently preparing a report for me on the issues at Portlaoise. I have assured the families concerned that the process will be transparent, that they will be involved and will have the opportunity to see the report in advance of the release. The findings of the CMO's report will inform any subsequent work to be undertaken by HIQA or others including any wider review.

### **Medical Card Applications**

239. **Deputy Tom Fleming** asked the Minister for Health if he will expedite a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [7218/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service

Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

### **Hospitals Funding**

240. **Deputy Robert Dowds** asked the Minister for Health if he will provide figures on the amount of public money provided to St. Vincent's Private Hospital, including the salaries of staff who may be working in the public and private hospitals; if the State pays for treatment in the private hospital; if any State grant money is going toward the hospital, or any other public money; and, if so, the purpose for which it is being given. [7227/14]

**Minister for Health (Deputy James Reilly):** I am advised that St Vincent's University Hospital and St Vincent's Private Hospital financially trade as two separate entities on the campus of St Vincent's Healthcare Group. The HSE has a Service Level Agreement (SLA) in place with St Vincent's University Hospital against which public funds are provided to the hospital for the provision of health services. This SLA is monitored by the HSE to ensure compliance. The HSE has no role in relation to the management or financing of St Vincent's Private Hospital.

In relation to the specific queries raised by the Deputy, I have asked the Health Service Executive to respond to him directly.

### **National Treatment Purchase Fund Issues**

241. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if it is his policy that the National Treatment Purchase Fund ask nursing homes that are not charging for social programmes to so charge and to give the discount to the NTPF; and if he will make a statement on the matter. [7232/14]

243. **Deputy Mary Mitchell O'Connor** asked the Minister for Health the way the National Treatment Purchase Fund defines a local area and the local average rate; if he will supply a copy of the NTPF policy document on the said definition; and if he will make a statement on the matter. [7236/14]

244. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if he will provide full details on the National Treatment Purchase Fund policy not to prepay for future events or take account of future capital expenditure or the future impact of Health Information and Quality Authority standards; and if he will make a statement on the matter. [7238/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 241, 243 and 244 together.

In order to be an "approved nursing home" for the purposes of the Nursing Homes Support Scheme, all private and voluntary nursing homes must negotiate and agree a price for the cost of care with the National Treatment Purchase Fund (NTPF). This is a necessary feature of the Scheme due to the commitment by the State to meet the full balance of the cost of care over and above a person's contribution. The NTPF has statutory independence in the performance of

this function and, in carrying it out, it must ensure value for money for both the individual and the State. The NTPF negotiates with each nursing home individually and may examine the records and accounts of nursing homes as part of the process.

The NTPF assesses nursing home process under four criteria:

- costs reasonably and prudently incurred by the nursing home and evidence of value for money;
- price(s) previously charged;
- local market price; and
- Budgetary constraints and the obligation on the State to use available resources in the most beneficial, effective and efficient manner to improve, promote and protect the health and welfare of the public.

Under the Nursing Homes Support Scheme, services and supports which are common to the vast majority of nursing home residents are included in the cost of care. These are:

- nursing and personal care appropriate to the level of care needs of the person;
- bed and board;
- basic aids and appliances necessary to assist a person with the activities of daily living; and
- laundry service.

Goods and services that are already available to individuals under an existing scheme are not included in the goods and services covered by the Nursing Homes Support Scheme. A person's eligibility for other schemes, such as the Medical Card Scheme or the Drugs Payment Scheme, is unaffected by the Nursing Homes Support Scheme.

Part 8 of the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009 stipulates that the registered provider of the nursing home must agree a contract with each resident within one month of their admission. This contract must include details of the services to be provided to that resident and the fees to be charged. Residents should not be charged fees which are not set out in the contract.

The Deputy will be aware that the Nursing Homes Support Scheme is currently the subject of a review. The terms of reference for this review are as follows -

Taking account of Government policy, demographic trends and the fiscal situation:

- To examine the on-going sustainability of the Nursing Homes Support Scheme,
- To examine the overall cost of long term residential care in public and private nursing homes and the effectiveness of the current methods of negotiating/setting prices,
- Having regard to 1 and 2 above, to consider the balance of funding between long-term residential care and community based services,
- To consider the extension of the scheme to community based services and to other sectors (Disability and Mental Health), and
- To make recommendations for the future operation and management of the Scheme.

### **Hospital Waiting Lists**

242. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Laois will have an operation carried out. [7233/14]

**Minister for Health (Deputy James Reilly):** In relation to the particular patient query raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond to him directly.

*Questions Nos. 243 and 244 answered with Question No. 241.*

### **Medical Card Appeals**

245. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding an appeal against the refusal of a medical card in respect of a child (details supplied); if it will be expedited in view of the circumstances; and if he will make a statement on the matter. [7241/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

### **Services for People with Disabilities**

246. **Deputy Jack Wall** asked the Minister for Health the mechanism available to a family to secure care services for their child who has ADHD and ASD, in particular occupational therapy, speech therapy and physiotherapy; and if he will make a statement on the matter. [7259/14]

**Minister for Health (Deputy James Reilly):** The particular issue raised by the Deputy is a service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Maternity Services**

247. **Deputy Ciara Conway** asked the Minister for Health to set out his plans to increase investment in maternity services, including the lifting of the moratorium on employment of perinatal psychiatrists beyond Dublin; and if he will make a statement on the matter. [7271/14]

**Minister for Health (Deputy James Reilly):** An additional €1.48m has been provided in the HSE's Service Plan 2014 to target necessary patient centred improvements in maternity care. Looking forward, the proposed National Maternity Strategy, which will be developed by my Department in conjunction with the HSE, will provide the context for any necessary investment in our maternity services in the coming years. The Strategy will provide the strategic direction for the optimal development of our maternity services to ensure that women have access to safe, high quality maternity care, in a setting most appropriate to their needs.

In relation to staff resources, I would like to confirm that there is no embargo in the public health service on the recruitment of midwives or other frontline staff, including perinatal psychiatrists. While the numbers employed across the public service must be reduced in order to

meet fiscal and budgetary targets, it is recognised that certain services, such as maternity, are demand led and require specialist staffing. Arrangements are in place in the HSE to allow the recruitment of such staff where it has been established that there is an urgent service requirement.

### **Public Health Policy**

248. **Deputy Ciara Conway** asked the Minister for Health to outline the actions he will take to improve awareness and knowledge of sexual health and healthy sexual relationships, particularly among young persons, in view of the debate on the age of sexual consent; and if he will make a statement on the matter. [7272/14]

**Minister for Health (Deputy James Reilly):** The HSE Crisis Pregnancy Programme currently is tasked with improving knowledge and awareness of sexual health and relationships through the delivery of targeted communications campaigns, customised information and educational programmes and other initiatives across a range of settings. The Programme runs and funds a range of sexual health information and education campaigns targeted to groups identified by research as having particular sexual health information needs, such as children and adolescents, 18-24 year olds, women aged 35-55 and parents, as well as early school leavers, young people who have experienced first sex before 17 years, and other minority groups.

