

## 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 to 10, inclusive, answered orally.*

### **School Completion Programme**

11. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs if expenditure for the school completion programme has been ring-fenced for 2015; and if he will make a statement on the matter. [43981/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are at risk of educational disadvantage. The Programme is a targeted intervention aimed at those school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion. It provides targeted supports to 36,000 children.

Since 1 January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to local projects. In 2014, an allocation of €24.756 million has been provided for the School Completion Programme.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement under Section 45 of the Child and Family Agency Act, 2013 in December. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the Agency's proposed activities, programmes and priorities for 2015 in light of the monies available.

A review of the School Completion Programme has commenced. It is being carried out by the ESRI following a procurement process managed by the Agency. The review will examine the programme structures. It will analyse the interventions provided and make recommendations for evidence informed supports designed to secure the best educational outcomes for young people. The review is an important initiative to plan for the future development of this Programme. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. It is envisaged that the review will be completed during the 2014/2015 academic year.

### **School Completion Programme**

12. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs the way the school completion programme will develop in 2015; and if he will make a statement on the

matter. [43980/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are at risk of educational disadvantage. The Programme is a targeted intervention aimed at those school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion. It provides targeted supports to 36,000 children.

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### **Ombudsman for Children Remit**

13. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs his plans to permit the Ombudsman for Children to take complaints from children affected by the direct provision system; and if he will make a statement on the matter. [43963/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I can inform the Deputy that the direct provision system is under the remit of my colleague, the Minister for Justice and Equality. The Department of Justice and Equality has primary responsibility in the area of asylum and immigration.

The Deputy may be aware that a report '*Review of the operation of the Ombudsman for Children Act 2002*', was submitted by the Ombudsman for Children, Ms Emily Logan to the then Minister for Children and Youth Affairs in March 2012. One of the recommendations contained in that report was that "... *section 11(1)(e) should be amended to clarify that the exclusion regarding the administration of law in the area of asylum, immigration, naturalisation or citizenship relates solely to decisions taken by the relevant authorities in accordance with statutory procedures for determining whether a person is entitled to a particular status.*"

My Department engaged with the Department of Justice and Equality on this recommendation, among others. The then Minister for Justice and Equality considered that no legislative change was required and this position has been reaffirmed by that Department.

In a reply to a question by Deputy Brendan Griffin (Reference No. 31092/14 on 15th July 2014), the Minister for Justice and Equality addressed, among other issues, the question of the

Ombudsman for Children being given jurisdiction in the direct provision system and for the Health Information Quality Authority (HIQA) to be allowed inspect direct provision hostels. In replying, the Minister made reference to provisions in both the Ombudsman for Children Act 2002 and Ombudsman Act 1980 which excludes either Ombudsman from investigating any action taken by or on behalf of a person in the administration of law relating to, inter alia, asylum. If I may quote from Minister Fitzgerald's response, she said "*Whilst there are no plans to change those legislative provisions, the Irish Naturalisation and Immigration Service (INIS) including RIA, has administrative arrangements in place with both Offices to assist and provide information on matters brought to its attention by them*".

The Department of Justice has established a working group to review a range of issues pertaining to asylum seekers and direct provision. The first meeting of the Working Group on the Protection Process was held on the 10th November 2014, chaired by Dr. Bryan McMahon. The Working Group consists of children's rights advocates, organisations engaged with asylum groups and representatives from a range of relevant government departments, including a representative from my own Department. I look forward to learning of the findings and recommendations of the working group in the Spring of 2015.

### **School Completion Programme**

14. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the funding he has allocated for the school completion programme in 2015; and if he will make a statement on the matter. [43930/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are at risk of educational disadvantage. The Programme is a targeted intervention aimed at those school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion. It provides targeted supports to some 36,000 children and young people.

Since 1 January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to projects within the programme. In 2014, an allocation of €24.756 million has been provided for the School Completion Programme.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement under Section 45 of the Child and Family Agency Act, 2013 in December. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the proposed activities, programmes and priorities for the Agency for 2015 in light of the monies available.

A review of the School Completion Programme has commenced. It is being carried out by the ESRI following a procurement process managed by the Agency. The review will examine the programme structures. It will analyse the interventions provided and make recommendations for evidence informed supports designed to secure the best educational outcomes for young people. The review is an important initiative to plan for the future development of this Programme. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. It is envisaged that the review will be completed during the 2014/2015 academic year.

## Youth Services

15. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the State support that has and will be provided to computer coding club initiatives, for example, CoderDojo and TechSpace; if any support is planned for such initiatives; if there is to be co-ordination of such initiatives; the locations of and plans for the further development of such important clubs; and if he will make a statement on the matter. [43968/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The Youth Service Grant Scheme provides funding for some 30 national and major regional youth organisations which support the provision of programmes and services for the personal and social education of young people between the ages of 10 to 24. Other schemes support youth projects which focus on preventative responses for young people who are disadvantaged, in particular young people who are homeless, at risk of alcohol and drugs misuse, are out of school or Traveller children.

In 2014, funding of €49.78m has been provided to my Department for these schemes. I am pleased to advise that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. There will be no reduction in the overall allocation for youth services in 2015 which was a key priority for youth organisations.

The initiatives mentioned by the Deputy have not received funding from my Department and their activities do not come within the scope of the main funding programmes available to my Department at this time.

I am aware of the valuable work carried out at local level by computer coding clubs such as CoderDojo and TechSpace. Computer coding initiatives have much to contribute to helping young people in making the most of digital technology and in particular, in positioning Ireland to take advantage of the opportunities of digital in line with the objectives of the National Digital Strategy led by the Department of Communications, Energy and Natural Resources.

I would like to advise the Deputy that local volunteer-led youth clubs are eligible to apply for funding under my Department's Local Youth Club Grant Scheme and other related schemes operated in Dublin and Waterford Cities. In 2014, €1.035m was made available under this Scheme to local youth clubs and groups, for 1,900 volunteer-led youth clubs with almost 100,000 young members. These annual grants are an important source of funding for local youth clubs and groups. The Scheme is administered by 16 Education and Training Boards on behalf of my Department. Further information on this is available on my Department's website, [www.dcy.gov.ie](http://www.dcy.gov.ie), or from regional Education and Training Boards.

Details of the 2015 Scheme will be announced in the first quarter of 2015.

## Child Care Services Funding

16. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs in view of the continuing pressures being voiced by the early childhood sector regarding threats to the financial sustainability of services, the plans in place to address the current sustainability crisis faced by the sector; if his Department has brought the issue of charging early childhood services commercial rates to the attention of the national Valuation Office as an immediate threat to the

sustainability of services; and if he will make a statement on the matter. [43976/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I am aware of and concerned by sustainability issues for early years services. Annual funding in the region of €260 million is provided to the childcare sector to support a number of childcare programmes that are implemented by this Department. These programmes include the Community Childcare Subvention programme, the Early Childhood Care and Education programme and a number of labour activation initiatives under the Training and Employment Childcare programmes. These programmes, and in particular the Early Childhood Care and Education programme, provide a guaranteed source of income to participating services and given that many parents would otherwise not be able to avail of pre-school care and education for their children, the funding has ensured that many childcare services, both commercial and community, have the resources to continue to operate.

Despite the budgetary situation that prevailed in recent years the Government has maintained the funding necessary to support the childcare programmes and has introduced new initiatives to meet the changing circumstances, particularly in regard to the improved employment opportunities in the economy. As funding becomes available, I would hope that the capitation rates for all programmes could be increased to provide further support.

Following concerns expressed by childcare providers throughout the country, the issue of commercial rates on pre-school services was raised with the previous Minister for the Environment, Community and Local Government and the concerns of childcare providers in relation to commercial rates were brought to the attention of officials in the Department of Public Expenditure and Reform. Officials from my Department recently met with the Department of Public Expenditure and Reform in the context of the Valuation Bill currently going through the Houses of the Oireachtas and discussed the issue of commercial rates on pre-school services. The Government has recently approved an amendment to the Bill to exempt not-for-profit childcare providers from rates.

### Child Poverty

17. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs arising from the recently published UNICEF report on child poverty, the extent to which he has identified possible child welfare issues of a significant nature and relevant to his Department; his plans to take any specific steps to address any issues arising; and if he will make a statement on the matter. [43960/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Support for families who require income support to meet basic needs is provided through the social welfare system which is the responsibility of my colleague the Minister for Social Protection. A range of income supports are available to parents, both those who are unemployed and those on low incomes. The Department of Social Protection also has lead responsibility for the National Action Plan for Social Inclusion.

*Better Outcomes, Brighter Futures: the National Policy Framework for Children and Young People 2014-2020 (BOBF)*, which was published and launched by Government in 2014, provides the overarching framework for the development and implementation of policy and services for children and young people. As provided for in the framework, the Department of Social Protection is the lead department on child poverty and has the lead responsibility for a specific commitment to a national child-specific social target to lift over 70,000 children out of consistent poverty by 2020, a reduction of at least two-thirds on the 2011 level.

My Department is working on a number of initiatives which are relevant in addressing issues related to children poverty. For example, it is leading the implementation of the Area Based Childhood (ABC) Programme (2013-2016). The ABC Programme is being co-funded by Atlantic Philanthropies and will have a total funding allocation of up to €29.7 million. The ABC Programme draws on best international practice to break the cycle of child poverty where it is most deeply entrenched, and improve the outcomes for children and young people and existing services.

In terms of other provision, my Department is spending €260 million annually on childcare support programmes which provide childcare to 100,000 children. A number of these programmes are targeted at those on lowest incomes. The CCS programme provides subvention support to parents on low incomes and parents in receipt of certain social welfare payments, whose children are enrolled in community childcare facilities. Additionally, the 3 Training and Employment Childcare (TEC) programmes - the Childcare Education and Training Programme, the Community Employment Childcare programme and the Afterschool Childcare Programme - provide childcare supports to eligible parents returning to work or to education.

My Department also provides funding for targeted support for disadvantaged, marginalised and at risk young people through three youth schemes. The three programmes are Special Projects for Youth Scheme, the Young People's Facilities and Services Fund and Local Drugs Task Force Projects. In addition, national and regional youth work organisations are supported under my Department's Youth Service Grant Scheme. In 2014, current funding of €49.78 million has been provided to my Department for these schemes. I am pleased to advise that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. There will be no reduction in the overall allocation for youth services in 2015 which is a key priority for youth organisations.

With regard to the child welfare, the Child and Family Agency has a range of services from family support to child protection which aim to support children and families, and enable the Agency to fulfil its statutory responsibility regarding children's welfare and protection. Neglect can be associated with, but is not necessarily caused by poverty is a common reason for referral to child protection and welfare services. All referrals to child protection and welfare services are reviewed in order to determine the most appropriate service response so that children and families achieve the best possible outcome.

### **Child and Family Agency Remit**

18. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs his views on bringing child and adolescent mental health services within the new Child and Family Agency in order to ensure a better and more co-ordinated response to children with mental health difficulties. [43928/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The establishment of the Child and Family Agency on 1 January 2014 constituted one of the most extensive public service organisational reforms ever implemented. It brought together child welfare and protection responsibilities formerly under the Health Service Executive, the functions of the Family Support Agency, and the functions of the National Educational Welfare Board.

The Agency has a staff of 4,000 and its budget is just over €600 million in the current year. Accordingly, in terms of the range of services provided directly by the Agency, a considerable amount of activity has been in consolidating, organisational changes to support the better delivery of service with a view to better outcomes for children.

The Agency has statutory responsibility for the provision of psychology services to children and families.

Psychology and Child and Adolescent Mental Health Services (CAMHS) for children are currently being provided by the HSE.

The Agency and the HSE have in place both a Memorandum of Understanding and a Joint Protocol for inter-agency collaboration which underpins the provision of these services for children.

The purpose of the Memorandum of Understanding is to set out the partnership agreement between the HSE and the Agency to continue pre-establishment levels of service across both organisations in accordance with the Health Service National Service Plan 2014, the Child and Family Agency Service Plan 2014 and Operational Plans 2014.

The objective of the Joint Protocol is to specify a pathway and associated responsibilities for children and families whose needs cross between Health Service Divisions and the Agency.

Both the Memorandum of Understanding and the Joint Protocol are subject to regular monitoring and review to ensure that they are working effectively in the best interests of children and families. Additionally, the Agency and the HSE are working to finalise a service level agreement to underpin the provision of psychological services by the HSE. The service level agreement with the HSE will determine the quantum of service needed to meet the Agency's requirements and will be an interim arrangement pending the Agency providing the service directly.

The Task Force on the Child and Family Support Agency made recommendations regarding direct provision by the new agency of a range of other services relevant to children and families, which included child and adolescent mental health services.

The practical implications of the scale of on-going organisational change are such as to require that consideration of the Task Force's wider recommendations and their possible implementation would take place according to a less immediate timescale. This will allow for more careful review and considerations in conjunction with relevant Departments, principally the Department of Health.

### **Child Care Services Regulation**

19. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs if measures are being introduced to professionalise child care provision which would be of benefit to child care providers, in terms of personal development and recognition of skills acquired but also for ensuring a high standard of child care at facilities across the country; and if he will make a statement on the matter. [43965/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Prior to the introduction of the free pre-school year under the Early Childhood Care and Education programme in January 2010, there were no qualification requirements for staff working with children in the childcare sector. The new programme required that pre-school leaders in childcare services delivering the free pre-school provision hold a Level 5 qualification or equivalent on the National Framework of Qualifications.

Reforms across the childcare sector are being introduced by my Department under the Early Years Quality Agenda. These reforms include the requirement that by September 2015 all staff working directly with children in the 0 to 6 years age category in early years services must hold

a relevant Level 5 qualification or equivalent.

In addition to the general requirement for a Level 5 qualification, pre-school leaders delivering the free pre-school provision under the Early Childhood Care and Education programme, who are currently required to hold a Level 5 qualification, will have to have a Level 6 qualification, or equivalent, by September 2015.

Last March, my Department introduced a Learner Fund to assist existing staff working in the childcare sector to meet the new requirements. This fund has a total allocation of €3 million for the years 2014 and 2015 and is designed to subsidise the cost for childcare staff who are required to undertake accredited Level 5 and Level 6 courses.

Ireland, like other European countries, does not provide for mandatory Continuing Professional Development for early years practitioners. I would like to be in a position to provide for mandatory CPD and, while there is an emphasis on encouraging services to employ staff with higher qualifications, and the ECCE programme does provide for this by providing higher capitation payments to services with staff who hold Level 7 or higher qualifications, the immediate priority is to ensure that all childcare services meet the minimum qualification requirements. This will help to ensure higher standards and consistency of quality across the childcare sector.

### **Proposed Legislation**

20. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs when the adoption (information and tracing) Bill will be published; and if he will make a statement on the matter. [43975/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I am taking a positive and pro-active approach to introduce measures to address the provision of a robust legal and operational services in the realm of information and tracing for those affected by adoption.

In this context I have instigated the following policy and operational developments:

1) Development of an Adoption (Information and Tracing) General Scheme and Heads of Bill which will provide for statutory access to adoption records and birth information. This work is well under way. The Heads will provide access to records for birth parents and adopted persons in so far as is possible in line with legal advices. I am proposing as progressive an approach as is possible within the significant legal and operational complexities which arise in giving effect to this objective.

The proposed legislation will provide for, inter alia,

- Placing the National Adoption Contact Preference Register on a statutory basis
- Arranging for the management of Adoption Records
- Setting out the information to be provided and circumstances in which it can be provided both for retrospective and prospective adoptions
- Providing for Information and Tracing Supports Services.

It is my intention to have the General Scheme and Heads of Bill finalised on this basis as soon as possible and submitted for the consideration of Government, in advance of referral to the Oireachtas Committee on Health and Children. This will be the subject of consultation with all relevant Government Departments in advance.

2) In parallel, I have requested officials to examine operational arrangements for the preservation of, and access to, adoption records both to secure existing service provision and to make ready for any proposed new legislation.

### **Child Protection Services**

21. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which his Department remains in touch with the various child support agencies with a view to early and strategic intervention in cases of a potential threat to the well-being of children in situations where the extent of vulnerability may lead to depression and/or self-harm; the extent to which structures are in place to monitor such situations on an ongoing basis; and if he will make a statement on the matter. [43961/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** There is a wide range of child support services available through both the statutory and non statutory sectors. These include services provided through Government Departments, other state agencies and an extensive network of non governmental organisations. In the area of child welfare and protection services we now have, with the establishment this year of the Child and Family Agency, the necessary structure to ensure the provision of a more responsive and integrated service to children and young people at risk. The Agency, in discharging its functions, is placing a strong emphasis on prevention, early intervention, family support, therapeutic and care interventions, all of which are key to the provision of integrated, multi-disciplinary services for vulnerable children and families.

Child and Adolescent Mental Health Services services are currently being provided by arrangement with the Health Service Executive.

The Child and Family Agency and the HSE have in place both a Memorandum of Understanding and a Joint Protocol to underpin the provision of these services for children. The purpose of the Memorandum of Understanding and the Joint Protocol is to set out arrangements for collaborative working by the Agencies in order to ensure the provision of efficient, effective and proportionate services for children and families across the full range of health and social care services. The arrangements also specify a pathway and associated responsibilities for children and families where their care needs cross the Child and Family Agency and the HSE.

Both agreements are subject to regular monitoring and review to ensure that they are working effectively in the best interests of children and families. Additionally, the Agency and the HSE are working to finalise a service level agreement to underpin the provision of psychology services by the HSE. This will determine the quantum of service needed to meet the Agency's requirements in this area, and will operate as an interim arrangement pending the Agency providing the service directly.

Separately, my Department chairs an Inter Departmental Group on the implementation of Children First. This group works to ensure that all bodies working with children, including those with particular vulnerabilities, are aware of their responsibilities with regard to the welfare and protection of children and are provided with the necessary training and guidance to support them in this work.

My Department has a range of systems in place to ensure it is informed of risk to children and the measures put in place to minimise these risks. Monthly, quarterly and annual reports are received from the Child and Family Agency in respect of its functions, including detailed reporting on key performance indicators. Officials frequently meet with the Agency to review

areas in need of improvement. There are also protocols in place for the Agency to inform the Minister and the Department of specific issues where risk is identified and to ensure that a robust management response is put in place.

### **School Completion Programme**

22. **Deputy Seán Ó Fearghaíl** asked the Minister for Children and Youth Affairs the expenditure Tusla is allocating for the school completion programme in 2015; and if he will make a statement on the matter. [43979/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are at risk of educational disadvantage. The Programme is a targeted intervention aimed at those school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion.

It involves 124 locally managed projects and related initiatives which operate across 470 primary and 224 post-primary schools. It provides targeted supports to some 36,000 children and young people. The Programme's design gives local communities the autonomy to devise innovative approaches to address the needs of young people most at risk of early school leaving. Typically, projects offer homework clubs; breakfast clubs; mentoring programmes; learning support; social and personal development programmes; out of school supports including music, art and sports and a range of activities during holiday periods.

Since 1 January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to projects within the programme. In 2014, an allocation of €24.756 million has been provided for the School Completion Programme.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement under Section 45 of the Child and Family Agency Act, 2013 in December. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the proposed activities, programmes and priorities for the Agency for 2015 in light of the monies available.

A review of the School Completion Programme has commenced. It is an important initiative in relation to identifying the reforms necessary and planning for the future development of this Programme which is a key support to young people's participation in education. The review is being carried out by the ESRI following a procurement process managed by the Agency. The review will, inter alia, examine the School Completion Programme structures, and their fitness for purpose to support an integrated approach to address early school leaving. It will analyse the interventions provided and make recommendations for evidence informed supports designed to secure the best educational outcomes for young people. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. It is envisaged that the review will be completed during the 2014/2015 academic year.

### **Early Childhood Care Education**

23. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs if progress has been made on introducing a second year of the early childhood care and education programme;

if there is an indicative timeframe for its introduction in view of the success, as verified by research, of the programme; and if he will make a statement on the matter. [43964/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Early Childhood Care and Education programme was introduced in January 2010 and provides a free pre-school year to all eligible children before commencing primary school.

Despite the challenging budgetary situation, the pre-school year has been maintained as a universal and free programme, ensuring that a significant number of children can avail of quality pre-school services who would not otherwise be in a position to do so.

There is an increasing body of Irish and International evidence quantifying the benefits of early years interventions in terms of improving outcomes for children and in delivering significant economic and societal return to the State. In this context I believe the introduction of a second year would benefit children's educational and developmental outcomes.

The introduction of a second pre-school year would require considerable additional funding, broadly in line with the cost of the current one-year provision, which is €175 million per annum. This additional funding is not currently available due to the financial constraints under which the Government is operating. In addition, all of the available evidence indicates that the quality of the pre-school provision is key to good outcomes for children. The implementation of the actions contained in the Early Years Quality Agenda, which involves a range of actions in key areas aimed at improving quality within early years services and enhancing the regulatory regime, is a key building block for any further extension of universal childcare provision.

*Better Outcomes, Brighter Futures*, the national policy framework for children and young people 2014-2020, recognises the value of early childhood care and education in supporting children's early cognitive, social and emotional development, and the Government is committed to the introduction of a second free pre-school year within the lifetime of the framework once the required quality standards are achieved and subject to the availability of resources. My Department and I will be keeping this commitment under review in the context of the progress of the Early Years Quality Agenda.

## Child Protection Services

24. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs further to his speech in Dáil Éireann on 16 October 2014 following the announcement of budget 2015, if he will provide a detailed report on his Department's engagement with the Child and Family Agency in rolling out a model of an out-of-hours service throughout the country. [43934/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Child and Family Agency provides a range of services aimed at addressing emergency situations in the area of child welfare and protection. In the main, these emergency situations arise out of hours.

At present, out of hours emergency services for children at risk in the greater Dublin area (Dublin, Kildare, Wicklow) are provided by the Child and Family Agency through the Crisis Intervention Service. The remit of the service is to respond to crisis situations in which a child or young person requires immediate placement either due to child protection or welfare concerns. This service is delivered by the Child and Family Agency social work service.

Outside the greater Dublin area, an Emergency Place of Safety Service (EPSS) is provided for the Agency under a commercial arrangement with Five Rivers Ireland. Under Section 12 of the Child Care Act, 1991, a member of An Garda Síochána may remove a child to a place of

safety where they have reasonable grounds for believing that there is an immediate risk to the welfare or safety of a child. The child is placed in a family setting until the following working day, when the local social work service assumes responsibility for the case. The objective is to build on the existing arrangements by ensuring that An Garda Síochána can consult with a social worker out of hours. The service will be known as the Emergency Out of Hours Service.

Provision for the development of this service was included in the Child and Family Agency Business Plan for 2014. Discussions with the staff side are progressing with a view to ensuring the early introduction of this extended service.

A draft Joint Protocol between the Child and Family Agency, An Garda Síochána and Five Rivers Ireland is also being finalised. This will set out the official policy and procedure governing the joint actions of the three agencies in the performance of activities regarding the provision of an appropriate response and place of safety for children found to be at risk outside normal working hours and removed by An Garda Síochána under section 12 of the Child Care Act, 1991.

Progress with regard to the introduction of the service is being closely monitored by my Department and my officials will continue to keep me apprised of developments.

### **Child Protection Services**

25. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the progress that has been made to ensure that all children on the child protection notification system have a social worker allocated; the number of children yet to have a social worker allocated; and if he will make a statement on the matter. [43970/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Statutory responsibility for the delivery of child welfare and protection services rests with the Child and Family Agency which is the appropriate body to receive all reports of concerns relating to all forms of child abuse.

In accordance with Children First (2011), the Agency's standard business processes and policies and procedures for carrying out initial assessments of child abuse and neglect, a child's name is placed on the Child Protection Notification System in the following circumstances:

- The outcome of an initial assessment is that a child is at risk of significant harm requiring a child protection conference to be convened;
- The decision of the child protection conference is that a child protection plan is required to ensure that the necessary safeguards are in place;
- A review child protection conference - held at a minimum of 6 monthly intervals - confirms that the child remains at ongoing risk of significant harm necessitating a child protection plan.

Each referral received by the Agency is assessed and progressed on an individual basis by the relevant social work team. Preliminary screening is aimed at establishing the appropriateness of the referral to the Child and Family Agency services and if necessary is followed by an initial assessment of the nature and degree of any harm and an assessment of the child's needs.

At the end of the 2nd quarter in 2014, the Agency reported that there were 1,720 children listed on the Child Protection Notification System, of these 55 had not been allocated a social

worker. Where a child has not yet been allocated a social worker on CPNS a risk management and assurance plan is required with a view to ensuring that the known risks are adequately managed.

### **School Completion Programme**

26. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs his plans for the school completion programme in 2015; the funding that it will be receiving; and if he will make a statement on the matter. [43977/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are at risk of educational disadvantage. The Programme is a targeted intervention aimed at those school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion.

