

Working Notes Issue 49 Editorial

on Tuesday, 07 December 2004.

Dear Reader,

On 8th October 2004 the Minister of State responsible for Overseas Development, Conor Lenihan TD, was quoted in Irish newspapers as saying that 'there has to be an element of realism' regarding Ireland's commitment for achieving the UN target for overseas development aid by 2007, given that 'we've had two years of retrenchment in the public finances'.

In a conference 'Debt and Trade: Time to Make the Connections' in Dublin on 9th September 2004, organised by the Jesuit Centre for Faith and Justice on behalf of the International Jesuit Network for Development, other 'element(s) of realism' were explored. Speakers from developing countries (Brazil, Columbia, Zambia and the Philippines), the World Bank, the IMF, the European Commission (DG Trade), Development Cooperation Ireland and Dail Eireann presented a wide range of perspectives on these key structural economic issues.

The keynote speaker Julian Filochowski painted a vivid picture of what he termed the 'global common bad'. 830 million people going to bed hungry every night; 1.1 billion living on less than \$1 a day; half the world's population living on less than \$2 dollars a day; 2.8 billion people lacking adequate sanitation; 104 million school-age children not attending primary school; countless lives worldwide being destroyed by AIDS. He urged us to remember behind these colossal numbers are 'specific people with names and faces'.

A number of speakers including Peter Henriot SJ, who has written an article in this issue, emphasised the importance of increased overseas aid as part of the solution. When that suggestion is allied to the reality in Ireland today of a booming economy, bulging public coffers, and the likelihood of a tax giveaway in the next Budget (in stark contrast to the global reality graphically illustrated above for millions of the world's poor), we must demand at a minimum that Ireland honours its commitment to reach the UN target of spending 0.7% of GNP on overseas development aid by 2007.

We thank you for your continued support.

Eugene Quinn
Director
Jesuit Centre for Faith and Justice

Note:

If you enjoy what you read between these pages and find it useful we invite you to consider making

Working Notes Issue 49 - The Garda Síochána Bill 2004

a voluntary subscription to Working Notes. We suggest a sum of €15.00 per year. This covers the cost of producing Working Notes. If you wish to contribute more to our work here we would be most appreciative.

Connecting Debt and Trade

on Tuesday, 07 December 2004.

Connecting Debt and Trade from a Development Perspective

*Peter Henriot SJ**

How Do We Define 'Development'?

Before examining the connections between debt and trade, it is worthwhile to reflect on what we mean when we talk about a 'development perspective'. It is now widely accepted that economic models that are not people-centred have led us to the current global crisis of deepening poverty, degradation of rights, destruction of the environment and increased danger of conflict and terrorism.

Few, if any, 'experts' today cling to definitions of development that place primary emphasis on GNP growth figures. In recent years different voices have challenged what used to be called 'orthodox' development thinking. These voices object very strongly to the discussions, frameworks, parameters, and measurements that have characterised so much of the economic planning, decisions and outcomes of the international financial institutions which have such an influence on developing countries.

(i)The Human Development Reports of the United Nations Development Programme (UNDP) - These increasingly influential publications provide not a report on economic development, but human development. Put plainly, the UNDP "Human Development Index" measures what is happening to people. It provides a measurement based on three factors: life expectancy at birth (with obvious links to issues such as health, food, surroundings, etc.); adult literacy (since literacy is key to being knowledgeable, to entering into decision-making, to planning futures); access to resources needed for a decent standard of living (per capita income relating to purchasing power for essentials; e.g., something that the monthly Basic Needs Basket prepared by my colleagues at the JCTR clearly demonstrates). This UNDP report offers a very different and more human-centred picture than that presented by, for example, the World Bank Economic Development Report or contained in the comparative trade charts of the World Trade Organisation.

(ii)Development as Freedom by Amartya Sen (winner of the Nobel Prize for Economics in 1998) - This offers an explanation of development measurement in terms of "human capabilities." It focuses not on the primacy of income and wealth but on meaningful human life and substantive freedom, characterised by creative possibilities, consequences of exercise of freedoms, etc. Sen speaks not of income poverty but of capability deprivation. He has had great influence on the UNDP reports.

(iii)Globalisation and Its Discontents, by Joseph Stiglitz (winner of the Nobel Prize for Economics in 2001) - This is a very sharp critique of the "market fundamentalism" that has guided IMF policies

Working Notes Issue 49 - The Garda Síochána Bill 2004

of Structural Adjustment Programmes (SAP). These programmes have consistently ignored the human dimensions, the consequences for people, of what they propose. Social impact is of secondary analytical value and social enhancement is consequently of secondary programmatic emphasis. Former a senior economic advisor to President Clinton and then Chief Economist and Senior Vice President with the World Bank, Stiglitz offers an analysis particularly applicable in Africa (and to Zambia as a case study?)

These studies come from eminent sources that are not church-based. Yet they say very clearly something that is a central message of what we call the church's social teaching about economics, namely, the economy is for the people, the people are not for the economy.

This is a development perspective that is ethical, that is value-laden, and one that appreciates the wisdom of a 1967 statement made by Pope Paul VI: "Development is the movement from less human conditions to more human conditions."i When I view development issues in Zambia and other parts of Africa with which I am familiar, I begin with this people-centred focus and raise questions about what is happening to the poor, how are rights being respected (the full collection of rights of the two UN Covenantsii), what is happening to community and solidarity, what about the role of women, how is the environment faring, etc. So the perspective of "sustainable, integral human development" is the context within which I view, evaluate and respond to issues of debt and trade.

Connecting Debt and Trade

"Cancel the debts!" Is that old Jubilee cry still relevant today? Didn't the "Jubilee 2000" campaign or the World Bank's "Heavily Indebted Poor Country" (HIPC) Initiative settle that question once and for all?

No, as a matter of fact, the huge debt problem of poor countries is more pressing today than ever before. The little progress made by some limited cancellation of debts is in danger of being wiped out by growing challenges posed by unfair trade relationships, severe social problems such as HIV/AIDS and marginalisation in the geopolitics of the war on terrorism.

The case of Zambia illustrates why the debt cancellation campaign is still very relevant. Zambia is burdened with an external debt of over 6.5 billion US dollars - in a nation of 10 million people, that is 650 US dollars for every woman, man and child, or twice the per capita GNP. Zambia is a country rich in natural resources and at peace, but it is a country of great poverty; approximately 80% of the people live below the poverty line (defined by the World Bank as one dollar a day). In the 2004 UNDP Human Development Report, Zambia ranks 164th out of 177 on the "Human Development Index". The Report estimates that the average life expectancy in Zambia is 32.7 years!

The World Bank and the International Monetary Fund have in the past few years offered debt relief

Working Notes Issue 49 - The Garda Síochána Bill 2004

under the HIPC Initiative. But for Zambia, as for so many other HIPC countries in Africa, this approach to relief may be necessary but is certainly not sufficient. It offers only partial relief and under a formula that does not adequately take into account the social conditions of the people. The crux of the problem is that 'debt sustainability' - the measurement used to indicate how much debt servicing a country can endure - is based on estimated export earnings available to service the debt and not on estimated needs of the people for sustainable development.

Put simply, this means that the Millennium Development Goals (MDGs) agreed to in 2000 by the United Nations - such as halving the number of people living in poverty by the year 2015 and providing basic education for all children - are simply unattainable under present conditions. During the 1990s, Zambia paid over 20% of its nominal GDP to debt servicing but only 2% to 3% on health and education services. Even with the so-called 'relief' proposed by HIPC, Zambia will still pay 120 to 150 million US dollars each year for debt servicing, more than it provides for social services. Meeting the MDGs requires more resources but meeting the demands of debt servicing is a severe drain on scarce resources.

Zambia went deep into debt for a variety of reasons, most of them outside the control of the country's leaders. The 1970s saw a collapse of copper prices (Zambia's major export earner) and a boom in petrol prices. A moral decision to break relations with the apartheid regime in South Africa, and to support the freedom movements, cost heavily in terms of transport arrangements, repair of bombed infrastructure and hosting of refugees. Unable to service its debts in the 1980s, Zambia borrowed to keep in the good books of its creditors. From a debt stock of under 100 million US dollars in the early 1970s, Zambia entered the 1990s with a debt stock of over 7 billion US dollars!

Couldn't Zambia meet its economic development challenge by generating more trade with Europe and North America? Better trade relationships are certainly essential for growth, but we must face the fact that there are barriers to Zambia's effective participation in international trade relationships. Take sugar export, for instance. Sugar is a very viable cash crop in Zambia. But subsidies offered to sugar producers in European Union countries, and quotas imposed on imports, mean that Zambian sugar has little hope of penetrating the European market.

This is an example of why the issues of debt relief and trade relationships must be examined together. Sustainable development for poor countries such as Zambia is a complex challenge requiring both generous external aid and responsible policy negotiations.