In addition, the development of a National Sexual Health Strategy is nearing completion. This Strategy acknowledges the importance of developing healthy attitudes to sexuality throughout childhood and adolescence and builds on that foundation for positive sexual health and wellbeing into adulthood and older age. I intend to submit the Strategy to Government for approval as soon as possible.

### **Nursing Homes Support Scheme Applications**

249. **Deputy Brian Walsh** asked the Minister for Health when an application under the nursing home support scheme will be approved in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [7276/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Hospital Services**

250. **Deputy Thomas P. Broughan** asked the Minister for Health to set out his plans to introduce a Huntington's disease neurology clinic at Beaumont Hospital, Dublin 9. [7290/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter, I have asked the HSE to respond directly to the Deputy.

### **HIQA Investigations**

251. **Deputy Niall Collins** asked the Minister for Health to outline the action he is taking to ensure that all Health Information and Quality Authority report recommendations into Tallaght hospital are now implemented; and if he will make a statement on the matter. [7301/14]

**Minister for Health (Deputy James Reilly):** The responsibility for implementing the recommendations of the HIQA Report on Tallaght Hospital rests with the Chief Executive Officer of the hospital and the Director General the HSE, with oversight from my Department. In line with established HSE policy on the receipt and implementation of major reports, the HSE established an Implementation Oversight Group with appropriate chairmanship and membership to

progress the Report's recommendations relating to Tallaght hospital and nationally. The group has held meetings with the Health Information and Quality Authority on a number of occasions to report on progress achieved. As part of the public reporting process, in July 2013 the HSE posted an interim report on its progress to its website which can be accessed at [www.hse.ie](http://www.hse.ie). Progress reported indicates the completion of early morning ward rounds, the application of the Manchester triage system and the robust review of waiting lists, which demonstrates strong local engagement in hospitals around these critical issues. The implementation of the National Early Warning Score has also added significantly to the care of patients. Some recommendations require continuous implementation and monitoring and these have been incorporated and mainstreamed into the overall work of the HSE.

There are a number of recommendations in the report – particularly in the area of national planning, accountability and oversight, where the Department of Health has a lead role. These recommendations are being considered and progressed in the context of the overall reform programme, as set out in *Future Health: A Strategic Framework for Reform of the Health Service 2012-2015*, the report on *The Establishment of Hospital Groups as a transition to Independent Hospital Trusts*, and the Integrated Reform Plan for the health sector.

### **National Lottery Funding Disbursement**

252. **Deputy Eoghan Murphy** asked the Minister for Health if he will provide a breakdown of funding in respect of an organisation (details supplied). [7312/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Department of Health provided Lottery funding of €6,000 to the Galway branch of this organisation in 2010, and Lottery funding of €34,000 to the organisation in Waterford in 2012.

Having regard to any payments issued by the HSE the Deputy's question has been referred to the Executive for direct reply.

*Question No. 253 answered with Question No. 26.*

### **Dental Services Provision**

254. **Deputy Paul J. Connaughton** asked the Minister for Health the dental treatment available to a person (details supplied) in County Galway in view of the fact that there is currently no dentist available in Portiuncula Hospital, Ballinasloe, County Galway; the provisions that are in place for children in County Galway who have medical cards and who require treatment; and if he will make a statement on the matter. [7325/14]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE is responsible for providing dental care to schoolchildren. The matter has therefore been referred to the HSE for attention and direct reply to the Deputy.

### **Hospital Waiting Lists**

255. **Deputy Denis Naughten** asked the Minister for Health the steps he is taking to address the two year wait to see a cardiology consultant at Temple Street University Children's Hospital, Dublin; and if he will make a statement on the matter. [7355/14]

**Minister for Health (Deputy James Reilly):** The target as set out in the HSE National Service Plan 2014 is that no-one should be waiting longer than 12 months for a first-time outpatient appointment. The HSE has advised that Children's University Hospital Temple Street was 96% compliant with this target at the end of 2013. As paediatric cardiology waiting times were not in compliance with the target, the HSE has advised that measures are being put in place to ad-

dress the matter. These include an extra weekly combined clinic between Children's University Hospital Temple Street and Our Lady's Children's Hospital Crumlin, scheduled on Saturdays and commencing this month. I understand that all patients are currently being advised of the new clinic service and an earlier appointment date. In addition, training of existing paediatricians to undertake screening is to be progressed this year. In the region of 85% of patients are discharged after a first visit, and screening will enable these patients to be seen and discharged in a shorter timeframe.

### **Hospitals Building Programme**

256. **Deputy Clare Daly** asked the Minister for Health if he will direct the Health Service Executive to organise a public briefing for the community in Portrane and Donabate and elected public representatives with regard to the redevelopment plans currently on display by Fingal County Council relating to the redevelopment of lands at St. Ita's Hospital in Portrane. [7363/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Replacing the Central Mental Hospital (CMH), Dundrum with an appropriate modern facility is one of the priority health projects set out in the Infrastructure & Capital Investment 2012-2016: Medium Term Exchequer Framework. This Government's policy on mental health incorporates the recommendations of *A Vision for Change*, including delivery of new facilities for the National Forensic Mental Health Service (NFMHS) in replacement of the CMH.

The first phase of this project involves provision of a new 120 bed Adult Forensic Hospital at St. Ita's, Portrane, together with a 10 bed Forensic Child & Adolescent Unit, and a 10 bed Forensic Mental Health Intellectual Disability Unit on the same site.

Project and Design Teams have been appointed. The project, which is progressing satisfactorily, is being delivered by the HSE which is working closely with Fingal County Council. As the particular issue raised by the Deputy is a detailed service matter, the question has been referred to the Executive for direct reply.

*Question No. 257 withdrawn.*

### **Hospital Staff Recruitment**

258. **Deputy Mary Mitchell O'Connor** asked the Minister for Health when a urologist will be appointed to Temple Street hospital, Dublin; and if he will make a statement on the matter. [7368/14]

**Minister for Health (Deputy James Reilly):** In relation to the particular query raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond to her directly.

### **Hospital Appointments Administration**

259. **Deputy Tom Fleming** asked the Minister for Health if he will expedite cataract treatment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [7370/14]

**Minister for Health (Deputy James Reilly):** The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2013*, has been developed to ensure that all administrative,

managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to this particular query raised by the Deputy, I have asked the HSE to respond directly to the Deputy in this matter.

