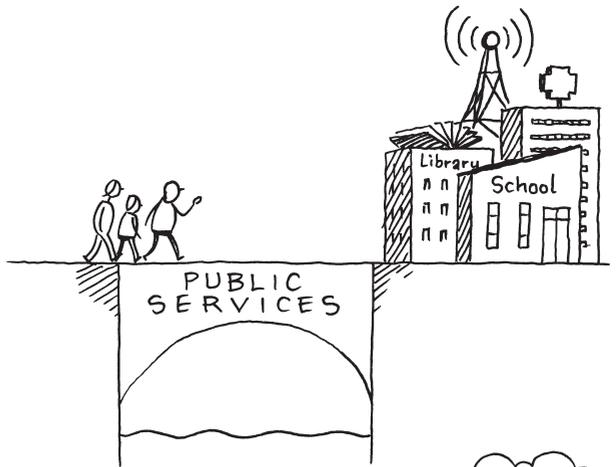


# Chapter 9

## Other Public Services

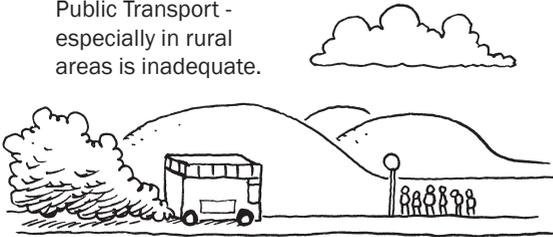
### Core Policy Objective:

To ensure the provision of, and access to, a level of public services regarded as acceptable by Irish society generally.

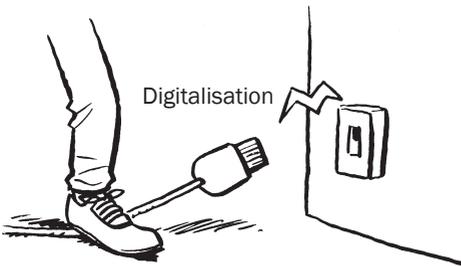


### Key Issues/Evidence/Policies

Public Transport - especially in rural areas is inadequate.



Access to Financial Services - many people are excluded.



Sports and recreation facilities



Extending library opening hours



Funding for civil legal aid and free legal services

## 9.

## OTHER PUBLIC SERVICES

## CORE POLICY OBJECTIVE: PUBLIC SERVICES

To ensure the provision of, and access to, a level of public services regarded as acceptable by Irish society generally

This chapter looks at public services in a range of areas not addressed elsewhere in the Review.

These include public transport, childcare, library services, financial services, information and communications technology, free legal aid, sports and recreational facilities and regulation.

In the context of the objective of providing ‘Decent Services and Infrastructure’ – a core pillar of *Social Justice Ireland’s* proposed Policy Framework for a Just Society - Government, in addition to proposals contained in earlier chapters, must also:

- Increase the provision of public transport in rural areas and provide greater investment in sustainable transport and biofuels.
- Develop a multiannual investment strategy of €150m per annum in early childhood education and care and after-school care up to 2021
- Track levels of financial exclusion and build and monitor policies and practices aimed at eliminating it in its entirety by 2020.
- Develop programmes to enable all internet users to critically analyse information and to become “savvy, safe surfers” and a grants scheme to support low income and vulnerable households to purchase ICT equipment needed to access public services on implementation of the National Digital Strategy.
- Ensure connectivity to affordable high speed broadband access right across the country.
- Ensure that the Legal Aid Board is adequately funded so that people in the court system are guaranteed equality of access to justice.

- Increase funding to encourage sports participation and active lifestyle programmes.
- Ring-fence revenue gained through the sweetened drinks tax to fund sport and recreational facilities and services.
- Improve transparency and accessibility of lobbying activity by the general public.

### ***Context – The Privatisation of Public Services***

The Irish Government has increasingly looked to private enterprise to provide public services and basic needs. The formation of public private partnerships (PPPs) to build schools, roads and houses; the outsourcing of healthcare services to consultancy firms and the privatisation of utilities has gutted public services and created a quality-chasm between the public and private sector, where competition trumps the consumer and ‘efficiency’ is valued over efficacy.

## **Key Evidence**

### ***Public Transport***

According to the National Travel Survey 2016 (CSO, 2017), 74.3 per cent of all journeys taken in 2016 were by private car (as driver or passenger), whereas public transport accounted for just 5.5 per cent of all journeys. Those in densely populated areas were less likely to use a car than those in thinly populated areas, with private cars accounting for 65 per cent of all journeys in urbanised areas, compared to 75.9 per cent in thinly populated areas and public transport was used over three times as much in densely populated areas. This may be explained by the greater availability of public transport in more densely populated areas, while thinly populated areas are reliant on private car use. This report also showed that the proportion of potential travellers who did not travel due to lack of access to transport doubled in the period 2014 to 2016, from 1.8 per cent to 3.6 per cent.

The Transport Omnibus 2017 (CSO, 2018) showed an overall increase in passengers on public transport between 2010 and 2017, from 198.5 million to 217.6 million. However, while passenger numbers increased in Dublin city and Provincial city and town services, numbers on ‘other scheduled services’ and school transport schemes have declined (Table 9.1).

In addition to the 139 million bus passengers in Dublin city, over 37.6 million passengers used the two Luas lines in 2017 and a further 32.6 million passengers used the Dublin suburban rail and DART services. Mainline and other services and international journeys accounted for a further 23 million passengers across the rest of the country.

**Table 9.1: Summary of Scheduled Bus Passenger Services 2010 to 2017**

	2010 (,000)	2017 (,000)	% Change 2010-2017
Dublin city services	118,977	138,978	+16.8
Provincial city and town services	16,620	20,178	+21.4
Other scheduled services	20,640	17,683	-14.3
School Transport Scheme	42,327	40,766	-3.7

Source: CSO, Transport Omnibus 2017, extracted from Table 8.1

The recently developed bicycle sharing scheme in Dublin saw 4.1 million journeys undertaken in 2017, a reduction of 350,000 on the previous year. Similar schemes in Cork, Galway and Limerick reported journey numbers of 281,266, 23,758, and 32,481 respectively.