What Can Ireland Do?

Promoting that sustainable development also needs committed friends outside of Zambia. Ireland has been one such friend. Grants to Zambia amount to €16.5 million in 2004, assisting a wide range of programmes in water and sanitation, HIV/AIDS responses, governance, and health and education. Over the years, the Irish government has been a strong contributor - and the fact that this

Working Notes Issue 49 - The Garda Síochána Bill 2004

contribution has come in the form of grants, not loans, has been extremely important to an already debt-burdened country.

Further help has come through the leadership role the Irish Government has played in calling for total cancellation of the debt of HIPC countries. In a 2002 statement entitled "Developing Country Debt Relief Strategy", Ireland Aid and the Department of Finance acknowledged that the high levels of external debt "continue to be a crushing burden on some of the poorest countries in the world." Their position is consistent with the Jubilee Zambia campaign in advocating "strong monitoring and accountability mechanisms" to ensure that the additional resources freed up through debt cancellation are directed towards social expenditure for the benefit of the poor.

From a Zambian perspective (and Zambia is a fairly typical case of African HIPC countries), two things are very necessary at this moment: continued advocacy for total cancellation of debt, and continued pressure for trade reforms that would give Zambia a fairer deal in the global market. Ireland should play a constructive role in both efforts.

* Dr Peter Henriot, a Jesuit priest and political scientist, is Director of the Jesuit Centre for Theological Reflection, Zambia. A version of this paper was presented to a conference, "Debt and Trade: Time to Make the Connections", organized by the Jesuit Centre for Faith and Justice on behalf of the International Jesuit Network for Development (IJND), and held in Dublin on 9 September 2004.

Including Older People in Irish Society

on Tuesday, 07 December 2004.

Paul Murray*

We didn't have to be told. The health service is in a mess, number 21 out of 22 in the "Western World". When we look at the financial resources devoted to health (based on 2001 figures), Ireland is the lowest spender, along with Finland, devoting 7.3% of GDP to public spending on health compared to an average of 9% across 22 countries. (1)

It would be wrong, however, to zone in on the health system as the only indicator of how older people are doing in Ireland. Older people, as Age Action Ireland has been saying for years, are not a health issue - although they may have health issues, and of course as they get older they are more likely to encounter the health system, often and disproportionately in Accident and Emergency Departments.

Worse still for the grey and the balding, ESRI reports on poverty show that older people are increasingly at risk of experiencing income poverty. There are, of course, debates about whether we should be focusing on 'relative income poverty' rather than the 'consistent' version but it is incontrovertible that 21.9% of the population lives below 60% of median income and among those aged 65 and over this rises to 44.1%. (2)

To identify what is available for older people we might mark at what point they come to be recognised as a particularly category. For many, it is at 66, when eligibility for the old age pension begins. (3) Virtually free telephone rental and an allowance for calls, free travel by public transport, and free television licence follows, and at 70 everyone gets a medical card entitling the holder to free GP and hospital services. Older people will often come to particular attention as 'older' people if they are taken to an Accident and Emergency Department and then channelled towards the geriatricians.

Several organisations are specifically concerned with the interests of older people.

- Age and Opportunity celebrates older age with its country-wide Bealtaine festival each May, and with its "Go for Life" programme. Positive Ageing is the fuel which drives the Irish Senior Citizens Parliament to highlight the views of older people, and it galvanises the Federation of Active Retirement Associations in working to ensure that older people have exciting and worthwhile retirements.
- Age Action Ireland is involved in campaigning, research, Third Age learning, carer support, and information services.
- The Senior Helpline, based in Summerhill, Co Meath, allows older people a friendly listening post.

Working Notes Issue 49 - The Garda Síochána Bill 2004

- The Carers Association, and Caring for Carers, concentrate on caring issues (although not exclusively involving older people) and the Alzheimer's Society provides a wide range of services for people suffering from Alzheimer's disease, and their families.
- The National Council on Ageing and Older People, a Government-appointed body, has produced many valuable reports and advises the Minister for Health and Children.

How Many Older People are there in the Republic?

As Dr Garret FitzGerald has shown out there is no demographic time bomb in Ireland, but there is an opportunity to plan for 46 years hence when about 24% of Irish residents will be 65 and over, compared to 11.1% in 2002. (4) We are living longer, with life expectancy for men projected to rise from 74 to 79.4 and for women from 79 to 84. The age group 80 and over will rise from 23% to 27% of the total population.

Life expectancy in the Republic today is lower at 65 than in any of the other countries that made up the fifteen-member European Union, and in terms of health-life expectancy (that is, how long people are likely to remain healthy into old age) it is second from the bottom of a table of 23 countries worldwide.

All of this raises major policy issues concerning older people: poverty, discrimination, accommodation, health, employment, long-stay care, and pension provision.

Poverty

In the face of the marked increase in personal incomes in Ireland during over the past decade, older people have become increasingly likely to experience "relative income poverty". In 1994, only 5.9% of the elderly had an income that was less 60% of median income; by 1997 this had risen to 24.2% and by 2001, 43.3% were in this category. Older females are particularly vulnerable to income poverty with 50% having an income below the 60% poverty line, and 62.1% below the 70% poverty line. (5) The Household Budget Survey, 1990-2000, showed that 38% of pensioners lived in the lowest 20% household income group; five years previously the figure was 30%.

This increase in relative income poverty among the elderly reflects the fact that while social welfare pensions have risen significantly in real terms, increases have lagged behind wages and salaries. (6) This worrying trend highlights the need social welfare pensions - which are the sole income for a high proportion of older people in Ireland - to be increased in line with increases in wages and salaries, rather than rises in the cost of living.

Discrimination

Discrimination against older people has been described as "widespread" by The Equality Authority. (7) The Employment Equality Act, 1998, for example, had age as a ground on which discrimination was forbidden in the workplace, but ironically people aged 65 and over were not covered by its provisions. This situation has been rectified by the Equality Act, 2004, partly to take account of the

Working Notes Issue 49 - The Garda Síochána Bill 2004

Government decision that most new entrants to public service posts can work beyond the normal retirement age of 65. This should, among other things, end the foolishness of excluding people over 65 from State temporary tour and heritage guide jobs.

Such attitudes percolate, too, into the health arena where women over 64 are still refused participation in Breast Check screening. We are told that when the programme goes country-wide, consideration will be given to including older women. Dr Eamon O'Shea, of NUI Galway (8) and Professor Des O'Neill, of Tallaght Hospital, have spoken of how health services can be subject to the negative influence of ageism. (9)

More generally, some older people have difficulties getting car insurance, and travel insurance has become a constant issue. Even the VHI charges €179 for annual travel insurance for over 65s but €49 for everyone else.

Accommodation

Government policy has long been that older people should be facilitated to stay in their own homes as long as they wish. By European standards, the Republic of Ireland has a very high rate of home ownership and about 87% of older people own their own homes. 6.6% live in local authority housing and under 3% in private rented accommodation.

However, as Dr David Stratton, Age Action Ireland's Head of Research and Policy, has pointed out, the downside of this high ownership is that older people's houses tend to be built longer, have fewer facilities and need greater maintenance. (10) His research shows that neighbours, location, garden, familiarity and design are the factors most liked by older people about their houses. Comfort was not a big issue. Maintenance, the garden, design, and location were the factors least liked. Surprisingly personal security was low as an issue.

The Years Ahead...A Policy for the Elderly (11) recommended that the Government should explore, with financial institutions, ways in which elderly people could be encouraged to make greater use of their homes as a financial asset. Such schemes are now on the market, but have met with a varying response following warnings about diluting one's main asset for cash.

While housing quality has improved and older people have recorded increasing satisfaction with their housing, there has been insufficient flexibility in housing for older people.

Possible Changes:

- (i) Streamlining of the state-provided supports to assist with repair and maintenance of older people's houses.
- (ii) More sheltered housing.
- (iii) Flexibility, with tax incentives, to allow older people trade down to more suitable, perhaps sheltered, accommodation.
- (iv) Encouragement of construction of houses designed to suit all generations.

Working Notes Issue 49 - The Garda Síochána Bill 2004

Caring

There are few more fraught issues than caring, with an estimated 148,754 people providing unpaid help for someone with a disability or health problem. Many carers are middle-aged women in rural areas. Of these, the number providing care for 43 hours or more a week is over 40,000. Nearly 85,000 are caring for one to 14 hours a week. Two-thirds of carers are women, with one in ten women aged 40 to 50 years reported to be a carer. (12) Carers can be eligible for Carers' Allowance, which is means tested, or Carers' Benefit which is insurance-based, and recipients of both are entitled to a respite-care grant.

In a submission to the Oireachtas Joint Committee on Social and Family Affairs (September 2003), Caring for Carers pointed out that the vast majority of carers are looking after frail older people. Carers believed their main need was for respite care in the home, and day care services.