It involves 124 locally managed projects and related initiatives which operate across 470 primary and 224 post-primary schools. It provides targeted supports to some 36,000 children and young people. The Programme's design gives local communities the autonomy to devise innovative approaches to address the needs of young people most at risk of early school leaving. Typically, projects offer homework clubs; breakfast clubs; mentoring programmes; learning support; social and personal development programmes; out of school supports including music, art and sports and a range of activities during holiday periods.

Since 1 January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to projects within the programme. In 2014, an allocation of €24.756 million has been provided for the School Completion Programme.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement under Section 45 of the Child and Family Agency Act, 2013 in December. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the proposed activities, programmes and priorities for the Agency for 2015 in light of the monies available.

A review of the School Completion Programme has commenced. It is an important initiative in relation to identifying the reforms necessary and planning for the future development of this Programme which is a key support to young people's participation in education. The review is being carried out by the ESRI following a procurement process managed by the Agency. The review will, inter alia, examine the School Completion Programme structures, and their fitness for purpose to support an integrated approach to address early school leaving. It will analyse the interventions provided and make recommendations for evidence informed supports designed to secure the best educational outcomes for young people. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. It is envisaged that the review will be completed during the 2014/2015 academic year.

### **Child Protection Services**

27. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs his views on the submission to the Joint Committee on Health and Children by a person (details supplied),

particularly where they strongly urge that rather than adding to the already enormous pressure on the Child and Family Agency, satellite type services, embedded within existing community centres like schools and addiction services centres, are preferable; and if he will make a statement on the matter. [43926/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Dr. Helen Buckley in her recent submission to the Oireachtas Committee on Health and Children on 4 November last, raises a range of significant issues in relation to the capacity of the Child and Family Agency to deal with the demands being place on it, now and into the future. These issues include numbers and location of social workers, waiting lists, early intervention and family support, and statistical information.

These issues, which are at the heart of the delivery of an efficient and effective child welfare and protection service, are the subject of on-going and regular contact between my officials and officials of the Child and Family Agency, both in the context of the development of that Agency's corporate and business plans, and in regular performance monitoring meetings. The specific issues raised by Dr. Buckley will be considered in this context and in the broader context of cross government work, including her recommendation in relation to the provision of social work services to children and families in the sites where their difficulties emerge, such as schools and health services.

I note that Dr. Buckley commends developments in relation to community based prevention and partnership initiatives being established by the Child and Family Agency.

Dr. Buckley's submission also references the Children First Interdepartmental Group, and suggests that it should be established on a permanent basis. The provisions of Part 4 of the Children First Bill 2014, published in April 2014, relate to the Children First Inter Departmental Implementation Group. Section 17 of the Bill provides for the establishment of the Group on a statutory basis and section 18 provides that all Government Departments will be represented on the Group. The Group currently operates on an administrative basis, and Dr. Buckley's suggestions in relation to the establishment of child protection units in the HSE and in the education sector will be raised with that Group.

Finally, I fully agree with Dr. Buckley in relation to her assessment of the significance of relevant adult services such as domestic violence, addiction and mental health services in the context of child welfare and protection, and the Children First Bill 2014 defines certain persons working in these services as mandated persons with an obligation to report abuse and to assist the Agency if requested to do so.

### **School Completion Programme**

28. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs his plans to develop the school completion programme in 2015; and if he will make a statement on the matter. [43929/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are at risk of educational disadvantage. The Programme is a targeted intervention aimed at those school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion.

It involves 124 locally managed projects and related initiatives which operate across 470

primary and 224 post-primary schools. It provides targeted supports to some 36,000 children and young people. The Programme's design gives local communities the autonomy to devise innovative approaches to address the needs of young people most at risk of early school leaving. Typically, projects offer homework clubs; breakfast clubs; mentoring programmes; learning support; social and personal development programmes; out of school supports including music, art and sports and a range of activities during holiday periods.

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### **Youth Services Funding**

29. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs the measures his Department is taking to financially support youth services in disadvantaged communities; and if he will make a statement on the matter. [43971/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The schemes include the Youth Service Grant Scheme under which funding is made available on an annual basis to 31 national and major regional youth organisations. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund, Rounds 1 and 2, Local Drugs Task Force Projects and certain other programmes including the Local Youth Club Grant Scheme and Youth Information Centres. The funding schemes support national and local youth work provision to some 380,000 young people and involve approximately, 1,400 youth work staff in 477 projects and 40,000 volunteers working in youth work services and communities throughout the country. In 2014, funding of €49.78m has been provided to my Department for these schemes. I am pleased to advise that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. There will be no reduction in the overall allocation for youth services in 2015 which was a key priority for youth organisations. My Department has commenced work on the detailed 2015 allocations for local projects and services and every effort will be made to notify youth organisa-

tions and youth projects of their 2015 allocations as soon as possible.

In addition, I recently announced a capital funding scheme to provide grants towards the cost of refurbishments for youth projects, funded by my Department, in disadvantaged communities. This year, €0.5m is available under the scheme. Further details are available on my Department's website – [www.dcy.gov.ie](http://www.dcy.gov.ie).

My Department has completed a Value for Money and Policy Review of the youth funding schemes that target disadvantaged young people. The review makes recommendations for the future operation of youth programmes that will shape their development in the years ahead to ensure quality, effective, value-for-money services that are evidence based and secure the best outcomes for young people. I intend that the recommendations of the review will be progressed in the context of the new National Youth Strategy that is being developed by my Department for the end of 2014. The Strategy will be a universal strategy for all young people, aged between 10 and 24 years, while having particular regard to those young people who are experiencing or at risk of experiencing the poorest outcomes and, therefore, in most need of support.

I, and officials of my Department have met, and continue to meet regularly, with youth organisations and groups, including those from disadvantaged areas throughout the country. My aim is to see how we can work together to bring about the best possible outcomes for young people, having regard to resources available to us and to ensure that the programmes and services being provided are relevant and responsive to young people's needs.

### **Child Care Qualifications**

30. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs his plans to make it compulsory for those caring for preschool children to be trained in paediatric first aid; and if he will make a statement on the matter. [43922/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** As pointed out to the Deputy in replies to previous Questions on this matter, this Department is in the process of introducing a number of reforms with a view to improving the quality of early years services.

The revised Child Care Regulations which are required under the new amendments to Part VII of the Child Care Act 1991 are currently being developed in association with the Office of the Parliamentary Counsel. The drafting of the new regulations has required a root and branch re-examination of the existing regulations including a restructuring of regulations and guidance content in line with the latest drafting practices. This has proved more time consuming than originally envisaged but is close to finalisation. The final draft will include a requirement that early years services have a person trained in first aid for children available at all times.

### **Foreign Adoptions**

31. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 568 of 4 November 2014 regarding the 110 adoptions from Ethiopia and the 201 adoptions from Russia that have taken place here since the Adoption Act was enacted in 2010 the systems that his Department, the Adoption Authority of Ireland and any other agencies involved put in place to ensure that only reputable non-domestic adoption agencies are engaged in the adoption process, to avoid situations whereby persons engage in unethical practices such as applying hidden fees, lying about the condition of the child, or lying about whether or not the child involved truly is an orphan. [43925/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Adoption Act, 2010 was commenced on 1 November 2010. The commencement of the Act coincided with Ireland's ratification of the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption. The legislation, which incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures are followed.

The Adoption Act, 2010, contained a transitional provision to enable prospective adoptive parents to proceed with an adoption from a non-Hague or non-bilateral country, if prior to the establishment date, they had been issued with a Declaration of Eligibility and Suitability to adopt. The Adoption Authority advises that since the enactment of the Adoption Act 2010, applicants for an entry in the Register of Intercountry Adoptions have been required to swear an affidavit confirming that the adoptions they effected in Russia and Ethiopia respectively, complied with the definition of a 'foreign' adoption as outlined in Section 1 of the Adoption Act 1991. The adoptive parents stated that the following requirements were satisfied:

(a) the consent to the adoption of every person whose consent to the adoption was, under the law of the place where the adoption was effected, required to be obtained or dispensed with was obtained or dispensed with under that law,

(b) the adoption has essentially the same legal effect as respects the termination and creation of parental rights and duties with respect to the child in the place where it was effected as an adoption effected by an adoption order,

(c) the law of the place where the adoption was effected required an enquiry to be carried out, as far as was practicable, into the adopters, the child and the parents or guardian,

(d) the law of the place where the adoption was effected required the court or other authority or person by whom the adoption was effected, before doing so, to give due consideration to the interests and welfare of the child,

(e) the adopters have not received, made or given or caused to be made or given any payment or other reward (other than any payment reasonably and properly made in connection with the making of the arrangements for the adoption) in consideration of the adoption or agreed to do so.

### **Child Protection Services**

32. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the steps being taken to implement the outstanding elements of the Roscommon child care report; and if he will make a statement on the matter. [43923/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I have requested the information from the Child and Family Agency and I will revert to the Deputy when this information is to hand.

### **Mental Health Services Provision**

33. **Deputy Richard Boyd Barrett** asked the Minister for Children and Youth Affairs the number of beds purchased in 2014 in private mental health facilities for children and adolescents in Tusla; if these were child or adult mental health facilities; and if he will make a statement on the matter. [43983/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Child and Family Agency does not have a national role in the delivery of mental health services for children and young people as this remains the responsibility of the Health Service Executive. The Agency does currently fund a small number of secure placements outside of the State and a number of these are in a service that provides a residential mental health facility for children and adolescents. As of July this year, the Agency had used 12 secure care places and, of these, 9 places were in a child and adolescent facility that provides mental health services.

### **Child and Family Agency Expenditure**

34. **Deputy Richard Boyd Barrett** asked the Minister for Children and Youth Affairs if he will provide a breakdown of the cost over-run of Tusla for 2014 and in particular to comment on the extent to which the overrun relates to the cost of purchasing private beds for children and adolescents; and if he will make a statement on the matter. [43982/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The financial allocation for Tusla, The Child and Family Agency, in 2014, its first year of operation, was set at €609 million. This is comprised of €602 million in current funding and €7 million in capital funding. The overall level of funding available to the Agency, which is significant by any measurement, is designed to ensure that the Agency can provide a comprehensive and integrated service to children and families who require support. In Budget 2014, an additional sum of €6.7 million was made available to support the Agency's reform of the child welfare and protection services. The level of expenditure to date by the Agency amounts to €544m.

Notwithstanding the additional resources provided and the prioritisation of these services by the Government, it is acknowledged that delivering the range of service required of the Agency, within this budget, is challenging as a result of demographic and social factors. This has been reflected most recently in a report prepared by the Agency, titled 'Measuring the Pressure' which shows, inter alia, that there has been a strong rise in demand for foster care and private residential care over the period. Operational reforms are ongoing to achieve the most effective utilisation of existing resources. In addition, the Agency has been working to bring added controls in the area of legal services and continues to develop its approach to commissioning. My officials continue to review data on activity levels and performance on an ongoing basis as part of the performance management function of the Department. Specifically, my officials closely monitor the cash position of the Agency and are working with the Agency to determine an evidence based full year cash requirement.

The matter of whether supplementary funding is required to meet the running costs of the Agency in 2014 is currently been discussed with the Department of Public Expenditure and Reform as part of the ongoing budgetary discussions. The initial figures do show cost overruns in a number of areas including private residential and foster care which will be somewhat offset by savings in other areas. As has already been referenced the Agency is in its first year of operation and is charged with managing its allocation of funding. As discussions with the Department of Public Expenditure and Reform conclude a more informed position will emerge.

### **Child Care Services Inspections**

35. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs his position on extending the remit of the Health Information and Quality Authority to inspecting private child care centres. [43933/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Currently the registration, monitoring and inspection of private residential child care centres are carried out by the Child and Family Agency, and at the end of August 2014 such centres accommodated 152 children (2.3% of children in care) nationally. The Health Information and Quality Authority which was established under the Health Act 2007, is under the aegis of my colleague the Minister for Health. As the Deputy may also be aware, there is a recommendation in the Ryan Commission report that those sections of the Health Act 2007 which would extend the remit of HIQA in this way, should be commenced. A Government decision in 2010 prioritised the inspection regime for child welfare and protection services and indicated that the timeline to extend HIQA's remit was to be set out by the Minister for Health, in consultation with the Minister for Children and Youth Affairs.

I would be generally in favour of extending the remit of HIQA, subject to the satisfactory completion of these necessary steps for support its implementation. There are a number of issues, including the drafting of regulations and HIQA national standards, that will require careful planning to ensure that the relevant functions and resources are transferred from the Agency to HIQA. Ideally this would seek to achieve both efficiencies and a structure that underpins a robust inspection regime. In the meantime, I have asked that the Agency take steps to improve the overall quality assurance of the registration, monitoring and inspection process of private residential child care centres, with a view to national consistency and to the publication of their inspection/registration reports.

### **Mother and Baby Homes Inquiries**

36. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason four months after the original timeframe for publication, the terms of reference for the mother and baby homes inquiry have still not been published; and if he will make a statement on the matter. [43973/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Government has undertaken to establish a statutory Commission of Investigation into matters relating to Mother and Baby Homes in accordance with the Motion passed by this House on 11 June. Considerable progress has been achieved since this date, including the publication of the Inter-Departmental Group's Report, the announcement that Judge Yvonne Murphy will chair the Commission and an inclusive consultation process with stakeholders.

The establishment of any statutory investigation is a significant undertaking. As I have advised the Deputy previously, the scale and sensitivity of the specific concerns relating to Mother and Baby Homes, as evident from the Inter-Departmental Report and submissions received from interested parties, simply demand that I take the necessary time for detailed consideration of these complex matters.

Although the necessity to provide the Commission with appropriate terms of reference may be generally accepted, the task of achieving the required precision should not be underestimated. Our collective desire to finalise these arrangements quickly must be balanced against the clear obligation to the mothers and children who were in these institutions to get this process right from the start. Due care and attention at this formative stage should not be interpreted as anything else.

I am confident that we are now approaching the conclusion of this deliberative process. My priority remains to establish a Commission which can deliver on public expectations in a realistic manner by establishing a full account of what happened in these Homes. Following

discussions with colleagues across Government the work of developing the terms of reference is now well advanced. In addition, my Department is working with Judge Murphy to advance the operational arrangements and determine the resources required to support the Commission's work.

In parallel with this work I am consulting with a number of key stakeholders in order to update them on the emerging issues and to seek their further views. As I advised the Joint Oireachtas Committee last week, at least some of the issues being raised extend beyond the central focus on Mother and Baby Homes as debated in this House. However, I am confident that this inclusive approach will greatly assist to establish an effective inquiry which has the support of those most centrally involved.

Following the finalisation of the terms of reference in the coming weeks it is my intention to bring the matter to Government as soon as possible thereafter.

### Children's Rights Referendum

37. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs if he will support a call for a Dáil Éireann debate on the way his Department managed funds provided by the Oireachtas to run the children's referendum of November 2012; and if he will make a statement on the matter. [43972/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The use of public funds by my Department in connection with the referendum on the thirty-first amendment of the Constitution of November, 2012 has been the subject of a ruling and judgment of the Supreme Court of 8th November and 11th December, 2012, respectively. These arose from proceedings taken by Mark McCrystal against the Minister for Children and Youth Affairs, The Government of Ireland and the Attorney General.

The Court granted a declaration to the Plaintiff that the Respondents had acted wrongfully in expending or arranging to expend public moneys on a website, booklet and advertisements in relation to the Referendum, in a manner which was not fair, equal or impartial.

Arising from the Supreme Court ruling, my predecessor as Minister for Children and Youth Affairs, Frances Fitzgerald, issued a press statement in which she explained that in providing public information the Government had at all times acted in good faith. The Minister stated that she fully respected the decision of the Supreme Court in relation to the expenditure on the public information provided by the Government in advance of the Referendum. She made clear that the Government was now fully compliant with the Court's ruling.

A press statement was issued by the Government in connection with the subsequent Supreme Court judgment. This noted that the Court had found that the Government at all times acted in a *bona fide* manner. It stated the Government's commitment to working within the parameters of the judgment delivered by the Court in the conduct of future referendums.

The Deputy will be aware that there are ongoing proceedings before the Supreme Court in relation to the provisional referendum certificate issued in connection with the referendum on the thirty-first amendment of the Constitution in respect of which a hearing is scheduled for early next month, with the judgment of the Court to follow in due course.

I do not support the Deputy's call.

## **Domiciliary Care Allowance Applications**

38. **Deputy Jack Wall** asked the Tánaiste and Minister for Social Protection the position regarding an application for a review of the decision to refuse their application for domiciliary care allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [44397/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received from the person concerned on the 8th July 2014. This application was referred to one of the Department's Medical Assessors who did not consider that the child met the medical criteria for the allowance. A letter issued on the 29th September 2014 outlining the decision of the deciding officer to refuse the allowance.

A review of this decision was requested on 11th November 2014. The application will now be examined by another medical assessor; once their opinion is received the application will be re-examined by a deciding officer and a revised decision will be made, if warranted. The person concerned will be notified of the outcome of this review as soon as it is completed.

## **Social Welfare Code**

39. **Deputy Dominic Hannigan** asked the Tánaiste and Minister for Social Protection the reason the rule for moving from disability allowance to invalidity pension sets out that a person must have 48 contributions in the previous complete tax year considering that the person is on disability and is not available to take up employment; and if she will make a statement on the matter. [44414/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** To qualify for award of invalidity pension, a claimant must satisfy both the medical and PRSI contribution conditions. A claimant must be regarded as permanently incapable of work and also must have at least 260 weeks contributions paid with 48 weeks PRSI paid or credited in the last complete tax year before the date of claim.

Disability allowance is a means-tested illness scheme administered by my department. To qualify for disability allowance, a person must be substantially restricted in undertaking suitable employment, be aged between 16 and under 66, satisfy a means test and be habitually resident in the State.

I understand the Deputy is referring to a specific claimant who has been refused invalidity pension as he did not satisfy the contribution conditions. The person concerned is in receipt of disability allowance since 2009. Immediately prior to applying for disability allowance the person concerned was self-employed, therefore he would not have qualified for invalidity pension at that time and he is not entitled to credits for the duration of his disability allowance claim. Consequently he will not satisfy the contribution conditions for invalidity pension.

## **Illness Benefit Appeals**

40. **Deputy Michael McGrath** asked the Tánaiste and Minister for Social Protection the position regarding an illness benefit review/appeal in respect of a person (details supplied) in County Cork. [44420/14]

**Tánaiste and 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 4 November 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 papers have been received from the Department, the appeal 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 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 on social welfare entitlements.

### **Social Welfare Payments Administration**

41. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Social Protection the circumstances under which an involuntary deduction may be made from a social welfare payment; and the total percentage or cash deduction that may be made. [44426/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** People who have received an overpayment from the Department of Social Protection have a liability under law to refund the overpayment. They have received money to which they were not entitled. Effective debt recovery is seen as an important measure to safeguard public expenditure. Where someone has been overpaid social welfare, it is important that this money is recouped.

I introduced legislation in 2012 in relation to the recovery of social welfare overpayments by way of weekly deductions from a person's ongoing social welfare entitlements. This allows for a deduction of an amount up to 15% of the weekly personal rate payable to a customer for the purposes of the recovery of an overpayment without the customer's consent.

The deduction of 15% applies to the person's personal rate only and does not affect payment of any adult or child dependent allowances, or any other allowances that are in payment. It allows the person to retain 85% of their personal rate of payment. In the circumstances where the person has been in receipt of money to which they were not entitled, this is considered to be reasonable.

When deductions are being implemented from ongoing social welfare entitlements, the person is provided with the opportunity to put forward any circumstances that they feel may be relevant to the rate of recovery proposed.

The introduction of this legislation means that the Department is now in a position to ensure that all debt-holders in receipt of a social welfare payment are repaying their debt.

In addition, the Social Welfare and Pensions (Miscellaneous Provisions) Act 2013 provided for the introduction of Notice of Attachment for the recovery of overpayments directly from earnings or monies held in financial institutions. This significantly enhances my Department's ability to pursue overpayments from persons who are no longer in receipt of social welfare and who are not making reasonable efforts to repay their debt.

### **Social Welfare Benefits Eligibility**

42. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Social Protection if, when a person registers for Irish Water using their personal public service number and their spouse is in receipt of the household benefits package, that household will be granted the water support

payment. [44427/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** As the Deputy will be aware, all of the issues in regard to Irish Water have been examined by the Government.

The responsibility for the policy in regard to water and sewerage services, including Irish Water, lies with my colleague, the Minister for the Environment, Community and Local Government, who will be making a comprehensive statement on these matters in the House this afternoon.

### **Community Employment Schemes Places**

43. **Deputy Mary Lou McDonald** asked the Tánaiste and Minister for Social Protection further to Parliamentary Question No. 184 of 4 November 2014, the reason her Department has not yet responded directly to a person (details supplied) in Dublin 22 despite the fact that the person received an acknowledgement letter from her Department on 5 September 2014 promising a further response from her Department; if her attention has been drawn to the fact that the person has not received any substantive reply to concerns raised regarding the discontinuation of their community employment placement from either their sponsor organisation or her Department; and her views on whether this is acceptable practice. [44216/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The person concerned was sent a letter of acknowledgment from this Department on the 5th September in which he was informed that the issues that he had raised were being addressed and that he would be advised of the outcome. The issues raised by the person concerned related to his employment, his employer in this case being the Community Employment (CE) Sponsor. This Department wrote to the Community Employment (CE) sponsor requesting that they examine the issues raised and respond directly to the person concerned in line with CE procedures. Subsequently the CE Sponsor advised the Department that a response had issued to the person concerned. Any remaining issues should be addressed by the person concerned directly to their former employer. The Department has no role in relation to the employment of staff participating on CE and therefore the appropriate course of action, in line with procedures, was to forward the person concerned's correspondence to his employer for their attention.

### **Disability Allowance Appeals**

44. **Deputy Noel Coonan** asked the Tánaiste and Minister for Social Protection when a disability allowance appeal will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [44464/14]

**Tánaiste and 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 5 November 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 on social welfare entitlements.

### **Social Welfare Payments Administration**

45. **Deputy Áine Collins** asked the Tánaiste and Minister for Social Protection the reason when a person requests a form for change of social welfare payment details, the only form available DIR PMT 1 is a direct payment form into a financial institution, which does not give the option for the post office. [44474/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The Department of Social Protection is a key player in the payment services sector in Ireland with over 84 million payments issued to clients in 2013. Form DIR PMT 1 is available online and on request to clients already in receipt of certain welfare payments who wish to either:

- change their account details, or
- change from a cash or cheque payment to be paid directly into an account.

The form seeks various details from the client in relation to their account, including the BIC and IBAN codes which identify the account in a financial institution into which the payment should be lodged. The BIC code can be up to 12 alphanumeric characters long and the IBAN up to 34 alphanumeric characters in length. The complete set of data is required to ensure welfare payments are lodged to the correct account. This form helps clients to provide the full data set required.

By comparison, such a comprehensive data set is not required where a client wishes to amend their payment method to receive their payment in cash at the post office. In such instances the Department requires the client to notify them in writing of the relevant post office details. No individual account details are required.

### **Community Employment Schemes Administration**

46. **Deputy Willie O'Dea** asked the Tánaiste and Minister for Social Protection in view of the fact that she has stated that 134 community employment supervisors will retire over the next three years, if this will change her estimate in previous written answers regarding pension provision of €3.75 million per annum required for retired community employment supervisors and if she will now consider the implementation of same; and if she will make a statement on the matter. [44479/14]

**Minister of State at the Department of Social Protection (Deputy Kevin Humphreys):** The annual estimated cost of introducing a defined contribution scheme for CE Supervisors was estimated at €3.75m for 2008, if the Department were to be the main funding body. Subsequent years have been calculated to work out at an average of approximately €3.7m per annum.

The Department is not the employer in respect of any person engaged in CE schemes. The responsibilities of the sponsoring organisations and the individuals concerned must also be recognised when considering pension provision arrangements.

Employers (including CE Sponsoring Organisations) are legally obliged to offer access to at least one Standard Personal Retirement Savings Account (PRSA) under the Pension (Amendment) Act 2002. All CE sponsoring organisations were informed by the Department of their responsibilities under this Act at that time.

CE Supervisors may also qualify for the State Pension at 66 years of age. If they have accrued sufficient PRSI contributions (520 contributions @ full rate, equivalent to 10 years contributions) they will qualify for the State Pension (Contributory), which is not means-tested. In the event that there are insufficient contributions, the person may qualify for the State Pension

(Non-Contributory), provided they satisfy the means test.