In July 2018, the Irish Government Economic and Evaluation Service (IGEES) prepared a report for the Department of Transport, Tourism and Sport on Transport Trends (IGEES, 2018). This report, primarily based on data for 2016/2017, indicated that 16.3 million additional passengers used the four main State operators in 2017 than in 2016, an increase of 7 per cent. It found that travel was a ‘major element of consumer spending costing the average Irish household €2,300 a year in 2015’, higher than the EU average, but accounting for the same proportion of household expenditure (13 per cent).

Traffic congestion due to our reliance on private cars contributes to our carbon footprint, adds to our commute times and reduces our quality of life. According to the IGEES report, commute times increased between 2011 and 2016 with commuters in the counties bordering Dublin experiencing the longest average commute. Trips inside Dublin tend to be shorter than those outside, but take longer. In Dublin 21 per cent of commuters use public transport, compared to just 2 per cent in rural areas. Walking to work has also declined from a high of 15.2 per cent in 1986 to 3 per cent in 2016. A profile of the emissions share by transport sector showed road transport attributed 76 per cent of all transport emissions in 2015, higher than the EU average of 73 per cent. Government expenditure on public transport as a percentage of total land transport expenditure has fluctuated since 2002, reaching a low of 30 per cent in 2006. In 2018, the proportion attributed to public transport was 44 per cent in 2018, a reduction of 1 percentage point on 2017. Just 0.3 per cent was allocated for sustainable transport (IGEES, 2018).

The lack of reliable public transport in rural areas means that rural households are more reliant on their car to access basic services and community to and from work and school. This reliance is contributing to our carbon footprint, with Transport being one of three main contributing industries. In order to combat the effects of climate change, Government will need to introduce a carbon tax. In terms of transport, this will disproportionately affect rural households and must be

mitigated through the development of a transition plan, which should include an ambitious target for sustainable transport and the use of biofuels.

More must be done to promote the use of public transport. Infrastructure must be in place to support thinly populated areas to grow and thrive, while those living in Dublin and surrounds, with access to an extensive public transport network, should be encouraged and incentivised to use it.

### *Childcare and After-school Care*

#### *Childcare Reliance*

The provision of quality, affordable, accessible childcare for working parents is essential, particularly for families who have moved away from their home towns and counties, and familial support structures, to take up employment. According to Census 2016, 47.8 per cent of lone parents are ‘at work’ – 102,934 families who need to use some method of childcare in order to continue in employment. This is compared to two parent households, where 70.2 per cent reported the head of the household was at work (CSO, 2017(b)). A sample used in the QNHS Module on Childcare showed that 66 per cent of lone parents of pre-school aged children who worked full-time relied on non-parental childcare, increasing to 72 per cent for those with children at primary school, while 70 per cent of couples with children of pre-school age who work full-time rely on non-parental childcare, decreasing to 68 per cent when children are in primary school (CSO, 2017(c)). This is a significant proportion of one- and two- parent families relying on childcare outside of the home.

#### *Childcare Affordability*

Affordable childcare and child-friendly employment arrangements are key requirements for greater labour participation among young mothers (OECD, 2016). High childcare costs present a barrier to employment, particularly among young women with children. In Ireland, the average cost of child care is 35 per cent of a family’s income. As a percentage of wages, net childcare costs in Ireland are the highest in the EU (European Commission, 2016). According to the OECD, childcare accounts for 42 per cent of the net income of lone parents. Research by the Vincentian Partnership for Social Justice (2015) shows that the minimum income cost required to afford formal childcare and all the essential elements of a socially acceptable minimum standard of living, is up to 150 per cent of the National Minimum Wage for two parent households, and up to 260 per cent of the National Minimum Wage for one parent families<sup>1</sup>.

Research conducted by the Nevin Economic Research Institute (Nugent, 2017) found that affordability of childcare is much more of an issue in Dublin and surrounds, and Cork, than the rest of the country, with the subsidy accounting for

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<sup>1</sup> Based on Minimum Essential Budget Standards (MEBS) model and Minimum Essential Standard of Living

just 9 per cent of the cost in the most expensive area<sup>2</sup>. While the cost of childcare may have grown nationally by 4.3 per cent between 2015/2016 and 2016/2017, this hides the geographical disparity where, for example, in Leitrim the average cost of childcare, including the subsidy is €530, or one-third of a full-time minimum wage worker's take-home pay, this increases to 49 per cent of take-home pay in Dublin City Centre. Rates for part-time childcare have dropped in many counties, increasing the disparity, with Carlow cited as seeing a decrease of 30 per cent to €230 and Dun Laoghaire-Rathdown experiencing an 8 per cent increase to €558. This accounts for a cost of between 15 and 31 per cent of the take-home pay of a full-time minimum wage worker.

In addition, there are increasing demands on childcare workers to improve their skills and qualifications, leading to a realistic expectation of better pay. *Social Justice Ireland* believes that childcare staff should earn a decent wage and that Government should cover any such increases in pay, however care must be taken to ensure that any such subsidy aimed at improving conditions of childcare staff are not used to increase costs to parents.

#### *Early Years Strategy – First 5*

In November 2018, the Department of Children and Youth Affairs published the first Early Years Strategy. *First 5, A Whole of Government Strategy for Babies, Young Children and their Families 2019-2028* (Department of Children and Youth Affairs, 2018) states that 96 per cent of children aged 0-5 years participate in some form of early learning and care provision before starting school. It recognises the importance of family care in the first twelve months of a child's life and outlines the objective to allow a mother or father access to paid parental leave during this time, with a further action point of encouraging greater work-life balance practices in employment, as outlined in the EU Directive on Work-Life Balance. A further objective, set out under Goal C – Positive play-based early learning, is to increase safe, high-quality, developmentally appropriate, integrated childcare, which reflects diversity of need, which will be met through making childcare more affordable, extend the provision of subsidised childcare and the integration of additional supports for children with increased needs.

*Social Justice Ireland* welcomed the publication of the Early Years Strategy, with its child-centred focus and inter-Departmental governance and implementation plan. The successful implementation of this ambitious Strategy will be determined in large part by the resources allocated to fund it. *Social Justice Ireland* has previously proposed that Government develop a multiannual investment strategy of €150m per annum in early childhood education and care and after-school care up to 2021 (Social Justice Ireland, 2018). This level of investment is crucial to ensuring that all children have access to quality childcare and after-school care which supports their development and facilitates parents to participate in the labour market.