Despite huge expenditures - for example, €115 million alone in 2003 on nursing home subventions, increases in carers' payments, and the cost of home helps - the State is floundering in its efforts to meet the requirements of frail old people.

Figures from the Eastern Regional Health Authority's three health boards, for example, indicate that community care services are patchy and under-resourced with little hope of improvement. For example, the Northern Area Health Board says that services under the headings Home Help, Home First, and Home Care packages are likely to remain at the same level in 2004 as in 2003. In the South Western Area Health Board, while €11.3million was spent in 2003 on home help services, increases in 2004 will be paltry as the Board will be sharing not much more than €1 million extra for the service with the two other health boards. The picture is about the same in the East Coast Area Health Board.

Possible Changes:

Few would argue with a Comhairle report that calls for the development of Home Support Care Packages. (13) There is a need for more personal support for carers and their families, and additional income support for carers who look after highly-dependent persons.

Criteria for respite care need to be more transparent and applied systematically to cater for on-going caring and crises. If carers can take regular breaks, fewer people will have to resort to institutional care.

Better financial support for carers is needed, through for example, dropping the means test for Carers' Allowance; among the benefits of such improvements could be a lessening in demand for institutional care.

Long-Stay Care

Nursing homes, their cost, utilisation, and the difficulty of finding a suitable one, are the subject of major controversies. The Republic's 5% rate of long-stay care for older people is lower than that in many European countries. Despite constant stories that acute hospital beds are being "blocked" by

Working Notes Issue 49 - The Garda Síochána Bill 2004

older people, nursing home interests (the Federation of Irish Nursing Homes and the Irish Nursing Homes Organisation) repeatedly report that they have empty beds, and that there is accommodation for many of the patients who could be released from acute hospitals. In the Eastern Regional Health Authority alone, it is said 550 patients are inappropriately placed in hospitals, patients who could be in residential care except for a deficiency in subsidies. (14)

The total cost of subsidies to nursing home patients has risen to €115 million from about €5 million in 1993, but even with this increase there is still a huge gap between the maximum subsidy payable and the fees charged by private nursing homes, which range from €450 to €1,000 and more per week. Rarely are 'enhanced subsidies' given.

There are about 26,300 long-stay beds in the Republic (over half in the private sector) and it is estimated that an additional 2,700 will be needed in seven years time. Private nursing homes are planning to build another 2,000 places, and the Government is committed to providing 800 'extended care' and 'community nursing unit' places per year over seven years.

Whoever creates the beds, however - and there has been little debate on the right mix between public and private beds - the financing and standard of nursing home care will be continuing problems. Both the Mercer Consultants report, Study to Examine the Future Financing of Long-Term Care in Ireland and the Review of the Nursing Home Subvention Scheme, suggest a number of possible solutions. (15)

Possible changes:

- (i) The introduction of a social insurance scheme to provide for long-term care.
- (ii) Recoupment of costs by making posthumous deductions from assets.
- (iii) A significant increase in the State financing of home care.
- (iv) More emphasis on quality of care - why should State long-stay care units not be subject to independent inspection?
- (v) Better co-ordination between community care, nursing home and acute hospital services (as in the Slán Abhaile programme in the Royal Hospital Donnybrook, Dublin).

Employment

The Government decision that new entrants to the Public Service can work beyond 65 has perhaps been motivated more by pension funding problems than a concern for the rights of older people, but it represents a welcome change in attitude.

Of course, not everyone wants to be in paid employment until 65: one study showed that more than two-thirds retired before 65, although this retirement was often unplanned. (16) Those who do remain working tend to be the self-employed, and farmers. One's life style should, of course, be a matter of choice, and it is reassuring that retirement can be regarded as a positive state, as indicated by the finding that "the retired are generally satisfied, though those who want paid work are somewhat less positive than those who do not want paid work". (17)

Working Notes Issue 49 - The Garda Síochána Bill 2004

One study showed that 25% of over 55s not in full-time employment were interested in paid jobs. However, they did not want to be hit heavily by tax, and they wanted flexible working arrangements. (18)

Unfortunately, many jobs for older people are in the often poorly-paid services sector. Older people, too, continue to report ageist attitudes on the part of employers, and not only in the private sector. The National Economic and Social Forum has pointed out that ageist attitudes persist in government departments. (19) Civil servants have succeeded in a legal case where it was proven they had been passed over for promotion because of their age.

An on-line recruiter, Monster.ie, found that 37% of Irish respondents felt that age was obviously a factor in considering people for jobs. A further 40% said it made a bit of a difference. (France and the UK had the highest number of workers who felt age was obviously an issue in recruitment. The Republic's figures were more in line with those of Scandinavian countries.)

A factor compounding the risk of unemployment for older people is the declining tendency to participate in education and training with increasing age. This is illustrated in a 1997 OECD International Adult Literacy Survey, which showed a participation rate of just over 9% among 55-64 year olds.

Possible Changes:

(i) The National Economic and Social Forum report, Labour Market Issues for Older Workers, indicates that the majority of companies do not have structures or practices to cope with an ageing workforce. (20) This is an area from which a major thrust needs to come to improve the participation rate of older people in employment.

(ii) IBEC and the Chambers of Commerce have recently highlighted the skills and experience offered by this group, and it is encouraging that the proportion of people aged 50 to 69 years in employment has risen since the mid-1990s, reversing a long-term downward trend. (21)

(iii) Part-time work, tax incentives, flexible hours, training opportunities and fluid pension arrangements would make the labour market a happier place for older people.

Pensions

Pensions are becoming a defining issue as people grapple with reports that their cover might be insufficient. The Government has been encouraging people to take out pensions, the aim being that 70% of the workforce would have an occupational pension, as opposed to the current coverage of 50%. Since the passage of the Pensions Act, 2002, The Pensions Board has been actively promoting Personal Retirement Saving Accounts, which were provided for in the Act, and which have the virtue of being portable. However, take-up has been low, although it has been described by Anne Maher, Chief Executive of the Board, as still encouraging. She has suggested that the Government might have to make second-tier pensions compulsory.

Working Notes Issue 49 - The Garda Síochána Bill 2004

The debate has been complicated by the increasing use by companies of Defined Contribution, rather than Defined Benefit, schemes. Even the current majority who have Defined Benefit schemes are under pressure. It has emerged that the Electricity Supply Board is facing a €500 million or so shortfall in its scheme and that workers might be expected to raise their contributions. Mercer, a human resources company, is also proposing that the "high solvency" requirements for funds be amended.

Possible Changes:

- (i) Sophisticated publicity to get across the message that, if a 20 to 30-year-old wants to retain half their salary on retirement, he or she will need to invest 15% of income in a pension.
- (ii) Encourage Special Savings Incentive Account holders to transfer their savings habit into pensions when the scheme ends in three to four years.
- (iii) Drop the stricture that employer contributions to Personal Retirement Saving Accounts are treated as benefit-in-kind.
- (iv) Offer larger pensions to employees (State and private sector) who delay retirement beyond 65 or 66.

Conclusion

The Republic is now a prosperous country; it enjoyed growth rates not so long ago of 9% and even following a slow-down is expecting a growth in GNP of 4.8% in 2004 and 5% in 2005. Our problem is a legacy of low expenditure on health and social provision. While there has been a significant jump in such expenditure in recent years, this was from a low base. In 1999, the Republic's social services expenditure was 14.5% of GDP compared to 27.5% for the EU as a whole.

This low health and social expenditure particularly affects the old. Cutbacks, or static budgets, in relation to various community and domiciliary care services bite hard, as telephone calls to Age Action Ireland from people who are affected highlight all too graphically. Legislation and policy are unkind to older people, although that is changing, and over 65s are excluded from participation in a number of areas.

Housing is often inappropriate, and long-stay care is of varying quantity and quality. This is not to gainsay the successes, only to highlight that provision for older people is often unfocused, inconsistent, and under-funded.

Doctors, health boards, nurses, home helps, volunteers and grey organisations (such as Age Action Ireland) all aim to enhance the lives of older people. They do it in different ways and sometimes with little cognisance of each other's work.

Rarely, however, have senior politicians initiated, or even entered, debates on matters affecting older people. Discussion has usually revolved around the increase in the old-age pension and

Working Notes Issue 49 - The Garda Síochána Bill 2004

whether it is above or below inflation. Despite the fact that two organisations (the Irish Senior Citizens Parliament and Age Action Ireland) are part of the Voluntary and Community Pillar in Social Partnership, and therefore have (tiny) influence in negotiating with government on national agreements, ageing is low on the political agenda. However, raising the profile of older people is not necessarily the same thing as improving policies. Including older people in our society requires us to address the major policy issues that affect them.