### **Health Insurance Cover**

260. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which private health insurance increases continue to be monitored by his Department with a view to ensuring that all insurers carry a fair and equitable share of the demographic profile; and if he will make a statement on the matter. [7372/14]

**Minister for Health (Deputy James Reilly):** The main legislative provisions for the regulation of the Irish private health insurance market are included in the Health Insurance Acts 1994 to 2013 and Regulations made under those Acts. Under this legislation, my Department oversees the maintenance of a competitive and sustainable private health insurance market and monitors developments on an ongoing basis.

There is a significant disparity in the membership age profile among the four commercial insurers operating in the market. VHI Healthcare continues to have a much greater proportion of members in the age groups 60-69 and above when compared to other insurers. Insurers with more older customers have higher claims costs. For example, in 2012:

- VHI had market share of **56%** but had claims of **67%** of the total claims paid in the market.
- Laya had **22%** market share but had **14%** of total claims paid in the market.
- Aviva had **17%** market share and **13%** of total claims paid.

Given the disparities in claims costs, mostly related to age and health status, between competitors operating in the health insurance market, there is a need to support community rating with a robust risk equalisation scheme, to create a level playing field in the market. The aim of risk equalisation is to look at the market as a whole, and to distribute fairly the differences that arise in insurers' costs due to the differing health status of all of their customers. It does so by providing risk equalisation credits (based on age, gender and level of cover) in respect of insured people aged 50 years and over. Without such support, health insurers have a strong financial incentive to 'segment' the market by offering policies targeted at younger, healthier people.

The Health Insurance (Amendment) Act, 2013 sets out revised risk equalisation credits and the corresponding stamp duties that will apply under the Risk Equalisation Scheme from 1 March 2014. These revised RE credits will further level the playing field within the market, by making older members less costly to insure. The Scheme supports competition by encouraging insurers to move their focus away from avoiding older, less healthy customers and is intended to support the Government's efforts to maintain community rating in the Irish health insurance market.

### **Health Services Funding**

261. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he expects to be in a position to meet in full the total cost of providing the health services as outlined within budget 2014; and if he will make a statement on the matter. [7373/14]



**Minister for Health (Deputy James Reilly):** This is a time of undoubted challenge for the Irish health system as a consequence of the emergency financial situation the State has had to address over recent years. Along with significant and sustained financial pressure on the health system and reductions in health and social care funding and workforce numbers, the health services have also had to respond to significant demographic pressures, with the population of the State increasing by 8% and the proportion of persons aged 65 and over growing by one fifth since 2008.

Undoubtedly, therefore, 2014 is a challenge, perhaps the most challenging year so far. The 2014 HSE Service Plan, in setting out the health and social care services to be provided during the course of this year, outlines a comprehensive response to these challenges. The preparation of a Service Plan that complies with the Budget ceiling set for Health spending this year has been made possible as a consequence of the Government's Revised Estimates Volume adjustment, providing an additional €47 million in funding for health services this year, the 'probity' target reduction from €133 million to €23 million, and the further process that has been put in place regarding €108 million in pay savings. These factors considerably changed the landscape within which the HSE prepared and adopted its 2014 Service Plan and enabled the HSE to submit a Service Plan, later approved by me, that the Director General considers can deliver both significant health reform and benefits to the general public throughout this coming year.

The delivery of this year's Service Plan will focus on the dual challenge of protecting patient outcomes while, at the same time, reducing costs. This requires, inter alia, increasing emphasis on models of care that treat patients at the lowest level of complexity and provide safe quality services at the least possible cost. I have every confidence that, despite the unavoidable resource reductions already referred to, the HSE will again, throughout 2014, manage, to a very significant extent, to maintain core services while also supporting growing demand for services arising from population growth, increased levels of chronic disease, increased demand for drugs, higher numbers of medical card holders (up by 590,000 since 2008) and new costly medical technologies and treatments.

The HSE has management systems in place to monitor service delivery throughout the course of the year. Should any unexpected contingencies arise the HSE is well positioned to identify such contingencies and to promptly take any necessary remedial actions without undue delay.

### **Orthodontic Services Provision**

262. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which orthodontic treatment remains available to meet requirements detected during school medical examinations; and if he will make a statement on the matter. [7374/14]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. Where a course of orthodontic treatment commences while a child is in primary school the necessary treatment will continue after the child enters secondary school. Orthodontic referrals are generally received via the Public Dental Service primary school screening programme. Those who attend private schools or are home schooled are also included. An individual's access to orthodontic treatment is determined against a set of clinical guidelines called the Modified Index of Treatment Need. Patients with the greatest level of need, i.e. Grade 5 or Grade 4 are provided with treatment by the HSE.

### **Nursing Staff Provision**

263. **Deputy Bernard J. Durkan** asked the Minister for Health the number of fully quali-

fied nurses currently employed on a permanent part-time or full-time basis throughout the health service; the number of assistants similarly employed at present; the extent to which this remains sufficient to meet requirements; and if he will make a statement on the matter. [7375/14]

**Minister for Health (Deputy James Reilly):** I have asked the HSE to provide the Deputy with the data sought in relation to nurses and assistants. The HSE has the capacity to recruit where it is necessary to do so, notwithstanding the need to reduce the numbers employed across the public service. Arrangements are in place to allow the recruitment of front-line staff, including nurses and assistants, where there is an established service need. More generally, in order to mitigate the impact on front-line services of the reduction in employment numbers, the priority is to reform how health services are delivered in order to ensure a more productive and cost effective health system.

### **Non-Consultant Hospital Doctors Recruitment**

264. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which junior hospital doctors, on graduation, are likely to become available throughout the health service in the coming year; the extent, if any, to which this will differ from previous years; and if he will make a statement on the matter. [7376/14]

**Minister for Health (Deputy James Reilly):** Under the provisions of the Medical Practitioners Act 2007 it is a matter for the Health Service Executive (HSE) to assess, on an annual basis, the number of intern training posts required by the health service. My Department is in regular contact with the HSE in relation to the issue of intern places with the aim, in so far as is possible, of providing a sufficient number of intern places for Irish/EU graduates from Irish medical schools. In the past two years the HSE has embarked on a process of expanding the number of posts to meet the demand of the growing number of graduates from Irish Medical Schools. In 2012 the number of Intern posts available was 572, and in 2013 this increased to 640 positions. It is expected that in July this year the HSE will have 680 positions available. The additional Intern posts are created in a budget neutral fashion and are located throughout the country. HSE recruitment for the July 2014 Medical Intern intake is a two stage process, which began, with online applications, in October 2013. Stage 2 of the recruitment process will begin on 28 February 2014.