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<sup>2</sup> Dunlaoghaire-Rathdown

### ***Library Services***

Libraries provide an important social outlet and educational role in Ireland, with 17.2 million visits recorded in 2016 by 754,748 members across 330 branch libraries and 31 mobile libraries (Department of Rural and Community Development, 2018). Operated by Local Authorities, they play an important role in ensuring access to information, reading and learning material. In recent years, libraries have greatly expanded their offering, with a rollout of digital services including e-books, and access to journals and catalogues online. They also provide affordable internet access and support for people who may not own a computer. Many libraries also offer exhibition and meeting spaces, specific activities such as book clubs, parent and child reading events, local history lectures and act as an information hub within a community. In addition to the fixed venues they offer a mobile service for schools and in rural areas. As part of their commitment towards equity of access, library membership is now free for core services. *Social Justice Ireland* welcomes the broadening of the scope of the library service, the introduction of the Libraries Ireland, the availability of e-learning and electronic resources etc. However, it is important that these developments do not result in a closing or downgrading of smaller branch libraries, which play a significant role in supporting local communities.

A new strategy for the public library service was delivered in 2018. *Our Public Libraries 2022* (Department of Rural and Community Development, 2018) sets out three strategic programmes for the delivery of the library service. The first is Reading and Literacy, which includes rolling out Right to Read programmes for children; the second is Learning and Information, which seeks to establish libraries as a key resource for the promotion of and access to lifelong learning and health and wellbeing; and the third is Community and Culture, which intends to establish libraries as central to communities, providing inclusive spaces for cultural, community and civic events. The plan to enhance the position of libraries as community hubs is a welcome one. It contains ‘Strategy Enablers’ – specific actions underpinning each strategy, which include enhancing library buildings to meet the needs of the surrounding society, expanding the capital build programme, increasing staffed library open hours and ‘My Open Library’ (that is, the unstaffed opening hours) to more libraries across the country, introducing universal access to library services and removing fines, and upgrading library ICT systems. *Social Justice Ireland* welcomes, in particular, the dedicated Strategy Enabler for Library Teams, focused on their development and support and enhancing communications across teams. The library strategy will only succeed with the commitment of library teams, particularly in the areas of community engagement and education. Their central role to this success should be supported through resources allocated to their continued professional development and wellbeing.

Achieving the vision within the strategy will require significant investment in our library infrastructure, their collections, their staff, their civic and cultural programming, their technology and their outreach services. We recommend a particular focus on encouraging new and disadvantaged communities to avail of the

benefits of the library for broad education and recreation purposes. Libraries have an opportunity to collaborate with local stakeholders to become vibrant information hubs and centres of enterprise, culture and learning fit for the 21st century.

### ***Financial Services***

Gloukoviezoff (2011) defines the process of financial exclusion as “the process whereby people face such financial difficulties of access or use that they cannot lead a normal life in the society to which they belong” (Gloukoviezoff, 2011:12). In their 2011 study, Russell et al (2011) found that Ireland had the highest instance of banking exclusion among the EU15 States and that those who are economically and socially disadvantaged, and those on low incomes, are at most risk of financial exclusion (Russell, 2011:29).

Access to financial services, particularly in today’s increasingly cashless society, is key to inclusion in society generally. Kempson and Collard (2012) found that those on low incomes are often restricted from accessing mainstream credit, turning instead to subprime and high-cost credit alternatives. The report found that there was a significantly higher instance of over-indebtedness among households with gross annual incomes of under £10,000 (23 per cent) than among households of more than £35,000 (5 per cent). The result of this financial exclusion (Corr, 2006) is that over-indebted and low-income consumers are excluded from banking services on the basis of charges and conditions attaching; affordable credit on the basis of conditions attaching and difficulty of the application process; and insurance costs, as low-income consumers are more likely to live in disadvantaged areas, incurring a higher premium.

In 2015, 6.3 per cent of households (107,244) did not have a current account, 8.2 per cent of households (139,588) did not have an ATM card and 45.5 per cent of households (774,541) did not have a credit card (CSO, 2015). With financial services becoming increasingly digitised and a move towards online and automated telephone banking, cash has become an outdated method of payment. Many essential services now require consumers to set up direct debits, or offer discounted rates to those who do, amounting to a ‘poverty tax’ for the financially excluded, paying premium rates and surcharges for use of other payment mechanisms for essential utilities (Stamp et al, 2017).

In 2016, the EU Payment Accounts Directive was transcribed into Irish law, requiring banks to offer a basic payment account to financially excluded consumers who met basic criteria. While, in principle, this has happened and banks are ostensibly offering products in line with the requirements of the directive, in practice, internal lender policies on what constitutes identification documentation has meant that those without ‘standard’ identification (for example, a passport or driving licence, utility bills, Revenue statement) are unable to access this account contrary to the Guidelines on the Criminal Justice (Money Laundering and Terrorist Financing) Act, 2010 under which those policies are purportedly enacted. These Guidelines state:

People who cannot reasonably be expected to produce conventional evidence should not be unreasonably denied access to Services – where people are not in a position to provide ‘standard documentation’ banks should refer to the list of documents and information requirements in AML Appendix 2, and not cite the requirements of the Act as an excuse for not providing services without giving proper consideration to the evidence available.<sup>3</sup>

The Payment Accounts Directive was applied to Central Bank regulated banks only, and neither credit unions nor post offices were involved in its implementation. The Report of the Post Office Network Business Development Group (2016) also recommended that a basic payment account be rolled out through the Post Office Network. This resulted in the introduction of the ‘Smart Account’, an account designed with budgeting features to support money management. *Social Justice Ireland* welcomes this development, but is concerned that the transaction costs associated with this account may exacerbate a consumer’s financial difficulty.

Financial exclusion is not just about access to bank accounts, but access to reasonable, affordable credit that takes account of the financial position of the consumer while cognisant of the need for people on low incomes to meet contingency expenditures without resorting to high cost credit or ‘pay day loans’. Credit unions have traditionally provided low cost credit to members within their ‘common bond’ area charged at 1 per cent interest per month, or 12 per cent per annum. These loans were provided as an alternative to high cost credit from legal and illegal moneylenders for families having difficulty saving for life events such as a child’s communion, home improvements or the unexpected breakdown of an essential appliance. A Policy Paper on Loan Interest Rate Cap published by the Credit Union Advisory Committee (CUAC) in December 2017 proposed increasing this 1 per cent cap to 2 per cent per month (24 per cent per annum, higher than many credit card providers on the market) to provide credit unions with ‘greater flexibility to risk price loans and in so doing may create an opportunity for new product offerings’ (CUAC, 2017). This report has received media attention recently, with reports that such an increase could allow credit unions to provide loans to people with bad credit history, as an alternative to moneylenders (Weston, 2019; Reddan and Kelly, 2019). However, the ‘It Makes Sense’ loan, introduced in 2016 and operated through participating credit unions, is already in existence for borrowers with impaired credit. This allows a member of a participating credit union to access a moderate loan, of between €100 and €2,000, with payments deducted at source from their social welfare payments via the Household Budget Scheme. Not all credit unions provide this loan, with some citing regulatory and macroprudential lending issues and others providing a similar product to existing customers. The It Makes Sense loan is an inter-Departmental initiative and, as such, should be subject to monitoring and review, focused on consumer protection and financial inclusion.