References

1. Anne Nolan and Brian Nolan, "Ireland's Health Care System: Some Issues and Challenges" in Tim Callan (ed.), *Budget Perspectives 2005*, Dublin: ESRI, 2004.
2. Christophehr T. Whelan et al, *Monitoring Poverty Trends in Ireland: Results from the 2001 Living in Ireland Survey*, Dublin: Economic and Social Research Institute, 2003, p. 12 and p. 28.
3. The weekly rate of payment for the Old Age Contributory Pension is currently €167.30, for the Old Age Non-Contributory Pension it is €154.
4. Garret FitzGerald, "Set Retirement Age Makes No Sense", 50+ (journal of Age Action Ireland), issue no. 5, 2003-2004, p. 16.
5. Christopher T. Whelan, op. cit., p. 28 and p. 30.
6. Ibid., p. 31.
7. The Equality Authority, *Implementing Equality for Older People*, Dublin: Equality Authority, 2002.
8. Eamon O'Shea, *Healthy Ageing in Ireland: Policy, Practice and Evaluation*, Dublin: National Council on Ageing and Older People, 2003 (Report No.77).
9. Comments at the launch of an anti-ageism campaign by the Equality Authority, the National Council on Ageing and Older People and the health boards, October 2004.
10. David Stratton, *The Housing Needs of Older People*, Dublin: Age Action Ireland, 2004.
11. *The Years Ahead ...A Policy for the Elderly*, Report of the Working Party on Services for the Elderly, Dublin: Stationery Office, 1998.
12. Central Statistics Office, *Census 2002*, Dublin: Stationery Office.
13. Comhairle, *Supporting Carers: A Social Policy Report*, Dublin: Comhairle, 2002.
14. Anne Nolan and Brian Nolan, op. cit.
15. Mercer Consultants, *Study to Examine the Future Financing of Long-Term Care in Ireland*, undertaken for the Department of Social and Family Affairs, Dublin: Stationery Office, 2002; Eamon O'Shea, *Review of the Nursing Home Subvention Scheme*, Dublin: 2002.
16. Helen Russell and Tony Fahey, *Ageing and Labour Market Participation*, Dublin: The Equality Authority, 2004 (Equality Research Series).
17. Ibid.
18. Public and Corporate Economic Consultants, *Labour Participation Rates of the Over 55's in Ireland*, A study for the Expert Group on Future Skills Needs and the National Competitiveness Council, Dublin: Forfas, 2001.
19. National Economic and Social Forum, *Equality Policies for Older People: Implementation*

Working Notes Issue 49 - The Garda Síochána Bill 2004

Issues, Dublin: National Economic and Social Forum, 2003 (Report no. 29).

20.National Economic and Social Forum, Labour Market Issues for Older Workers, Dublin: National Economic and Social Forum, 2003 (Report no. 26).

21.Helen Russell and Tony Fahey, op. cit.

*Paul Murray is Head of Communications with Age Action Ireland.

This article is based on a paper given in Armagh to the Centre for Cross Border Studies, June 2004.

Morris Tribunal Report and the Garda Síochána Bill 2004

on Thursday, 02 December 2004.

Peter McVerry SJ*

1. Morris Tribunal Report

The Morris Tribunal's Report into corruption involving some Gardai in Donegal (1) has major implications for the Garda Síochána generally. The Report calls for radical reform of the structures within the Gardai, structures which have remained essentially unchanged since the foundation of the State and which are clearly in need of reform. This is an opportunity which must not be missed.

The Tribunal's basic premise is that in any organisation with such a large number of employees or members, management must assume that a level of "fault, deceit, negligence and cover-up will occur" and manage accordingly. (2) Other organisations, such as the Church and political parties, have already, with great pain, had to face this reality and introduce changes in structures of management and accountability. The spotlight is now on the Gardai.

1.1 Corruption

The Morris Tribunal sought to establish where, in the local Donegal area, "fault, deceit, negligence and cover-up" occurred but Mr Justice Morris is clear that "the combination of corruption and negligence which characterised the relevant period in Co. Donegal could easily occur again under different circumstances but, obviously, in a different way." (3) In other words, this was not just a local problem. The Report notes that following the Tribunal's Opening Statement, by far the biggest response was from members of the public requesting that the Tribunal look into complaints of what they perceived to be improper Garda conduct which was outside the terms of reference of the Tribunal. The Report concludes:

"The Tribunal has sat through a year of evidence and read thousands of documents and, as a result, has come to the conclusion that An Garda Síochána is losing its character as a disciplined force....Ultimately, the gradual erosion of discipline within An Garda Síochána is a developing situation that will, sooner or later, lead to disaster." (4)

The Tribunal's conclusion could also be reached by an analysis of a litany of events within the Garda Síochána over the past decade. During this time, millions of euro have been paid out in compensation to those who were the victims of ill-treatment or abuse by the Gardai. Gardai have been found to lie in court, to cover up their own or their colleagues' wrongdoing, to tamper with or re-write statements to make them suit the prosecution. Their heavy-handed tactics have been videoed and shown on television, and they have resorted to oppressive methods to force confessions from persons in custody.

Working Notes Issue 49 - The Garda Síochána Bill 2004

1.2 Management Failure

The Report's focus is on the failure of management to "manage accordingly." Proper management, the Report says, would have uncovered the corruption within a short period of time. Senior management was grossly negligent and guilty of a shocking failure to manage. There was an abdication by senior officers of their duty to maintain the men and women under their command in good order and in the pursuit of standards based on truth. There was a neglect of the fundamental duty of police management to ask questions and get answers. In terms of line management, it was all too easy for Dublin-based Garda Headquarters to "be hoodwinked and misled" (5) by local officers, while the Department of Justice is "utterly isolated" from Garda Headquarters. (6) Again, the Report notes that this critique of management structures is not confined to Donegal but has significance for the whole force. The management structures in place for dealing with Co. Donegal were no different than those in respect of other counties.

"The Tribunal regards its recommendations, therefore, as being of as general import as it does its findings of fact." (7)

Again, the failure of management is evidenced not just by the events in Donegal. Some Gardai who are known to have perjured themselves in court, to have assaulted innocent members of the public, to have tampered with evidence, are still serving members of the force. What disciplinary action was taken against them was never made public and the perception exists, perhaps based on reality, that there was, in fact, none.

The failure of some members of the Gardai to account for their actions resulted in the internal Carty Report into events in Donegal failing to uncover the truth. This refusal to cooperate was also evident during the Tribunal which noted: "It is clear that members of An Garda Síochána adopted a thoroughly uncooperative manner with my investigators." (8)

The Report highlights the absurd situation that Gardai who fail to account for their actions are not in breach of any discipline! The Garda Representative Association supported this position on the grounds that no-one should be required to incriminate themselves, as is the case for all other members of the public.

However, the Morris Tribunal rejected this position on the grounds that the Garda Síochána cannot be compared to other organisations, as it, uniquely, has the authority to interact through force with the public. The enormous powers that the Gardai possess obliges them to account for their actions in a manner which preserves the integrity of that interaction.(9) The potential for real harm to people through the exercise of these powers is obvious and there is a clear need for responsible accounting. Failure or refusal by Gardai to account for their actions, should, in the opinion of the Tribunal, merit disciplinary action which could ultimately lead to dismissal. The Report explicitly notes the provisions of the Garda Síochána Bill 2004 to set up the Ombudsman Commission, but it is clear from the points made on this that the Tribunal does not believe the powers under the Bill will be adequate to rectify the situation. (10)

2. Garda Síochána Bill 2004

Working Notes Issue 49 - The Garda Síochána Bill 2004

Ireland's policing structures, having remained virtually unchanged since the foundation of the State, are now far removed from what is internationally recognised as best practice. In the light of the corruption and negligence being investigated by the Morris Tribunal, of growing disquiet at the revelations of criminal abuse by some Gardai which appear to go unchecked, consistent criticism of the ineffectiveness of the Garda Complaints Board even by members of the Board themselves, and polls which show a diminishing confidence in the Gardai, particularly - but not exclusively - among young people, the Minister for Justice, Equality and Law Reform is introducing significant changes to the structures of policing in Ireland through the Garda Síochána Bill 2004. (11) Minister McDowell has described the new Bill as a defining piece of legislation for his term of office. While the Bill is a huge improvement on the very feeble Bill proposed in 2003, it still leaves unaddressed issues of serious concern.

2.1 Ombudsman Commission

The Ombudsman Commission will be a three-person independent body with power to investigate complaints against members of the Gardai. (12) Why we need three highly- paid members to form a Commission, when the Ombudsman in Northern Ireland has proved, on her own, to be extremely efficient and independent, and is widely respected, has never been explained. Why the Commission members cannot be appointed by open competition rather than being Government appointees, has not been explained. The suspicion is left that it is more difficult for a three-person body, appointed by the Government, to be as embarrassingly critical of the authorities as the Northern Ireland Ombudsman has sometimes been.