### **National Children's Hospital Status**

265. **Deputy Bernard J. Durkan** asked the Minister for Health the position regarding preliminary planning and preparation in respect of the proposed new children's hospital; when it is expected the project will start; if the current project is likely to benefit from the preparatory work undertaken in respect of a previous site at an estimated cost of €50 million; and if he will make a statement on the matter. [7377/14]

**Minister for Health (Deputy James Reilly):** The National Paediatric Hospital Development Board (NPHDB) is the body responsible for the planning, design, building and equipping of the new children's hospital capital project. The project is currently in the design procurement stage. A Procurement Open Day was held on 25 November last, the shortlisting of design teams is now being completed and this will be followed by the invitation to tender for those short-listed. Decant planning, updating of the St James's site masterplan and pre-application planning discussions have been ongoing in relation to the site. The aim is to have the site cleared by the end of this year, to have a planning decision and commence construction in Spring 2015, and to begin transition of services to the new children's hospital at the end of 2018. In parallel with the construction of the new children's hospital, the operational integration of the three existing children's hospitals is of critical importance in ensuring that the new hospital functions effectively from the outset. A Children's Hospital Group involving the three hospitals has been

established, the core function of which is to integrate the three children's hospitals staff and service provision, well in advance of the new hospital being built.

In October 2013, the Minister for Public Expenditure & Reform announced that up to €200m would be made available for the new Children's Hospital from the sale of the National Lottery, adding to the existing €450m Exchequer funding. The level of funding now in place underlines the Government's commitment to this priority project. Also, philanthropic / non-Exchequer funding will be sought to the maximum and most appropriate degree. Estimated costs will be reviewed and refined at each stage as the project progresses. The total spent on the new children's hospital to date is €41m. Much of the work that was done for the project on its previous site can be transferred to the new site, in particular health care planning and preparation of the design brief which has been updated for the project in its new location.

*Question No. 266 answered with Question No. 39.*

### **Nursing Home Beds**

267. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which adequate provision remains to maintain the maximum number of nursing home beds at Maynooth Community Hospital, Maynooth, County Kildare; if, having regard to the competence, reliability and support for the existing unit, a further extension might be considered; and if he will make a statement on the matter. [7379/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Nursing Home Beds**

268. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which adequate provision remains to maintain the maximum number of nursing home beds at St. Brigid's nursing home, Crooksling; if, having regard to the competence, reliability and support for the existing unit, a further extension might be considered; and if he will make a statement on the matter. [7380/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **HSE Properties**

269. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which title has been clarified in respect of buildings and land at St. Brigid's Hospital, Crooksling; and if he will make a statement on the matter. [7381/14]

**Minister for Health (Deputy James Reilly):** Management of the health care property portfolio is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

### **Health Services Provision**

270. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which parents of children suffering with narcolepsy continue to receive adequate back-up support and services; and if he will make a statement on the matter. [7382/14]

**Minister for Health (Deputy James Reilly):** I note that early indications from scientific

and medical research into narcolepsy suggest that the prognosis for children may be better than previously indicated and that they should, with appropriate medication and supports, be able to reach their potential. The HSE and the Department of Education and Skills continue to provide a range of services and supports to individuals diagnosed with narcolepsy following pandemic vaccination regardless of age, on an ex-gratia basis. These services and supports which are coordinated by the HSE National Advocacy Unit are intended to provide that individuals receive tailored assistance to address their specific requirements, where appropriate. It is acknowledged that treatment and individual medical needs may need to be reassessed over time to take account of changes in their condition or circumstances.

The ex-gratia health supports include clinical care pathways to ensure access to rapid diagnosis and treatment, multidisciplinary assessments led by clinical experts, counselling services for both the individuals and their families, discretionary medical cards for those who have been diagnosed have been provided to allow unlimited access to GP care and any prescribed medication, ex-gratia reimbursement of vouched expenses incurred in the process of diagnosis and treatment, including travel expenses for attending medical appointments; physiotherapy, occupational therapy assessments, dental assessments and dietary services all on a needs basis. Regional co-ordinators have been appointed to assist individuals to provide advice, information and access to local services.

On the education side, the National Educational Psychological Services (NEPS) engaged with all of the schools being attended by children with narcolepsy to provide guidance and assistance on the condition and the supports available. These include special education home tuition, the provision of supplemental learning support/resource teaching support on a needs basis and the provision of Special Needs Assistants (SNA) support if required. Furthermore, reasonable accommodations, including special examination centres and rest breaks were provided for students who sat state exams in last June. Similar arrangements will be available on a needs basis to students sitting state exams in future years. The Department of Education and Skills issued circulars providing information to schools on the nature, likely symptoms, possible effect of the condition of narcolepsy on students and the supports available for students.

With regard to third level, students diagnosed with narcolepsy following pandemic vaccination can access the Disability Access Route to Education (DARE) scheme, which is a college/university scheme which offers enhanced access routes to third level education. All health and educational services and supports will continue to be provided on an ex-gratia basis. Those services and supports will be reassessed on an ongoing basis to take account of the individual's condition and circumstances.

### **EU Directives**

271. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the various public hospitals throughout the country continue to be affected by the working time directive; and if he will make a statement on the matter. [7383/14]

**Minister for Health (Deputy James Reilly):** Considerable progress has been made over the last 12 months on progressing compliance with the provisions of the Working Time Directive in respect of NCHDs. Data from the HSE shows that average working hours for NCHDs in 2009 was 60 hours a week, 54 hours per week in 2012 and 51.4 hours in the third quarter of 2013. The HSE is focused on advancing implementation of the Directive. Intensive negotiations conducted at the Labour Relations Commission in September and October resulted in agreement on a joint approach, involving hospital management, the IMO and NCHDs to achieving EWTD compliance. The agreement focused in particular on steps to be taken in the period up to the NCHD rotation on 13 January 2014 to progress 24 hour compliance. At a meet-

ing between the HSE and the IMO on 6 February the progress made by the acute hospitals on achieving compliance with the agreed maximum 24 hour shift target was assessed. While the majority of hospitals have made significant progress, arising from that assessment the Director of Acute Hospitals will be imposing fines on a minority of hospitals where sufficient progress has not been achieved. This is in accordance with the terms of the agreement reached at the LRC by the HSE and the IMO last Autumn.

NCHD recruitment and retention is required in order to facilitate the achievement of EWTD compliance. Achievement of full compliance will also require reorganisation of the delivery of certain services within Hospital Groups. The number of NCHDs in the public health system has increased by over 200 in recent years and now exceeds 4,900. However, there are international shortages of NCHDs in certain categories and specialties. There are also some hospitals to which it has been difficult to attract NCHDS, for a range of reasons including training opportunities and rural location.

I set up the MacCraith Group to undertake a Strategic Review of Medical Training and Career structure last Summer. The Group is to make recommendations aimed at improving the retention of medical graduates in the public health system, planning for future service needs and achieving the maximum benefit from investment in medical education and training. The Group provided an Interim Report in December 2013 focusing on training and is now examining career structures and pathways following training with a view to preparing a report by the end of March 2014. It will provide the final report by the end of June 2014.