### Ministerial Transport

47. **Deputy Willie O’Dea** asked the Tánaiste and Minister for Social Protection the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in her Department; and if she will make a statement on the matter. [44896/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** On taking office, this Government reformed the transport arrangement for Ministers which has radically reduced the cost of travel. The Government decided to confine the use of State cars from 1 May 2011 to the Taoiseach, Tánaiste and Minister for Justice, Equality and Defence. As a result, the average cost of providing transport has been reduced by 65% - from an average cost of €280,000 per minister in 2010 to a current annual estimate of €100,000 per annum.

The previous practice whereby all Ministers were provided with State cars and Garda drivers fell within the remit of the Department of Justice and in this regard details of the costs involved in respect of 2010 and the first four months of 2011 would be a matter for my colleague the Minister for Justice, Equality and Defence.

The total cost of ministerial transport in my Department for 2011, 2012 and 2013 is outlined in the table below.

| Year | Total Cost |
|------|------------|
| 2011 | €32,790.95 |
| 2012 | €70,514.69 |
| 2013 | €80,145.20 |

The cost includes mileage for the use of my own car for official business and remuneration for two civilian drivers.

### Mortgage Interest Rates

48. **Deputy Denis Naughten** asked the Minister for Finance the discussions his officials have had with the Central Bank of Ireland on the huge discrepancy between the European Central Bank base rates and variable mortgage interest rates charged by commercial banks to homeowners; and if he will make a statement on the matter. [44412/14]

**Minister for Finance (Deputy Michael Noonan):** Firstly, I must confirm to the Deputy that the lending institutions in Ireland, including those in which the State has a shareholding, are independent commercial entities. I have no statutory role in relation to regulated financial institutions passing on the European Central Bank interest rate change or in relation to the mortgage interest rates charged. It is a commercial matter for each institution concerned. It is not appropriate for me, as Minister for Finance, to comment on or become involved in the details of the accounts of mortgage holders.

The Central Bank has responsibility for the regulation and supervision of financial institutions in terms of consumer protection and prudential requirements and for ensuring ongoing compliance with applicable statutory obligations. The Central Bank has no statutory role in the setting of interest rates by financial institutions, apart from the interest rate cap imposed on

the credit union sector in accordance with the provisions of the Credit Union Act, 1997 and the requirement to be notified of penalty or surcharge interest imposed in respect of arrears.

The mortgage interest rates that financial institutions operating in Ireland charge to customers are determined as a result of a commercial decision by the institutions concerned. This interest rate is determined taking into account a broad range of factors, including European Central Bank base rates, deposit rates, market funding costs, the competitive environment and an institution's overall funding.

However, as part of the Central Bank's work on mortgage arrears, lenders were asked to consider all avenues to help customers in arrears, including interest rate reductions.

My officials are in regular contact with the Central Bank on a range of prudential, regulatory and consumer related issues in the normal course of my Department's interaction with the Central Bank of Ireland.

### **Tax Reliefs Eligibility**

49. **Deputy Thomas Pringle** asked the Minister for Finance if the amendment to section 481 of the Taxes Consolidation Act specified in section 21 of the Finance Act 2013 removes the requirement for it to be necessary for an Irish based film production company to be involved in a qualifying project for relief; and if he will make a statement on the matter. [44424/14]

**Minister for Finance (Deputy Michael Noonan):** Section 21 of the Finance Act 2013 introduced a change to the scheme for tax relief for investment in films whereby a producer company can claim a corporation tax credit for eligible expenditure rather than the current scheme which allows relief at the marginal rate of tax for individual investors.

It also introduced a new definition of 'producer company' (Section 21(1)(i)) which states that the production company must be either based in the State, or if based in an EEA state, must carry out its business through a branch or agency in the State.

In addition, the producer company must be registered for and making returns for corporation tax in the State (section 21(1)(i)(e) refers) before it can apply for a certificate for the film relief credit.

### **Tax Collection**

50. **Deputy Gerry Adams** asked the Minister for Finance if the Revenue Commissioners will review the cases of persons (details supplied) in County Louth; and if they are in a position to meet the persons involved. [44480/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that it is already dealing with the various ongoing issues to which the Deputy refers.

Revenue has also confirmed to me that the persons in question can make direct contact with Mr. Declan O'Dalaigh of the Collector-General's office to discuss the issues.

Mr. O'Dalaigh can be contacted at telephone number 061 488062 or email address [odalaigh@revenue.ie](mailto:odalaigh@revenue.ie). Alternatively, Mr. O'Dalaigh's postal address is the Collector-General's Office, Sarsfield House, Francis Street, Limerick.

## Universal Social Charge Exemptions

51. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare should be exempt from the universal social charge; and if he will make a statement on the matter. [44505/14]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by the Revenue Commissioners that, based on the information available, the person concerned is exempt from the universal social charge (USC).

USC is currently being deducted from the named individual's pension. An amended tax credit certificate will issue to the person concerned shortly. The pension provider will also receive an amended tax credit certificate exempting the pension from the charge. The USC paid to date will be refunded directly to the person concerned by the pension provider.

## Tax Yield

52. **Deputy Lucinda Creighton** asked the Minister for Finance the forecasted yield in capital acquisition tax revenue from proposed changes to section 82 of the Capital Acquisitions Tax Consolidation Act 2003 for 2015 and 2016; and if he will make a statement on the matter. [44509/14]

53. **Deputy Lucinda Creighton** asked the Minister for Finance the total number of persons who paid capital acquisition tax from 2011 to date in 2014; if he will itemise each asset class that capital acquisition tax was paid on for each year; if he will provide the total capital acquisition tax paid on inheritances for each year; and if he will make a statement on the matter. [44510/14]

54. **Deputy Lucinda Creighton** asked the Minister for Finance the reason the group threshold as defined in the Capital Acquisitions Tax Consolidation Act 2003 was not increased to reflect rising house prices and the rise in the consumer purchase index in the previous year; his views on whether the lowering of the group threshold in budget 2013 was based on falling house prices; the reason the threshold has not been increased now that average house prices in Dublin have already exceeded the current threshold; the reason the group threshold is set at the lowest levels since 1995; and if he will make a statement on the matter. [44511/14]

56. **Deputy Lucinda Creighton** asked the Minister for Finance the way an incapacitated person over the age of 25, who became permanently incapacitated after reaching the age of 21, but was not in full-time education or training for a trade or profession for a minimum of two years but receives financial support from their parents who had previously relied upon section 82 of the Capital Acquisitions Tax Consolidation Act 2003 will be affected by the proposed changes to the Act; and if he will make a statement on the matter. [44539/14]

57. **Deputy Lucinda Creighton** asked the Minister for Finance if he will instruct the Revenue Commissioners to publish the detailed public statement which they intend sending to practitioners, outlining the way the newly amended section 82 of the Capital Acquisitions Tax Consolidation Act 2003 will work in practice; and if he will make a statement on the matter. [44540/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 52 to 54, inclusive, 56 and 57 together.

In relation to the first question, I am informed by the Revenue Commissioners that because

Section 82 of the Capital Acquisitions Tax Consolidation Act 2003 is an exemption provision, there is no requirement to include the amount of payments in respect of which exemption is taken in a return to the Revenue Commissioners. Accordingly, it is not possible to forecast what the capital acquisitions tax yield is likely to be from the proposed changes. In any event, the changes being proposed to section 82 in Finance Bill 2014 are not for the purpose of raising tax revenue but to counter abuse of the provision.

In relation to the second question I am advised by the Revenue Commissioners that information in relation to the number of persons who paid capital acquisitions tax each year is not directly available. However, the number of persons who filed capital acquisitions tax returns in the years 2011-2013 and to date in 2014 and who had a liability to capital acquisitions tax is as shown in the table.

| Year           | Number               |
|----------------|----------------------|
| 2011           | 11,129               |
| 2012           | 11,520               |
| 2013           | 11,595               |
| 2014 (To-date) | 11,776 (Provisional) |

It is not possible to provide a breakdown of capital acquisitions tax by asset class as the capital acquisitions tax returns do not require a breakdown of the tax due by asset type and there is, therefore, no reliable basis for compiling this information.

The total capital acquisitions tax paid on inheritances in each of the four years is as follows:

| Year                  | € Million           |
|-----------------------|---------------------|
| 2011                  | 213.5               |
| 2012                  | 254.3               |
| 2013                  | 257.5               |
| 2014 (To end October) | 146.8 (Provisional) |

As regards the third question, there are, in all, three separate Group thresholds based on the relationship of the beneficiary to the disponer.

The Group A tax free threshold of €225,000, applies where the beneficiary is a child (including adopted child, stepchild and certain foster children) or minor child of a deceased child of the disponer. Parents also fall within this threshold where they take an inheritance of an absolute interest from a child.

The Group B tax free threshold of €30,150, applies where the beneficiary is a brother, sister, a nephew, a niece or lineal ancestor or lineal descendant of the disponer.

The Group C tax free threshold €15,075, applies in all other cases.

Where a person receives gifts or inheritances in excess of their relevant tax free threshold, CAT at a rate of 33% applies on the excess over the tax free threshold. These thresholds have been reduced in recent years in order to maintain the yield from capital taxes, as part of the effort to restore the public finances, as taxes on capital are less harmful from an economic perspective than taxes on employment.

The property market continues to improve with positive developments which had been restricted to the Dublin area now manifesting in other areas of the country though not to the same

extent in terms of price rises. I recognize, of course, that there are supply issues in certain areas of the Dublin property market.

The Group tax-free thresholds are kept under review, in the same way as other relevant tax provisions, and in this regard I will bear the Deputy's comments in mind for the future.

In relation to the fourth question, CAT exemption for payments made by parents for the support or maintenance of dependent relatives (including children who are incapacitated by physical or mental infirmity) are dealt with separately under section 82 CATCA 2003 and this exemption applies provided the income of the dependent relative does not exceed approximately €13,800 per annum. However, to ensure that all children, regardless of age and income level, who are permanently incapacitated by reason of physical or mental infirmity are exempt from tax under Section 82, I have tabled a Committee Stage amendment to the Finance Bill to provide specifically that payments for support, maintenance or education in relation to such incapacitated children will not be subject to an age restriction.

In relation to the final question, it would not be appropriate for me to instruct the Revenue Commissioners in relation to what information they should publish, as they are independent in the exercise of their functions. However, I am informed by the Revenue Commissioners that they will publish a detailed statement on the application of Section 82 of the Capital Acquisitions Tax Consolidation Act 2003, once the Finance Bill is enacted.

## Tax Code

55. **Deputy Jack Wall** asked the Minister for Finance how a person who is married with two children compares to a person who is cohabiting and has two children for tax purposes (details supplied); and if he will make a statement on the matter. [44537/14]

**Minister for Finance (Deputy Michael Noonan):** The position is that where a couple is cohabiting, rather than married or in a civil partnership, they are treated as separate and unconnected individuals for the purposes of income tax. Each partner is a separate entity for tax purposes and, therefore, cohabiting couples cannot file joint assessment tax returns or share their tax credits and tax bands in the same manner as married couples.

The basis for the current tax treatment of married couples derives from the Supreme Court decision in *Murphy v. Attorney General* (1980), which held that it was contrary to the Constitution for a married couple, both of whom are working, to pay more tax than two single people living together and having the same income.

However, a cohabiting couple where both partners are working get, in total, the same tax credits as a married couple or couple in a civil partnership (i.e. €3,300). In addition, the same amount of income is subject to tax at the 20% rate (currently €32,800 each). This equates to the €65,600 threshold in the case of a married couple or couple in a civil partnership.

However, married couples who have children can avail of the Home Carers Tax Credit worth €810 per annum, subject to meeting the qualifying conditions, which is not available to cohabitants.

If both cohabitants earn in excess of the standard rate band, then they both pay tax at 41% on any income in excess of €32,800. This is identical to the treatment of married couples on the same income levels.

Furthermore, as a result of the changes introduced in the recent Budget, these thresholds

will increase to €33,800 and €67,600, respectively. This means that where both cohabitants pay tax at the higher rate, an additional €2,000 of a cohabiting couple's income will be subject to income tax at 20% rather than at 40%, resulting in a potential increase in net take home pay of €400 per annum.

In relation to your specific query, a married one earner couple with two children, earning €1,261.28 per fortnight, who is availing of the Homer Carers Tax Credit will pay €136.58 per fortnight in income tax, USC and PRSI in 2015. In contrast, a cohabiting couple with a single income of the same amount, who also have two children, will pay €231.19 per fortnight next year. These calculations are based on the assumption that the married couple are jointly assessed for income tax purposes.

*Questions Nos. 56 and 57 answered with Question No. 52.*

### Ministerial Transport

58. **Deputy Willie O'Dea** asked the Minister for Finance the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44890/14]

**Minister for Finance (Deputy Michael Noonan):** The information requested by the Deputy is outlined in the table.

These ministerial transport costs do not include air travel or foreign travel.

For 2010 the ministerial transport and the costs associated with this were provided for by the Department of Justice.

| Department of Finance       | 2010 | 2011       | 2012        | 2013        |
|-----------------------------|------|------------|-------------|-------------|
| Ministerial Transport Costs | €0   | €87,289.91 | €116,297.76 | €117,085.91 |

### Flood Relief Schemes Applications

59. **Deputy Martin Heydon** asked the Minister for Public Expenditure and Reform if he will provide an update on a funding application from Kildare County Council for flood alleviation works in respect of an area (details supplied) in County Kildare; and if he will make a statement on the matter. [44442/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris):** Kildare County Council submitted an application for funding for flood alleviation works at Ballymore Eustace under the Office of Public Works (OPW) Minor Flood Mitigation Works and Coastal Protection Scheme. The application has been assessed and the OPW has this week sought further information in relation to it from the Council. When this information is received the OPW will be in a position to make a final decision on the application.

### Ministerial Allowances

60. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the postage allowance, including franking and postage paid, that Ministers and Ministers of State

avail of towards constituency work; and if he will make a statement on the matter. [44473/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Deputies, including Ministers, are entitled to 625 pre-paid envelopes per month as set out in Regulation 8 of Statutory Instrument no. 184 of 2010 as amended by Statutory Instrument no 328 of 2011 and Statutory Instrument no 149 of 2013.

### Ministerial Transport

61. **Deputy Willie O’Dea** asked the Minister for Public Expenditure and Reform the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44481/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy’s question the following tables outline the ministerial transport costs for my Department since its inception:

#### Department of Public Expenditure and Reform Ministerial Costs

| -                                       | 2011<br>€ | 2012<br>€  | 2013<br>€  |
|---|-----------|------------|------------|
| Ministerial Travel & Subsistence        | 8,799.04  | 12,826.98  | 12,656.51  |
| Minister’s Drivers Travel & Subsistence | 16,767.23 | 24,171.01  | 24,985.45  |
| Driver Salary Costs                     | 46,208.00 | 71,062.85  | 68,499.75  |
| Total                                   | 71,774.27 | 108,060.84 | 106,141.71 |

I understand that the Minister of State at the Office of Public Works, will be contacting you directly with his response.

### Enterprise Ireland Expenditure

62. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 270 of 21 October 2014, if he will solicit the information as requested; and if he will make a statement on the matter. [44466/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Further to Parliamentary Question No. 270 of 21 October 2014, my Office has received the information from Enterprise Ireland and I will provide this to the Deputy in the coming days.

### Trade Agreements

63. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 380 of 4 November 2014, the timeframe in which he expects the study commissioned by his Department to examine the economic and other impacts of the Transatlantic Trade and Investment Partnership on Ireland to be completed; the basis on which the Irish Government is currently approaching the negotiations in the absence of the completion of such a study; if the study thus far completed has outlined potential negative consequences of

TTIP for Ireland or his views around potential negative consequences of TTIP for Ireland; the terms of reference of the study, specifically the sectors which the study intends to examine; the cost of the study; and if he will make a statement on the matter. [44546/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The competence for the EU's common commercial policy lies with the European Union. The EU Commission negotiates on behalf of the EU on matters falling within the common commercial policy on the basis of specific mandates from the EU Council of Ministers. The mandate to negotiate with the United States on a Transatlantic Trade and Investment Partnership (TTIP) was adopted by the EU Council of Ministers on 14 June, 2013. The text of the mandate is available on the EU Council's website: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/145014.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145014.pdf).

Under the terms of the mandate and in accordance with Article 207 of the Treaty on the Functioning of the European Union, the EU Commission is required to conduct the negotiations in consultation with the Council and to regularly report to the Council. The EU Commission consults the member states through the EU Trade Policy Committee on all aspects of the negotiations. Officials from my Department represent Ireland on the relevant committees. To this end, my Department co-ordinates the views of all the relevant Departments, in line with the usual inter-departmental co-ordination procedure in developing the Irish position on other EU matters. I welcome all opportunities to discuss TTIP and to receive views of stakeholders. Furthermore, I was very pleased to have been invited within the last year to have exchanges with the Joint Oireachtas Committee on Jobs Enterprise and Innovation and the Joint Oireachtas Committee on European Affairs from which I received a written political contribution.

The purpose of the study commissioned by my Department is to examine the economic and other impacts of the Transatlantic Trade and Investment Partnership (TTIP) and related potential opportunities for Ireland. The focus of this study is to identify key areas and sectors of the economy that will be impacted by TTIP.

As well as helping to inform our input to the European Union's negotiating position, the study will help to inform the appropriate policy responses to be deployed to maximise the potential of this agreement and provide an assessment of the longer term implications for enterprise policy.

The Conference on TTIP that I hosted in Dublin Castle on 20 June, to which Oireachtas members from relevant Joint Committees were invited, heard some preliminary findings from Copenhagen Economics that indicate a comprehensive trade and investment deal between the EU and the US could lead to a 1.1% increase in Irish GDP. Other preliminary findings included benefits for Ireland including increased exports (2.7%), increased real wages (1.4%) and increased investment (1.6%).

I expect that Copenhagen Economics will complete its work in the next few months. The budgeted cost of the study is €215,000 (excluding VAT).

### **Ministerial Transport**

64. **Deputy Willie O'Dea** asked the Minister for Jobs, Enterprise and Innovation the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44893/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I attach below for the Deputy's information details of transport costs in respect of the Ministers and Ministers

of State appointed to my Department for the years 2010 - 2013. The costs detailed below cover the salary and related remuneration costs paid to Ministers' Drivers (inclusive of Employers PRSI, Public Holiday Pay and Extra Attendance Payments) and the mileage and subsistence costs of Ministers and their drivers.

For the Deputy's information, my predecessor was provided with a Ministerial car and a Garda driver. The cost of the previous Ministerial transport scheme of Garda drivers and state cars were paid by the Department of Justice.

I would point out that it was estimated in 2011 that the saving to be achieved in not supplying State cars to Cabinet Ministers was of the order of €4m per annum. These estimates were based on the average cost of each State car including the cost of Garda drivers at €280,000 per annum. In the case of Ministers using their own cars, including the cost of 2 civilian drivers, it was calculated that the cost was in the region of €120,000 per annum per Minister. Following a review in 2012 it was found that the cost of the new system was lower than calculated and is in the order of an average of €100,000 per annum. This represents a saving of 65% on the previous transport system in place prior to May 2011 and supports the view that in value for money terms, the new transport arrangements are more cost effective than the previous system.

**Mr Batt O'Keeffe T.D. Minister for Enterprise Trade and Innovation**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total   |
|------|---|-------------------------|---------|
| 2010 | €0.00   | €115.00                 | €115.00 |
| 2011 | €0.00   | €115.80                 | €115.80 |

**Ms. Mary Coughlan T.D. Minister for Enterprise Trade and Employment**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total |
|------|---|-------------------------|-------|
| 2010 | €0.00   | €0.00                   | €0.00 |
| 2011 | €0.00   | €0.00                   | €0.00 |

**Mr. Dara Calleary T.D. Minister for Labour Affairs**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total       |
|------|---|-------------------------|-------------|
| 2010 | €78,881.22                                    | €32,255.58              | €111,136.80 |
| 2011 | €28,037.43*                                   | €7912.66                | €35,950.09  |

\*Inclusive of Civilian Drivers Severance Payments

**Mr. Conor Lenihan T.D. Minister for Innovation Policy**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total       |
|------|---|-------------------------|-------------|
| 2010 | €84,658.34                                    | €22,206.54              | €106,864.88 |
| 2011 | €37,699.79*                                   | €4,690.65               | €42,390.44  |

\*Inclusive of Civilian Drivers Severance Payments

**Mr. Billy Kelleher T.D. Minister for Trade & Commerce**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total       |
|------|---|-------------------------|-------------|
| 2010 | €75,852.14                                    | €41,705.93              | €117,558.07 |
| 2011 | €44,339.54*                                   | €12,734.51              | €57,074.05  |

\*Inclusive of Civilian Drivers Severance Payments

**Mr. John Perry T.D. Minister for Small Business**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total       |
|------|---|-------------------------|-------------|
| 2011 | €54,721.44                                    | €35,124.20              | €89,845.64  |
| 2012 | €79,462.62                                    | €45,397.20              | €124,859.82 |
| 2013 | €77,558.38                                    | €45,182.72              | €122,741.10 |

**Mr. Seán Sherlock T.D. Minister for Research & Innovation**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total       |
|------|---|-------------------------|-------------|
| 2011 | €52,677.91                                    | €23,568.71              | €76,246.62  |
| 2012 | €76,832.88                                    | €33,080.93              | €109,913.81 |
| 2013 | €78,439.09                                    | €33,222.23              | €111,661.32 |

**Mr. Richard Bruton T.D. Minister for Jobs, Enterprise & Innovation**

| -    | Drivers Salary and related remuneration Costs | Mileage and Subsistence | Total      |
|------|---|-------------------------|------------|
| 2011 | €48,449.14                                    | €6,084.31               | €54,533.45 |
| 2012 | €76,628.17                                    | €7,023.22               | €83,651.39 |
| 2013 | €79,264.69                                    | €6,182.51               | €85,447.20 |

**Departmental Schemes**

65. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if he will provide in tabular form since 2008 the total amounts drawn down by Ireland for the school milk scheme and the school fruit scheme; the number of schools and pupils which benefit from the scheme per county; and if he will make a statement on the matter. [44547/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The School Milk Scheme (SMS) was introduced in 1977, and over 20 million EU children benefited from it in 2011/2012, an 18% jump compared with 2010/2011. The SMS has operated in Ireland since 1982 with the objective of promoting and encouraging the consumption of milk among school children. Its management is primarily through the National Dairy Council (NDC) in conjunction with the co-ops, but take-up is quite limited on a geographical level. The Scheme provides for the payment of aid for milk products to school pupils and is co-financed by the EU and the MS, with my Department being the responsible Department in Ireland. The aid rates were reduced by approximately 7% per annum from 2004 to 2007 in line with the general reductions in support prices brought about by the 2003 Mid Term Review of the CAP. However, the Exchequer has made up for this reduction in the EU contribution, and the overall aid rates have been

maintained at €27.89/100kg. Since 2007 the EU contribution is €18.15/100kg, with the balance of €9.74/100kg made up by the Exchequer.

In terms of some of the figures requested by the Deputy, the table below sets out some of the key aggregates. I will also undertake to forward some more detailed breakdowns in terms of the scheme coverage per county in tabular format.

| School Year | Number of Participating Schools | Estimated number of pupils | Money drawn down by Ireland |
|-------------|---------------------------------|----------------------------|-----------------------------|
| 2008-2009   | 1271                            | 66,990                     | €553,509                    |
| 2009-2010   | 1241                            | 59,539                     | €491,940                    |
| 2010-2011   | 1133                            | 56,040                     | €463,035                    |
| 2011-2012   | 1090                            | 56,323                     | €465,369                    |
| 2012-2013   | 1075                            | 53,259                     | €440,050                    |
| 2013-2014   | 1052                            | 50,484                     | €417,121                    |

The EU School Fruit Scheme commenced in 2009 and is run by Bord Bia as part of the Food Dudes programme to develop a taste for fruit and vegetables among primary schoolchildren. All operational matters including details of schools, numbers of pupils and locations, come under their operational remit. An annual Strategy document is submitted by my Department to the EU Commission setting out planned total target figures for schools/pupils in the coming school year. To date, these have been as follows:

| School Year | Number of Participating Schools | Estimated number of pupils | Money drawn down by Ireland |
|-------------|---------------------------------|----------------------------|-----------------------------|
| 2009-2010   | 383                             | 54,000                     | €475,422                    |
| 2010-2011   | 385                             | 59,500                     | €509,095                    |
| 2011-2012   | 390                             | 58,000                     | €510,665                    |
| 2012-2013   | 390                             | 61,000                     | €430,388                    |
| 2013-2014   | 385                             | 70,455                     | €371,301                    |
| 2014-2015   | 884                             | 141,359                    |                             |

The national rollout of the School Fruit and Vegetable Scheme/Food Dudes will be completed this year and the increased numbers planned for 2014-2015 reflect a new boost programme developed to enable the School Fruit and Vegetable Scheme/Food Dudes to reach more primary schools annually.