Nevertheless, the powers of the Ombudsman Commission have been significantly increased from the 2003 version. In that earlier version, only the most serious complaints were to be investigated independently; all others would still involve Gardai investigating Gardai, which was one of the core defects of the old Complaints Board. The 2004 Bill proposes that the Commission will have the power to decide whether any particular complaint will be investigated by the Commission's own independent investigators or whether it is sufficiently minor to warrant being passed to the Garda Commissioner to investigate internally. Even in these situations, the Garda Commissioner will have to report to the Ombudsman Commission who will retain supervision of the investigation. The investigators will have the powers to arrest and detain Gardai under investigation, enter premises, seize documents and take bodily samples. The Ombudsman Commission can refer files to the Director of Public Prosecutions directly, without having to go through the Gardai.

In the earlier version, the Ombudsman Commission could only investigate possible offences if a complaint was made to it, except in very limited circumstances. Now, like the Northern Ireland Ombudsman, the Commission can undertake investigations even where no complaint has been made. For example, the media may highlight a possible offence but the person affected may not wish to make a complaint for whatever reason. The power to initiate investigations now lies with the Commission. However, it appears that the Commission will not have the power to investigate, of its own volition, "patterns of behaviour" or systemic corruption but will be confined to investigating individual complaints.

Working Notes Issue 49 - The Garda Síochána Bill 2004

While the proposed Ombudsman Commission is a major improvement on the previous version, it remains to be seen whether it will get sufficient resources to carry out the independent investigations which it deems necessary. If resources are limited, the Commission will be compelled to use the (free) services of the Garda Commissioner to investigate what may be, in fact, quite serious complaints against the Gardai.

It also remains to be seen who the members of this first Ombudsman Commission will be and if they can command public respect for their independence. For example, the appointment of a former Garda officer would kill the Ombudsman Commission before it even began work. The outcome of the first few complaints which the Commission will have to investigate will be closely watched to see if its credibility is real, its ability to get to the truth is proven and if the public can have reason to have confidence in its impartiality.

2.2 Garda Inspectorate

Alongside the Ombudsman Commission, which will investigate complaints against Gardai, the Minister for Justice in August 2004 announced plans "to establish a Garda Inspectorate" (13), which will review the practices, standards and performances within the Garda Síochána, in the light of comparable international policing standards. The Inspectorate will have nothing to do with taking prosecutions. It is an audit body designed to ensure a high standard of professional performance within the Garda Síochána and it will be staffed by civilians. It will report directly to the Government, through the Minister for Justice, Equality and Law Reform. It appears, however, that its reports will not be made public. (14) (In the UK, the reports of the equivalent body, Her Majesty's Inspectorate of Constabulary are available on the Home Office website.)

The need for a radical shake-up of existing controls and oversight mechanisms within the Gardai is beyond question. The Garda Síochána has long been very defensive about itself and slow to admit to serious structural and procedural problems within the force, and even slower to do anything about them. As already noted, the Morris Tribunal is highly critical of the failure of the structures of accountability within the Gardai in relation to the events in Donegal, and the inability of Garda Headquarters in Dublin, and of the Department of Justice, to even know, or find out, what was really going on. The Garda Inspectorate is intended to meet this need. It is designed to be the eyes and ears of the Minister and the Department of Justice. However, there are major concerns about the proposal for a Garda Inspectorate.

In Northern Ireland, the functions of an inspectorate are largely undertaken by the Policing Board. This is an independent body composed of members of the public drawn from a wide spectrum of interests. The Police Service of Northern Ireland is directly accountable to the Policing Board. In other words, the police are not under the direct control of Government.

In the Republic of Ireland, the Garda Síochána will continue to be directly under the control of the Government. This is the major difference between the proposed Garda Inspectorate and the Policing Board in Northern Ireland and the major cause for concern. It has to be noted that the difference between the police in Northern Ireland/UK and the Gardai in Ireland is that in the UK, the police are not responsible for the security of the State. This function belongs to totally separate

Working Notes Issue 49 - The Garda Síochána Bill 2004

security bodies, MI5 and MI6. In Ireland, the Gardai are responsible for both public order and the security of the State. This means that the Gardai have access to highly confidential information, which it would not be in the interests of the State to have divulged. While this structural situation exists, it may not be desirable to have an independent body, composed of members of the public, overseeing the Gardai. Nevertheless, the absence of an independent body to whom the Gardai are accountable is of major concern and the creation of a new arm of the security services to take responsibility for the security of the State would be highly desirable.

2.3 Accountability to the Minister

The Minister proposes a different structure of accountability. He is introducing local policing committees to be formed jointly with local authorities. (15) These committees will act as forums for discussion on policing matters in local areas, allowing input from local public representatives (though not apparently from community representatives) but they will have no powers of oversight in relation to Garda policy and practice. They are essentially talking shops which the Garda authorities can ignore.

The Minister also proposes to make the Garda Commissioner accountable to the Oireachtas through the Public Accounts Committee.(16) However, this accountability would extend only to the financial aspects of the Garda Síochána. Even if the Minister were to increase the remit of Oireachtas committees in relation to Garda accountability, it would remain unsatisfactory.

Oireachtas committees have not proved to be very effective in exerting accountability or bringing about change (with the notable exception of the Dirt Tax investigation) and, in the aftermath of the Supreme Court judgment that Oireachtas committees may not make findings of fact, or any findings detrimental to the reputation of any individual, the possibility of them exerting meaningful control is minimal.

In reality, the Minister is retaining full control of the Gardai and the Commissioner will continue to be directly accountable to him/her. This provides ample opportunity for political interference both in policing practice and in internal promotions. The days may be gone when a Garda, trying to enforce the drinking laws, raided a licenced premise only to find a Minister happily having an after-hours drink, and was offered the choice of having one himself or being transferred to the back of beyond. However, the Minister retains broad discretionary powers in relation to the operation of the Garda Síochána. (Ray Burke was Minister for Justice when the Gardai were investigating planning corruption in Dublin!).

It may be recalled that a Fianna Fáil Government appointed the late Judge Barra O'Briain to investigate the activities of the "Heavy Gang" in the mid-1970s. He produced a report with detailed recommendations, ranging from the appointment of a "custodial guardian" in each Garda Station to the provision of audio tape-recording facilities for use during questioning. Thirty years and a succession of different Governments later, not a single one of his recommendations has been implemented, apart from the very recent installation of video-recorders in some Garda stations. His recommendations would have reduced considerably the reasons for many of the complaints made against Gardai in recent times and might have stemmed the loss of confidence in the Gardai by the

Working Notes Issue 49 - The Garda Síochána Bill 2004

public. A series of high profile cases, from the Kerry Babies case to the Dean Lyons case, which raised serious public concerns about the policies and procedures of Garda investigations, met with a total lack of political response.

We need an efficient, transparent police force working to the best internationally-recognised standards but that is incompatible with a police force that is compliant, responsive and amenable to political pressures. Irish politicians seem unwilling to let go of control. The Minister has stated that "putting in a new layer of insulation between the Department of Justice and the Garda force would be, in my view, a retrograde step."

The relationship between the Gardai and local communities, particularly in working class suburbs and inner city areas, is problematic and in these areas, at least, confidence in the Gardai has waned, particularly among the group whom the Gardai are most likely to encounter, young males. The failure to establish community structures which would have a degree of control over Garda policy is a missed opportunity. The proposed Garda Inspectorate consolidates political control over the Gardai.

There is a need for a body outside the Department of Justice to which the Garda Síochána would be accountable, and which would monitor Garda performance. Structures that would make the Gardai accountable to the people, and not only to the Minister for Justice, are required, as is the situation in most police forces today around the world.

3. A Unique Opportunity

The Garda Síochána Bill 2004 was introduced as "a radical and far reaching modernisation charter for An Garda Síochána" . (17) As the first serious legislative effort at reform of policing structures in over a century, the establishment of an independent Ombudsman Commission and a Garda Inspectorate is very much to be welcomed.

However, it is important that this reform be as thorough as possible, as it may be a long time before a similar opportunity is again available. The detail, therefore, which is still to be announced, is of critical importance.

We would recommend that the following areas of the proposed legislation be reviewed:

Garda Síochána Bill 2004, Part 3 - Establishment and Functions of the Ombudsman Commission (Sections 56-73)

(i) It needs to be questioned whether an individual Ombudsman role, as Nuala O'Loan has in Northern Ireland, would be more effective both in terms of costs and decision-making capacity than the proposed three-person model.

(ii) The Ombudsman Commission needs to be sufficiently resourced to carry out investigations which it deems necessary. The alternative will be a reversion to using Garda resources to investigate what may be serious complaints against Gardai.

Working Notes Issue 49 - The Garda Síochána Bill 2004

(iii) The perceived independence of the Ombudsman Commission will be irreparably damaged if any of the members appointed are former Garda officers.

The Proposed Garda Inspectorate

While we await the full detail of this proposal, there are a number of elements that are necessary to achieve an efficient, transparent police force working to best internationally recognised standards.