### **Hospital Waiting Lists**

272. **Deputy Bernard J. Durkan** asked the Minister for Health the number of patients recorded as awaiting various procedures at public hospitals throughout the country; the degree to which these waiting times have fluctuated to date; and if he will make a statement on the matter. [7384/14]

**Minister for Health (Deputy James Reilly):** In relation to the detailed information requested by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond to him directly.

### **Accident and Emergency Departments Waiting Times**

273. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which overcrowding at accident and emergency departments throughout the public hospital sector has fluctuated in each of the past six years to date; and if he will make a statement on the matter. [7385/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter, I have asked the HSE to respond directly to the Deputy.

### **Hospital Trusts**

274. **Deputy Bernard J. Durkan** asked the Minister for Health notwithstanding his reply to previous Parliamentary Question in the matter of the next development phase of the Naas Hospital Development Plan, if he is satisfied in view of the pivotal geographic location of the hospital that adequate resources will be put in place to ensure its continued development without interruption; if all necessary upgrading of equipment and staffing arrangements are in place to facilitate the ongoing growth and development of the hospital; and if he will make a statement on the matter. [7386/14]

**Minister for Health (Deputy James Reilly):** As a first step in the transformation of public

hospitals into independent, not for profit hospital trusts, seven hospital groups have been established nationally in line with the recommendations of *The Establishment of Hospital Groups as a Transition to Independent Hospital Trusts* (the Higgins report) published in May 2012. Naas Hospital is part of the Dublin Midlands Hospital Group, along with the Coombe Women and Infants University Hospital, the Midland Regional Hospital Portlaoise, the Midland Regional Hospital Tullamore, St. James's Hospital and Tallaght Hospital, with Trinity College Dublin as the academic partner for the group.

Each hospital group must develop a strategic plan for their future service configuration in the first year of their operation. These plans must describe how they will provide more efficient and effective patient services; how they will reorganise these services to provide optimal care to the populations they serve; and how they will achieve maximum integration and synergy with other groups and all other health services, particularly primary care and community care services. The development of all hospitals, including Naas Hospital, will be considered in the context of these strategic plans.

I have asked the HSE to respond directly to the Deputy in regard to the specific issues he raises of resources, equipment and staffing arrangements.

### Medical Card Data

275. **Deputy Bernard J. Durkan** asked the Minister for Health the total number of full medical cards currently in circulation; the extent to which this figure has fluctuated in each of the past five years to date; and if he will make a statement on the matter. [7387/14]

**Minister of State at the Department of Health (Deputy Alex White):** The information sought by the Deputy is outlined in the following table. The medical card service is demand led and the number of cards at any given time reflects those persons who have met the eligibility criteria governing the scheme. It should be noted that the higher number of medical cards that issued in 2012 was attributable, primarily, to the backlog of applications in 2011 which were cleared by April 2012.

Date	National Population	Number of Medical Cards
End 2009	4,459,300	1,478,560
End 2010	4,470,700	1,615,809
End 2011	4,581,269	1,694,063
End 2012	4,585,400	1,853,877
End 2013	4,593,100	1,849,380

### Hospital Acquired Infections

276. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the incidence of MRSA or other similar hospital infections continues to be monitored; the extent to which improvement has taken place in each of the past five years to date; and if he will make a statement on the matter. [7388/14]

**Minister for Health (Deputy James Reilly):** The prevention of Healthcare Associated Infections (HCAIs) and colonisation/infection of our patients with antimicrobial-resistant organisms (AMR) such as MRSA is one of my priorities in protecting patient safety. HCAIs represent a major cause of preventable harm and increased healthcare costs. While not all HCAIs are due to AMR a significant proportion are. HCAIs are not an inevitable consequence of healthcare - recent evidence suggests that up to 70% of HCAIs can be prevented depending

on the type of infection and the baseline rate.

The approach to prevention and control of HCAs is similar irrespective of whether or not it is caused by an antibiotic resistant bacteria. Therefore, the Health Service Executive (HSE) has a dual focus:

1. Implementing measures to prevent and control HCAs including those caused by AMR such as MRSA

2. Implementing specific measures for AMR including MRSA

- These are outlined in national guidelines which have been recently updated
- Monitoring infections caused by AMR as outlined later in this response.

The HSE has implemented a number of national initiatives in this field for many years, including:

- SARI 2001-2010 which specifically outlined the national strategy for prevention of AMR and was launched by the Minister of Health in 2001.

- HSE ‘ Say No to Infection’ which focused on both HCAs and AMR

- The RCPI & HSE national clinical programme for the prevention and control of HCAs and AMR which commenced in late 2010.

- Public reporting of HCAs and AMR in Irish acute hospitals:

- HCAs Prevalence Study 2006 and 2012

- *S. aureus* bloodstream infection (reported quarterly since 2007) – this includes public reporting of MRSA rates per hospital

- Alcohol hand rub consumption (reported bi-annually since 2007)

- Antibiotic consumption (reported bi-annually since 2007)

- Hand hygiene compliance (reported bi-annually since 2011)

The overall aim of the national clinical programme for the prevention and control of HCAs and AMR is that every healthcare worker and all parts of the healthcare system recognise that the prevention and control of HCAs and AMR is a key element of clinical and non-clinical governance. Our healthcare systems have processes in place to ensure safe healthcare is reliably delivered irrespective of the healthcare setting. The programme focuses on getting three basic practices right every time we care for our patients, these are hand hygiene, using antimicrobials appropriately (antimicrobial stewardship) & preventing medical device-related infections i.e., IV lines/drips, urinary catheters. If the above three measures are applied consistently and reliably every time healthcare workers care for their patients/residents/client then a significant proportion of HCAs, including that caused by AMR will be prevented.

The Health Protection Surveillance Centre (HPSC) collates information from hospitals on healthcare associated infections and antimicrobial resistant organisms such as MRSA. Information is also published on an ongoing basis for *S. aureus* and MRSA bloodstream infection – published quarterly to hospital level since 2007. Notably, there has been an annual decrease in reported *S. aureus* BSI, from 1,251 (2010) to 1,060 (2012). To the end of Q1 2013, 18.6% were due to resistant *S. aureus* (MRSA), a reduction on 2012 (22.8%).

In December last I launched and endorsed the second National Clinical Guideline, Prevention and Control Methicillin-Resistant *Staphylococcus aureus* (MRSA). This National Clinical Guideline provides practical guidance on prevention and control measures for MRSA to improve patient care, minimise patient morbidity and mortality and to help contain healthcare costs. The guideline has been developed for all healthcare staff involved in the care of patients, residents or clients who may be at risk of or may have MRSA in acute hospitals, obstetrics and neonates, nursing homes/long stay residential units and the community.