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<sup>3</sup> Page 44

There is a dearth of up to date data on the extent of financial exclusion in Ireland. One report published in 2018 looked at the experience of people living with inadequate income and experiencing financial difficulty (Deane, 2018). This report looked at the ‘income gap’ experienced by families dependent on social welfare payments and those outside of this safety net, such as women dependant on their partner’s income and people who fail the Habitual Residency Condition (HRC) in order to access supports. These households have no capacity to provide for contingency savings from a budget that cannot provide for basic necessities. The report found that those experiencing financial exclusion were more likely to have housing problems, experience income inadequacy and suffer with mental health issues.

While there are a number of organisations available to provide support for those in financial difficulties, there is not enough emphasis on prevention and money management education. MABS, the State’s Money Advice and Budgeting Service, does provide money management education as part of its community supports, however more needs to be done to develop this skill from an early age, with classes in late-primary and secondary schools. In light of the severity of its impact, *Social Justice Ireland* believes that financial inclusion should be a key part of the anticipated National Action Plan on Social Inclusion. It is incumbent on Government to track levels of financial exclusion and to build and monitor policies and practices aimed at eliminating it in its entirety by 2020.

### ***Telecommunications and Information Technology***

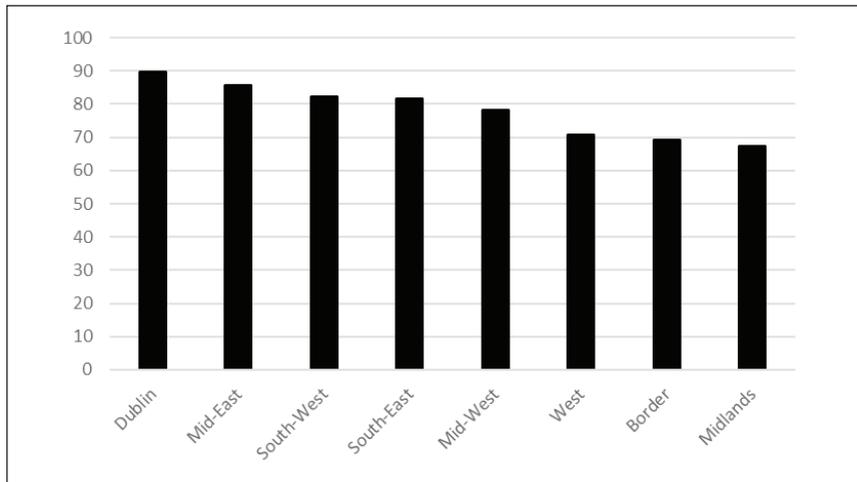
A decade ago, the European Commission recognized that ‘Digital literacy is increasingly becoming an essential life competence and the inability to access or use ICT has effectively become a barrier to social integration and personal development. Those without sufficient ICT skills are disadvantaged in the labour market and have less access to information to empower themselves as consumers, or as citizens saving time and money in offline activities and using online public services’ (European Commission, 2008:4). In the intervening years since this statement was made, progress in Ireland has been intermittent at best, with some (particularly very rural) areas still without access to good quality broadband sufficient to foster this ‘essential life competence’. The CSO Information Society Statistics – Households, 2018 report found that the rate of internet access in areas of higher population density (at 94 per cent in Dublin and 92 per cent in the Mid-East region) continues to outpace more thinly populated areas (at 85 per cent in Border regions and 86 per cent in the Midlands and South-East). The rate of growth in internet access has been fastest in the Border region (rising from 60 per cent in 2010 to 85 per cent in 2018), however this is from a low base.

### ***Broadband Provision***

According to the CSO, 89 per cent of households have internet access representing a 24 per cent increase since 2010, but only two percentage points higher than in 2016 and the same as the previous year (CSO, 2018). Coverage rates have been in the 80s since 2012 (when coverage was 81 per cent) meaning that between 11 and

19 per cent of all households in Ireland have been without internet coverage for the 6 years. With the introduction of fiber-net broadband and cloud computing in this time, the rate of growth might have been expected to be higher. Fixed broadband connection is the most commonly used, accounting for 82 per cent of households). As with many aspects of public services, socio-economic status determines the quality of internet connection, with 90 per cent of the fifth quintile (very affluent) accessing fixed broadband, compared to 76 per cent of the first quintile (very disadvantaged). There is also a notable regional disparity in the quality of internet access, with Dublin and the Mid-East region having higher rates of fixed broadband use (at 90 and 86 per cent respectively) compared to the Midlands and Border regions (at 67 and 69 per cent respectively) (Chart 9.1).

**Chart 9.1: Households with Internet Access classified by Type and Household Characteristic, 2018**



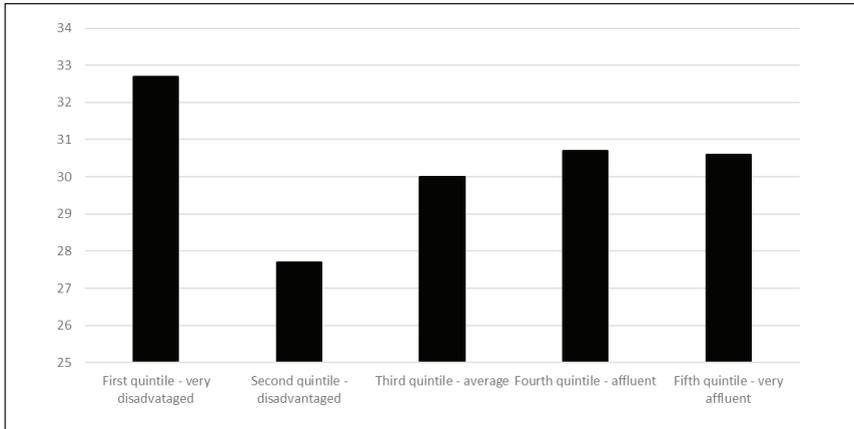
Source: CSO, Information Society Statistics 2018 – Households, Table 1 (b)

Only 55 per cent of households in Dublin accessed mobile broadband, compared to 63 per cent in the Mid-West region and 61 per cent in the Mid-East. Narrowband broadband accounted for a very small proportion of broadband use, highest in the West at 3 per cent.