(i) Reports of the proposed Inspectorate should be publicly available, as is the case in the UK.

(ii) There is a need to loosen political control over the Gardai. This could be achieved through the proposed Garda Inspectorate being made publicly accountable to a body outside the Department of Justice.

Garda Síochána Bill 2004, Chapter 5 - Accountability (Sections 35-40)

The Morris Tribunal states that "all members of An Garda Síochána must be obliged to account truthfully for their duties" (18) and failure or refusal to do so should merit disciplinary action, possibly leading to dismissal. It explicitly notes that the proposals in the Garda Síochána Bill 2004 will not adequately rectify the current deficiencies.

Finally, the relationship between the Gardai and some local communities has deteriorated over the years. There is an opportunity to rebuild confidence in that relationship by establishing community structures which would have a degree of control over Garda policy.

*Peter McVerry SJ has worked with homeless young people for over 25 years

References

1. Report of the Tribunal of Inquiry Set up Pursuant to the Tribunal of Inquiry (Evidence) Acts 1921-2002 into Certain Gardai in the Donegal Division, (Chairman: Judge Frederick R. Morris), Report on Explosives 'Finds' in Donegal, Dublin, 2004.
2. Ibid., p. 457.
3. Ibid., p. 453.
4. Ibid., p. 490.
5. Ibid., p. 455.
6. Ibid., p. 454.
7. Ibid., p. 454.
8. Ibid., p. 491.
9. Ibid., p. 492.
10. "An impression may have been created during the course of the hearings of the Tribunal that this situation is in the course of rectification by virtue of the Garda Síochána Bill 2004." (p. 495)
11. Garda Síochána Bill 2004, Dublin: Stationery Office, 2004.
12. Ibid., Part 3 - "Establishment and Functions of Garda Síochána Ombudsman Commission" (Sections 56-73).

Working Notes Issue 49 - The Garda Síochána Bill 2004

13. "McDowell Announces Plan for Garda Inspectorate", The Irish Times, 5 August 2004.
14. "A sensible idea, but new body must show resolve", The Irish Times, 6 August 2004.
15. Garda Síochána Bill 2004, Chapter 4 - "Co-operation with Local Authorities and Arrangements for Obtaining Views of the Public" (Sections 30-34).
16. Garda Síochána Bill 2004, Chapter 5 - "Accountability", (Sections 35-40).
17. "McDowell Publishes Garda Síochána Bill 2004", available on www.justice.ie.
18. Report of the Tribunal of Inquiry, *op. cit.*, p. 513.

Getting to Grips with Ireland's Alcohol Problems

on Thursday, 02 December 2004.

*Margaret Burns**



Recent months have seen the publication of two important reports on alcohol in Irish society - the Report on Alcohol Misuse by Young People, issued by the Oireachtas Joint Committee on Health and Children in June 2004, and the Second Report of the Strategic Task Force on Alcohol, which was published in September. (1) These documents provide a wealth of information and analysis on the topic of alcohol in Ireland today and put forward a range of recommendations. They merit serious consideration by all concerned about health and social well-being in the newly-prosperous Ireland.

The opening chapters of the Strategic Task Force Report, in particular, present a truly alarming picture of the way alcohol is now used in our society. They highlight both our exceedingly high level of alcohol consumption, with Ireland having the highest per capita consumption of all the main countries in the EU, and the price which Irish society is now paying for the misuse of alcohol.

Consumption

Irish alcohol consumption is summed up in the Task Force's comment: "Ireland continues to be amongst the highest consumers of alcohol in the world." (2) In 2001, of the twenty-five countries now in the EU, Ireland ranked second to Luxembourg with a consumption of 12 litres of alcohol per head of population per annum, as against 14.4 for Luxembourg and, at the other end of the scale, less than 6 for Sweden and Malta.(3)

A truer picture of the level of consumption is obtained by looking at intake for those aged fifteen and over: in 2001 this was 14.4 litres of pure alcohol. By 2003, consumption had fallen to 13.5 litres, the first time in sixteen years there had been a decline. (4)

In reality, the average consumption per drinker is higher than these figures would indicate, since it is the case that a significant part of the Irish adult population (around 23%) does not drink at all.

Working Notes Issue 49 - The Garda Síochána Bill 2004

The Task Force Report makes clear that cause for concern relates not just to the overall consumption of alcohol among those who drink but to the pattern of drinking - the frequency of drinking and amount consumed on any one occasion. A 2002 study of a number of European countries showed that: "Ireland had the highest reported consumption per drinker and the highest level of binge drinking". (5) Contrary to popular perception that binge drinking is the preserve of the young, the study showed that among men in the age group 50-64, 60 out of 100 drinking occasions ended up in binge drinking, a figure not very much lower than that for men aged 18-29, for whom it was 65 out of 100 occasions. Overall among men, 58 of every 100 drinking occasions were of binge drinking. Among women, 30 out of 100 occasions were ones where they binge drank; again this pattern was not confined to younger women, with the incidence among women aged 50-64 almost as high as that for women aged 18-29. (6)

These findings are consistent with the findings of The National Health and Lifestyles Surveys of 2002 which showed that 30% of males and 22% of females reported consuming over the recommended limit for 'safe' consumption - that is, 21 standard drinks for men and 14 for women per week. Again, risky levels of consumption were not confined to younger people: among men aged 18-34 years, 37% were drinking in excess of the recommended weekly allowance, for men aged 55 and over, the figure was 27%. (7)

Although in law young people under eighteen are not permitted to drink in public and are only permitted to drink in their home with the express permission of their parent or guardian, the 2002 Lifestyle Survey showed that only 13% of boys and 18% of girls aged 15-17 had never had a drink. (8) 25% of both boys and girls in this study reported they had had a drink in the previous month; among 15-17 year olds, the figures rose to 54% of boys and 48% of girls. (9)

Around 30% of both boys and girls reported having been "really drunk" . Among boys aged 12-14 this was around 19% and among those aged 15 to 17 it was as high as 60%. For girls aged 12-14, the figure was 14% and for 15 to 17 year olds it was 54%. 12% of boys and girls aged 15 to 17 reported being drunk on more than ten occasions. (10)

The Vintners' Federation of Ireland concluded its submission to the Oireachtas Joint Committee with the comment: "Thousands enjoy - few abuse". (11) The findings of the studies on drinking patterns of Irish adults and young people do not substantiate that claim.

Expenditure

In 1995, Ireland spent the equivalent of nearly 3.3 billion euro of personal income on alcohol. By 2002, expenditure had risen to nearly 6 billion euro, representing 1,942 euro for every person over 15 years. The Household Budget Survey 1999-2000 revealed that, on average, weekly expenditure on alcohol represented 5.5% of total household spending. (12)

'The Price of Drink'

Working Notes Issue 49 - The Garda Síochána Bill 2004

Both Reports also draw attention to the price which Irish society is paying for the misuse of alcohol in terms of alcohol-related mortality and morbidity, public disorder offences, family problems, loss of economic productivity.

In relation to health, the Task Force Report notes the finding of the 'Global Burden of Disease' study, undertaken on behalf of the World Health Organisation and the World Bank, that alcohol is the third most detrimental risk factor relating to ill health and premature death in Europe, with only tobacco and high blood pressure more serious. "Alcohol was a more important risk factor than high cholesterol and being overweight; three times more important than physical inactivity and five times more important than illicit drugs." (13) Given Irish levels and patterns of drinking, this is a finding of striking significance.

The Report assembles the evidence of the impact of alcohol misuse on the health status of people in Ireland. Between 1992 and 2002, a period when alcohol consumption increased by 37%, there was an increase, in some instances a very marked increase, in deaths from five of the main conditions directly attributable to or associated with alcohol misuse. Over this period, 14,223 people died from these conditions - alcohol acute conditions (alcohol poisoning); alcohol chronic conditions (alcohol dependency and psychosis), cancers related to alcohol, chronic liver conditions, suicide. The increase in mortality for these conditions occurred in the context of a decrease in the overall mortality rate and in the mortality rate for cancers in general. (14)

In 2002, alcohol was a factor in 42% of all cases of parasuicide; in that year also 37% of all deaths from drowning were alcohol related. Alcoholic disorder was the second highest cause for admissions to psychiatric hospital for males and the fourth highest for females. There has been growing public health concern about the possible effects of alcohol on foetal development, yet a recent study of women attending one Irish maternity hospital showed that 85% continued to drink during pregnancy. (15)

Alcohol is estimated to be involved in 40% of road deaths and at least 30% of all road accidents in Ireland. While the overall number of deaths and injuries from road accidents decreased in 2002 from the previous year, the number killed or injured between 9 pm and 4 am, the time most associated with drinking and driving, in fact increased. (16)