While I welcome the reducing trend in reported rates of MRSA in Ireland which indicates an overall reduction of 59% in MRSA rates since 2006, as per the table, Ireland's MRSA rates are comparably high with other countries. We must systematically build our actions and processes to continue to reduce the prevalence of MRSA in Ireland. I might add that I have ensured that Patient Safety has been made a priority within the HSE's Annual Service Plan through specific measures focused on quality and patient safety including HCAs, Medication safety and implementation of Early Warning Score systems. My officials meet the HSE each month on the Service Plan and patient safety is a standing item on that agenda.

Year	No. of MRSA cases	Decrease
2006	592	-
2007	536	-
2008	439	-
2009	355	-
2010	305	-
2011	263	-
2012	242	59% decrease on 2006 figures
2013	180*	* Data provisional to the end of Q3 2013

### Accident and Emergency Departments Waiting Times

277. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the number of persons occupying hospital trolleys in respect of each of the public hospitals has fluctuated in the course of the past five years to date; and if he will make a statement on the matter. [7389/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter, I have asked the HSE to respond directly to the Deputy.

### Medical Card Appeals

278. **Deputy Bernard J. Durkan** asked the Minister for Health if a review of refusal of medical card in the case of a person (details supplied) in County Kildare can be undertaken, with particular reference to the medical needs of his spouse for whom a medical card is essential; and if he will make a statement on the matter. [7390/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.



## Psychological Services

279. **Deputy Terence Flanagan** asked the Minister for Health if he will provide a breakdown of the amounts paid out by his Department and the Health Service Executive to psychotherapy firms in the Dublin North Central and Dublin North East constituencies for the past five years; and if he will make a statement on the matter. [7398/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Department of Health did not provide any funding to Psychotherapy firms in Dublin north central and Dublin north east constituencies over the past five years.

Having regard to payments issued by the HSE, I am referring the Deputy's PQ to the HSE for direct reply as this is a service issue.

## Accident and Emergency Departments Waiting Times

280. **Deputy Terence Flanagan** asked the Minister for Health his plans to deal with overcrowding at Tallaght and Beaumont hospitals; and if he will make a statement on the matter. [7416/14]

286. **Deputy Terence Flanagan** asked the Minister for Health his plan to tackle the accident and emergency crisis at Beaumont Hospital; and if he will make a statement on the matter. [7434/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 280 and 286 together.

As this is a service matter, I have asked the HSE to respond directly to the Deputy.

## Primary Care Centres Provision

281. **Deputy Terence Flanagan** asked the Minister for Health if he will provide details of the planned primary care centre for Coolock; the cost of constructing the new building; the budget for running it; if he will provide a detailed breakdown of the number of staff due to work there; the different services the centre will provide; and if he will make a statement on the matter. [7417/14]

**Minister of State at the Department of Health (Deputy Alex White):** Considerable progress has been made in progressing the primary care centre PPP project. Coolock/Darndale is one of the locations identified as being suitable for the PPP model. The HSE lodged the planning application for the Coolock/Darndale primary care centre in November 2013 and a 'decision to grant planning' was issued in January 2014. Details will be available on the relevant planning website. In addition to Coolock/Darndale, the locations to be progressed through planning are Ballymote; Boyle; Westport; Claremorris; Tuam; Limerick City; Dungarvan; Carrick-on-Suir; Wexford Town; Waterford City; Kilcock; Knocklyon/Rathfarnham; Crumlin/Drimnagh; and Summerhill, north inner city Dublin. In addition, the HSE has progressed Ballinrobe, which was not one of the original 35 locations announced in 2012, as a suitable substitute. It is expected that 10-14 sites (indicative number 12 based on affordability) from the locations listed above will be delivered as part of a single PPP contract with the remaining centres to be delivered by the HSE using other procurement means.

The National Development Finance Agency (NDFIA) published a Prior Indicative Notice

(PIN)/Pre-Qualification Questionnaire in the OJEU on 19 December 2013. Details can be located at the following web address - <http://www.ndfa.ie/TenderCompetitions/PrimaryCare-CentresPPPProgramme.htm>.

Healthcare delivery is a service matter, therefore the Deputy's question in relation to the budget, staff numbers and health care services proposed to be delivered is referred to the HSE for direct reply.

### Legislative Measures

282. **Deputy Terence Flanagan** asked the Minister for Health the position regarding the Protection of Life During Pregnancy Act 2013; if he has been notified of terminations taking place under this Act; the discussions and number of meetings between his Department, the Health Service Executive and the medical professional bodies concerned regarding guidelines; and if he will make a statement on the matter. [7418/14]

**Minister for Health (Deputy James Reilly):** As the Deputy might be aware, the Protection of Life During Pregnancy Act 2013 commenced on 1st January 2014. The Act provides that I, as the Minister for Health, must publish a report covering the operation of the Act in the preceding year by 30th June each year and lay it before the Houses of the Oireachtas. As the Act was commenced on 1st January 2014, the first annual report covering its operation will be published in June 2015.

Last September a committee was established to develop a Guidance Document to assist health professionals in the implementation of the Act. This is a multi-disciplinary committee of experts in medicine, nursing and midwifery, and law, including representatives from my Department, the Health Service Executive and the relevant medical professional bodies (the full membership is detailed in the table). The Committee has now met six times.

The Guidance Document is at an advanced stage and it is expected to be signed off shortly. The Document will include identifying referral pathways to fulfil the requirement of the Act and other relevant operational matters.

### Membership

S/N	Field	Name	Title	Organisation
1	Independent Chair	Dr. Declan Bedford	Specialist in Public Health Medicine	Independent
2	Obstetrics	Dr. Geraldine Gaffney	Consultant Obstetrician Gynaecologist Galway University Hospital	Nominee: Institute of Obstetrician and Gynaecologists
3	Obstetrics	Prof. Michael Turner	National Clinical Lead in Obstetrics and Gynaecology	Nominee: HSE Clinical Programme in Obstetrics and Gynaecology

S/N	Field	Name	Title	Organisation
4	Mental Health	Dr. Joanne Fenton	Consultant Psychiatrist - Coombe Women & Infants University Hospital	Nominee: HSE Clinical Programme in Mental Health
5	General Practice	Dr. Miriam Daly	Director Women's Health Programme	Nominee: The Irish College of General Practitioners
6	General Practice	Dr. Joe Clarke	National Clinical Lead in Primary Care	Nominee: HSE Clinical Programme in Primary Care
7	Nursing and Midwifery	Ms. Sheila Sugrue	National Lead Midwife / Adjunct Senior Lecturer, School of Nursing, Midwifery and Health Systems UCD	Nominee: HSE Nursing and Midwifery Services
8	Medical Ethics	Dr. Deirdre Madden	Senior Lecturer in Law, University College Cork	Independent
9	Psychiatry	Dr. Anthony McCarthy	President College of Psychiatrists in Ireland	Nominee: College of Psychiatrists in Ireland
10	Physical Health	Dr. Kathleen McGarry	Consultant Physician, Our Lady's Hospital Navan	Nominee: Royal College of Physicians of Ireland
11	Senior Executive	Dr. Cate Hartigan	Head of Health Promotion and Improvement	Nominee: HSE Corporate
12	Policy	Ms. Geraldine Luddy	Principal Officer, Social Inclusion Unit	Department of Health