### Agriculture Scheme Eligibility

66. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if farmers who have completed relevant courses in Northern Ireland, achieving agricultural qualifications, will have these qualifications recognised automatically on a like for like basis when applying for the various schemes and tax breaks that require agricultural qualifications in this jurisdiction; and if he will make a statement on the matter. [44407/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Taxation policy is primarily a matter for the Minister for Finance. However I have on-going contact with Minister Noonan to ensure that tax policy reflects the Government's commitment to agriculture. Currently young farmers can avail of an enhanced income tax relief measure for 100% stock

relief and a stamp duty relief on land transfers if they meet certain criteria, which include minimum agricultural qualifications levels. The recent Agri-taxation Review recommended that selected other tax measures should also be linked to qualifications. I am working closely with the Minister for Finance to ensure that this is reflected in the measures being introduced in the Finance Bill currently before the Oireachtas.

The eligible qualifications are published as part of the relevant legislation that provides for these measures and only include qualifications awarded within the State. However, while Northern Ireland agricultural qualifications are not specifically included in the relevant tax legislation, this does not preclude farmers with those qualifications from qualifying for these tax reliefs. Provided that Teagasc certify that a qualification is equivalent to those published, those farmers can avail of the tax measure.

The new investment schemes under the Rural Development Programme 2014-2020 will provide for higher grant rates for certain qualified young farmers. The new direct payment scheme (the Basic Payment Scheme in 2015) will include a 25% top-up grant for qualified young farmers. Again, provided that Teagasc certify that a qualification is deemed equivalent to those eligible for the higher rates, those farmers can avail of these higher payments.

### **Forestry Grants**

67. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when farmers who have applied for forestry grants and were awaiting assessment of the possible effects of afforestation on the hen harrier habitats will be issued with a decision on their applications; the reason for the delay in this matter; and if he will make a statement on the matter. [44408/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Department of Arts, Heritage and the Gaeltacht is currently developing a Threat Response Plan (TRP) for Hen Harrier, which is one of Ireland's rarest species of bird, and which is protected at a European level under the EU Birds Directive. As part of this process, the Minister for Arts, Heritage and the Gaeltacht has established an inter-Departmental Steering Group, incorporating representatives from key Departments, to assist in the development of the Plan. The TRP is examining the impacts of various activities including forest development, agricultural intensification and wind farm development on the conservation of the species. I understand that the TRP will set out necessary measures for implementation within each of the three sectors to protect and conserve Hen Harrier and in doing so will bring clarity to farmers and other landowners about future land management activities, including afforestation, within the SPAs.

### **Agriculture Scheme Payments**

68. **Deputy Dinny McGinley** asked the Minister for Agriculture, Food and the Marine when payment of single farm and disadvantaged areas grant will issue in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [44419/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 9 May 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue. The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or

parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be finalised with the intention of issuing any payment due as soon as possible. In the event that any queries arise officials in my Department will be in contact with the person named.

### **Single Payment Scheme Payments**

69. **Deputy Pat Breen** 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 Clare; and if he will make a statement on the matter. [44421/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2014 Single Farm Payment Scheme was received from the person named on 7 May 2014. During processing of this application a dual claim error arose where two of the parcels declared by the person named are also being claimed by another applicant under the Single Payment Scheme. An official from my Department will be in contact with the person named to clarify the situation. The file will then be reviewed and an early decision taken in relation to the dual claim, taking account of the evidence submitted by both parties. Any payments due will then issue subject to compliance with the Terms & Conditions of the Single Payment Scheme.

### **Agriculture Scheme Administration**

70. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if there is a compensation scheme available in respect of a person (details supplied) in County Cork who lost cattle due to electrocution. [44437/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The situation in which this farmer finds himself is extremely unfortunate. However, there is no specific compensation scheme in place for farmers who suffer casualties in their herd due to electric storms or other unforeseen events. It is not possible, regrettably, to introduce a compensation scheme to cover all unforeseen events. I would, therefore, urge all farmers to familiarise themselves with insurance to cover all risk management issues such as electrical storms, injury, theft, other weather related disasters and animal diseases and to ensure that they are adequately covered.

### **Single Payment Scheme Payments**

71. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Cork had their single farm payment reduced; and if he will make a statement on the matter. [44446/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 16 April 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. Satellite)

inspections, be completed before any payments issue.

The application of the person named was selected for a Remote Sensing inspection.

The inspection identified discrepancies between the areas declared and the area found resulting in an over-declaration in area of between 3% and 20%. Under the Terms and Conditions of these schemes, this resulted in payment under the 2014 Single Farm Payment Scheme being based on the found area having been reduced by double the difference between the area found and the area declared. The person named will be notified of the outcome of the inspection shortly and of the right to seek a review of this decision.

Payment, on the basis set out above, of the advance payment under the 2014 Single Payment Scheme issued to the nominated bank account of the person named on 10 November.

### **Single Payment Scheme Payments**

72. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the reason single farm payment was reduced in respect of a person (details supplied) in County Cork. [44460/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 16 April 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. Satellite) inspections, be completed before any payments issue.

The application of the person named was selected for a Remote Sensing inspection.

The inspection identified discrepancies between the areas declared and the area found resulting in an over-declaration in area of between 3% and 20%. Under the Terms and Conditions of these schemes, this resulted in payment under the 2014 Single Farm Payment Scheme being based on the found area having been reduced by double the difference between the area found and the area declared. The person named will be notified of the outcome of the inspection shortly and of the right to seek a review of this decision.

Payment, on the basis set out above, of the advance payment under the 2014 Single Payment Scheme issued to the nominated bank account of the person named on 10 November.

### **Agriculture Scheme Eligibility**

73. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will review an application and entitlements for single farm payment, disadvantaged areas aid payment and agri-environment options scheme payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [44462/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Payment Scheme/Disadvantaged Areas Scheme application on 05 May 2014. Processing of this application has recently been finalised with payment under both schemes due to issue shortly, directly to the nominated bank account of the person named.

The person named was approved for participation in the 2011 Agri-Environment Options Scheme (AEOS 2) with effect from 1 September 2011 and full entitlements have issued in

respect of the 2011, 2012 and 2013 Scheme years. I expect payments in respect of the 2014 Scheme year to commence before the end of 2014.

### **Agriculture Scheme Payments**

74. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine when payments will be made in respect of a person (details supplied) in County Galway in relation to disadvantaged areas scheme and single payment scheme. [44507/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 13 May 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases on-farm inspections, be completed before any payments issue.

The application of the person named was selected for a ground eligibility inspection.

This inspection has been completed and the results are now being finalised with the intention of issuing any payment due as soon as possible. In the event that any queries arise officials in my Department will be in contact with the person named.

### **Agri-Environment Options Scheme Payments**

75. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when agri-environment options scheme payments for 2014 will issue; and if he will make a statement on the matter. [44508/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Area-based schemes under the Rural Development Programme 2007-13 are subject to EU Regulations which require detailed administrative checks on all applications, including cross checks with the Land Parcel Identification System, to be completed before payments can issue. These rigorous procedures, together with on-farm inspections, apply to a number of scheme payments including the Agri-environment Options Scheme (AEOS) and are necessary to ensure that applications meet the scheme conditions and cross-compliance requirements.

All checks are now nearing completion and AEOS payments in respect of the 2014 scheme year will commence shortly.

### **Commonage Division**

76. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine further to the Joint Committee on Agriculture, Food and the Marine hearing on 4 November 2014 in which a person (details supplied) stated that there was a risk of financial corrections being imposed by the European Commission as a result of commonage under-grazing, the amount of the financial correction measures being imposed by the Commission; when the intention to implement financial correction measures was communicated by the European Commission to the Government; the current number of commonages that are being under-grazed in each county; the methods used by his Department to establish that figure; the specific stocking criteria set down by the Commission in respect of commonages; the method by which this has been communicated to the Irish Government or the legislative basis for same; and if he will make a

statement on the matter. [44548/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Each year farmers in Ireland benefit from funding of over €1.5 billion under Schemes such as the Single Farm Payment Scheme, the Disadvantaged Areas Scheme, the Agri-Environment Schemes, etc. This comprises the entire net income of many thousands of Irish farmers. Following consultation with the EU Commission, as part of the normal Accounting process, my Department was requested to undertake a complete review of the LPIS database. This on-going review is of major significance as the Commission is seeking to disallow €181m of funding to Ireland relating to payments over the past 5 years; this is currently the subject of an Irish appeal to the EU Conciliation Body. The Department was first made aware of this on 14 May 2014 in a written communication from the EU Commission.

The European Commission has an obligation to ensure that Member States manage and use the EU funding granted to them in accordance with the very restrictive provisions governing the Direct Aid Schemes and general financial provisions. All of the lands, including commonages, declared by farmers must be eligible if these lands benefit from payment under one of more or these Schemes. The threatened disallowance relates to all payments in respect of ineligible areas and not just to payments on ineligible commonage areas.

Under the Terms and Conditions of the Direct Aid Schemes, which includes the Single Payment Scheme, farmers are obliged to declare only eligible land when making their applications, and to exclude ineligible features such as roads, buildings, farmyards, dense scrub, etc. Furthermore, farmers are reminded that they should not declare for payment purposes land, which they are no longer farming. It is not sufficient to simply exclude the ineligible features from the declarations submitted; this is because land, which is no longer being farmed and/or is abandoned should also be excluded.

To ensure the eligibility of lands declared, farmers must maintain lands through normal farming practices such as cropping, cutting hay/silage or grazing by animals with an appropriate stocking rate to control invasive species. In the case of commonage lands farmers must therefore ensure that lands are kept adequately grazed in order to ensure that the commonage retains the area eligible for payment.

Commonage lands form a significant area of the lands declared annually by some 14,936 farmers in Ireland for the purposes of claiming under the Direct Aid Schemes, with approximately 7% of the lands declared nationally being commonage lands.

However, due to reasons such as previous destocking requirements and the age profile of farmers on commonage lands, there is a growing risk of land abandonment on commonages as under-grazing becomes more of a problem. It is, therefore, the case that the increasing ineligibility of these lands under the Single Payment Scheme and other Direct Payment Schemes poses a significant risk to the State in view of the risk of financial corrections being imposed by the European Commission.

In 2015, all farmers will be strongly urged to ensure that all of the land that they declare is eligible and is farmed by them. The entitlements established under the Basic Payment Scheme will be based on the eligible hectares declared in 2015. In order to protect their payments in the subsequent years, farmers should exclude all ineligible areas from their declarations. In that case, the newly established entitlements will be supported by land which is eligible for payment in order to draw down their full payment entitlement in 2015 and subsequent years. This would also reduce the risk of further financial corrections in the future.

### Ministerial Transport

77. **Deputy Willie O’Dea** asked the Minister for Agriculture, Food and the Marine the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44883/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The ministerial transport costs paid by my Department in respect of the Ministers and Ministers of State in the years 2010, 2011, 2012 and 2013 are set out in the table.

The costs include travel expenses for use of the Minister of States’ private cars for each year, the use of my private car since March 2011 and pay and subsistence costs associated with staff employed as drivers of the Ministers’ private cars.

The system for the provision of transport for Ministers changed from the use of official to private cars on the appointment of the Government in March 2011. The average annual cost of providing a State car under the previous administration was €280,000 and this is the basis of the costs associated with former Minister Brendan Smith.

| Minister/Minister of State   | Year  | Total Transport Costs |
|--|-------|-----------------------|
| Brendan Smith Minister<br>(01/01/2010 -9/3/2011)                   | 2010  | €280,000              |
|  | 2011  | €70,000               |
| Trevor Sargent Minister of State<br>(01/01/2010-22 /3/2010)        | 20 10 | €47,717.38*           |
| Tony Killeen Minister of State<br>(01/01/2010 -22/3/2010)          | 2010  | €74,206.20*           |
| Seán Connick Minister of State<br>(23/3/2010-9/3/2011)             | 2010  | €67,339.26            |
|  | 2011  | €5,045.94             |
| Simon Coveney, Minister (From<br>10/3/2011-                        | 2011  | €81,850.21            |
|  | 2012  | €121,646.11           |
|  | 2013  | €115,380.02           |
| Shane McEntee deceased Minister of<br>State (10/3/2011 - 21/12/12) | 2011  | €73,488.69            |
|  | 2012  | €103,372.18           |
|  | 2013  | €21,972.06*           |
| Tom Hayes Minister of State (From<br>5/6/2013-                     | 2013  | €61, 882.18           |

\*Includes Severance Pay paid to drivers

The following revised table was received on 21 January 2015:

| Minister/Minister of State                                 | Year | Total Transport Costs |
|--|------|-----------------------|
| Brendan Smith Minister ( (01/01/2010 -9/3/2011)            | 2010 | €280,000              |
|  | 2011 | €70,000               |
| Trevor Sargent Minister of State ( (01/01/2010-22/3/2010 ) | 2010 | €46,854.04*           |
| Tony Killeen Minister of State (01/01/2010 -22/3/2010)     | 2010 | €90,970.24*           |

Questions - Written Answers

| Minister/Minister of State                                      | Year | Total Transport Costs |
|---|------|-----------------------|
| Seán Connick Minister of State (23/3/2010-9/3/2011)             | 2010 | €76,522.14            |
|   | 2011 | €40,458.46*           |
| Simon Coveney, Minister (From 10/3/2011-                        | 2011 | €81,850.21            |
|   | 2012 | €122,645.69           |
|   | 2013 | €115,380.02           |
| Shane McEntee deceased Minister of State (10/3/2011 - 21/12/12) | 2011 | €73,488.69            |
|   | 2012 | €103,372.18           |
|   | 2013 | €21,972.06*           |
| Tom Hayes Minister of State ( From 5/6/2013-                    | 2013 | €61,882.18            |

\*Includes Severance Pay paid to drivers.

### Ministerial Transport

78. **Deputy Willie O’Dea** asked the Minister for Defence the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44887/14]

**Minister for Defence (Deputy Simon Coveney):** In 2010, all Government Ministers were provided with a State car that was driven by a member of An Garda Síochána from a pool of Gardaí, two of whom were assigned to the Minister at that time. The cost of this service was funded from the Vote of An Garda Síochána.

In March 2011 the Government brought in new arrangements in respect of ministerial transport. Under the new arrangements, Ministers could appoint two civilian drivers to drive the Minister’s car and claim mileage in accordance with the Department of Public Expenditure and Reform guidelines.

As part of the new arrangements the Government agreed that the Minister for Justice and Equality should retain a State car and Garda drivers. As my predecessor was Minister for Justice and Equality and Minister for Defence this arrangement applied to him and all costs associated with his transportation were met from the Vote of An Garda Síochána. All of my transport costs have been borne by the Department of Agriculture, Food and the Marine since my appointment as Minister for Defence.

The Government Chief Whip and Minister of State at the Department of the Taoiseach and the Department of Defence, Paul Kehoe T.D., is assigned two civilian drivers who were appointed in May 2011. The costs associated with the drivers since May 2011 is set out below.

| Year | No. of drivers | Total Costs<br>€ |
|------|----------------|------------------|
| 2010 | Nil            | Nil              |
| 2011 | 2              | 60,217           |
| 2012 | 2              | 104,041          |
| 2013 | 2              | 101,739          |

Any mileage and car related expenses paid to Minister of State Kehoe are matters for the

Department of the Taoiseach.

### **Road Safety**

79. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality if privately operated speed detection vehicles are allowed under the relevant legislation to park on private property for the purposes of speed detection or if they have to be on the public road; and if she will make a statement on the matter. [44422/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Deputy will appreciate that it is not my function as Minister for Justice and Equality to advise on the interpretation of legislation. To be of assistance I have asked the Garda authorities for a report in relation to the selection of sites for the location of safety camera vehicles having regard to the issue raised by the Deputy and I will be in contact with the Deputy when the report is to hand.

### **Garda Vetting Applications**

80. **Deputy Brendan Griffin** asked the Minister for Justice and Equality when a decision is expected on an application for Garda clearance in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [44487/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Garda authorities that no vetting application has been received in respect of the person to whom the Deputy refers. In the circumstances, I can only suggest that the person contacts the registered organisation involved.

### **EU Directives**

81. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality the preparations that have been made for the implementation of the EU directive on victims; if it is planned to alter the PULSE system prior to implementation; if PULSE will record and monitor racist and hate motivated incidents; if the ethnic origin of victims will be recorded; and if she will make a statement on the matter. [44452/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** As I have stated previously in the House, the Directive, which covers all victims of crime, is due to be implemented by the Member States by the 16th of November 2015. I believe that the provisions of the Victims of Crime Directive will strengthen supports to victims of crime in Ireland. Work is continuing in the Justice system to put appropriate arrangements in place to give effect to the provisions of the Directive.

My Department is drafting legislation to transpose the Directive into Irish law and I expect that the Heads of a Bill will be published early in 2015. It is my intention to have legislation enacted to comply with the Directive by the November, 2015 deadline contained in the Directive.

While the management of the PULSE system is in an operational matter for the Garda authorities, I have sought a report from the Garda Commissioner on the specific issues raised by the Deputy in this regard and will be in touch with him when this report has been received.

## **Magdalen Laundries**

82. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if Magdalen laundry survivors' ex gratia scheme applications from within the UK have to go through the Irish Women Survivors Support Network or if they can be made directly to her Department. [44368/14]

83. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the relationship between her Department and the Irish Women Survivors Support Network in relation to ex gratia scheme applications. [44369/14]

84. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the way Magdalen laundry survivors' ex gratia scheme applications from within the UK are processed; and if her Department communicates with the survivors directly or through the Irish Women Survivors Support Network. [44370/14]

85. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the parameters that have been set down for the Irish Women Survivors Support Network with regard to the operation of the Magdalen laundry survivors ex gratia scheme, particularly in relation to establishing duration of stay. [44371/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 82 to 85, inclusive, together.

The Irish Women Survivors Support Network have no formal role in the ex gratia scheme. All applications are processed by the Department. No parameters have been set down for the Irish Women Survivors Support Network with regard to the operation of the scheme.

I understand that the Irish Women Survivors Support Network do assist some women in the completion of their application forms and in 2 of the 158 cases from women residing in the UK, applicants have authorised the Irish Women Survivors Support Network to deal with correspondence relating to their application on their behalf.

In addition to the above contact, the Irish Women Survivors Support Network were active in campaigning on behalf of women now residing in the UK who had been a Magdalen Laundry and interacted with the Department in that context.

On the 19 February 2013, the Government decided that a payment of €250,000 should be made to the UK based Irish Women Survivors Support Network (IWSSN) to enable them to continue to provide support, advice and assistance to women survivors of Irish institutions including women who were in Magdalen laundries. That payment was made and details announced by the Minister for Justice and Equality in December 2013.

## **Magdalen Laundries**

86. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the number of Magdalen laundry survivors that have settled for less time than they have claimed for, broken down by country of residence. [44372/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The processing of all applications starts off on the premise that the testimony of the applicant is correct and my officers processing the application then seek to verify the application by checking appropriate records. If there are records and they are consistent with the application, then an offer is made.

If there is a discrepancy, or in cases where the religious congregations have incomplete or no record for an applicant my officials must carry out a thorough examination, checking whatever records are available from other departments, agencies and institutions to support the application. The records of the religious congregations are not regarded as decisive, they are just one factor that is taken into consideration.

Each applicant is assessed on an individual basis, by my officials in the Restorative Justice Implementation Unit, taking into account any available records, documents and statements including the applicant's testimony. If the applicant disagrees with the Reviewer's decision she may request an independent review by the Ombudsman's office.

To date, 18 of the 665 applications on which a decision has been made, which is less than 3% have requested their case to be reviewed by the Ombudsman's Office. Of these 18 cases, 2 reside in the UK, 1 in the USA and the remaining cases were from applicants residing in Ireland. To date, the Ombudsman has upheld the decision of my officers in 14 cases and decisions are awaited on the remaining 4 cases.

### **Magdalen Laundries**

87. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the appeals process in place for UK survivors of Magdalen laundries who have been offered less than they are entitled to, or who have had their applications rejected; and if appeals are processed through the Irish Women Survivors Support Network or directly with her Department/the Ombudsman's office. [44373/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Each application is assessed on an individual basis, by my officials in the Restorative Justice Implementation Unit, taking into account any available records, documents and statements including the applicant's testimony. If the applicant disagrees with this assessment, regardless of her country of residence, she can, in the first instance, seek a review of her case by a senior officer. If the applicant disagrees with the Reviewer's decision she can request an independent review by the Ombudsman's Office. The Irish Women Survivor's Support Network have no role in determining appeals although they may provide support to the woman making an appeal.

### **Magdalen Laundries**

88. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if she will provide details of the complaints mechanism in place for survivors who have grievances with the Irish Women Survivors Support Network. [44374/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Irish Women Survivors Support Network is a UK based, independent, not for profit company limited by guarantee. They provide support, advice and assistance to women survivors of Irish institutions including women who were in Magdalen laundries. Although they may assist women in their applications, they have no formal role in the scheme of benefits for women who were admitted and resided in Magdalen laundries.

If a person has a grievance with that body, he or she should raise the matter directly with the body concerned. The Department of Justice and Equality has no responsibility or role in determining grievances involving that body.

### **Magdalen Laundries**

89. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the number of Magdalen laundry survivors ex gratia scheme applications received by her Department through the Irish Women Survivors Support Network. [44375/14]

90. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the number of UK Magdalen laundry survivors ex gratia scheme applications that have been received by her Department independently of the Irish Women Survivors Support Network. [44376/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 89 and 90 together.

158 applications have been received to the Magdalen Laundries Ex Gratia Scheme from women who are now residing in the UK.

Each application is dealt with on an individual basis and my officials correspond directly with the applicant in all cases except where the applicant specifically authorises another person to act on her behalf.

I have been informed that, of the 158 applicants in the UK, two have authorised the Irish Women Survivors Support Network to deal with correspondence relating to their application on their behalf.

### **Magdalen Laundries**

91. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if she has knowledge of the accounts audit for the €250k given to the Irish Women Survivor's Support Network on the night of the Magdalene apology; the percentage of this funding that is dedicated to Magdalene survivors; if this funding has been renewed in the most recent budget; and if the Government are continuing to fund, and at what level, the Irish Women Survivor's Support Network for the current year. [44377/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** On 19th February 2013, the Government agreed on the payment of €250,000 to the Irish Women Survivors Support Network (IWSSN) to enable them to continue to provide support, advice and assistance to women survivors of Irish Institutions including women who were in the Magdalen Laundries and who are now residing in the UK.

To facilitate good governance, the IWSSN registered as a not for profit Company Limited by Guarantee and an agreement was entered into to route the funding through Voluntary Action Camden, a long standing registered Charity which supports, develops and promotes voluntary and community groups.

The once off payment of €250,000 which was made in December 2013 was subject to a number of conditions including the requirement to submit financial statements of the IWSSN with the report of an independent examiner every year that the fund was in existence.

The Report and Financial Statements of the IWSSN for year ended 31st March 2014 were submitted to my Department in June 2014.

No further funding has been allocated to the IWSSN by my Department.

## Firearms Licences

92. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality her views on correspondence (details supplied) regarding SHAM consultations; and if she will make a statement on the matter. [44543/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** In light of public safety concerns highlighted by An Garda Síochána and difficulties in the interpretation of the legislation expressed by members of the judiciary, a joint Department of Justice and Equality/An Garda Síochána Working Group was established by my Department to review firearms licensing. The Report of this Working Group was published on 13 November and submissions on the Report have been sought from stakeholders and the public by 15 December. I have now agreed to a request to extend the deadline for receipt of submissions to 31 January, 2105. The consultation process gives individuals and groups an opportunity to contribute to the development of firearms policy and legislation and will enable consideration to be given to the future direction of such legislation.

The Garda Commissioner has made a decision, with Ministerial consent, to issue new Garda Guidelines on the Firearms Acts which exclude the former Annex F of the guidelines. The interpretation of the previous Annex F had caused serious difficulties and confusion in regard to applications for firearm certificates for .22 calibre handguns and has resulted in over 30 Judicial Review applications to date. The Commissioner made this decision to issue new Guidelines, without Annex F, on foot of consultations with the Attorney General's Office (AGO) and Counsel for the State regarding Judicial Review applications on the licensing of .22 calibre handguns. There have been no changes to either primary or secondary legislation as a result of amending these guidelines. A more general revision of the Garda Guidelines will be carried out in light of the outcomes of the public consultation on the review of firearms licensing.

The amendment of the Guidelines has no implications in relation to the consultation process which I undertook to have in relation to the Review. I will not be making any final decisions until I have had a chance to consider all submissions which have been made.

## Prison Staff

93. **Deputy Sean Fleming** asked the Minister for Justice and Equality if her attention has been drawn to the change in the work practices in the Prison Service (details supplied); and if she will make a statement on the matter. [44549/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am aware of the change in work practices, referred to by the Deputy, which is the elimination of grace periods.