Where households did not have access to the internet, 15 per cent of households in the West region and 10 in the Border reported that this was because of lack of availability of broadband in the area. 50 per cent of households without internet access in the South-West Region stated this was because of a lack of skills, compared to just 4 per cent in the Mid-West.

Socio-economic status was less of a factor on the percentage of households without internet access by virtue of a lack of skills, with 33 per cent of those in the first quintile (very disadvantaged) citing lack of skills, compared to 31 per cent of those in the fifth quintile (very affluent). This data must be taken in light of the higher proportion of households with fixed broadband access in the fifth quintile, however it remains an area of concern that one third of households without internet access do not have it due to lack of skills (Chart 9.2).

**Chart 9.2: Households without Internet Access due to Lack of Skills, by quintile, 2018**



Source: CSO, Information Society Statistics 2018 – Households, Table 1(c)

At European level, Ireland ranks 9<sup>th</sup> in the EU Digital Economy and Society Index (DESI), up three places on the previous year (European Commission, 2018). The report indicates that Ireland excels in areas such as science, technology, engineering and mathematics graduates and the use of online trading by SMEs and Open Data, however we lag behind in basic skills (with over half the adult population lacking basic IT skills) and broadband coverage. Our ‘connectivity’ ranking has improved from 15<sup>th</sup> in 2017 to 11<sup>th</sup> in 2018, as has our ‘Human Capital’ (from 12<sup>th</sup> place in 2017 to 9<sup>th</sup> in 2018) and our ‘use of internet’ has improved slightly (from 16<sup>th</sup> to 15<sup>th</sup>). Ireland’s ‘integration of digital technology’ ranking has fallen from 2<sup>nd</sup> to 3<sup>rd</sup> and our ‘digital public services’ ranking has fallen from 9<sup>th</sup> to 10<sup>th</sup>.

Ireland’s use of the internet is broadly in line with the European average. We are more likely than our European peers to engage in online banking, social networking and video calls and less likely to use the internet for shopping, news or music, videos or games. Our use of the internet points to a society that is moving away from personal social interaction, towards virtual engagement with others. This can contribute to social isolation and so, while the number of people who have never used the internet is decreasing, we must be cognisant that those who have

not are more likely to be aged 60-74 (48 per cent in 2018, an increase of 7 percentage points on 2016), retired (47 per cent in 2018, an increase of 14 percentage points on 2016), or living alone in Border counties (20 per cent in 2018, a decrease of one percentage point on 2016) (CSO, 2018). According to Taylor and Packham (2016) late or non-adoption of ICT tends to be caused by three factors: a lack of skills; a fear of technology and loss of privacy; and a perceived lack of relevance. It is therefore critical that Government adopt ICT strategies aimed at educating the population, particularly those most susceptible to isolation.

In 2018, the Government published its consultation on the National Digital Strategy, seeking submissions on what priorities need to be addressed to ensure that technology was being used in an 'integrated and inclusive' way. This Strategy will see many public services being offered online. As people in low-income households and vulnerable people are disproportionately likely to need access to public services, our submission urged Government to ensure that internet literacy programmes were available, particularly to those who do not currently use the internet, and that grants were made available to low-income and vulnerable households to purchase IT equipment.

#### *Promoting Internet Use and Security*

Fake news, cyber bullying and cyber fraud are downsides of online activity. 73 per cent of users access reading materials and news online and 73 per cent use social networking sites (CSO, 2018), however only 34 per cent of Irish internet users take basic precautions to protect their personal details on websites (albeit increased from 30 per cent in 2016). In addition to technical skills training for late adopters, *Social Justice Ireland* considers that there is a real need to develop programmes to enable all users to critically analyse information and to become "savvy, safe surfers". Affordable high speed broadband access right across the country is essential for business development, efficient government and participation in society.

#### *National Broadband Plan*

As part of the Digital Agenda for Europe, the European Commission has set targets of 30mbps broadband for all citizens and 50 per cent of citizens subscribing to 100mbps by 2020. According to ComReg (2017) 70.5 per cent of fixed broadband subscriptions had speeds of 30Mbps or more in Q3 2017, almost 30 per cent behind target. Only 24.8 per cent of connections reached the 100Mbps target.

In December 2008, Government launched its National Broadband Scheme aimed at providing 234,000 properties with broadband speeds of at least 2.3Mbps by 2010. Connections under this Scheme expired in August 2014 with broadband provider Three retaining connection contracts on a commercial basis. In 2012, the Government published its National Broadband Plan, committing to delivering high speed broadband to 1.3 million premises, with minimum download rates of 30Mbps for all, reaching up to 100Mbps for at least half of the premises included, by 2015. This Plan was revised in April 2014 when the then Minister for Communications, Pat Rabbitte, announced that 900,000 premises would receive

fiber powered broadband to be delivered in at least three years. In December 2015, Government then published the Broadband Intervention Strategy, detailing just 685,000 properties, all of which would receive download speeds of 30Mbps, and in April 2017 these figures were revised again so that 542,000 premises could expect download speeds of 30Mbps by 2020.

The procurement process for this Plan has been protracted and mired by delays and vested interests. In July 2016, three preferred bidders were announced – Eir, the Enet consortium and SIRO. In September 2017, SIRO announced they were exiting the process, taking 500,000 contracts with them on a commercial basis. The process continued with the remaining two bidders until January 2018 when Eir announced they were also withdrawing, taking their 300,000 commercially viable contracts. This left the Government with one bidder and not a lot of attractive connection contracts.

In late 2018, there was further controversy when the Minister for Communications, Climate Action and the Environment, Denis Naughten, resigned following allegations that the process had been undermined by his private engagements with the sole remaining bidder. A report published shortly after this resignation found that there was no undue influence in the process and that Minister Naughten’s resignation protected the process as it continued to final stages. *Social Justice Ireland* urges Government to ensure that proper procurement procedures are followed with the remaining tenderer and that public interest is best served when rolling out any contractual terms to end users.