### European Health Insurance Card

283. **Deputy Terence Flanagan** asked the Minister for Health the cost of providing European health insurance cards for the past five years; the number that have been issued over the past five years; the consequence of travelling abroad without one; and if he will make a statement on the matter. [7421/14]

**Minister for Health (Deputy James Reilly):** Under EU Regulations an insured person who becomes ill or injured while on a temporary stay in any EU/EEA member state or Switzerland may avail of emergency health care in the public health system of that state under the

terms of that state's public health system, at the cost of the state in which they are insured. The European Health Insurance Card (EHIC) is issued to facilitate this process. If an insured person does not hold a current EHIC, it is possible to request a Temporary Replacement Certificate from the HSE whilst on a visit to another state. Travelling abroad without an EHIC may result in a person experiencing difficulties in accessing the services/level of care in the public health system that would have been afforded to them on production of an EHIC. It is also likely that the person would be required to pay for treatment at the time and claim for reimbursement at a later stage.

There are approximately 1.4 million persons covered by European Health Insurance Cards issued by Ireland. These cards are issued on a four year cycle. The cost of claims against Ireland arising from the application of the EHIC is in the region of €5 million per annum.

### **Services for People with Disabilities**

284. **Deputy Terence Flanagan** asked the Minister for Health the total number of vacancies in all early intervention teams in Dublin North East and Dublin North Central; the length of time each position has been vacant; his plan to fill vacancies; and if he will make a statement on the matter. [7422/14]

285. **Deputy Terence Flanagan** asked the Minister for Health the number on waiting lists looking to see all members of intervention teams in Dublin North Central and Dublin North East; the average waiting time on lists; and if he will make a statement on the matter. [7423/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 284 and 285 together.

The Government is committed to the provision and development of services for children with a disability, including early intervention services, within available resources. While these services are in the process of being reconfigured under the HSE's National Programme on Progressing Disability Services for Children and Young People (0-18 years), it is important to note that all HSE areas have significant early intervention services in place for children with disabilities aged zero to eighteen years. These are provided directly by the HSE or by voluntary service providers funded by the HSE.

The aim of the Programme on Progressing Disability Services for Children and Young People is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to services for all children, regardless of where they live, what school they go to or the nature of their disability. An additional €4m has been specifically allocated in 2014 to drive implementation of the Programme. This equates to approximately 80 therapy posts.

My Department has asked the HSE to provide the Deputy with the detailed operational information that he has requested.

*Question No. 286 answered with Question No. 280.*

### **Open Disclosures Policy**

287. **Deputy Lucinda Creighton** asked the Minister for Health further to Parliamentary Question No. 250 of 6 February 2014, if the upcoming health information Bill which will enshrine the principles of open disclosure in legislation that the Minister for Justice and Equality referred to in his speech of 8 February 2014 to the Family Lawyers Association of Ireland; if

additional legislation is now being framed; when such additional legislation will be published; and if he will make a statement on the matter. [7449/14]

**Minister for Health (Deputy James Reilly):** I expect to bring updated heads of a Health Information Bill to Government later on this year which will include detailed provisions on open disclosure. Legislative proposals being prepared by my Department on open disclosure will be an important part of the measures designed to foster and support a culture of open disclosure in the health service and I am working closely with the Minister for Justice and Equality towards ensuring a complementary approach in regard to the work we are undertaking.

### **Penalty Points System**

288. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the number of drivers who have obtained the maximum 12 penalty points in the years 2011, 2012 and 2013 who are now disqualified from driving; and the number of drivers who have obtained the maximum number of penalty points but their disqualification from driving is pending. [7292/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The number of drivers who have obtained 12 penalty points in the years 2011, 2012 and 2013 and consequently were disqualified from driving for a period of six months under Section 3 of the Road Traffic Act, 2002 are 255, 263 and 242 respectively. As regards drivers who have obtained the maximum number of penalty points but their disqualification from driving is pending, there were 22 in 2011, 20 in 2012 and 36 in 2013. Of the 22 drivers in 2011, 19 drivers are serving non-penalty points related disqualifications under Part III of the Road Traffic Act 1961 while the equivalent figures for 2012 and 2013 are 17 and 27 respectively. The remainder do not have current driving licences and accordingly, the disqualifications are still pending. It is important to note that this later group, as they do not have current driving licences are therefore not eligible to drive on our roads.

### **Public Service Obligation Services**

289. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport if he will confirm that the Dublin Bus routes that will be publicly tendered under the PSO contract will be obliged to offer full ticketing integration with both Dublin Bus and the Leap card; and if he will make a statement on the matter. [7221/14]

290. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport if he will confirm that the Dublin Bus routes that will be publicly tendered under the PSO contract will be obliged to offer full wheelchair accessibility; and if he will make a statement on the matter. [7222/14]

291. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport if he will confirm that the Dublin Bus routes that will be publicly tendered under the PSO contract will be obliged to accept bus passes as per the present arrangements; and if he will make a statement on the matter. [7223/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 289 to 291, inclusive, together.

The issues raised are matters for the National Transport Authority (NTA) and I have referred the Deputy's questions to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

## **Road Toll Operators**

292. **Deputy Noel Harrington** asked the Minister for Transport, Tourism and Sport the dividends paid out to each of the partners involved in the East Link Bridge for each of the past 29 years; and if he will make a statement on the matter. [7267/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The East Link toll bridge was opened in October 1984. It was built on foot of an agreement between Dublin City Council and NTR and therefore my Department was not a party to the agreement.

Under agreements dated the 16 March 1983 and 24 November 1983, the latter being in consideration for the loss of limited berthage and the disposal of certain lands, Dublin Port Company acquired the right to participate in the future profits of the Toll Scheme for a period of 25 years from the date on which the building costs were finally discharged or until 31 December 2015, whichever date first occurs. The appropriate date, therefore, is 31 December 2015.

Under these aforementioned agreements it is my understanding that Dublin Port Company received €1.1million for each of the years 2012 and 2011 for example. The figures are disclosed in the Company's publically available annual accounts.

## **Rural Transport Programme Issues**

293. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the progress made to date in reforming rural transport; the integration of the various schemes, including school bus, Bus Éireann and Health Service Executive transport schemes; and if he will make a statement on the matter. [7277/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** As Minister of State for Public and Commuter Transport I have responsibility for policy and overall funding in relation to the Rural Transport Programme (RTP). Following a Government Decision in January 2012, national responsibility for the integration of local and rural transport services, including management of the RTP, was assigned to the National Transport Authority (NTA) with effect from 1 April 2012. This includes responsibility for implementing the restructuring of the RTP announced by me on 9 July 2013.