Both the Task Force and the Oireachtas Committee draw attention to scientific and medical evidence of the harmful effects of drinking on the developing brains of adolescents. Alcohol can seriously damage two key brain areas that are undergoing dramatic changes in adolescence with consequences for memory and learning and for the formation of adult personality and behaviour. The negative effects on memory and learning of alcohol are far greater for adolescents than for adults: "Adolescents need only drink half as much to suffer the same negative effects". (17)

Furthermore, children who begin drinking before 15 and young people who drink heavily during later teenage years are significantly more likely to have drinking problems in later life than those who begin drinking at twenty-one. (18)

Another dimension of alcohol misuse in Ireland is the role it plays in generating public order

Working Notes Issue 49 - The Garda Síochána Bill 2004

offences. According to a National Crime Council study, cited by the Task Force, alcohol is 'the primary factor' in these offences, which increased by 161% between 1996 and 2001. In 2002, there were 22,701 offences among adults relating to 'intoxication in a public place' (an increase of 27% on the previous year), and a further 1,898 among juveniles. However, the full extent of public order incidents is not reflected in official figures, as is indicated by the fact that over half the public order incidents observed in the National Crime Council study were dealt with informally by the Gardai. (19)

Both Reports draw attention to a range of other damaging consequences of alcohol misuse for which there are no firm statistical data as to their incidence. However, two studies in 2002 on Irish drinking patterns which allowed respondents to 'self-report' negative consequences of their drinking showed that significant percentages acknowledged that alcohol was negatively impacting on areas of their life such as work, studies, marriage, family, health, finances, relationships with friends, involvement in fights and accidents.

Young men (18-29 age group) experienced the highest incidence of 'acute' harm, such as getting into fights because of alcohol (16.1%) or having their work or study negatively affected by their drinking (19.5%). Older men, particularly the 50-64 age group, reported higher levels of chronic harm - damage to health (20.2%) and to homelife/marriage (12.8%).(20)

The Strategic Task Force estimates the financial cost of alcohol-related harm in Ireland as 2.65 billion euro in 2003, equivalent to 2.6% of GNP. This estimate relates to health care costs (433m.); road accident costs (322m.); alcohol-related crime (147.5m.); loss of output (1,050m.); alcohol-related transfer payments (523.3m.); taxes foregone due to lost output (210m.). The 2003 total represents an increase of 12% on an estimate of 2.36 billion calculated for 2001. The Task Force says that these estimates "err on the side of caution and if more comprehensive data were available the figure could be considerably higher." (21) Such estimates cannot reflect other damage that may not be quantifiable in monetary terms but is of enormous significance: the unfulfilled hopes and ambitions of people; the unrealised educational and work potential; the financial cost to individuals and families; the damage to children in both the short and the long term of a parent's drinking; domestic violence; the manifold damages to relationships with friends and family - costs borne by the person who abuses alcohol and the other people directly affected.

Recommendations

The Strategic Task Force makes, in all, seventy-eight recommendations; the Oireachtas Committee a total of twenty-four. There is some overlap in the recommendations from the two bodies, but also a few significant differences.

A key set of recommendations by the Task Force relates to further curtailment of access to alcohol, through, on the one hand, raising alcohol taxes and, on the other, regulating more tightly the physical availability of alcohol - by means of additional controls to prevent the consumption of alcohol by those under eighteen, and better enforcement of existing measures and by restricting any further increase in the number of outlets and times of sales. It makes these recommendations on the grounds that international research shows clearly that raising alcohol taxes and regulating physical availability "are among the most effective policy measures that influence alcohol consumption and

Working Notes Issue 49 - The Garda Síochána Bill 2004

related harm". (22) The Oireachtas Committee recommends a significant increase (of between 50% and 100%) in excise duty on pre-mixed, ready-to-drink spirits. It also argues that "every effort should be made" to have alcohol (as well as tobacco) removed from the Consumer Price Index as soon as possible. (23)

Another set of the Task Force recommendations focuses on "enhancing society's capacity to respond to alcohol related harm." The Report speaks of 'community mobilisation', which it describes as "an approach that aims to increase public awareness of the particular alcohol problems in a community...and to gain public support for policies directed at preventing or reducing the problem" and which it sees as an important complement to national policies. It draws attention to possible initiatives at community level, some of which have already been undertaken in Ireland, and calls for the extension of these. (24)

It says too that education and training in regard to alcohol issues should be provided for the wide range of professionals, in both the statutory and voluntary sectors, who may encounter alcohol-related problems in the course of their work - health professionals, educators at all levels, Gardai, judiciary, youth leaders, coaches, sports managers. (25)

An important proposal which could potentially produce some interesting initiatives is that there should be further progress at both national and local level in establishing structures and mechanisms to ensure that children's and young people's voices are represented in the development of services. (26)

In its relation to the promotion of 'alcohol free alternatives', the Task Force says that these have not been shown to be effective "as a single strategy" but are useful when combined with other community-based approaches. (27) The Report urges increased investment in the development of alcohol free venues (citing the success of a number of such initiatives), and increased resources too for sporting and other recreational facilities. In addition, it says that there should be an investigation into why non-alcoholic drinks are so expensive, given they are not subject to excise duty. (28) On this issue, the Oireachtas Committee takes the position that there should be price control on soft drinks sold in licensed premises. (29)

It might be noted that the discussion of 'alcohol free alternatives' is limited to provision for young people, with no reference to facilities for adults. In this context, it is worth noting one of the outcomes of an initiative of Barnardos, the children's charity, when, as part of its campaign to raise awareness of the impact of alcohol on children, it asked TDs and Senators if they would 'sign a pledge' that they would not be photographed with alcohol, or at the opening of a pub or off-license, or hold their 'constituency clinic' in a licenced premises. Several members of the Oireachtas replied that while they would be happy to sign up to the first two commitments, they were unable to agree to the third because there was no alternative location for their clinic. This is indeed revealing of paucity of facilities in many parts of the country.

On public education regarding alcohol, the Oireachas Committee urges a 'hardcore' advertising campaign to make parents and young people aware of the short and long term dangers of binge drinking. (30) The Task Force Report has a series of recommendation in regard to education about

Working Notes Issue 49 - The Garda Síochána Bill 2004

alcohol through a variety of structures and settings. It also calls for the introduction of a health warning label on all alcohol products.(31) However, it issues a 'health warning' of its own concerning the limitations of information and education programmes, saying that while these "can influence beliefs and attitudes about alcohol", international research shows it is a mistaken expectation to think that they will reduce drinking or related harm. These programmes should not therefore be 'the lead strategy' in alcohol policy but part of a multi-layered approach. (32)

The Task Force recommendations also cover treatment services. Noting the importance of early intervention in the treatment of alcohol problems, the Report highlights the importance of primary care services, Accident and Emergency departments, health clinics, and workplace health services being able to recognise signs of alcohol problems and respond appropriately. Furthermore, it calls for the expansion and improvement of specialist treatment services throughout the country. (33)

On the question of the advertising of alcohol, the Oireachtas Committee recommends: "A complete ban to be imposed on all alcohol advertising within a three year period and a complete ban on acknowledgement or credit, including the use of logos on labels, for sponsorship of sports events, clubs or teams, that cater for members under 25 years of age, by any area of the alcoholic drinks industry." (34) In contrast, the Task Force says merely that it is necessary to: "Ensure the proposed legislation to reduce the exposure of children to alcohol advertising, sponsorship and promotions is enacted without delay." (35)

It needs to be asked just how effective will be legislation that aims only to restrict advertising directed at children given the evidence that children are in fact exposed to advertising that is supposedly primarily directed towards adults. Research conducted by the Broadcasting Commission of Ireland, as part of the development of a Code of Advertising for Children's Advertising, revealed that children's television viewing included programmes that most people would think of as aimed at adults. The Report on the Impact of Alcohol Advertising on Teenagers in Ireland showed that for the young people interviewed, alcohol had a high appeal, being considered stylish, humorous, action-filled and including music that was popular. Alcohol advertising was perceived as promoting a desirable lifestyle, and as helping to improve confidence and social skills. (36)

Responding to the Oireachtas Committee's recommendation on advertising, a spokesperson for the Department of Health and Children said that an outright ban was not planned and noted that such a ban would be contrary to EU law on the free movement of goods and services. (37) However, judgments of the European Court of Justice in July 2004, in relation to cases taken against the French Government's restrictions on alcohol advertising, suggest that the EU position may not be as clear-cut as is claimed by the Irish Government. (38)

Finally, regarding the implementation of policy, the Oireachtas Committee proposes the establishment of a National Alcohol Control Centre, under the aegis of the Department of Health and Children, "to advise on alcohol control measures" and to "monitor and co-ordinate the implementation of measures" in relation to alcohol. (39) Meanwhile, the Task Force proposes the establishment of an Independent Research and Monitoring Unit. The work of this Unit would focus on research - into consumption levels, attitudes, behaviours, the effects of alcohol on the population - and on evaluation of selected alcohol initiatives. (40) On first sight, at least, this would appear

Working Notes Issue 49 - The Garda Síochána Bill 2004

to be potentially a much weaker body than the Alcohol Control Centre envisaged by the Oireachtas Committee.