### ***Legal Supports and Access to Justice***

Access to justice is a basic human right, however in order to achieve equality of access, there must be a balance of power on both sides. In a legal context, the balance of power almost always rests with those who can afford counsel. Redressing this balance requires the availability of free and low-cost legal services to those who need the advice of a qualified solicitor or barrister but who cannot afford the costs associated with it.

The Legal Aid Board provides advice and representation on criminal and civil matters for those on low income. Criminal legal aid, through the Garda Station Legal Advice Revised Scheme, the Legal Aid – Custody Issues Scheme and the Criminal Assets Bureau Ad-hoc Legal Aid Scheme, is free of charge to the user, subsidised by the State for those dependent on social welfare or having a disposable income of €18,000 per annum or less. Civil legal aid is also subsidised, but it is not free. Applicants are means tested and pay a fee of between €30 and €130 for this service. Their case is also subject to a merits test, to ascertain if the case has a chance of success. Their civil services range from family law matters (including separation, divorce and custody and a free family mediation service), debt, wills, and inheritance. In 2017 there were 14,687 applications for Legal Aid, an increase of 6 per cent on 2016 (Legal Aid Board, 2018).

The regressive nature of most of the changes to the state-funded civil legal aid scheme during the economic downturn disproportionately impacted on vulnerable and marginalised groups (FLAC, 2016). Cuts in both staffing levels and funding for the Legal Aid Board and the decision to raise costs for legal services had the inevitable effect of both to deter and to deny access to justice. Budget 2019 increased the allocation to Criminal Legal Aid by €12 million to €61.3 million, while Civil Legal Aid increased by just €500,000. This is insufficient to allow the Legal Aid Board to deal with its caseload or undertake the necessary review of the eligibility criteria.

Consumers who need legal advice, but do not require legal representation, can access the Free Legal Advice Centres (FLAC) who provide a network of volunteers through clinics held primarily in Citizens Information Centres nationwide. FLAC volunteers provide advice on a range of legal issues, including family law, debt, probate, employment and property. A consultation is twenty minutes long and general advice is usually given, as in many cases the person seeking the advice has little or no paperwork for review. In 2017, 13,813 people attended FLAC clinics and a further 12,003 callers to their telephone information and referral line. The main areas of inquiry to the FLAC information and referral line were family law, employment and housing (FLAC, 2018).

For those who do not qualify for support through the Legal Aid Board, but still require legal representation, the Bar Council of Ireland provides a Voluntary Assistance Scheme (VAS) on referral from NGOs working with vulnerable people. In 2016, the Bar Council spent €17,569 on VAS, increased from €16,801 in 2015 (an increase of 4.5 per cent) (FLAC, 2017).

FLAC, VAS and the Legal Aid Board provide a valuable service, however *Social Justice Ireland* believes that access to justice is such a fundamental human right that it should not be dependent on well-intentioned volunteers dealing with a range of legal topics in twenty minute increments and calls on Government to ensure that people's rights are protected and dignity respected in this most fundamental way, by adequate access to justice through the court system.

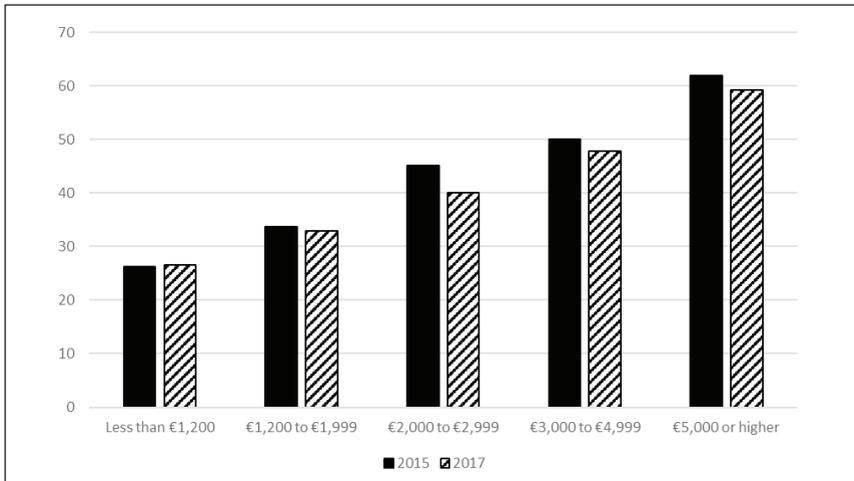
### ***Sports and Recreation Facilities***

According to the CSO report *Wellbeing of the Nation* (CSO, 2017) participation in sport declined from 47.2 per cent in 2013 to 45 per cent in 2015, while the average weekly expenditure of a household on sports and leisure increased from €14.40 between 2009-2010 to €17.85 in the period 2015-2016. The report notes that participation in sport has many positive effects on a person's wellbeing, both physical and mental. While higher spending on these activities is reported as a good sign, increased costs may also act as a barrier to participation, particularly in low income households.

### Adult Participation

The Irish Sports Monitor Annual Report (Sports Ireland, 2018) reported that only 43 per cent of the population had participated in sport in the previous seven days, a decrease of 0.1 percentage points on 2015. The most popular type of sport was 'Exercise' (12.4 per cent), followed by swimming (8.5 per cent) and running (5.1 per cent). Participation by women in every age group from 35-44 and upwards increased between 2015 and 2017. The proportion of men in most age groups from 35-44 and onwards also increased, with the exception of those aged between 45-54, but the rate of increase was less than that of women. Participation rates remain lower for people in lower socio economic groups. Those classified as 'unable to work' had the lowest participation rate, at just 21.2 per cent (although a slight increase from 20 per cent in 2015), while students and employees had the highest participation rates (67.7 per cent and 47.1 per cent respectively). The unemployed and homemakers had participation rates of 36.3 per cent and 34.6 per cent, while those in self-employment had a participation rate of 39 per cent. This is further supported when viewed in the context of the numbers participating in sport by net monthly household income, with those on lower incomes participating less in sport (Chart 9.3). The participation rate has fallen across all incomes between 2015 and 2017, however the pattern remains consistent.