I have referred your question to the NTA for direct response. If you do not receive a reply within 10 working days please contact my private office.

## **Visa Waiver Programme**

294. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the list of countries that have been included in the visa waiver programme; the tourism numbers from those countries that have already been included; the potential numbers that are being projected by his Department; and if he will make a statement on the matter. [7278/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The short-stay visa waiver programme falls within the responsibilities of my colleague the Minister for Justice and Equality. The programme, which was launched in 2011, allows visitors or business people from selected countries who have lawfully entered the UK, including Northern Ireland, on a valid UK visa, to travel on to Ireland without the requirement to obtain an Irish visa. Details of the countries that have been included in the programme to date are available on the website of

the Irish Naturalisation and Immigration Service [www.inis.gov.ie](http://www.inis.gov.ie).

With regard to the number of visitors from countries included in the short-stay visa waiver programme, responsibility for the publication of figures on visitor numbers is a matter for the Central Statistics Office, which comes under the Department of the Taoiseach. However, I am advised that there were an estimated 109,000 visitors from these countries in 2013, an increase of 66% when compared with 2010, the last full year before the visa waiver programme was introduced.

Tourism Ireland is the agency with responsibility for the overseas marketing of the Island of Ireland as a holiday destination and works to develop Ireland as a visitor destination in new and developing markets, including those covered by the visa waiver but also others, such as Brazil, which do not require visas for short stays. The agency has set an overall target of growing visit numbers by a further 4% this year and by 13% by 2016 compared to the 2013 numbers. In this regard, the agency's Business Plan for 2014 and Corporate Plan for 2014-2016 include a number of actions to maximise the number of visitors from developing markets including continuing to work with the relevant authorities to exploit further opportunities to promote the short-stay visa waiver programme.

### **Road Safety**

295. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will request the National Roads Authority to examine the bend in the road on the N11 as it enters Donnybrook to see what measures can be put in place to reduce the speed of vehicles as they come through this bend and enter Donnybrook village. [7310/14]

296. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will provide emergency funding for raised traffic lights on the N11 at the existing pedestrian crossing by Leinster's Donnybrook rugby grounds in view of the speed at which vehicles approach this pedestrian crossing from the dual carriageway and the high number of pedestrians crossing at this point. [7311/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 295 and 296 together.

The road mentioned by the Deputy no longer forms part of the N11 but was re-designated as a regional road.

The maintenance of regional and local roads, in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads including the installation, maintenance and operation of traffic lights and the provision of traffic calming installations are a matter for the relevant local authority. In this case the responsible road authority is Dublin City Council.

The default speed limits for different categories of road, including roads in built up urban areas, are specified in the Road Traffic Acts. There is provision in the legislation for local authorities to make bye-laws providing for special speed limits in specific circumstances.

### **Parking Provision**

297. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport when he plans to introduce regulations permitting local authorities to introduce by-laws that would

designate electric vehicle charging points on public roads as electric vehicle parking only, as well as permitting local authorities to assign dedicated public parking spaces as car club only spaces. [7314/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Draft regulations to provide for charging points for electric vehicles and for on-street parking spaces for car clubs are currently being finalised by the Office of the Attorney General. These regulations will deliver largely the same outcomes as those envisaged by the Deputy's 2011 Private Members Bill. It is my intention to sign the regulations as soon as drafting is complete and I expect to do this within the next two months.

### **Cycling Facilities Provision**

298. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if the National Transport Authority has completed its consideration and approval of the detailed designs for the S2S; and, if not, when same is expected to occur. [7317/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The development of the Sutton to Sandycove, or S2S, route and all other cycling facilities within the Greater Dublin Area is a matter for the National Transport Authority (NTA) in conjunction with the relevant local authority, in this case Dublin City Council.

Accordingly, I have forwarded your request to the NTA and have asked them to reply to you directly. Please advise my private office if you do not receive a reply within 10 days.

### **Public Transport Initiatives**

299. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the terms of reference of the consultation for the bus rapid transit corridor and swiftway system which commences on 17 February 2014; with whom will the final route decisions rest; and the role of the local authorities in same. [7364/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The NTA has statutory responsibility for developing public transport infrastructure in the Greater Dublin Area (GDA) including Bus Rapid Transit (BRT) projects.

I understand that the NTA is commencing a non-statutory public consultation on 17 February 2014 in relation to the proposals that it is developing in respect of a possible BRT service for Dublin. This initial consultation will focus on explaining the concept of BRT, providing an overview of the overall BRT network proposed by the NTA and identifying what is termed as an "emerging preferred route" for each of the proposed network corridors. Further public consultations are envisaged at the later development stages of the schemes.

The NTA has advised that the development of each BRT corridor will require the preparation and publication of an environmental impact statement and its submission to An Bord Pleanála for determination. The NTA has also advised that it has engaged extensively with the relevant local authorities in the development of these BRT proposals and that it is its intention that the further development of these proposals would be undertaken in cooperation with the local authorities. I am happy to arrange a briefing on this matter from the NTA for members of the Oireachtas if the Deputy believes this would be of benefit.



### Public Transport Initiatives

300. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown of funding provided by his Department for upgrading bus lanes and QBCs on the north side of Dublin; and if he will make a statement on the matter. [7407/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) in December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), including upgrading bus lanes and QBC's under the current capital plan, comes within the remit of the NTA.

Noting this I have referred the Deputy's question to the NTA. Please advise my private office if you do not receive a reply within 10 working days.

### Public Transport Initiatives

301. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport his views on rapid bus plans for Dublin; and if he will make a statement on the matter. [7408/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The NTA has statutory responsibility for developing public transport infrastructure in the Greater Dublin Area (GDA) including Bus Rapid Transit (BRT). Preparatory planning work is being overseen by the Authority in relation to BRT projects and they have included proposals for three routes in their draft Implementation Plan 2013 -2018 whilst noting that construction is subject to availability of funding.

Under the current capital plan to 2016 5-year plan (*Infrastructural and Capital Investment 2012-2016: Medium term Exchequer Framework*) funding is only available for the initial design and route selection of a small number of BRT schemes. The BRT schemes identified by the NTA, of which Swords/Airport has been identified as a priority, will be included for consideration with other projects in deciding on priorities for the capital plan post 2016. The NTA will have to carry out further detailed assessment on each proposal, including a business case, once a preferred route is selected. I understand that the NTA is shortly to commence a public consultation process on the three identified BRT routes.

BRT would be a fast and efficient form of public transport in some parts of Dublin, and would be cheaper to build, operate and maintain than rail. BRT will not on its own replace rail based services where a higher capacity solution is required in the long term, such as on the Swords/Airport corridor. In that case it appears to offer an interim solution pending decisions on rail solutions. Overall there is a role in the future for BRT on certain routes as part of the mix of public transport options for commuters in our cities.