Conclusions

It was to be expected that Ireland's previously low level (by international standards) of alcohol consumption would alter as a result of the rise in personal incomes, the changed role of women in Irish society, the rise in the disposable income of young people, much of it generated by part-time work, and the fact that the long-standing high incidence of total abstinence was unlikely to continue with the coming of prosperity and a greater secularisation of Irish society.

However, it needs to be asked why the increased consumption should have been characterised by such dysfunctional levels and patterns of drinking? Has prosperity merely allowed unhealthy attitudes and behaviours to surface more strongly? Is it an indication of a deep spiritual malaise within Irish society? Is it indicative of an impoverished culture that has been unable to generate more diverse and healthier ways for people to enjoy their leisure time? (In this context it worth reminding ourselves that Irish people are not only better-off financially but are, in general, and particularly among the younger generations, better-educated the ever before. Yet our greatly improved access to formal education seems to have little effect on drinking habits, with studies showing that the better educated, especially among the young, are no less prone to misusing alcohol.)

Whatever the underlying causes, it is clear that there is now a culture prevalent across many sectors of Irish society that condones unhealthy and harmful patterns of drinking. Changing that culture is a formidable challenge.

As Micheal Martin TD, the then Minister for Health and Children, said at the launch of the Report of the Strategic Task Force there is "a huge task ahead of us" to bring about the much-needed change in relation to alcohol.(40)

The responsibility for developing a healthy and mature approach to the use of alcohol rests ultimately with individuals but, as the two recently-published reports make clear, individual attitudes and behaviours are shaped by social context. Both reports rightly draw attention to a range of agencies in society that can serve to bring about more responsible behaviour - parents, schools, youth organisations, workplaces, community organisations, local authorities, the drinks industry itself.

It is notable that neither report gives prominence to the potential role of the Churches. But, clearly, there is much in both the analyses and recommendations which these documents present that would merit serious attention by Church leaders and members.

However, there is no escaping the crucial role which Government must play. This Government has given a world lead in another area of public health, in the shape of total ban on smoking in the workplace. However, the goal in relation to smoking is unambiguous - to encourage people to give up. In relation to alcohol, it is more complex and nuanced: as the 1996 National Alcohol Policy puts it, the goal is: "encouraging moderation, for those who do drink, and reducing the prevalence of alcohol-related problems in Ireland. (42)

Working Notes Issue 49 - The Garda Síochána Bill 2004

Government commitment to promoting moderation and responsibility, in line with the National Alcohol Policy, has been reiterated in a number of Strategy documents issued during the past eight years. (43) Several positive developments have taken place and the inclusion of alcohol as a 'Special Initiative' under Sustaining Progress, Social Partnership Agreement 2003-2005, and the establishment of an Inter-departmental Group with responsibility for coordinating measures, are to be welcomed. (44) Yet there is an inescapable sense that there has been nowhere near a heartfelt and resolute commitment to concerted action across a range of areas. Whether that is because Government has not been sufficiently persuaded of the seriousness of the situation, or whether it is because it is unwilling to confront powerful vested interests - be they the drinks industry or the large part of the Irish population that indulges in or tolerates the excessive consumption of alcohol - is a matter of debate.

The 'huge task' referred to by the former Minister for Health has faced Irish society for over a decade - but it has actually become greater over that period. One clearly needed measure is the establishment of a National Office which would be given a strong remit and adequate resources not just to 'undertake research', or to 'evaluate' or 'monitor' but to actually ensure that the range of measures that are needed to get to grips with Ireland's alcohol problems are actually implemented.

Otherwise, we may well find ourselves in another eight years, still wringing our hands about alcohol abuse and its consequences, still topping the EU league for consumption, still indulging in periodic outbursts of hysteria about alcohol abuse, mainly, of course, by the young, still talking about the need 'to do something' - and still not doing it. Our new Minister for Health and Children and her colleagues in Government do indeed face a 'huge task' in responding adequately to the challenges posed by the findings and recommendations of these two reports.

*Margaret Burns is Social Policy Officer with the Jesuit Centre for Faith and Justice

References

1. Strategic Task Force on Alcohol, Second Report, Dublin: Health Promotion Unit, Department of Health and Children, 2004; Houses of the Oireachtas, Joint Committee on Health and Children, Report on Alcohol Misuse by Young People, Dublin: Stationery Office, 2004. The membership of the Strategic Task Force included representatives of government departments, the Gardai, health services, other state agencies, voluntary organisations, the drinks industry. The Oireachtas Joint Committee was chaired by Batt O'Keeffe, TD.
2. Strategic Task Force on Alcohol, op.cit., p. 6.
3. Ibid., p. 6.
4. Ibid., p. 7
5. In this study, binge drinking was defined, "conservatively" in the view of the Task Force, as drinking at least one bottle of wine, or seven measures of spirits, or four pints of beer, on a single drinking occasion. The countries studied were: Finland, France, Germany, Ireland, Italy, Sweden and the UK.

Working Notes Issue 49 - The Garda Síochána Bill 2004

6. Strategic Task Force on Alcohol, op. cit., p. 55.
7. The National Health and Lifestyle Surveys, Dublin: Health Promotion Unit, Department of Health and Children/ Dublin: Department of Public Health Medicine and Epidemiology, UCD/ Galway: Centre for Health Promotion Studies, NUI Galway, 2003, p. 31.
8. Ibid., pp. 31-32.
9. Ibid., pp. 32-33.
10. Ibid., pp.33-34.
11. Oireachtas Joint Committee on Health and Children, op. cit., Appendix 11.
12. Strategic Task Force on Alcohol, op. cit., p. 12.
13. Ibid., p. 14.
14. Ibid., p. 15.
15. Ibid., pp. 15-16.
16. Ibid., p. 17.
17. Oireachtas Joint Committee on Health and Children, op. cit., Appendix 2.
18. Ibid., Appendix 2 and Strategic Task Force on Alcohol, op.cit., p. 36.
19. Strategic Task Force on Alcohol, op. cit., p. 18.
20. Mats Ramstedt and Ann Hope, "Summary of Irish Drinking Habits of 2002: Drinking and Drinking-Related Harm in a European Comparative Perspective", Strategic Task Force on Alcohol, op.cit., Annex 4, p. 55.
21. Ibid., p. 20.
22. Ibid., p. 30.
23. Oireachtas Joint Committee on Health and Children, op. cit., p. 41.
24. Strategic Task Force on Alcohol, op. cit., pp. 32-3.
25. Ibid., pp. 33-4.
26. Ibid., pp. 34-5. This is line with one of the National Goals of the National Children's Strategy, "Children will have a voice in matters which affect them and their views will be given due weight in accordance with their age and maturity". (The National Children's Strategy: Our Children - their Lives, Dublin: Stationery Office, 2000, p. 30)
27. Strategic Task Force on Alcohol, op. cit., p. 35.
28. Ibid., p. 36.
29. Oireachtas Joint Committee on Health and Children, op. cit., p. 41.
30. Ibid. p. 42.
31. Strategic Task Force on Alcohol, op. cit., p. 38.
32. Ibid., pp. 38-9.
33. Ibid., pp.40-1.
34. Oireachtas Joint Committee on Health and Children, op. cit., p. 43.
35. Strategic Task Force on Alcohol, op. cit., p. 31.
36. Cindy Dring and Ann Hope, The Impact of Alcohol Advertising on Teenagers in Ireland, Dublin: Health Promotion Unit, Department of Health and Children, 2001.
37. "Proposal to Ban Alcohol Adverts is Ruled Out", The Irish Times, 16 June 2004.
38. Judgments of the European Court of Justice, C-429/02 and C-262/02 (www.europa.eu.int/jurisp).

Working Notes Issue 49 - The Garda Síochána Bill 2004

39. Oireachtas Joint Committee on Health and Children, op. cit., p. 39.

40. www.doh.ie.

41. Strategic Task Force on Alcohol, op. cit., p. 42.

42. Department of Health, National Alcohol Policy, Dublin: Stationery Office, 1996, p. 26.

43. For example, The National Health Promotion Strategy, 2000-2005 (2000); Quality and Fairness: National Health Strategy (2001); The National Children's Strategy (2000). Even prior to the publication of the National Alcohol Policy the aim of promoting healthier drinking was set out in the first National Health Strategy, Shaping a Healthier Future (1994).

44. Sustaining Progress, Social Partnership Agreement 2003-2005, Dublin Stationery Office, 2003; Department of the Taoiseach, Sustaining Progress 2003-2005: Progress Report on Special Initiatives, Dublin: Stationery Office, 2004.