**Chart 9.3: Numbers Participating in Sport by Net Monthly Household Income, 2015 to 2017**

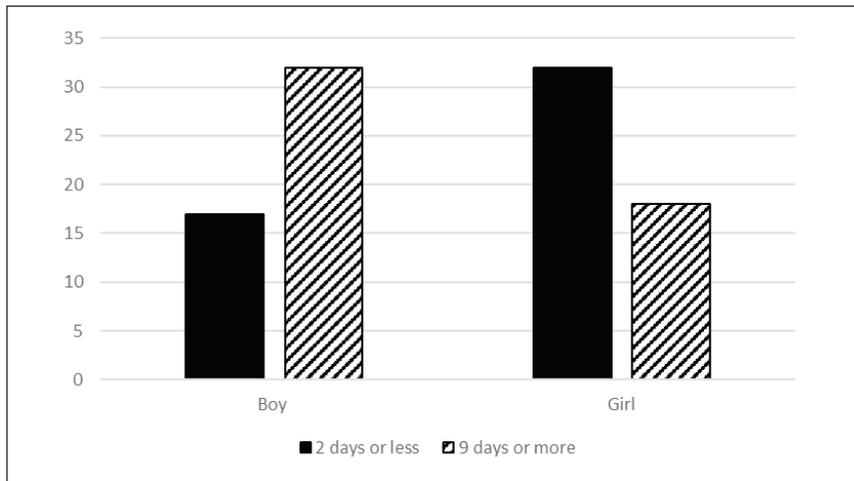


Source: Sport Ireland, Annual Report 2017

### Child Participation

*Growing Up in Ireland*, the National Longitudinal Study of Children, reported on the frequency with which participating 13 year olds were participating in hard exercise for at least 20 minutes in a day<sup>4</sup> and found that boys were more likely to exercise than girls, with girls more likely to report exercising for two or fewer days in the previous two weeks and boys more likely to report exercising in nine or more days in that period (Chart 9.4).

**Chart 9.4: Number of Days in past fortnight 13 year old participated in hard exercise**



Source: *Growing Up in Ireland, The Lives of 13 year olds, 2018*

Boys were also found to be more likely than girls to spend more than 3 hours watching TV and playing video games, while girls were more likely than boys to spend more than 3 hours reading or using a computer.

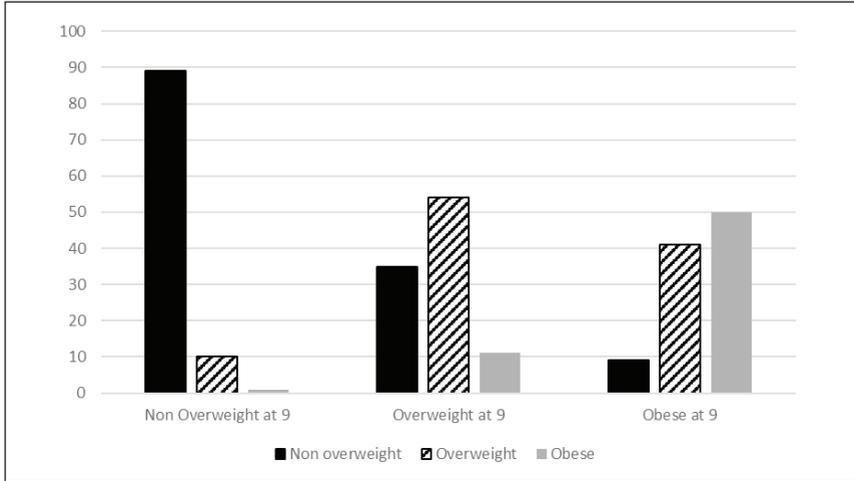
### Child Obesity

Child obesity is increasing across many developed countries and is a cause for concern for the future health and wellbeing of the population. The *Growing Up in Ireland* study found that 20 per cent of 13 year olds were overweight and six per cent were classified as obese, with girls more likely to be overweight or obese than boys (Williams et al, 2018). There has been some significant shifts in the weight status of these 13 year olds when compared to the previous report at 9 years old. Of those who were non-overweight at 9 years old, 89 per cent have remained so, with 10 per cent

<sup>4</sup> Hard exercise was defined on the questionnaire as activity being sufficiently vigorous to make the heart beat faster (football, jogging, fast cycling). Light exercise was defined as exercise that was not hard enough to make the young person breathe heavily and make the heart beat fast (such as walking or slow cycling) (p.78).

becoming overweight and 1 per cent becoming obese in the intervening period. Of those who were overweight at 9 years old, 35 per cent are non-overweight, 54 per cent remained overweight and 11 per cent became obese. Of those who were classified as obese at 9 years old, 9 per cent became non-overweight, 41 per cent became overweight and 50 per cent remained obese (Chart 9.5).

**Chart 9.5: Change in Weight Status of 13 year olds since 9 years of age**



Source: Growing Up in Ireland, The Lives of 13 year olds, 2018

*National Physical Activity Plan*

The low rate of participation in physical activity among Ireland’s children and adults, high rates of use of private transport for even short journeys, and the increasing prevalence of online shopping means that Ireland is becoming a more sedentary country. The National Physical Activity Plan, published in 2016 as part of the Healthy Ireland framework, contained ambitious targets for eight key action areas including children and young people, work places, public awareness, and sport and physical activity in the community. *Social Justice Ireland* commends Government on the initiatives undertaken in furtherance of this plan, such as ‘Park Runs’, ‘Operation Transformation’, and the site ‘getirelandactive.ie’ that recommends physical activities for a range of ages and lifestyles and calls on Government to encourage children and adults, particularly those from low socio-economic backgrounds to increase their participation in sports through the further development of playgrounds and subsidised sports centres.

*Sports and Recreation Funding*

Those participating in team sports are more likely than those participating in individual sports to regularly participate in multiple sports (Sports Ireland, 2018).

Just over half (53.4 per cent) of those participating in a team sport have also participated in another sport, compared with 31.4 per cent of those participating in an individual sport.

The largest and most well-known sports organisation in Ireland is the GAA, whose clubs not only provide a physical outlet for those playing the games, but also a social and recreational space for people to volunteer. However, maintaining facilities to a high standard and encouraging wide participation is expensive, and there is a need to offer support-funding to clubs in this regard. This is particularly important for sports which do not have access to large gate receipts. Government must be cognisant of the health, societal and economic benefits of sports and social outlets, and provide sufficient ring-fenced funding to complement this voluntary effort.

