



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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# DÁIL ÉIREANN

*Déardaoin, 11 Iúil 2019*

*Thursday, 11 July 2019*

Chuaigh an Leas-Cheann Comhairle i gceannas ar 9 a.m.

*Paidir.*  
*Prayer.*

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## Ceisteanna - Questions

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

#### Action Plan for Rural Development Implementation

1. **Deputy Dara Calleary** asked the Minister for Rural and Community Development the progress made regarding the implementation of the Action Plan for Rural Development to date; and if he will make a statement on the matter. [30891/19]

**Deputy Dara Calleary:** I know I will get one version from the Minister, Deputy Ring, which will be different to the reality on the ground but perhaps we will have a discussion on the real activities in the Action Plan for Rural Development. I know the glass will be half full, as it always is with the Minister. Let us give it a go.

**Minister for Rural and Community Development (Deputy Michael Ring):** The Action Plan for Rural Development was published in January 2017 as a whole-of-Government initiative to support the economic and social progress of rural Ireland.

Progress reports on the implementation of the action plan are published twice yearly on the gov.ie website. The most recent, Fourth Progress Report, was published at the start of July. It shows that 268 of the 277 actions reported on were either completed on schedule or substantially advanced.

The cross-departmental approach of the action plan is benefiting rural areas in many ways. For example, since 2015, there has been an increase of more than 146,000 in the number of people employed in regions outside of Dublin, surpassing the Government's target of 135,000

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extra jobs by 2020. Last year, more than 60% of the new jobs created by Enterprise Ireland client companies were outside the Dublin region and 58% of employment in IDA client companies is now based outside of Dublin.

The level of investment being made in rural Ireland is also unprecedented. Thousands of projects have been supported by my Department alone since the start of 2017, with further investment across Government also benefitting rural communities in areas such as agriculture, fisheries, tourism and transport.

The progress made under the action plan has been further built on in Project Ireland 2040, in particular through the rural regeneration and development fund, which will provide €1 billion in investment in rural Ireland over the period 2019 to 2027. To date, €86 million has been allocated from the fund to 84 projects. The action plan will continue to be delivered through to the end of this year. My Department is currently working on the next phase of a rural development policy to succeed the action plan. A number of consultation workshops have taken place around the country to obtain stakeholder input to the development of this policy. I have also invited the Oireachtas Joint Committee on Rural and Community Development to provide an input on the new policy.

**Deputy Dara Calleary:** I should have organised the cheerleaders and the brass band, because I knew what was coming. The reality is that 3% of the €21 million allocation for the town and village renewal scheme in 2018 has been spent, 20% of the 2017 budget remains unspent and a quarter of the CLÁR budget for 2018 remains unspent – I have not even got to 2019. We still have difficulties with the LEADER programme where 76% of the budget remains unspent. We are mid-way through 2019 in a programme that was officially due to end in 2020, albeit with extensions. There have been announcements and the Minister has outlined job creation figures but how many of the jobs are at the minimum wage? What is the spread of those jobs? “Outside Dublin” could mean Drogheda or across the M50 and in places very close to Dublin. Are the jobs spreading to the west and beyond Galway? How many IDA visits were there this year in County Mayo? There were very few compared to the rest of the country. It is great to tick boxes and lists but the reality on the ground is that many of the schemes the Minister is announcing are not being delivered. We have had the discussion about the difficulty with the delivery of schemes. What are we going to do about it, rather than continuing to talk about it?

**Deputy Michael Ring:** I know the way Deputy Calleary likes to use the figures against me. I listened to him and his party say all last year that I would not spend my departmental budget. I wish to put on record today that I listened to it from January to December and I never once heard any of them say well done. A total of 99.9% of my spend in the Department was spent last year.

Deputy Calleary referred to the LEADER programme. It is ahead of progress. The town and village renewal scheme is going better than it was. I have allocated the funding. The Deputy knows that I cannot allocate the funding until the projects are completed by the local authorities. They have to put their hands up as well. Elected representatives on local authorities should be accountable in that regard.

A total of 60% of new jobs created by Enterprise Ireland companies in 2018 were outside of Dublin. Deputy Calleary cannot pick holes in the figures by saying they are beside Dublin: they are outside Dublin. A total of 58% of IDA client companies are now based outside of Dublin. Unemployment is down from 15% to 5%. People are working. The one thing Deputy Calleary

and I saw, along with every Deputy who was out canvassing in the recent local elections, is that it was hard to get people at home as more people were at work.

I introduced the outdoor recreation scheme and the town and village renewal scheme. I was in Drumshanbo the other day. Deputy Calleary saw the jobs that were created on foot of such schemes. It is not just a case of them being on paper or being announced by me: the jobs are created and the companies are in place.