This proposed change is one of the reform measures set out in the collective agreement for the Irish Prison Sector under the Haddington Road Agreement.

Staff in the Irish Prison Service were not obliged to work the additional hours required of the majority of public servants under the Haddington Road Agreement on the basis that the grace periods would be eliminated - up to 50 minutes per day which staff are paid for but not required to work.

The elimination of such grace periods as agreed under the HRA will allow the Irish Prison Service to provide increased rehabilitative measures such as additional out of cell time and structured activities to prisoners.

I am informed by the Director General of the Irish Prison Service that the Service is committed to utilising the mechanisms of the Haddington Road Agreement in relation to the introduction of this reform measure.

### Liquor Licensing Laws

94. **Deputy Finian McGrath** asked the Minister for Justice and Equality if she will support the restaurant association in an amendment to the current legislation on licensing trading on Good Friday; and if she will make a statement on the matter. [44553/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Government Legislation Programme published on 17 September indicates that publication of the Sale of Alcohol Bill is expected in mid-2015. The Bill will update the law relating to the sale, supply and consumption of alcohol in licensed premises, including restaurants, and registered clubs, and provide an opportunity for reviewing the statutory restrictions relating to times when alcohol may be sold and consumed in such premises. The Bill will repeal the Licensing Acts 1833 to 2011 and the Registration of Clubs Acts 1904 to 2008 and replace them with streamlined and updated provisions. The statutory provisions restricting the sale of alcohol on Good Friday, which have historical origins, will be examined in that context.

### Ministerial Transport

95. **Deputy Willie O’Dea** asked the Minister for Justice and Equality the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in her Department; and if she will make a statement on the matter. [44894/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will be aware, the Government introduced a number of changes for the provision of Office Holder transport during 2011. One of the consequences of that decision was that the transport arrangements in place for Ministers of State became applicable to Government Ministers, subject to very limited exceptions on security grounds. In addition, it was decided that former Presidents and Taoisigh would only be supplied with official transport for important State occasions. The revised transport arrangements came into operation for Government Ministers on 1st May 2011 and for former Office Holders on 16th June 2011.

Office Holder cars are currently placed at the disposal of the President, An Taoiseach, An Tánaiste, the Minister for Justice and Equality, the Chief Justice and the Director of Public Prosecutions.

The Garda Commissioner is the Accounting Officer for the Garda Vote. In that context, I am informed by the Garda authorities that records in relation to Office Holder transport have not been maintained in respect of individual Office Holders. However, the Garda authorities have indicated that total expenditure on the provision of Office Holder transport in 2010, 2011, 2012 and 2013 was as outlined in the following table:

| Year | Expenditure    |
|------|----------------|
| 2010 | €7.503 million |
| 2011 | €4.595 million |
| 2012 | €2.201 million |
| 2013 | €2.160 million |

With regard to the table, some of the costs arising in 2011 included costs associated with the service prior to and after the new transport arrangements had been fully introduced.

No transport costs for Ministers of State have been paid by my Department in the period March 2011 to the end of 2013. Details in relation to transport costs for Ministers of State for the period 2010 to March 2011 are not readily to hand. I will contact the Deputy directly when this information is available.

### **Adoption Legislation**

96. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the reason for the delay in the publication of the adoption and tracing legislation; and his proposals in relation to same. [43990/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I am taking a positive and pro-active approach to introduce measures to address the provision of a robust legal and operational services in the realm of information and tracing for those affected by adoption.

In this context I have instigated the following policy and operational developments:

1) Development of an Adoption (Information and Tracing) General Scheme and Heads of Bill which will provide for statutory access to adoption records and birth information. This work is well under way. The Heads will provide access to records for birth parents and adopted persons in so far as is possible in line with legal advices. I am proposing as progressive an approach as is possible within the significant legal and operational complexities which arise in giving effect to this objective.

The proposed legislation will provide for, inter alia,

- Placing the National Adoption Contact Preference Register on a statutory basis
- Arranging for the management of Adoption Records
- Setting out the information to be provided and circumstances in which it can be provided both for retrospective and prospective adoptions
- Providing for Information and Tracing Supports Services.

It is my intention to have the General Scheme and Heads of Bill finalised on this basis as soon as possible and submitted for the consideration of Government, in advance of referral to the Oireachtas Committee on Health and Children. This will be the subject of consultation with all relevant Government Departments in advance.

2) In parallel, I have requested officials to commence an examination of operational arrangements for the preservation of, and access to, adoption records both to secure existing service provision and to make ready for any proposed new legislation.

### **Child Care Law Reporting Project**

97. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs his view on trends emerging from the two interim reports of the Child Care Law Reporting Project, particularly where it states that single parents, parents with a disability, and parents of non-Irish

background are over-represented in family law cases. [43991/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Child Care Law Reporting Project (CCLRP) is an independent project established under Section 3 of the Child Care (Amendment) Act 2007, in accordance with the Regulations made under that Act, with the support of the One Foundation, Atlantic Philanthropies and the Department of Children and Youth Affairs.

The aims and objectives of the project are to:

- Provide information to the public on child care proceedings in the courts;
- Conduct research on these proceedings in order to promote debate and inform policy-makers;
- Make recommendations to address any short-comings in the child care system identified by the research;
- Assist in the implementation of these recommendations;
- Promote confidence in the child care system.

The project will provide a measure of the effectiveness of current systems and policies in the area of child protection and that of court administration. Ultimately it will assist the Department in gaining a greater depth of knowledge and understanding of child care cases and it will increase the evidence base on which future policy formulation is based.

The project pursues its aims and objectives by attending the courts where child care cases are heard in order to report on those proceedings while protecting the anonymity of the children and their families. The CCLRP publishes reports of child care cases for the public and all relevant stake-holders, collects and analyses data from the proceedings, publishes reports on the nature and outcomes of the child care proceedings and seeks to promote a public debate on the issues raised through seminars and conferences.

Child care cases, heard mainly in the District Courts, involve applications by the Child and Family Agency for orders to protect children, including supervision orders, emergency and interim care orders and full care orders. Under supervision orders, families receive help and supervision from the Agency; under care orders, the child is placed on either an interim or more permanent basis in care. The cases are heard in camera in order to protect the privacy of the children and their families. There are rarely written judgments in the District Court.

In the second interim report, published last month, it was noted that the project team record the main reason given in support of each application. Often more than one problem is present e.g. the parent may suffer from a disability and abuse alcohol or drugs or both, and the child may suffer both neglect and abuse but only one main reason is recorded. The highest single category, as recorded by the reporters, is parental disability (15%). While physical, mental and intellectual disabilities are not distinguished, the reporting team has observed that most of these parents had an intellectual disability or mental health difficulty and sometimes both.

The second interim report also found that in over 70% of cases the parent, normally the mother, was parenting alone, either because she was single, following the breakdown of a relationship, or because the child's other parent was dead, in prison or missing. Drug or alcohol abuse or neglect were much more common reasons for seeking a care order in cases involving single parents than cases involving married parents.

While the majority of the respondents in child care cases are Irish (70.4% in the second interim report), this is substantially less than the proportion of Irish-born people in the population as a whole. 7% of the respondents are European, the vast majority of whom come from Eastern Europe. The next largest category is “mixed”, meaning that at least one parent is not Irish. This category includes two or more non-Irish parents from different backgrounds as well as Irish and non-Irish parents. Almost 4% of the respondents are recorded as Irish Travellers.

Overall, one in four child protection cases involve families where at least one parent is a member of an ethnic minority. However the author notes that this represents a very heterogeneous group and the issues that bring them to the child care courts vary widely and so there is no single approach that could reduce this proportion. This raises issues of the need for early involvement of appropriately trained family support workers with immigrant families and community leaders.

The fact that such a high proportion of at-risk children come from ethnic minority communities highlights the need for cultural sensitivity, focused integration policies and cultural mediation services. The Child and Family Agency has introduced a training component for staff on cultural competence so that they may better understand the needs and diversity of the families concerned.

The Child and Family Agency has advised that it brings cases to court solely on the basis of the evidence it has regarding the welfare and protection of children. All of the variations in child care applications and outcomes – regional, ethnic and in family status – that have been identified throughout the course of the project to date require further research to determine the reasons for the variations and to see how more targeted interventions can, where possible, ensure that the level of intervention is the most appropriate.

### **Mother and Baby Homes Inquiries**

98. **Deputy Joe Higgins** asked the Minister for Children and Youth Affairs if he will include the Westbank Orphanage in Greystones, County Wicklow, in the inquiry into the mother and baby homes; and if he will make a statement on the matter. [44416/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** As the Deputy will be aware, I am consulting with a number of key stakeholders, including the Bethany Survivor’s Campaign and Survivors of Protestant Children’s Institutions whom I have met in recent days, in order to update the parties on the emerging issues and to seek their further views.

Requests to include a range of institutions, and concerns related to particular practices are being examined in our current deliberations. While I have not finalised my considerations on the scope of the Investigation, it is clear at this stage that at least some of the issues being raised in public debate are beyond the intended central focus on Mother and Baby Homes as debated in this House.

A key challenge in deciding on the scope of the investigation is to ensure that a realistic approach is taken so that the Commission is in a position to investigate these matters in a workable and effective manner. As recommended by the Inter-Departmental Report, our approach should have regard to the facts established through recent inquiries into related institutions, and the general experience gained in conducting similar investigations into matters of public importance. The House is only too well aware of previous Tribunals and Commissions that generated a great deal of expense and due to their protracted nature took much longer to arrive at conclusions than most centrally concerned or than this House would have wished.

Following the finalisation of the terms of reference it is my intention to bring these matters to Government as soon as possible thereafter.

### **Child and Family Agency Funding**

99. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 322 of 30 September 2014 regarding the provision of funding from the Child and Family Agency to a centre (details supplied) in County Dublin, if he will provide an update on this matter and indicate following the October meeting of the centre and the agency whether funding will be provided for the centre in 2015. [44071/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Balgaddy Child and Family Centre has sought to be included within the Family Resource Centre Programme operated by the Child and Family Agency. The Programme is closed at present to new applications.

The Centre has been in receipt of philanthropic funding and this funding arrangement is due to cease from 2015 onwards.

I understand that discussions have been held between the Agency and the Centre, most recently last month. I am currently awaiting the outcome of these discussions.

### **Child and Family Agency Reports**

100. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs if Tusla publishes on a monthly basis all the information relating to children's services that used to be published in Health Service Executive monthly performance reports prior to the establishment of the agency; and if he will make a statement on the matter. [44449/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Agency publishes a range of reports on performance indicators on a monthly, quarterly and annual basis. Among these indicators is information relating to referral and assessment processes, and numbers of substantiated cases which have led to a child's name being placed on the Child Protection Notification System and having a Child Protection Plan. The Agency also provides an annual Review of Adequacy Report under Section 8 of the Child Care Act 1991. Statistics, including the monthly and quarterly performance activity reports, on the children services are available on the Agency's website, [www.tusla.ie](http://www.tusla.ie).

### **Child Poverty**

101. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs his response to the recent report by UNICEF in respect of child poverty here; when the data contained in the report was raised and collated; and if he will make a statement on the matter. [44493/14]

103. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the steps he proposes to take in response to the recently published UNICEF report on child poverty here; and if he will make a statement on the matter. [44495/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I propose to take Questions Nos. 101 and 103 together.

The recent UNICEF report raises the important issue of child poverty. The collection and collation of data for this report is a matter specific to the research design adopted by UNICEF with specific regard to the response to this multi-faceted issue. I would like to outline the following:

Support for families who require income support to meet basic needs is provided through the social welfare system which is the responsibility of my colleague the Minister for Social Protection. A range of income supports are available to parents, both those who are unemployed and those on low incomes. The Department of Social Protection also has lead responsibility for the National Action Plan for Social Inclusion.

*Better Outcomes, Brighter Futures: the National Policy Framework for Children and Young People 2014-2020*, which was published and launched by Government in 2014, provides the overarching framework for the development and implementation of policy and services for children and young people. As provided for in *Better Outcomes*, the Department of Social Protection which is the lead department on child poverty has the lead responsibility for a specific commitment to a national child-specific social target to lift over 70,000 children out of consistent poverty by 2020, a reduction of at least two-thirds on the 2011 level.

My Department is working on a number of initiatives which are relevant in addressing issues related to children poverty. It is, for example, leading the implementation of the Area Based Childhood (ABC) Programme (2013-2016). The ABC Programme is being co-funded by Atlantic Philanthropies and will have a total funding allocation of up to €29.7 million. The ABC Programme draws on best international practice to break the cycle of child poverty where it is most deeply entrenched, and improve the outcomes for children and young people and existing services.

In terms of other provision, my Department is spending €260 million annually on childcare support programmes which provide childcare to 100,000 children. A number of these programmes are targeted at those on lowest incomes. The CCS programme provides subvention support to parents on low incomes and parents in receipt of certain social welfare payments, whose children are enrolled in community childcare facilities. Additionally, the 3 Training and Employment Childcare (TEC) programmes - the Childcare Education and Training Programme, the Community Employment Childcare programme and the Afterschool Childcare Programme - provide childcare supports to eligible parents returning to work or to education.

My Department also provides funding for targeted support for disadvantaged, marginalised and at risk young people through three schemes. The three programmes are Special Projects for Youth Scheme, the Young People's Facilities and Services Fund and Local Drugs Task Force Projects. In addition, national and regional youth work organisations are supported under my Department's Youth Service Grant Scheme. In 2014, current funding of €49.78 million has been provided to my Department for these schemes. I am pleased to advise that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. There will be no reduction in the overall allocation for youth services in 2015 which is a key priority for youth organisations.

### **Children and Family Services**

102. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which the various children support services remain readily available to meet the needs of vulnerable children; and if he will make a statement on the matter. [44494/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** There is a wide range of child support services available through both the statutory and non-statutory sectors. These include services provided through Government Departments, other state agencies and an extensive network of non governmental organisations. In the area of child welfare and protection services we now have, with the establishment this year of the Child and Family Agency, the necessary structure to ensure the provision of a more responsive and integrated service to children and young people at risk. The Agency, in discharging its functions, is placing a strong emphasis on prevention, early intervention, family support, therapeutic and care interventions, all of which are key to the provision of integrated, multi-disciplinary services for vulnerable children and families.

Child and Adolescent Mental Health Services services are currently being provided by arrangement with the Health Service Executive.

The Child and Family Agency and the HSE have in place both a Memorandum of Understanding and a Joint Protocol to underpin the provision of these services for children. The purpose of the Memorandum of Understanding and the Joint Protocol is to set out arrangements for collaborative working by the Agencies in order to ensure the provision of efficient, effective and proportionate services for children and families across the full range of health and social care services. The arrangements also specify a pathway and associated responsibilities for children and families where their care needs cross the Child and Family Agency and the HSE.

Both agreements are subject to regular monitoring and review to ensure that they are working effectively in the best interests of children and families. Additionally, the Agency and the HSE are working to finalise a service level agreement to underpin the provision of psychology services by the HSE. This will determine the quantum of service needed to meet the Agency's requirements in this area, and will operate as an interim arrangement pending the Agency providing the service directly.

Separately, my Department chairs an Inter Departmental Group on the implementation of Children First. This group works to ensure that all bodies working with children, including those with particular vulnerabilities, are aware of their responsibilities with regard to the welfare and protection of children and are provided with the necessary training and guidance to support them in this work.

My Department has a range of systems in place to ensure it is informed of risk to children and the measures put in place to minimise these risks. Monthly, quarterly and annual reports are received from the Child and Family Agency in respect of its functions, including detailed reporting on key performance indicators. Officials frequently meet with the Agency to review areas in need of improvement. There are also protocols in place for the Agency to inform the Minister and the Department of specific issues where risk is identified and to ensure that a robust management response is put in place.

*Question No. 103 answered with Question No. 101.*

### **Child Poverty**

104. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the scale and level of disadvantaged children throughout the country in both urban and rural settings with a view to identification of the extent to which various intervention or support requirements may be identified and offered; and if he will make a statement on the matter. [44497/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Responsibility for ad-

dressing disadvantage is a matter for all Departments and Ministers and indeed for wider society. The provision of intervention and supports to target the particular needs of children will be dependent on the type of disadvantage, be it social, financial, educational, health etc. Responsibility for the identification and provision of those interventions will fall to my Ministerial colleagues as appropriate to the type of disadvantage.

Notwithstanding this, I am fully convinced of the need for a whole-of-government approach in addressing such issues. *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People (2014-2020)* takes such an approach in addressing disadvantage for children, emphasising an integrated and evidence informed approach to working across government, on horizontal and vertical levels, which transfers to all sectors and settings working with children and young people.

*Better Outcomes, Brighter Futures* is the first overarching national policy framework which comprehends the age ranges of children and young people 0 – 24 years. It puts the everyday lives of children and young people at its centre and requires Government Departments and State agencies to work together in an integrated way along with non-government organisations to achieve better outcomes for children and young people.

Towards achieving this aim, we are working to address disadvantage, which can damage a child or young person's capacity to learn, grow, and have a healthy life and productive relationships. For the children and young people that need additional support, we need to identify them and intervene early. This requires good quality universal systems open to all, like our schools and primary healthcare services, backed up by additional targeted services and income supports to give 'at risk' or vulnerable children and young people the extra help they need to keep up with their peers and lift more children out of poverty, aiming to break the cycle of intergenerational disadvantage.

While my Department has overall responsibility for the framework, individual Departments will continue to take lead roles on matters within their remit; for example, the Department of Education and Skills have lead responsibility for issues concerning educational disadvantage, the Department of Social Protection has lead responsibility for addressing child poverty. The Department of Children and Youth Affairs has lead responsibility for a range of funding schemes which target disadvantage across the areas of services and supports for children and young people.

*Better Outcomes, Brighter Futures* recognises that disadvantage impacts on children and young people in both rural and urban areas. This can result in difficulties in accessing services, as well as a risk of isolation and lack of economic opportunity.

### **Youth Services Provision**

105. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which his Department continues to liaise with various voluntary charitable and statutory agencies currently involved in the provision of youth services; if all requirements have been identified in so far as possible; his projections in this regard for the future; and if he will make a statement on the matter. [44498/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The funding schemes support national and local youth work provision to some 380,000 young peo-

ple and involve, approximately 1,400 youth work staff in 477 projects and 40,000 volunteers working in youth work services and communities throughout the country. In 2014, funding of €49.78m has been provided to my Department for these schemes.

I am pleased to advise the Deputy that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. There will be no reduction in the overall allocation for youth services in 2015 which was a key priority for youth organisations. My Department has commenced work on the detailed allocations for youth services and projects in 2015. Every effort will be made to notify youth organisations and projects of their 2015 allocations in respect of their youth services as soon as possible.

Ongoing engagement and dialogue with the youth sector organisations and with young people themselves are priorities in the formulation of policies and provision of services to support young people's development and learning.

The youth sector is engaged in the development, by my Department, of the new National Youth Strategy 2014- 2020. The strategy will be a universal strategy for all young people, aged 10 to 24 years, while having particular regard to those young people who are experiencing or at risk of experiencing the poorest outcomes and, therefore, in most need of support. In consultation with the National Youth Advisory Committee, my Department has set up a National Youth Strategy Task Group to oversee the development of the new strategy. The Task Group, which meets regularly, is chaired by the Director of the National Youth Council of Ireland and comprises representatives from the youth sector, Government departments, Education and Training Boards, the Centre for Effective Services and the business community. It is anticipated that the new National Youth Strategy will be completed by my Department for the end of 2014.

I, and officials of my Department have met, and continue to meet regularly, with youth organisations and groups. I met with the representatives of some 30 national and major regional youth organisations over 2 days in September. My aim is to see how we can work together to bring about the best possible outcomes for young people, having regard to resources available to us and to ensure that the programmes and services being provided are relevant and responsive to young people's needs.

### **Child Protection**

106. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the way his Department may positively intervene to assist children and teenagers who may find themselves attracted to a life of crime by virtue of their environment; and if he will make a statement on the matter. [44499/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I see the role of my Department as working in an integrated way to develop strong linkages between early prevention and intervention, developing closer working relationships between the care system and the justice system with the main focus of keeping children out of the criminal justice system as much as possible.

For the relatively small number of young people whose behaviour has unfortunately led to their involvement in the youth justice system and ultimately to detention, we must provide a safe and secure environment and support their early re-integration into the community. My Department oversees the operation of the Children Detention Schools which provide appropriate educational, training and other programmes which promote the reintegration of the young

people back into society and promote general life skills.

My Department also provides in the region of €53m to support the provision of quality youth provision throughout the country. This funding supports the provision of youth services and programmes to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund and the Local Drugs Task Force Projects.

In addition, I wish to advise that on 3 February 2014, the then Minister for Children and Youth Affairs in conjunction with the Minister for Justice and Equality launched the Youth Justice Action Plan 2014-2018. The overall mission statement of the Action Plan is to create a safer society by working in partnership to reduce youth offending through appropriate interventions and linkages to services. It is focused on continuing the downward trends in high volume crime and reduce the necessity for detention. The Youth Justice Action Plan 2014-2018 forms part of the Children and Young People's Policy Framework which was launched by my Department in April 2014.

The Deputy should note that community based interventions to divert young people from offending behaviour, such as the Garda Youth Diversion Projects and the Garda Diversion Programme, which aim to engage young people in a process of learning and development that enables them to make positive lifestyle choices are the responsibility of my colleague, the Minister for Justice and Equality

### **Child Protection Services**

107. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which children requiring a safe haven outside the home may expect to have their requirements met on an ongoing basis; the number of places available for such children at present; the extent to which further enhancement is required in this regard; and if he will make a statement on the matter. [44500/14]

110. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which various categories of children at risk continue to be identified and monitored by his Department; and if he will make a statement on the matter. [44503/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I propose to take Questions Nos. 107 and 110 together.

Children who require care placements come within the statutory remit of the Child and Family Agency. The Agency operates a number of services including family support, foster care and residential care services. These services are primarily demand led so there is no fixed capacity in terms of the places available to care for children. As of 31 August 2014 there were 6,489 children in care and some 93% of these children are in family based foster care placements. The guidelines in Children First set out a clear pathway for concerned persons to inform the Agency of care and welfare issues involving a child and their family. This reporting role is a general responsibility and a report can be made by the parents, guardians, schools, Gardaí or any person with information on a child needing care. An initial assessment is carried out in each case that is reported to determine if the child requires the services of the Agency and, where appropriate, engage with the parents and wider family and close family friends. The Agency also provides an aftercare service for those in care on their 18th birthday and there are a number of supports for those leaving care, particularly where they are in full time education.

My Department is working with the Agency to progress and develop the range and quality of service provision with a view to improving consistency of provision across the country of child protection and welfare services, including aftercare.

The Agency publishes a range of reports on performance indicators on a monthly, quarterly and annual basis which is used to monitor activity, for example data on referrals and assessment processes, at national level, broken down by administrative regions and local areas. An annual review of the data provides additional information on age, social deprivation and ethnicity. The annual service planning process is informed by the monitoring and performance data from each administrative area.

### **Youth Services Funding**

108. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which his Department continues to offer support to Kildare Youth Services; the degree to which this matches requirement; and if he will make a statement on the matter. [44501/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The funding schemes support national and local youth work provision to some 380,000 young people and involve approximately 1,400 youth work staff in 477 projects and 40,000 volunteers working in youth work services and communities throughout the country. In 2014, funding of €49.78m has been provided to my Department for these schemes.

In 2014, funding of €488,200 has been allocated for the projects and services under Kildare Youth Services. My Department provides funding to Kildare Youth Services under the Special Projects for Youth Scheme in respect of six local youth projects in Athy, Naas, Leixlip, Newbridge, the Curragh and Kildare town and a Youth Information Centre in Naas. In addition, Kildare Youth Hub, Kildare Town has received approval for a capital grant of €50,000 towards the cost of developing a new youth café facility. Officials of my Department have recently met Kildare Youth Services and have visited their office in Naas to hear about their work and their proposals for the provision of services in County Kildare

I am pleased to advise the Deputy that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. There will be no reduction in the overall allocation for youth services in 2015 which was a key priority for youth organisations. My Department has commenced work on the detailed allocations for youth services and projects in 2015. Every effort will be made to notify youth organisations and projects, including Kildare Youth Services, of their 2015 allocations in respect of their youth services as soon as possible.

### **Departmental Functions**

109. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which he is satisfied regarding the adequacy of resources available to his Department to deal with issues of physical and mental well-being of children; and if he will make a statement on the matter. [44502/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** “Better Outcomes Brighter Futures”, the national policy framework for children and young people 2014-2020 rep-

resents a whole of government approach to improve the lives of children and young people. The framework gives appropriate priority to the importance of physical and mental well-being with a single national outcome focussed on “Active and Healthy”. The key Departmental Sponsor for this Outcome area is the Department of Health. Under this outcome, 15 key commitments are listed, each with a lead Department responsible for implementation. These commitments aim to reduce the risk factors and improve the resilience factors associated with the health and well-being of children and young people. My Department works closely with the Department of Health, the HSE and other relevant departments and agencies to progress these issues. My Department has both sponsored studies in this area and collated relevant evidence from other studies to learn more about the issues most likely to impact on the health and well-being of children.