Under the Department of Transport, Tourism and Sport, the Sports Capital Programme aims to assist voluntary and community organisations, national governing bodies of sport, local authorities and in some cases schools to:

- develop facilities in appropriate locations
- provide appropriate equipment to help maximise participation in sport and physical recreation,
- prioritise the needs of disadvantaged areas in the provision of sports facilities
- encourage the multi-purpose use of local, regional and national sports facilities by clubs, community organisations and national governing bodies of sport.

Applications under this programme for 2018 closed in October 2018, with a total projects value of €161.9 million (an increase on the €155 million in applications in 2017) applied for from an initial budget of €60 million (double the 2017 budget). Budget 2019 allocated €63 million in capital expenditure for Sports and Recreation Services, less than 40 per cent required to meet the 2018 allocations. Without investment, clubs will continue to need to subsidise these grants by way of significant local fundraising and voluntary activity.

Of course, not every person is attracted by team sports, and the importance of facilities to support individual physical activity right across the lifecycle is very important. The National Physical Activity Plan recognises the importance of facilities for many other activities such as walking, jogging, hiking, biking, swimming, dance and fitness classes. At public level, most of these facilities are provided by Local Authorities, often in conjunction with local community groups and sporting bodies. The expected Local Authority expenditures on Recreation and Amenity for 2018 was €451.5 million, or almost 10 per cent of their combined budgets. This work includes the development and maintenance of a wide range of amenities such as parks, swimming pools, sports complexes, adventure playgrounds, outdoor gyms, parks with cycle and running lanes, Blueways and Greenways, cycling, hill walking, hiking trails and many more. The Healthy Ireland initiative

is now being rolled out to a county level, with an emphasis in 2018/19 on physical activity. This funding is welcome and is planned to continue for the coming years.

A source of revenue that could be ring-fenced for sports participation and recreational activities is the Sugar-Sweetened Drinks Tax<sup>5</sup> which was introduced in May 2018. If appropriately allocated, this revenue could move Ireland further towards attaining the targets of the *National Plan for Physical Activity*.

### *Regulation*

According to the OECD, how accountability is translated into practice can be closely related to the independence of the regulator and its functions and powers (OECD, 2016:17). Regulation in Ireland has been lacking for decades, primarily because of this lack of independence, where ‘regulators’ were used as an instrument of the State to effect Government policies at the time, rather than to regulate their respective sectors and ensure accountability from participant entities. The area most associated with ‘light touch’ regulatory policy in Ireland is the financial sector, with thousands of families continuing to feel the effects of the economic crash, but this issue is not confined to that sector alone. Lack of robust regulation of the planning processes have left Ireland with urban sprawl across towns and cities, and inaccessible one-off properties in remote areas, widening the ‘urban/rural’ divide by making essential services (many discussed earlier in this chapter) inaccessible and ineffective.

### *Ireland’s Regulatory Position*

A lack of vision and direction in the areas of energy, communications and healthcare has created a position whereby regulation is used to protect competitiveness in an increasingly privatised marketplace, rather than as a method of consumer protection. The Register of Lobbying<sup>6</sup> was introduced in 2015 to increase transparency and accountability, making information available to the public on the identity of those lobbying designated public officials and the nature of those lobbying activities. In 2017, 9,828 returns were received by the Commission in Regulating Lobbying, an increase of 18 per cent on the previous year (Commission in Regulating Lobbying 2018). While this increased transparency is to be welcomed the question of what, if any, effect it is having on effecting a cultural shift from vested to public interest remains. Greater attention must be drawn to the information available on the Lobbying Register. *Social Justice Ireland* calls for the inclusion in the Commission’s Annual Reports of policy areas with the greatest lobbying activity, the lobbying organisations and the designated public officials engaged so as to highlight to the general public those influencing the political decision-making process.

### *Creating Regulatory Policy*

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<sup>5</sup> For full details on a joint proposal from the Irish Heart Foundation and Social Justice Ireland see <http://www.socialjustice.ie/content/publications/reducing-obesity-and-future-health-costs-proposal-health-related-taxation>

<sup>6</sup> <https://www.lobbying.ie/>

Reactionary regulation, introduced after a crisis, can also serve to further exclude those who it should serve to protect, by placing barriers to goods and services in the way of those without the resources to engage with increasing bureaucracy. *Social Justice Ireland* believes that regulation has a place in protecting the rights of the vulnerable by addressing the balance of power when engaging with corporations and political structures, but not be so involved as to create a barrier rather than a safety net.

The OECD recommends that the governance of regulators follow seven principles to ensure the implementation of proper policy:

1. Role Clarity
2. Preventing Undue Influence and Maintaining Trust
3. Decision Making and Governing Body Structure
4. Accountability and Transparency
5. Engagement
6. Funding
7. Performance Evaluation

These principles work together as a continuum with clarity from the start and performance evaluation informing governance policy, thereby creating greater levels of clarity as learning from the evaluation is utilised. If these principles were ingrained in the process for development of regulation and governance of regulators, consumer protection and independence would naturally follow from regulation developed in line with these central tenets.

*Social Justice Ireland* believes that regulation should have consumer protection at its centre rather than the aim of increasing market participation. Before engaging in any new regulatory processes, the Government should ensure that the rights of its citizens are protected, including the right to a reasonable standard of living with access to basic services at a reasonable cost.

### **Key Policy Priorities**

*Social Justice Ireland* believes that the following policy positions should be adopted in addressing Ireland's many public services deficiencies:

- Increase the provision of public transport in rural areas and provide greater investment in sustainable transport and biofuels.
- Develop a multiannual investment strategy of €150m per annum in early childhood education and care and after-school care up to 2021

- Track levels of financial exclusion and build and monitor policies and practices aimed at eliminating it in its entirety by 2020.
- Develop programmes to enable all internet users to critically analyse information and to become “savvy, safe surfers” and a grants scheme to support low income and vulnerable households to purchase ICT equipment needed to access public services on implementation of the National Digital Strategy.
- Ensure connectivity to affordable high-speed broadband access right across the country.
- Ensure that the Legal Aid Board is adequately funded so that people in the court system are guaranteed equality of access to justice.
- Increase funding to encourage sports participation and active lifestyle programmes.
- Ring-fence revenue gained through the sweetened drinks tax to fund sport and recreational facilities and services.
- Improve transparency and accessibility of lobbying activity by the general public.

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