The responsibility for Child and Adolescent Mental Health Services (CAMHS) lies with the HSE and policy for these is outlined in the Department of Health’s, “A Vision for Change” Report of the Expert Group on Mental Health Policy.

The Child and Family Agency has a key role including in relation to supporting some of the most vulnerable children and young people in State care. My Department has introduced reforms aimed at enhancing management and service provision for therapeutic services for children in detention and residential care. These include the establishment of the Assessment, Consultation and Therapy Service, a new integrated clinical team known as the ACTS team, that will liaise closely with CAMHS and other relevant services.

One of the main challenges in the area of physical well being is childhood obesity. In the latter part of 2013, in my role then as the Minister of Health, I jointly launched with my predecessor, Minister Fitzgerald, a three year media and social media campaign aimed at giving practical tips to parents on managing their children’s weight.

As Minister for Children and Youth Affairs I have responsibility for Play and Recreation Policy which have been set out in the policy documents, ‘READY, STEADY, PLAY! A National Play Policy’ and the ‘Teenspace, National Recreation Policy for Young People’. The Local Authority Play and Recreation Network (LAPRN) was established to introduce a more coordinated and interagency approach to achieving the main goals of the play and recreation policies at both national and local level. Targeted grants are provided to Local Authorities by my Department to encourage participation across the Local Authority network. Other initiatives being developed at local community level are designed to encourage awareness of the importance of play and recreation throughout the whole of life from early childhood to adulthood and through to later life.

Additionally, my Department administers funding schemes and programmes to support national and local youth work provision to some 380,000 young people which involves approximately, 1,400 youth work staff in 477 projects and 40,000 volunteers working in youth work services and communities throughout the country. I am pleased that Budget 2015 has confirmed that funding of €49.78m will again be provided to my Department in 2015 to support the provision of youth services. Many of the youth services operate with young people’s physical and mental well-being as the central pillar of their services and programmes. The Youth Work Sector has particular expertise in working with young people and provides non-formal and informal learning opportunities to support their physical and mental well-being. The National Youth Health Programme is a partnership operated by the National Youth Council of Ireland with the Youth Affairs Unit of my Department and the Health Promotion Unit of the HSE respectively. The Programme aims to provide a broad-based, flexible health promotion/education support and training service including making healthy choices in relation to alcohol, to youth organisations and to all those working with young people in the non-formal education setting.

Question No. 110 answered with Question No. 107.

### Child Detention Centres

111. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which facilities of a corrective and rehabilitative nature continue to be made available to those involved in juvenile crime; and if he will make a statement on the matter. [44504/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** I assume the Deputy is referring to facilities within the children detention school system operating on the Oberstown campus at Lusk, Co. Dublin.

As prescribed under Section 158 of the Children Act 2001, as amended, the principal object of the children detention schools is to provide appropriate education, training and other programmes and facilities for children referred to them by the courts. The delivery of children detention services is focused on education and rehabilitation of those young people detained in order to address offending behaviour and support their early re-integration into the community. The development project which is currently nearing completion on the Oberstown campus to increase capacity and enable the extension of the child care model of detention to all children under the age of 18 also includes the provision of new education and recreation facilities as well as dedicated visiting facilities and a medical facility. Along with the existing services already being provided these new facilities will ensure sufficient age and ability appropriate facilities to support the delivery, by the Dublin and Dun Laoghaire Education and Training Board (DDLETB), of the necessary and vital education services to young people in detention.

An individual management plan is put in place for each child on admission to the children detention schools which includes an assessment using a mental health screening tool to determine the need for more specialist assessment or intervention from specialists within the Assessment, Consultation and Therapy Service (ACTS). This is a national service provided by the Child and Family Agency that provides clinical services to children in detention and in special care, as well as short term interventions when the child returns to the community.

The Deputy should note that earlier community based interventions to divert young people from offending behaviour, such as the Garda Youth Diversion Projects and the Garda Diversion Programme, which aim to engage young people in a process of learning and development that enables them to make positive lifestyle choices are the responsibility of my colleague, the Minister for Justice and Equality.

### Ministerial Transport

112. **Deputy Willie O’Dea** asked the Minister for Children and Youth Affairs the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44885/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** My Department was established in 2011. The expenditure relating to Ministerial transport, encompassing overseas and domestic travel transport costs is set out below.

| Year | Ministerial Transport Costs |
|------|-----------------------------|
| 2011 | €19,599                     |

| Year | Ministerial Transport Costs |
|------|-----------------------------|
| 2012 | €14,600                     |
| 2013 | €20,832                     |

### Voluntary Sector Funding

113. **Deputy Bernard J. Durkan** asked the Minister for Health if he has familiarised himself with the child support services provided by Teenline; the degree to which he has evaluated the importance of the services provided by the organisation; the extent to which he might expect to be in a position to provide ongoing support; and if he will make a statement on the matter. [44431/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Teenline is a voluntary organisation established in 2005 to provide a dedicated helpline service for young people who may be going through difficult times and need someone to talk to. Teenline provides an evening phone line service 7 days a week. The organisation was funded by the National Office for Suicide Prevention (NOSP) between 2007 and 2013.

Following many months of engagement with Teenline Ireland, which included an independent evaluation, the NOSP notified the organisation on 3rd March, 2014, of its decision to withdraw funding for this service. This decision was based on two primary considerations, the enduring and prevalent concerns pertaining to multiple aspects of Teenline Ireland's governance and service provision and the limited capacity of Teenline Ireland to provide a national, quality assured helpline and multimedia service to young people.

It should be noted, however, that the NOSP continues to support a range of services for teenagers and young people including Childline, SpunOut.ie and ReachOut.com/Inspire Ireland. The 24-hour call services provided by the Samaritans and Childline remain available to any young person in distress and continue to be funded by the NOSP.

The NOSP helps to support a wide array of work in communities, in partnership with the voluntary sector, across the country that focus on promoting positive mental health and reducing suicide and self-harm by providing significant grant funding each year - almost €5 million in 2013 - as well as by assisting in coordinating and giving strategic direction to the work undertaken.

### Suicide Prevention

114. **Deputy Bernard J. Durkan** asked the Minister for Health the degree to which he expects to be in a position to offer assistance to voluntary bodies or agencies providing counselling or other support services for children or teenagers with particular reference to those deemed to be at risk of or in danger of self-harm; if he is satisfied regarding the adequacy of the quality and scale of back-up services available in such circumstances; and if he will make a statement on the matter. [44496/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The National Office for Suicide Prevention supports a range of services for teenagers and young people including Childline, SpunOut.ie and ReachOut.com/Inspire Ireland. The 24 hour call services provided by the Samaritans and Childline are available to any young person in distress. These services are also funded by the NOSP.

The NOSP helps to support a wide array of work in communities, in partnership with the voluntary sector, across the country that focus on promoting positive mental health and reducing suicide and self-harm by providing significant grant funding each year - almost €5 million in 2013 - as well as by assisting in coordinating and giving strategic direction to the work undertaken.

The HSE Child and Adolescent Mental Health Services are benefiting significantly from the funding provided by the Government for mental health services, which amounts to €766 million in 2014, including additional funding of €20 million this year, as part of total additional funding of €90 million over the period 2012 to 2014 inclusive. By the end of 2014, upwards of 1,100 new posts will be put in place, to strengthen Community Mental Health Teams for both adults and children, and develop other specialist mental health services.

*A Vision for Change* recommended the establishment of 99 multi-disciplinary Child and Adolescent Mental Health teams to provide acute secondary mental health care in the community. There are now 61 CAMHS teams in place, compared to 54 in 2008. The additional funding in 2012-14 is being used, in part to expand and enhance the skill mix of these teams. Around 230 new posts were allocated to CAMHS over 2012-13 and recruitment is well advanced. All Community Child and Adolescent Mental Health Service (CAMHS) teams screen referrals received and those deemed to be urgent are seen as a priority, while those deemed routine are placed on a waiting list.

### Orthodontic Service Waiting Lists

115. **Deputy Billy Kelleher** asked the Minister for Health if he will provide in tabular form based on local health office/area and indicating those aged 16 and under and those above 16, the numbers waiting for orthodontic treatment at the end of March 2014, the end of June 2014 and the end of September 2014. [44395/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. It should be noted that the nature of orthodontic care means that immediate treatment is not always desirable. It is estimated that in up to 5% of cases it is necessary to wait for further growth to take place before treatment commences. Patients are assessed by the HSE Orthodontic Service under 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.

Information on waiting times is collated by the HSE by region and for the intervals as shown below only. The information is not collated by age. In general, those waiting over 4 years would be expected to be 16 years or over since they are usually referred at 12-13 years of age approximately.

The information on waiting times for treatment for Quarter 1 of 2014 is as follows:

| Waiting time from assessment to commencement of treatment | 1 - 6 months | 7 - 12 months | 13 - 24 months | 25-36 months | 37-48 months | Over 48 months | TOTAL |
|---|--------------|---------------|----------------|--------------|--------------|----------------|-------|
| HSE Dublin Mid-Leinster                                   | 897          | 838           | 913            | 965          | 279          | 52             | 3,944 |
| HSE Dublin North East                                     | 305          | 571           | 930            | 654          | 515          | 520            | 3,495 |
| HSE South   | 567          | 410           | 835            | 935          | 566          | 24             | 3,337 |

| Waiting time from assessment to commencement of treatment | 1 - 6 months | 7 - 12 months | 13 - 24 months | 25-36 months | 37-48 months | Over 48 months | TOTAL  |
|---|--------------|---------------|----------------|--------------|--------------|----------------|--------|
| HSE West  | 1,312        | 1,170         | 1,647          | 664          | 77           | 51             | 4,921  |
| TOTAL   | 3,081        | 2,989         | 4,325          | 3,218        | 1,437        | 647            | 15,697 |

Information on waiting times for treatment for Quarter 2 of 2014 is as follows:

| Waiting time from assessment to commencement of treatment | 1 - 6 months | 7 - 12 months | 13 - 24 months | 25-36 months | 37-48 months | Over 48 months | TOTAL  |
|---|--------------|---------------|----------------|--------------|--------------|----------------|--------|
| HSE Dublin Mid-Leinster                                   | 1,133        | 779           | 1,060          | 967          | 294          | 87             | 4,320  |
| HSE Dublin North East                                     | 163          | 626           | 997            | 757          | 495          | 748            | 3,786  |
| HSE South   | 650          | 439           | 946            | 1,047        | 286          | 9              | 3,377  |
| HSE West  | 1,257        | 1,220         | 1,496          | 895          | 115          | 52             | 5,035  |
| TOTAL   | 3,203        | 3,064         | 4,499          | 3,666        | 1,190        | 896            | 16,518 |

Information on waiting times for treatment for Quarter 3 of 2014 is as follows:

| Waiting time from assessment to commencement of treatment | 1 - 6 months | 7 - 12 months | 13 - 24 months | 25-36 months | 37-48 months | Over 48 months | TOTAL  |
|---|--------------|---------------|----------------|--------------|--------------|----------------|--------|
| HSE Dublin Mid-Leinster                                   | 1,012        | 1,097         | 1,063          | 957          | 314          | 88             | 4,531  |
| HSE Dublin North East                                     | 153          | 401           | 969            | 810          | 752          | 730            | 3,815  |
| HSE South   | 704          | 506           | 832            | 958          | 435          | 33             | 3,468  |
| HSE West  | 1,206        | 1,218         | 1,443          | 1,153        | 124          | 48             | 5,192  |
| TOTAL   | 3,075        | 3,222         | 4,307          | 3,878        | 1,625        | 899            | 17,006 |

The HSE has recently established a pilot scheme in Dublin North East which will involve the use of orthodontic therapists in the treatment of a number of eligible children. In addition, over the next three years orthodontic treatment for certain categories of misalignment will be provided by a panel of independent practitioners under contract to the HSE. A national procurement process is currently underway and is due to be ready for commencement in January 2015. This initiative will especially focus on those waiting for 4 years or longer. It is expected that these changes will have a positive impact on waiting times.

### Hospital Beds Data

116. **Deputy Billy Kelleher** asked the Minister for Health if he will provide in tabular form for each public hospital the number of critical care beds in each at the end of 2011, 2012, 2013 and the latest figure for 2014 [44411/14]

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

HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Hospital Charges**

117. **Deputy Mattie McGrath** asked the Minister for Health the basis for the charges accruing to medical card holders and non-medical card holders under the Health (Amendment) Act 2005 since 1 July 2014 and which relate to costs incurred after the period of a 30 day in-patient stay in a hospital; the categories of those liable for such charges; and if he will make a statement on the matter. [44413/14]

**Minister for Health (Deputy Leo Varadkar):** Charges for long-stay in-patient services in specified settings, including hospitals, have been in place since 15 July 2005 and no changes were introduced with effect from 1 July 2014. Hospital in-patients with full eligibility are not subject to payment of any in-patient charges while in receipt of acute care. Long-stay charges only apply in a hospital context to in-patients, with full or limited liability, who are not in acute care.

The rates were last amended in July 2011 and apply to two different classes of charges, in respect of the maintenance element of the in-patient services provided:

- Class 1 - charges for those receiving in-patient services on premises where 24 hour nursing care is provided are based on income, subject to a current maximum of €175 per week for a person whose income is €208 or any greater amount; and

- Class 2 - charges for those receiving in-patient services on premises where 24 hour nursing care is not provided are based on income, subject to a current maximum of €130 per week for a person whose income is €194 or any greater amount.

A 30-day threshold of service provision within the immediately preceding 12-month period applies, prior to the imposition of charges. The charges are structured to ensure that those paying them retain a reasonable minimum income for personal use (at least €33 per week for those paying Class 1 rates and at least €64 per week for those paying Class 2 rates). In addition, the HSE may reduce or waive a charge imposed on a person in order to avoid undue financial hardship to that person (including having regard to whether or not the person has dependants).

### **Drug Treatment Programmes Policy**

118. **Deputy Róisín Shortall** asked the Minister for Health the basis on which drug treatment services continue to be almost exclusively methadone maintenance based; the reason there is such little emphasis on recovery for those who are addicted to heroin or methadone; the basis for this policy and his proposals; if he will review this policy; and if he will make a statement on the matter. [44425/14]

**Minister for Health (Deputy Leo Varadkar):** A core objective of the National Drugs Strategy is to provide an appropriate and timely range of treatment and rehabilitation services, including drug-free and harm reduction approaches, tailored to meet the needs of the individual.

Methadone maintenance treatment is a critical stabilising treatment that enables people to counter their problem drug use. According to the European Monitoring Centre for Drugs and Drug Addiction, methadone is the most commonly prescribed substitution treatment for problem opiate use in Europe. In conjunction with other services and supports such as counselling,

after-care and training, methadone maintenance treatment provides a pathway to recovery for the individual affected by problem substance use.

An Expert Group, set up by my Department in 2006, examined the regulatory framework required to facilitate the prescribing, dispensing and supply of buprenorphine/naloxone and buprenorphine-only products as alternatives to methadone. In 2011, this Group concluded that methadone is the drug of first choice in the treatment of opioid dependency, but that buprenorphine/naloxone may be more appropriate for particular cohorts of clients.

The HSE has established an Opioid Substitution Implementation Group to develop a plan for facilitating the wider availability of buprenorphine/naloxone and buprenorphine-only products as alternatives to methadone. The Group comprises representations from the HSE and my Department, including medical professionals with specific interest in addiction. I understand that the HSE is currently in discussions with the supplier company in relation to the pricing structure relating to the product. The outcome of these discussions will inform the recommendations of the Group.

### **Patient Transport Provision**

119. **Deputy Mary Lou McDonald** asked the Minister for Health the reason a person (details supplied) in Dublin 22 is being denied transport by the Health Service Executive to the Stewarts adult service in Rosse Court Clinic, Lucan, County Dublin. [43770/14]

120. **Deputy Mary Lou McDonald** asked the Minister for Health his views on the failure of the Health Service Executive to provide transport in respect of a person (details supplied) in Dublin 22 to the Stewarts adult service in Rosse Court Clinic, Lucan, County Dublin, and in view of the person concerned not being able to avail of this service. [43771/14]

121. **Deputy Mary Lou McDonald** asked the Minister for Health if he will instruct the Health Service Executive to provide transport in respect of a person (details supplied) in Dublin 22 to enable the person to access Stewarts adult service in Rosse Court, Lucan, County Dublin. [43772/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 119 to 121, inclusive, together.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, she can contact my Private Office and they will follow the matter up with the HSE.

### **Nursing Home Accommodation**

122. **Deputy Mary Lou McDonald** asked the Minister for Health the circumstances prompting the closure of a nursing home (details supplied) in Dublin 7; and the reasons the facility remains closed. [44095/14]

**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. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

## Hospital Waiting Lists

123. **Deputy James Bannon** asked the Minister for Health if he will expedite an appointment date for an operation in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [44429/14]

**Minister for Health (Deputy Leo Varadkar):** The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, 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.

As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

## General Practitioner Services

124. **Deputy Stephen S. Donnelly** asked the Minister for Health if his attention has been drawn to a recent case in which it took eight hours for a doctor on call to arrive to the home of an 82 year old person from Kilcoole, County Wicklow, on 18 July 2014; the average time for a doctor on call call-out to arrive, in north Wicklow; and if he is satisfied that suitable protocols are in place in order that doctors on call can respond to patients out of hours in the region. [44433/14]

**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 (HSE) for direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

## Medical Card Eligibility

125. **Deputy John O'Mahony** asked the Minister for Health the reason a person (details supplied) in County Mayo with medical conditions has had their medical card withdrawn; when this card will be reinstated; and if he will make a statement on the matter. [44436/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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.

If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

## Symphysiotomy Reports

126. **Deputy Fergus O'Dowd** asked the Minister for Health his views on an issue (details supplied) regarding symphysiotomy; and if he will make a statement on the matter. [44450/14]

**Minister for Health (Deputy Leo Varadkar):** As the Deputy may be aware, the Surgical Symphysiotomy Payment Scheme commenced on 10th November 2014. Government has agreed that the Scheme will also include payments for the small number of women who have had a pubiotomy. The Scheme is designed to be simple, straightforward and non-adversarial, and aims to minimise the stress for the women concerned. Many are elderly and may not want to experience the delay, publicity and financial risks that sometimes come with a court case. I met all three support groups representing the women last September and their views have helped to shape the Scheme. The Scheme is supported by two of the three groups representing the women.

Judge Maureen Harding Clark, retired High Court Judge, has been appointed as independent Assessor to the Scheme. Judge Clark, from her previous work on the Lourdes Hospital Redress Scheme, brings valuable experience to the role of determining the appropriate level of award for each individual.

The Symphysiotomy Scheme is open to women who are still living and who underwent a surgical symphysiotomy or pubiotomy in the State between the years 1940 and 1990. Awards of €50,000, €100,000 and €150,000 will be offered. Women who have had a surgical symphysiotomy may accept an award of €50,000. For women who have had a symphysiotomy and have suffered significant disability a higher award of €100,000 will be offered. Where a woman has had a symphysiotomy immediately following Caesarean section an award of €100,000 will be offered and where she has suffered significant disability following these procedures €150,000 will be offered. For a woman who underwent a pubiotomy an award of €100,000 will be offered and for women who have suffered significant disability following this procedure, €150,000 will be offered. Details of the Terms of the Scheme and how to access application forms have been widely advertised.

Awards will be exempt from tax and legislation is being put in place as a matter of urgency to ensure they are also exempt from being taken into consideration for means tested welfare schemes. The Judge expects to make payments to some women before Christmas.

It is not a requirement for a woman to retain a Solicitor to make an application. However, the Scheme makes provision for applicants to have legal and other advice available to them in preparing to submit an application if they wish. Judge Clark has assured me that if women have questions on any aspect of the Scheme, her staff will be available to assist in any way possible.

Applications must be made within 20 working days of the Commencement Date, which was 10 November, 2014. The Closing Date for receipt of applications is therefore Friday, 5 December 2014. In exceptional circumstances, Judge Clark has discretion to extend the time for receipt of applications by an additional 20 working days, that is, to Wednesday, 14 January 2015. It is important to note that in the event of a delay arising in the compilation of an applicant's supporting documentation due to difficulty in obtaining medical records, the application should be submitted within the time period set out in the Scheme with a written explanation of the reasons for the absence of the documentation. The details of this provision are set out in the terms and conditions of the Scheme.

The Scheme is voluntary and I would like to emphasise that women will not waive their rights to take their cases to court as a precondition to participating in the Scheme. Women may

opt out of the Scheme at any stage in the process, up to the time of accepting their award. It is only on accepting the offer of an award that a woman must agree to discontinue her legal proceedings against any party arising out of a symphysiotomy or pubiotomy.

In agreeing to this Scheme, the Government has demonstrated its commitment to trying to bring a resolution for the women concerned. The Government has acknowledged the pain and suffering which the procedure caused to many of the women and is also aware of the uphill battle many of them will face in the courts with uncertainty about the outcome of that process. I hope the implementation of this Scheme will be of benefit to the women concerned and their families.

### **Orthodontic Service Provision**

127. **Deputy Billy Kelleher** asked the Minister for Health when the independent review of orthodontic services commissioned by the Health Service Executive in 2012 was published. [44451/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** PA Consulting Group was commissioned by the HSE to undertake a review of Orthodontic Services. The terms of reference were to:

- assess the current delivery system; and
- make recommendations for the future organisation and management.

The review commenced in November 2012 and was completed in late 2013. The key issue highlighted by the review is that the Orthodontic Service should be fully integrated within the Primary Care Service. This will be implemented as part of the establishment by the HSE of the Community Healthcare Organisations.

*The following information was provided under Standing Order 40A*

The HSE has confirmed that the PA Consulting Orthodontic services review has not been published as yet because its recommendations have to be integrated into the new Community Healthcare Organisation reform agenda. It will be subject to discussion with the relevant primary care dental services, including orthodontists, in this regard.

### **Treatment Benefit Scheme Eligibility**

128. **Deputy Tony McLoughlin** asked the Minister for Health if a person (details supplied) in County Sligo, who has been admitted in Sligo Regional Hospital for the past four weeks and who is awaiting surgery on a serious pelvic tumour in the UK, is entitled to access funding under the treatment abroad scheme; when this funding will be provided to enable them to travel to the Birmingham Royal Orthopaedic Hospital for this surgery; and if he will make a statement on the matter. [44453/14]

**Minister for Health (Deputy Leo Varadkar):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. I am advised by the HSE's Treatment Abroad Scheme Office that an application in respect of this patient has been received. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

The HSE operates a Treatment Abroad Scheme (TAS), for persons entitled to treatment in another EU/EEA member state or Switzerland under EU Regulation 1408/71, as per the procedures set out in EU Regulations 574/72, and in accordance with Department of Health Guidelines. Patients, in conjunction with their Irish based public referring hospital consultant, have the ability to apply to the HSE TAS seeking access to public healthcare outside the state through model form E112. The treatment must not be available within the State or not available within a time normally necessary for obtaining it. Applications to TAS are processed and a determination given in accordance with the statutory framework prior to a patient travelling to avail of treatment.

### **Health and Safety**

129. **Deputy Terence Flanagan** asked the Minister for Health if he has health concerns regarding wind turbines being located close to homes or schools; and if he will make a statement on the matter. [44467/14]

**Minister for Health (Deputy Leo Varadkar):** Policy responsibility with regard to planning and the legislative framework in relation to the siting of wind turbines rests with the Department of the Environment, Community and Local Government. My Department provides advice from time to time when requested by the above mentioned Department.

At this time, my Department is not aware of any reliable or consistent evidence that wind turbines directly cause adverse health effects in humans. My Department will continue to monitor developments and evidence and provide advice accordingly.

### **Vaccination Programme**

130. **Deputy Thomas Pringle** asked the Minister for Health his plans to ensure that the meningitis B vaccination is introduced into the national immunisation programme; and if he will make a statement on the matter. [44475/14]

**Minister for Health (Deputy Leo Varadkar):** The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). The NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. To date, NIAC has not made any recommendation in relation to the use of Meningitis B vaccine in the primary childhood immunisation programme in Ireland. However, NIAC has issued guidance in relation to the use of the Meningitis B vaccine in the control of clusters or outbreaks of Meningococcal B disease.

Should NIAC recommend the inclusion of MenB vaccine into the primary childhood immunisation programme, the Department of Health, in association with the HSE National Immunisation Office will examine the issue.

Meningococcal disease is caused by the Meningococcal bacteria. It is a notifiable disease under the Infectious Diseases (Amendment) Regulations 2011 (S.I. No. 452 of 2011).

The Weekly Infectious Disease Report for week 45, published by the Health Protection Surveillance Centre on 12 November 2014, indicates that there have been 37 cases of Meningococcal disease notified up to 8 November 2014. This is a decrease of 12 on the same period in 2013.

## **HSE Investigations**

131. **Deputy Ruth Coppinger** asked the Minister for Health the steps his Department has taken to resolve the case of a person (details supplied) who is currently out of work due to the Health Service Executive's decision to withdraw their indemnity cover. [44483/14]

**Minister for Health (Deputy Leo Varadkar):** My role as Minister for Health primarily relates to policy decisions, legislation, implementing the programme for Government, securing an overall budget for the health service. The particular case referred to by the Deputy is an operational matter and it is appropriate that it should be dealt with by the HSE.

However, I have been informed by the HSE that there are two investigations ongoing into the person's case. I understand that there is an Internal System Analysis investigation that is expected to report within approximately four months. There is also an Independent Supervisory Investigation to be carried out in parallel, in order to expedite the overall process. The HSE is not yet in a position to provide a timeline for this second investigation.

I trust that this clarifies that matter for you.

## **Nursing Homes Support Scheme Applications**

132. **Deputy Patrick O'Donovan** asked the Minister for Health if he will provide an update on an application made for fair deal in respect of a person (details supplied) in County Limerick; when payment will issue; and if he will make a statement on the matter. [44489/14]

**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. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

## **Medical Card Applications**

133. **Deputy Bernard J. Durkan** asked the Minister for Health if review forms for a medical card in the case of a person (details supplied) in County Kildare will be re-sent as they have not been received despite reminder letter being issued on 27 October 2014; and if he will make a statement on the matter. [44490/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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.

If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

## Medical Card Reviews

134. **Deputy Michael Fitzmaurice** asked the Minister for Health if he will review the case of persons (details supplied) in County Sligo who have severe medical needs; his views on whether these persons warrant a full medical card and not the general practitioner visit card which they have been offered; if he will personally read the letters sent by various medical professionals, from within and without the Health Service Executive asking that these persons be granted full medical cards; and if he will make a statement on the matter. [44512/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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.

If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

## Services for People with Disabilities

135. **Deputy Brendan Griffin** asked the Minister for Health further to Parliamentary Question No.113 of 15 October 2014, if he will liaise with the Department of Education and Skills to devise a fairer and more progressive approach to continuing education and school transport for persons with disabilities as they enter adulthood, as the current system presents numerous transitional difficulties and there seems to be a lack of joined-up thinking on a number of fronts; and if he will make a statement on the matter. [44514/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services, including specialised disability support services for young adults who leave school and have ongoing support needs. The HSE either directly provides or contracts disability agencies to provide a range of disability services through service level arrangements.

Where resources permit, the HSE or other disability service providers arrange transport to and from their services. However, the provision of transport is not a core function of HSE-funded disability services and resources must be prioritised by the HSE towards the provision of core health and personal social services.

## HSE Properties

136. **Deputy Brendan Griffin** asked the Minister for Health if the Health Service Executive has approached, consulted with or invited interest from other State agencies or Departments regarding putting the old Dingle Community Hospital to use; and if he will make a statement on the matter. [44518/14]

137. **Deputy Brendan Griffin** asked the Minister for Health his views on the old Dingle

Community Hospital building falling into a state of repair and dereliction if it is not put to use soon; and if he will make a statement on the matter. [44519/14]

138. **Deputy Brendan Griffin** asked the Minister for Health if there has been any serious expressions of interest in the old Dingle Community Hospital from potential investors, public or private; if so, if details of these expressions of interest will be provided; and if he will make a statement on the matter. [44520/14]

**Minister for Health (Deputy Leo Varadkar):** I propose to take Questions Nos. 136 to 138, inclusive, together.

As management of the HSE's property portfolio is a service matter, your question has been referred to the Executive for direct reply. If you have not received a reply from the HSE within 15 working days please contact my Private Office who will follow up on the matter.

### **Hospital Consultants Recruitment**

139. **Deputy Mick Wallace** asked the Minister for Health if he will provide a progress update on the recruitment process for a consultant dermatologist in Waterford Regional Hospital; when the promised replacement dermatology clinics will be operational in South Infirmaries Victoria University Hospital in County Cork in order to deal with patients from the south-east region; and if he will make a statement on the matter. [44528/14]

**Minister for Health (Deputy Leo Varadkar):** As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Orthodontic Service Provision**

140. **Deputy Colm Keaveney** asked the Minister for Health the provisions that have been put in place to provide braces in respect of a child (details supplied) in County Galway; and if he will make a statement on the matter. [44529/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The HSE provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines and priority is given to patients with greatest needs. I have asked the HSE to investigate this matter and respond to the Deputy as soon as possible.

If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

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

141. **Deputy Clare Daly** asked the Minister for Health the policy of the north Dublin paediatrics occupational therapy services in relation to children with long-term disabilities and the lack of access to a multi-disciplinary team for these children; and if he will make a statement on the matter. [44530/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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 HSE for direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

### **Medical Aids and Appliances Provision**

142. **Deputy Colm Keaveney** asked the Minister for Health when the Health Service Executive plans to provide a person (details supplied) in County Galway with a hospital bed for home use; and if he will make a statement on the matter. [44532/14]

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

If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

### **Ambulance Service Provision**

143. **Deputy Fergus O'Dowd** asked the Minister for Health his views on a matter (details supplied) regarding the national ambulance service; and if he will make a statement on the matter. [44535/14]

**Minister for Health (Deputy Leo Varadkar):** As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Medical Records**

144. **Deputy Jonathan O'Brien** asked the Minister for Health the availability of records relating to maternity and obstetric services formerly provided at St. Finbarr's Hospital, Cork; if these specifically include the birth registers and the theatre registers for each year from 1950 to 2007, inclusive; and the name and address of the off-site storage facility where these records are now stored. [44542/14]

**Minister for Health (Deputy Leo Varadkar):** As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Ministerial Transport**

145. **Deputy Willie O'Dea** asked the Minister for Health the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44892/14]

**Minister for Health (Deputy Leo Varadkar):** The information requested by the Deputy is detailed below:

**Ministerial transport costs paid in each year**

| Minister/Minister of State             | 2010              | 2011              | 2012              | 2013              |
|--|-------------------|-------------------|-------------------|-------------------|
|  | €                 | €                 | €                 | €                 |
| Minister James Reilly T.D.             | 0.00              | 76,637.76         | 118,267.69        | 128,069.48        |
| Minister of State Kathleen Lynch T.D.  | 0.00              | 69,745.13         | 107,062.44        | 105,915.36        |
| Minister of State Alex White T.D.      | 0.00              | 0.00              | 15,933.03         | 61,644.59         |
| Minister of State Róisín Shortall T.D. | 0.00              | 547.30            | 3,664.31          | 0.00              |
| Minister of State Áine Brady T.D.      | 113,146.87        | 51,283.44         | 0.00              | 0.00              |
| Minister of State John Moloney T.D.    | 128,007.49        | 44,918.77         | 0.00              | 0.00              |
| <b>TOTAL</b>                           | <b>241,154.36</b> | <b>243,132.40</b> | <b>244,927.47</b> | <b>295,629.43</b> |

**Ministerial Transport**

146. **Deputy Willie O’Dea** asked the Minister for Foreign Affairs and Trade the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44891/14]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** Listed below are details of the cost of Ministerial transport in my Department in the years 2010, 2011, 2012 and 2013. Official cars are not provided to Ministers of State. The figures reflect the motor travel allowances claimed for official travel undertaken in accordance with guidelines set out by the Department of Public Expenditure and Reform. Subsistence paid to the official drivers is also included in the tables.

Minister of State Dick Roche T.D.

| Year | Cost    |
|------|---------|
| 2010 | €49,768 |
| 2011 | €13,119 |

Minister of State Lucinda Creighton T.D.

| Year | Cost    |
|------|---------|
| 2011 | €5,152  |
| 2012 | €11,032 |
| 2013 | €4,781  |

Minister of Paschal Donohoe T.D.

| Year | Cost   |
|------|--------|
| 2013 | €2,653 |

Minister of State Peter Power T.D.

| Year | Cost    |
|------|---------|
| 2010 | €27,872 |
| 2011 | €4,010  |

Minister of State Jan O’Sullivan T.D.

| Year | Cost                           |
|------|--------------------------------|
| 2011 | €13,729                        |
| 2012 | €2,072 claims relating to 2011 |

Minister of State Joe Costello T.D.

| Year | Cost            |
|------|-----------------|
| 2012 | €1,549 + 3,472* |
| 2013 | €5,395*         |

\*mileage claims proper to 2012 and 2013 submitted in July 2014.

### Special Educational Needs Service Provision

147. **Deputy Jack Wall** asked the Minister for Education and Skills when a child (details supplied) in County Kildare will receive a special needs assistant; and if she will make a statement on the matter. [44396/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating a quantum of Special Needs Assistant (SNA) support for each school annually taking into account the assessed care needs of children qualifying for SNA support enrolled in the school. Where children have significant care needs whereby they may need additional support to be able to attend school, the NCSE may make an allocation of SNA support to the school to assist that child.

The NCSE operates within my Department’s criteria in allocating such support. The criteria by which SNA support is allocated to pupils is set out in my Department’s Circular 0030/2014, which is available on my Department’s website at [www.education.ie](http://www.education.ie).

All schools were asked to apply to the NCSE for SNA support for the 2014/15 school year by 26 March 2014. The NCSE published details of their allocations for SNA support for the 2014/15 school year in June 2014. The NCSE has recently completed a second round allocations for SNA provision for the 2014/15 school year, details of which are available on the NCSE website, [www.ncse.ie](http://www.ncse.ie).

The deployment of SNAs within schools is a matter for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. It is a matter for schools to allocate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised.

Should a school wish to make an application for additional SNA support for a child who was not previously considered for SNA support, or who is due to enrol to a school, they may do so

to the NCSE. Schools who wish to appeal the level of SNA allocation which has been made to them may do so via the appeals process which is set out at [www.ncse.ie](http://www.ncse.ie).

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

### **Schools Building Projects Status**

148. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will provide an update on the current status of additional accommodation in respect of a school (details supplied) in County Donegal; the total amount of funding that has been awarded to the project at present by her Department; and if she will make a statement on the matter. [44417/14]

149. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will consider delivering the required accommodation in respect of a school (details supplied) in County Donegal in one full phase as opposed to over three phases; and if she will make a statement on the matter. [44418/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I propose to take Questions Nos. 148 and 149 together.

I can confirm that the proposed project for the school to which the Deputy refers is currently under review. Given the scale of the project, a further site visit is to be undertaken shortly by officials from my Department's Professional and Technical Section. This will allow an informed decision to be taken by my Department on the school's overall future development.

### **Digital Strategy for Schools**

150. **Deputy Eamon Gilmore** asked the Minister for Education and Skills the measures she plans to roll out over the next 12 months as part of the new digital strategy for teaching and learning in schools; and if she will make a statement on the matter. [44423/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** Work is currently under way on the new digital strategy for schools. A number of research projects have taken place including an online census of teachers and principals, a public consultation process and focus groups with students, parents and teachers. A consultative paper on the use of ICT for teaching, learning and assessment has been published. The strategy development process includes consultations with a variety of stakeholders including teacher unions, management bodies, school principals, parents and students, publishers and other interested parties.

The main themes from the findings of the research projects are Learning, Teaching and Assessment Using ICTs, Teacher Professional Learning, Research, Policy and Leadership, ICT Infrastructure, Digital Content and Internet Safety.

I expect that the strategy will be completed this year and published shortly thereafter.

### **State Examinations**

151. **Deputy Stephen S. Donnelly** asked the Minister for Education and Skills if it is com-

mon for contract workers to wait up to four months for payment for correcting examinations; and if she will make a statement on the matter. [44434/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### School Evaluations

152. **Deputy Patrick O’Donovan** asked the Minister for Education and Skills further to Parliamentary Question No. 463 of 11 November 2014, if she will provide details, in tabular form by county for both primary and secondary schools for 2013, of the number of instances during the completion of whole school evaluation reports and visits to schools by inspectors where serious shortcomings in relation to school facilities were identified by the inspectors and brought to the attention of the Department’s planning and building unit; and if she will make a statement on the matter. [44439/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Details of the number of instances where serious shortcomings in relation to school facilities were identified by inspectors in the course of their work, and brought to the attention of the Department’s Planning and Building Unit in the period, are not readily to hand but will be compiled and provided to the Deputy as soon as possible.

### Minor Works Scheme Applications

153. **Deputy Patrick O’Donovan** asked the Minister for Education and Skills if there will be an allocation for a minor works grant this year in respect of a school (details supplied) in County Limerick; and if she will make a statement on the matter. [44440/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Circular Letter 0062/2013 which was published, as the Minor Works Grant for the school year 2013/2014 issued last November in the amount of €28m, states “the grant will only be paid in future years as funding permits”. The focus under the Infrastructure and Capital Investment Programme 2012-2016 is on meeting the demand for additional school places. At this time there is no funding available within my Department’s 2014 financial allocation for the payment of the 2014/2015 Minor Works Grant.

I am aware that whenever my Department is in a position to issue a Minor Works Grant (to all primary schools with permanent recognition) that it is welcomed by school communities and management bodies including the school in question as a valuable contribution towards the cost of maintaining school infrastructure.

### Fire Safety

154. **Deputy Patrick O’Donovan** asked the Minister for Education and Skills if her Department’s planning and building unit received correspondence from fire officers regarding issues of emergency access and egress in schools during the years 2011 to date in 2014; if she

will provide details of the counties and locations from where correspondence was received; the actions that her Department's building unit took as a result; and if she will make a statement on the matter. [44441/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** In accordance with the provisions of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school and my Department's Planning and Building Unit would generally not be involved in direct communication with Fire Officers in relation fire safety issues in school buildings.

Most school building projects require an application for a Fire Certificate as part of the statutory approvals for the project. Design teams working on behalf of the Department and their respective schools would communicate directly with the Fire Officer in the relevant local authority as a standard part of the process of architectural planning.

To assist school authorities and Design teams to meet their requirements in relation to fire safety my Department has prepared a guidance document following consultation with the National Directorate for Fire and Emergency Management, Department of the Environment, Community and Local Government and the Chief Fire Officers' Association and this document is available on my Department's website.

### **Asbestos Remediation Programme**

155. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if she will provide details in tabular form by county since 2011 of the number of requests her Department's planning and building unit has received from schools to deal with asbestos related problems; the number of those schools that have had their issue successfully resolved; and if she will make a statement on the matter. [44445/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** Details of Emergency Works applications requesting funding for the removal of asbestos from Primary and Post Primary, together with the outcome of these applications, is outlined in the attached table. Applications prior to the 1st January 2013 were dealt with by the Office of Public Works on behalf of my Department under the Asbestos Remediation programme.

In addition to the above when a school authority receives funding from my Department to carry out refurbishment works to their school building, they are advised of their responsibilities as Client for the project under the Safety Health and Welfare at Work Act 2005 and the Safety Health and Welfare at Work (Construction) Regulations, Statutory Instrument (S.I.) 504 of 2006.

In particular school authorities are advised that they must receive written confirmation from all Consultant(s) appointed by them to assist with the delivery of their approved project that they are aware of the contents of the School's Safety File and the School's Asbestos Register. As a result most asbestos related requests for funding are received as a result of asbestos-containing materials being highlighted as part of an already approved project and additional funding is provided as part of the overall project cost and this information is not centrally held within my Department.

**Requests received for Asbestos Removal under the Departments Emergency Works Scheme since 1 January 2013**

| County   | Number of requests | Funding approved | Funding not approved                |
|----------|--------------------|------------------|-------------------------------------|
| Cavan    | 1                  | 1                |                                     |
| Clare    | 1                  | 1                |                                     |
| Cork     | 1                  | 1                |                                     |
| Dublin   | 4                  | 4                |                                     |
| Galway   | 1                  | 1                |                                     |
| Kerry    | 1                  | 1                |                                     |
| Kildare  | 1                  |                  | 1 (deferred until Summer 2015)      |
| Kilkenny | 1                  | 1                |                                     |
| Mayo     | 1                  |                  | 1 (awaiting additional information) |
| Wexford  | 1                  | 1                |                                     |
| Wicklow  | 1                  | 1                |                                     |

### Schools Site Acquisitions

156. **Deputy Olivia Mitchell** asked the Minister for Education and Skills if a site has been identified for a school (details supplied) in County Dublin; and when construction will begin. [44454/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy will be aware, the project to provide a new building for the primary school to which she refers was included in my Department’s 5-Year School Building Plan and listed among those to proceed to construction in 2015/2016.

Officials from my Department have been working very closely with officials from Dún Laoghaire-Rathdown County Council to secure a suitable site for the school. I can confirm that a suitable site has been identified and the site acquisition process is at an advanced stage. However, as I am sure the Deputy will appreciate, there are sensitivities associated with land acquisitions which limits the information which can be provided. At this time I am not in a position to provide further information in relation to the site acquisition.

Once the acquisition of the site is finalised, my Department will be in a position to progress the project through the architectural planning process.

### Minor Works Scheme Applications

157. **Deputy Brian Walsh** asked the Minister for Education and Skills when payment of a minor works grant will issue in respect of a school (details supplied) in County Galway; and if she will make a statement on the matter. [44477/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Circular Letter 0062/2013 which was published, as the Minor Works Grant for the school year 2013/2014 issued last November in the amount of €28m, states “the grant will only be paid in future years as funding permits”. The focus under the Infrastructure and Capital Investment Programme 2012-2016 is on meeting the demand for additional school places. At this time there is no funding available within my Department’s 2014 financial allocation for the payment of the 2014/2015 Minor Works Grant.

I am aware that whenever my Department is in a position to issue a Minor Works Grant (to

all primary schools with permanent recognition) that it is welcomed by school communities and management bodies including the school in question as a valuable contribution towards the cost of maintaining school infrastructure.

### **School Catchment Areas**

158. **Deputy Micheál Martin** asked the Minister for Education and Skills if it is the case that her Department is imposing catchment areas on Educate Together schools; and if she will make a statement on the matter. [44488/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** New schools are set up to meet identified demographic needs in specific geographic areas. For that reason, the criteria for the recognition of new schools specifies that a patron must confirm willingness to enrol children from the area for which the Department has identified the need. This is to ensure that children for whom the school was set up can have access to a school place and that they will not be displaced by pupils from outside the area.

All patron bodies are subject to the same criteria for the establishment of new schools.

### **School Accommodation**

159. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a school (details supplied) in County Kerry will be permitted and enabled to carry out the full planned expansion now in one phase rather than partially in two phases; and if she will make a statement on the matter. [44492/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy will be aware the school referred to was approved a devolved grant in June 2014 to provide an additional two mainstream classrooms.

The school in question reverted to my Department in late October seeking an increase in funding for additional mainstream classroom accommodation. In that regard, my Department has sought additional information from the school and when this is received, the matter will be considered further. Officials from my Department will be in direct contact with the school authorities when a decision has been reached.

### **School Guidance Counsellors**

160. **Deputy Brendan Griffin** asked the Minister for Education and Skills if she will implement measures to reverse the adverse changes that were made in relation to guidance counsellor positions in schools in recent years; and if she will make a statement on the matter. [44515/14]

161. **Deputy Brendan Griffin** asked the Minister for Education and Skills if she acknowledges that changes to the status of school guidance counsellor positions are now resulting in costly consequences, such as increased university drop out rates and other social problems; and if she will make a statement on the matter. [44516/14]

163. **Deputy Brendan Griffin** asked the Minister for Education and Skills if she will implement measures to reverse the adverse changes that were made in relation to guidance counsellor positions in schools in recent years; her views on these changes now resulting in costly conse-

quences, such as increased university drop out rates and other social problems; and if she will make a statement on the matter. [44521/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 160, 161 and 163 together.

There is no scope to reverse this budget measure.

Since September 2012 guidance provision is now being organised by school management from within the staffing schedule allocation. In this way principals have discretion to balance guidance needs with the pressures to provide subject choice. My Department helped shelter the impact for DEIS post-primary schools by improving their standard staffing allocations. All 195 second-level school in DEIS have been given targeted support by a more favourable staffing schedule of 18.25:1. This is a 0.75 point reduction compared to the existing PTR of 19:1 that applies in non fee-paying second-level schools (23:1 in fee-charging schools).

Guidance and counselling are a whole-school responsibility, with guidance counsellors playing their part within an overall team approach. The representative organisations for school principals and school management have developed a framework that assists schools on how best to manage the provision of guidance from within their staffing allocation. Wherever possible, group work and class-based activity should be used to maximise the amount of time available for those pupils who are most in need of one-to-one support.

In February my Department published a guide to developing student support teams in post-primary schools. This is an important resource for schools in promoting and protecting students’ well-being and an aid to establishing a team or reviewing an existing team.

Guidance counsellors have two distinct functions. The first is general career guidance and guidance on the educational opportunities a child or young person might pursue, while the second involves support for students’ well-being. The principal and leadership of a school have the best knowledge and experience to determine how exactly guidance resources and teaching resources should be allocated.

### **School Staffing**

162. **Deputy Brendan Griffin** asked the Minister for Education and Skills if she will review the difficulties caused by the changes to teaching structures in schools affecting assistant teaching positions; her views on these changes limiting principals’ freedom to delegate, stifling promotion opportunities and making it more difficult to find suitable candidates for principal or deputy principal positions; and if she will make a statement on the matter. [44517/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** When the moratorium on the filling of posts of responsibility was introduced in 2009, the Government exempted Principal and Deputy Principal posts in all primary and post-primary schools. These posts continue to be replaced in the normal manner. The impact of the moratorium was therefore limited to the Assistant Principal and Special Duties posts of responsibility.

The alleviation arrangements are set out in Circular 0004/2014 which provide a floor by which schools acutely affected at AP level by the impact of the moratorium can fill their AP vacancies as they arise to the level of the thresholds set out in that circular. It continues to be a matter for each individual school authority to re-organise and prioritise the appropriate duties for post of responsibility holders in the context of implementing the moratorium.

School leaders have a key role to play in determining the shape of our schools and student outcomes. Leading on curricular change and change management are key challenges for every school leader. The challenge for schools and the Department is therefore to build a leadership partnership that is fit for 21st century Ireland and school context.

Economic constraints and the moratorium on recruitment, albeit alleviated to some extent for schools, have presented challenges within the education sector. They also provide an opportunity to review the role of the principal so that our principals are leaders of learning, and to reconfigure the middle management structure to support principals in their role, ensuring ownership of responsibility rather than tasks, thereby building expertise and supporting a career path within the profession.

The Department, in consultation with the representative bodies, the IPPN and NAPD has commenced an exploration of the opportunities to support and thereby advance our understanding of the needs of school leaders and how they might be addressed.

*Question No. 163 answered with Question No. 160.*

### **Education and Training Provision**

164. **Deputy Willie O’Dea** asked the Minister for Education and Skills when the enhanced redundancy recommendation by the Labour Court in April 2013 (LRC 20530) will be granted to the co-ordinator and assistant co-ordinator of the FÁS funded scheme based in County Limerick; if they will be granted the full amount recommended by the Labour Court; and if she will make a statement on the matter. [44531/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Local Training Initiatives are managed and operated by local groups and the staff are employed by these groups. Responsibility for funding Local Training Initiatives has recently moved from SOLAS to the each of the Education and Training Boards.

The Department has issued a sanction to fund enhanced redundancy for former employees of Local Training Initiatives where appropriate. I understand that the Limerick and Clare Education and Training Board is in the process of making such arrangements in this particular case.

### **Ministerial Transport**

165. **Deputy Willie O’Dea** asked the Minister for Education and Skills the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in her Department; and if she will make a statement on the matter. [44888/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The cost of ministerial transport in 2010, 2011, 2012 and 2013 is €101,974, €158,723, €198,184 and €212,210 respectively. These figures include the salary of the civilian drivers for the Minister and Minister of State, the subsistence costs incurred by the drivers and the amount of travel and subsistence paid to the Minister and the Minister of State.

Cabinet Ministers with the exception of An Taoiseach, An Tánaiste and the Minister for Justice now provide their own car and are assigned 2 civilian drivers similar to the practice for a Minister of State. As a result of this there are 4 civilian drivers at my Department since 2011.

All Cabinet ministers in the last Government were provided with a state car and drivers

who were members of An Garda Síochána. The current Government on taking office decided to dispense with this practice due to its prohibitive cost, so while the cost incurred to this Department for Ministerial transport has increased primarily due to the employment of 2 additional Civilian Drivers, the overall cost of providing transport for Cabinet Ministers has been reduced considerably.

### **Planning Issues**

166. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government if he has health concerns regarding mobile phone masts being located close to homes or schools; and if he will make a statement on the matter. [44468/14]

167. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government if he has health concerns regarding pylons being located close to homes or schools; and if he will make a statement on the matter. [44469/14]

172. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the legislation and the provisions that ensure that mobile phone masts are not located close to homes or schools; and if he will make a statement on the matter. [44471/14]

173. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the legislation and the provisions that ensure that pylons are not located close to homes or schools; and if he will make a statement on the matter. [44472/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I propose to take Questions Nos. 166, 167, 172 and 173 together.

The issue of the potential health effects of electromagnetic fields was the subject of an Expert Group Report commissioned by the Government and published in March 2007. This report, entitled Health Effects of Electromagnetic Fields, which considered issues such as digital signals, microwaves and mobile phone masts, is available for download on my Department's website at: <http://www.environ.ie/en/Publications/Environment/EnvironmentalRadiation/>.

The Expert Group reported that the majority scientific opinion was that no adverse short- or long-term effects have been demonstrated from exposure to electromagnetic fields at levels below the limits recommended by the International Commission on Non-Ionising Radiation Protection (ICNIRP). Extensive international research on the issue continues to be co-ordinated through bodies such as the World Health Organisation.

A substantial volume of research on this issue is being carried out internationally by bodies with responsibilities for monitoring the health effects of electromagnetic fields, including the European Commission's Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR). This Committee recently published a Preliminary Opinion on Potential Health Effects of Exposure to Electromagnetic Fields, updating its previous opinions from 2009 and taking account of the many studies undertaken in the intervening years. The Report can be found at the following weblink: (<http://ec.europa.eu/health/scientificcommittees/emerging/docs/scenihro041.pdf>).

The findings of this research are being monitored by the WHO's EMF Project; it is expected that a report will issue from the WHO in 2015. My Department, via its Air Quality & Environmental Radiation Policy Section, continue to monitor this and other scientific evidence as it is made available and will consider any policy implications in this context.

My Department recently commissioned a study on international developments in non-ionising radiation (NIR) and electromagnetic fields (EMF) research since publication of the 2007 Report. The study is also examining how the issue of NIR/EMF is dealt with in other jurisdictions and is expected to be completed by the end of this year. The results of this study will be used by a Steering Committee, convened and chaired by my Department, to consider and make specific proposals relating to the future management of these matters including, *inter alia*, any consequent legislative amendments and provisions.

### Illegal Dumping

168. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the steps taken by his Department to ensure that material dumped without permission in the River Corrib at the Old Dock on Long Walk, Galway city is removed; and if he will make a statement on the matter. [44406/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** My role, as Minister, is to provide the legislative and policy framework under which both local authority and EPA enforcement action against illegal dumping is initiated. Enforcement action against illegal waste activity is a matter for the local authorities and the Office of Environmental Enforcement (OEE) of the Environmental Protection Agency (EPA). As Minister, I am specifically precluded under section 60 (3) of the Waste Management Act 1996, from exercising any power or control in relation to the performance by the Agency or a local authority, in particular circumstances, of a statutory function vested in it.

### Water Meters

169. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 164 of 12 November 2014 if he will respond to the specific nature of the question put to him which involved the removal of water meters and not meter boxes (details supplied); if he will specify the costs involved in this removal operation; if his attention has been drawn to the situation in the Mullinahone/Drangan area, County Tipperary; and if he will make a statement on the matter. [44432/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Irish Water is responsible for the water meter installation programme. I understand that Irish Water is committed to reusing previously installed meter boxes where possible. Irish Water's contractors examine each case of a pre-existing meter box to establish if existing meter boxes can be reused. To date, in excess of 50,000 meter boxes have been reused nationwide. However, in this instance it was not possible to reuse the pre-existing boxes as they were flooded with water and therefore were unsuitable to have a meter installed.

Since assuming responsibility for the public water and waste water infrastructure Irish Water require that all meter boxes installed on the network be sealed to prevent this issue from arising.

The occurrence of pre-existing domestic water meters is rare as domestic water users have not been metered or billed for their usage outside of Group Water Schemes and some mixed use premises. The domestic meters being installed by Irish Water have to be compatible with the meter reading and billing systems technology of Irish Water. However, in the case being stated here, this issue of the removal of water meters did not arise as there were no meters installed in the pre-existing meter boxes.

## Local Authority Housing Provision

170. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government if he has received an application from Wicklow County Council seeking permission to purchase housing stock for public use in Arklow in view of the fact there is a difficulty with new build; the position regarding the situation; and if he will make a statement on the matter. [44461/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** My Department has not received a specific proposal from Wicklow County Council relating to housing stock in Arklow. However, the funding that is provided by my Department to local authorities for social housing on an ongoing basis supports both the development of new social housing units and the acquisition of units based on the priorities set by the local authority.

It is a matter for each local authority, as the housing authority for its area, to identify the social housing need and to respond as required and my Department continues to work with all local authorities regarding their work on social housing developments and acquisitions. Looking forward, Budget 2015 has seen the provision of capital funding for social housing provision increased by €180 million. This will see an acceleration of local authority direct build and acquisition of properties. The targets for housing units to be delivered through this increased funding is 946 units through local authorities and 440 through approved housing bodies.

## Planning Issues

171. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the legislation and the provisions that ensure wind turbines are not located close to homes or schools; and if he will make a statement on the matter. [44470/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Section 5.6 of the current 2006 Wind Energy Development Guidelines advises planning authorities that there should be at least a 500 metre distance from the nearest wind turbine to any noise sensitive property. Such properties would include homes and schools.

The 2006 Guidelines - which are currently the subject of a focused review and will be finalised as soon as possible - were issued to planning authorities under Section 28 of the Planning and Development Act 2000, as amended. Planning authorities, and, where applicable, An Bord Pleanála must have regard to guidelines issued under Section 28 in the performance of their functions under the Planning Acts.

*Questions Nos. 172 and 173 answered with Question No. 166.*

## Water and Sewerage Schemes Provision

174. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the process that the sewerage scheme for Arklow, County Wicklow went through; if such delays will be avoided in the future; if a new application will be lodged under infrastructural legislation; and if he will make a statement on the matter. [44491/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Arklow Sewerage Scheme was included in my Department's Water Services Investment Programme 2010 – 2013 as a scheme to commence construction within the period of the

Programme. This scheme was made up of 3 contracts; 2 network contracts – South Green & Harbour Road, and Northern and Southern interceptors and a separate Wastewater Treatment Plant DBO contract.

Court proceedings relating to planning approval for the proposed wastewater treatment plant site in Arklow, led to delays in getting the wastewater treatment plant contract to construction. However, work continued on other elements of the scheme, most notably the advance of the South Green and Harbour Road network contract which was at construction at the end of December 2013.

Since 1 January 2014 Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels including the delivery of water services capital infrastructure. Irish Water has published its proposed Capital Investment Plan (CIP) 2014-2016 and this is available online at <http://www.water.ie/news/proposed-capital-investment-plan-2014-2016.pdf>.

Irish Water has also established a dedicated team to deal with representations and queries from public representatives and has contacted all Oireachtas members to provide details of an improved level of service which it is aiming to provide. The team can be contacted via email to [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on a new dedicated number, 1890 578 578.

### **Maritime Spatial Planning**

175. **Deputy Anne Ferris** asked the Minister for the Environment, Community and Local Government his plans for the development of a marine spatial planning system including public consultation steps; and if he will make a statement on the matter. [44536/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The development of a framework for maritime spatial planning is one of the actions set out in *Harnessing Our Ocean Wealth - An Integrated Marine Plan for Ireland*. Implementation of actions identified in the plan is supervised by the Marine Co-ordination Group, which is chaired by the Minister for Agriculture, Food and the Marine. Furthermore, the EU adopted Directive 2014/89/EU which establishes a framework for maritime spatial planning earlier this year. The Directive is binding on all coastal Member States.

The Marine Coordination Group's consideration of how maritime spatial planning might be implemented is on-going. Whilst I cannot prejudge the group's deliberations on the matter, it may be assumed that public consultation will form part of the process of the development of such a system.

### **Water Services Provision**

176. **Deputy Michael Creed** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 1056 of 4 November 2014, if his Department will in fact quantify for each local authority the number of housing estates involved in this problem and if, in view of the pilot project referred to in his reply, he will provide the agencies and authorities participating in that pilot project; if he will provide a roadmap which clearly indicates the various stages involved in quantifying the extent of the problems faced; the costs associated with resolving them; the legal hurdles involved where the estates remain in private ownership and any other associated issues so that individual residents within these estates may clearly grasp the scale of the problems involved; if it is his intention subject to this pilot project

to seek funding in 2015 to put in place a resolution to this problem on an estate by estate basis; and if he will make a statement on the matter. [44550/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The definitive number of estates with developer - provided water services infrastructure is not known. However, preliminary analysis undertaken in 2013 by my Department, in consultation with the Water Services Transition Office and with Irish Water, indicates that, nationally, there may be approximately 800 residential developments with developer-provided stand-alone wastewater treatment plants and/or water treatment systems that are not connected to the public networks. However, it should be noted that this is an estimate only and I am unable to provide a breakdown on a local authority basis at this time.

The steering group for the pilot project is comprised of my Department, representatives of Irish Water, the County and City Management Association and the EPA. The local authorities participating in the project will be nominating an engineer who will focus on issues within the authority's functional area.

There will be two elements to the project. Firstly, each participating local authority will provide a list of all estates in its functional area where developer-provided water services infrastructure is present, along with more detailed information regarding the particular development and the water or wastewater treatment systems serving the development. The second element of the project will involve selecting a sample number of the developments listed for more detailed technical investigation. This will provide valuable information regarding the nature and condition of the water or waste water infrastructure present and will make recommendations as to how best to engineer solutions.

The information regarding a representative sample of developments will ultimately inform the evolution of a national policy regarding the taking-in-charge by local authorities of developments with developer provided water services infrastructure present and, where appropriate, the connection of the infrastructure to Irish Water. The issues of funding and of establishing a timeframe for the remediation of the problems which exist across the country will be addressed based on the outputs from the project.

### **Ministerial Transport**

177. **Deputy Willie O'Dea** asked the Minister for the Environment, Community and Local Government the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44889/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** My Department spent €130,946, €168,083, €220,469 and €215,514 on Ministerial transport arrangements in 2010, 2011, 2012 and 2013, respectively.

In line with Government policy, I do not use a state car. My Department employs two civilian drivers for driving duties in my own car in line with approved arrangements.

The same arrangements were in place for my predecessor and the salary and subsistence payments of his drivers, together with the mileage costs paid to him are included in the above figures. The above figures also include similar costs, including the costs of two drivers, for former Ministers of State during those periods.

Transport costs under the previous scheme of Garda drivers and State cars for Ministers in

2010 and 2011 (part) are matters for the Department of Justice and Equality.

### Electricity Generation

178. **Deputy Mick Wallace** asked the Minister for Communications, Energy and Natural Resources the reasoning behind the closure of the Electric Ireland micro-generation pilot scheme to new customers from 31 December 2014, particularly in view of the fact that micro-generation is more affordable and has a much lower carbon footprint than traditional forms of energy generation; and if he will make a statement on the matter. [44533/14]

179. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources if he will provide an update regarding Electric Ireland having announced it will no longer buy electricity from residential properties generating electricity from renewable sources such as solar and wind - residential consumers connected up to 31 December 2014 were eligible for a 9 cent/kWH export tariff, this now falls to zero; and if he will make a statement on the matter. [44541/14]

**Minister for Communications, Energy and Natural Resources (Deputy Alex White):** I propose to take Questions Nos. 178 and 179 together.

While this is a matter in which I, as Minister, have no statutory function, I am aware that Electric Ireland has been offering a micro generation feed in tariff since February 2009. The reasoning behind a decision to close a scheme is a commercial matter for the supplier. No other electricity supplier has chosen to provide such a tariff, to either domestic or commercial customers, though they have been invited to do so by the Commission for Energy Regulation (CER). Responsibility for the regulation of the electricity and gas markets is a matter for the CER, which is an independent statutory body.

I am aware of the need to give further policy consideration to the place of microgeneration in our energy mix. Analysis of the potential of microgeneration technologies such as small scale wind, solar and small scale hydro, has been carried out for my Department by the Sustainable Energy Authority of Ireland (SEAI). The SEAI's findings, along with responses to the recent consultation on the Green Paper on Energy Policy in Ireland, will inform future policy on the provision of any market support for microgeneration.

### Ministerial Transport

180. **Deputy Willie O'Dea** asked the Minister for Communications, Energy and Natural Resources the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44886/14]

**Minister for Communications, Energy and Natural Resources (Deputy Alex White):** The information requested by the Deputy on the total cost to my Department of Ministerial transport in the years 2010 to 2013 is outlined in the table.

| -                          | 2010 | 2011    | 2012     | 2013     |
|----------------------------|------|---------|----------|----------|
| Minister's transport costs | 0    | €63,550 | €103,136 | €107,642 |

| -                                   | 2010 | 2011    | 2012    | 2013     |
|-------------------------------------|------|---------|---------|----------|
| Minister of State's transport costs | 0    | €63,370 | €96,685 | €104,188 |

In 2010, all Government Ministers were provided with a State car that was driven by a member of An Garda Síochána from a pool of Gardaí, two of whom were assigned to the Minister at that time. The cost of this service was funded from the Vote of An Garda Síochána.

During this period, the Minister of State who was also assigned to the then Department of Enterprise, Trade and Employment, did not claim mileage in my Department.

The Government decided on 15 March 2011, inter alia, that with the exception of the Taoiseach, Tánaiste and Minister for Justice and Equality, who retained their State car and Garda Drivers, the travel arrangements that were in place for Ministers of State would apply to all Ministers with regard to their official travel.

Under these new arrangements, Ministers could appoint two civilian drivers to drive the Minister's car and claim mileage in accordance with the Department of Public Expenditure and Reform guidelines.

The salary and subsistence costs of the civilian drivers employed by my Department together with the mileage costs paid to the Minister and the Minister of State are included in the above figures. Foreign travel costs are not included.

### **Traffic Management**

181. **Deputy Stephen S. Donnelly** asked the Minister for Transport, Tourism and Sport in view of the worsening situation on the M50 where it merges with the N11 at Bray, where consistent anecdotal evidence indicates that the road system cannot cope with the capacity, if he will undertake a traffic survey to ascertain what can be done to alleviate the delays motorists are experiencing; and if he will make a statement on the matter. [44438/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### **Rail Services**

182. **Deputy Michael Colreavy** asked the Minister for Transport, Tourism and Sport if he will confirm the future of Dromod railway station on the Sligo-Dublin Connolly inter-city service. [44443/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The National

Transport Authority (NTA) has entered into a Public Service Obligation (PSO) contract with Irish Rail for the provision of rail services. Specific proposals relating to the provision of services under that contract are a matter for the NTA in conjunction with Irish Rail.

I have therefore referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Road Projects Status**

183. **Deputy Michael Moynihan** asked the Minister for Transport, Tourism and Sport the progress of the proposed Macroom bypass in County Cork; and if he will make a statement on the matter. [44456/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### **Road Improvement Schemes**

184. **Deputy Áine Collins** asked the Minister for Transport, Tourism and Sport if he will ensure that funding is made available for local improvement schemes in this year's allocations to county councils. [44482/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The Local Improvement Scheme (LIS) provides funding for roads and laneways that Councils have not taken in charge. However, the maintenance and improvement of these is, in the first instance, a matter for the relevant landowner. There is no separate allocation for the LIS. Instead, local authorities may use up to 15% (up from 7% in 2013) of their initial Discretionary Grant towards local improvement schemes should they wish to do so. The local contribution for these schemes remains at 20% of the total cost of the project.

Details of the 2014 regional and local roads grants were communicated to local authorities on 24 January this year. Furthermore, it is open to local authorities to supplement the percentage of their Discretionary Grant that they can use for the LIS with their own resources.

The above position is likely to extend into 2015. Some local authorities want a ring-fenced LIS allocation for private roads while others prefer to put the funding into public roads. I think this decision is best made at a local level.

### **Departmental Funding**

185. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if

his Department provided funding for festivals to local authorities this year; if so, if he will provide in tabular form a breakdown by local authority of the funding they received; and if he will make a statement on the matter. [44486/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The operation of festival funding programmes is a matter for the board and management of Fáilte Ireland. Therefore I have referred the Deputy's Question to them for further information and direct reply.

Please advise my private office if you do not receive a reply within ten working days.

### Road Projects

186. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will initiate measures to allow the National Roads Authority to liaise with An Bord Pleanála on a pre-planning basis on projects of strategic public interest, such as the Adare bypass project; and if he will make a statement on the matter. [44522/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The planning, design and implementation of individual national road schemes are matters for the National Roads Authority (NRA) under the Roads Acts 1993-2007 in conjunction with the relevant road authorities.

The main purpose of the Roads Bill 2014, which has completed Second Stage in the Dáil, is to facilitate the merger of the National Roads Authority (NRA) and the Railway Procurement Agency (RPA). The Bill also provides for a number of amendments to the existing provisions of the Roads Acts 1993 to 2007.

At present there is no provision in either the Roads Acts or the Planning Acts for the NRA or road authorities to enter into pre-planning application consultations with An Bord Pleanála in relation to proposed road developments.

I believe that there is merit in providing for such consultations and accordingly I will seek to introduce an amendment in this regard in the Roads Bill at Committee Stage.

As pre-planning consultations are a function of An Bord Pleanála, and therefore primarily a planning matter, my Department is liaising with the Department of the Environment, Community and Local Government and An Bord Pleanála, as well as with the National Roads Authority, on the matter.

### Road Improvement Schemes

187. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if increased funding will be provided to Kerry County Council to replace the old bridge at Listry on the R563; and if he will make a statement on the matter. [44523/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities' own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority.

In the past local authorities were able to apply under the Specific Improvement Grants Scheme for funding towards the cost of road improvement projects, including bridge replacement but due to the cut backs in capital funding for roads the Specific Improvement Grant Scheme has had to be curtailed in order to maximise the funding available for repair and strengthening work. In lieu of the Specific Improvement Grant Programme, applications have been sought for bridge repair works (which is a subset of the current Specific Grant Programme) for 2015. This is in line with focusing monies on road and bridge maintenance and strengthening. The selection of projects is a matter for the relevant local authority.

It is also important to reiterate that the role of Exchequer grants for regional and local roads is to supplement Councils like Kerry County Council in their own resources spending in this area. It is open to the Council to fund this project from its own resources.

### **Road Improvement Schemes**

188. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if funding will be provided to progress the N86 road improvement scheme; and if he will make a statement on the matter. [44524/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### **Ministerial Transport**

189. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in his Department; and if he will make a statement on the matter. [44897/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The information requested by the Deputy is being compiled and will be forwarded as soon as possible.

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

190. **Deputy James Bannon** asked the Minister for Arts, Heritage and the Gaeltacht if she will provide an update on the application to the turf cutting compensation scheme in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [44430/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** An application for compensation under the Cessation of Turf Cutting Compensation Scheme has been received by my Department from the individual referred to in the Deputy's Question. I

am advised that payments of €1,500 in respect of Year 1 of 15 (2012) and €1,518 in respect of Year 2 of 15 (2013) have been made to this applicant. In addition, a once-off payment of €500 has been made to the applicant in respect of the signing of a legal agreement under this scheme.

The qualifying criteria for the Cessation of Turf Cutting Compensation Scheme 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.

Following an inspection by officials of my Department of the plot of bog in respect of which the applicant has applied for compensation, it appears that a supply of turf had not been cut on the land in question during the relevant five year period.

My Department has written to the applicant outlining that the qualifying criteria have not been met and he does not qualify for compensation under the scheme. The applicant has also been informed of the Departmental review and appeal procedures open to him in the event that he disagrees with this decision.

### **Commemorative Events**

191. **Deputy Jonathan O'Brien** asked the Minister for Arts, Heritage and the Gaeltacht the number of jobs that will be created through each of the Government's projects for the Ireland 2016 events including in expanded museums and new interpretative centres; and if she will make a statement on the matter. [44484/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** A capital provision of €22 million will be allocated in 2015 to a number of flagship 1916 commemoration projects, including the development of a permanent exhibition space and interpretative centre at the GPO; the renovation of Kilmainham Courthouse to enhance the visitor experience at Kilmainham Gaol; the provision of a permanent visitor facility at Cathal Brugha Barracks for the Military Service Pensions Archive; the development of visitor facilities at Teach an Phiarsaigh, Ros Muc; renovation works at Richmond Barracks; the development of a Tenement Museum in Dublin; and the restoration of the Kevin Barry rooms in the National Concert Hall. I have also secured a current allocation of €4 million in the Budget for 2015 to allow for the roll out of an integrated plan focused on commemorating the centenary of the 1916 Rising.

The investment in the 2016 programme will have a positive impact in terms of jobs and wider economic benefits, both locally and nationally. The construction works that are underway for the capital projects at the GPO and Kilmainham have already provided employment of the order of 250+ jobs in the construction industry, with the actual figure varying in line with the particular phases of work taking place. I am confident that there will be further employment opportunities as the other projects and programme elements develop.

### **National Monuments**

192. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht if funding will be provided to protect a historical structure (details supplied) from being washed away by the sea; and if she will make a statement on the matter. [44525/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I understand that the main threat to the site in question, which is not a national monument in State care, is coastal erosion.

Overall policy for coastal protection, including coastal flooding and erosion, is a matter for the Office of Public Works, while the identification and addressing of coastal protection measures in any particular area is a matter in the first instance for the relevant local authority concerned. My Department has been in contact with the relevant local authority in relation to this site and would be available to offer advice should any proposals for protection works be brought forward.

### **Waterways Issues**

193. **Deputy Pearse Doherty** asked the Minister for Arts, Heritage and the Gaeltacht the progress of proposed by-laws in respect of canals; if she has engaged with the Inland Waterways Association of Ireland regarding the proposed by-laws; if her attention has been drawn to its concerns on this matter, particularly in relation to providing an incentive to use canals and develop tourism potential of the canals, mooring provisions, dry dock tolls and charges; the steps taken to address these concerns; and if she will make a statement on the matter. [44545/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** Waterways Ireland proposes to make new by-laws which are intended to enhance its ability to manage the canals for the benefit of all canal users. There are over 14,000 registered boat owners on the seven waterways managed by Waterways Ireland. These waterways make a vital contribution to tourism, attracting visitors from Ireland and abroad.

The proposed new by-laws are intended to enhance the ability of Waterways Ireland to manage the Royal and Grand Canals and the Barrow Navigation for the benefit of all canal users. Investment by Waterways Ireland in these waterways has made them more attractive for boat owners and is helping to develop them as a vibrant recreational and tourist amenity. Against that background, it is now necessary to update the by-laws to ensure that the rules governing the use of the waterways are fit for purpose and can best meet the needs of all waterway users.

I am aware that concerns have been raised regarding aspects of the proposed by-laws. Waterways Ireland undertook a public consultation process in relation to the proposed by-laws earlier this year. I am advised that the main stakeholders, including the Inland Waterways Association of Ireland, the Heritage Boat Association, the Royal Canal Amenity Group and the Irish Boat Rental Association, were contacted individually and invited to meet with the Chief Executive and the senior management team of Waterways Ireland prior to submitting their views. The current permit holders on the three waterways concerned, including traditional canal users and canal dwellers, received individual written notices and were given the opportunity to make their views and requirements known.

I understand that over 2,000 submissions were made in the course of the public consultation process. I have been advised that analysis of this process has been completed by Waterways Ireland and is available on the Waterways Ireland website at <http://www.waterwaysireland.org/>

public-consultation, together with the submissions received. Waterways Ireland has submitted a revised set of draft by-laws to my Department, which is currently being reviewed. When that process has been concluded, the matter will be referred to me, as Minister, with recommendations for consideration and final decision. In line with a commitment given during a debate in Seanad Éireann on 26 February 2014, I will provide interested Deputies and Senators with an opportunity to discuss the proposals with me prior to making a final decision on the draft by-laws.

### Ministerial Transport

194. **Deputy Willie O’Dea** asked the Minister for Arts, Heritage and the Gaeltacht the ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister and Minister of State in her Department; and if she will make a statement on the matter. [44884/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The Department of Arts, Heritage and the Gaeltacht was established on 2 June 2011. The amount spent on Ministerial transport in the period from that date to 31 December 2011, and for the years 2012 and 2013, is set out in the Table. These costs include the cost of drivers. All expenditure was incurred in full conformity with Department of Public Expenditure and Reform guidance on such matters.

| Year                            | Minister | Minister of State |
|---------------------------------|----------|-------------------|
| 2 June 2011 to 31 December 2011 | €75,594  | €64,444           |
| 2012                            | €121,039 | €110,859          |
| 2013                            | €115,999 | €108,815          |