**Deputy Dara Calleary:** A total of 70% of all jobs created last year were created in Dublin. It is not even that, as I am not even into that kind of thing. People who are based in Dublin wish to work from home. That brings me back to the national broadband scheme. I am sure we will discuss that later. If the Minister was Santy, the presents would be likely to arrive 24 months after Christmas. It would take them two years to come. He would announce them, tell the children they are getting a present but that they will have to wait two years because somebody else has to deliver it. Rural communities can no longer wait. The Minister saw the anger on the streets yesterday. Whether the schemes are co-delivered or not, they seem to be still choking in bureaucracy and mired in co-funding difficulties. Perhaps before the announcements are made we could ensure that everything is in place for the scheme to happen, including co-funding and planning permission. There has been progress regarding planning permission. In that way, when an announcement is made, a scheme will be delivered. At the moment there are many announcements but little delivery.

**Deputy Michael Ring:** I have to disagree with the Deputy. One complaint from the local authorities was that they could not progress schemes because they were unsure whether they had funding. I brought in the local authorities three years ago and gave them a list of what was coming down the line. They know now from year to year what schemes are actually coming.

Deputy Calleary knows it and I know it. He is the very person, to be fair to him, who would say it, as would his colleague and the Deputy from Sinn Féin, if I was allocating or giving money to the local authorities and they were not doing their job. Deputy Calleary knows how LEADER works. Any town in Ireland can get a grant from a LEADER company but the town cannot draw down that grant until the work is done. I have responsibility to the taxpayer. I have responsibility to Europe for the LEADER programme. I have responsibility to ensure the money is spent. By God, I have plenty of complaints - I deal with them on a regular basis - about LEADER companies that have not spent the money the way it should have been spent. We are getting cheques from Europe. Those responsible are coming in to check and see what is happening. The Deputy, the taxpayer, myself and the people of the country have to pay for it.

The schemes are in place and working but it takes some time for them to develop. One example is the rural regeneration scheme. We had shovel-ready schemes where we have grant-aided the money. Then, under the second scheme we gave local authority and State agencies, or whoever made the application, seed funding to get the applications up and running. That is what one has to do.

The Deputy should remember that we did not have money for many years and nor did we have these schemes for many years. The schemes are in palace now, as is the money. All I can say is that I am directing the local authorities. Some of the local authorities will be getting letters this week from me and they will not be Christmas cards. The letters will be telling them that the money they got in 2016 will be withdrawn because they have not spent it.

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**An Leas-Cheann Comhairle:** Deputy Kenny is next.

**Deputy Michael Ring:** They will not like that. Deputy Calleary will be complaining during Question Time to me about it.

**An Leas-Cheann Comhairle:** We have to abide strictly by the time. Deputy Martin Kenny is next.

### **Commission for the Economic Development of Rural Areas**

2. **Deputy Martin Kenny** asked the Minister for Rural and Community Development to outline the progress made and targets reached in the implementation of the CEDRA report. [30217/19]

**Deputy Martin Kenny:** The question is around the targets that have been reached and the implementation of the Commission for the Economic Development of Rural Areas, CEDRA, report. There was considerable razzmatazz about the CEDRA report. Much of what is in the report is supported by everyone in the House and across the country because it sets out broad objectives on what needs to be done in rural Ireland. The report looks at the opportunities that exist in rural Ireland. This is something we need to focus on more and more because the places that have the least are the places with the most potential. It requires investment and a particular emphasis. I want to try to tease out with the Minister what progress has been made. As we know, the man who was spearheading the process has stepped to one side for whatever reason - we are not going to get into that today. The core of what CEDRA is about needs to be implemented. If it is implemented, then we will be moving forward.

**Deputy Michael Ring:** I thank the Deputy for the question. The Commission for the Economic Development of Rural Areas was established in November 2012 as an independent expert group to examine and report on the medium-term economic development of rural Ireland to 2025. The CEDRA report was published in April 2014. The priority recommendation made by CEDRA was the need for a joined-up approach to rural development across Government led by a Cabinet Minister. The 2016 document, A Programme for a Partnership Government, included a commitment to appoint a Minister and Department to provide greater political co-ordination of the work of other Departments in relevant areas that impact rural Ireland. The assignment of these responsibilities initially to the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs in May 2016 and the establishment of the dedicated Department of Rural and Community Development in July 2017, as well as my appointment as Minister, have addressed this priority recommendation of CEDRA.

The Government Action Plan for Rural Development, which was published in January 2017, builds on and goes further than the CEDRA report in that it seeks to address not only the economic development of rural areas but also seeks to support the social and cultural development of rural communities throughout the country. Many of the recommendations in the CEDRA report that had not yet been implemented were integrated into the action plan. My Department recently reviewed all of the recommendations in the CEDRA report and found that the vast majority of recommendations have either been implemented, where feasible, or are being addressed through the Action Plan for Rural Development or other Government initiatives. The review that details the status of each recommendation is available on the [www.gov.ie](http://www.gov.ie) website.

**Deputy Martin Kenny:** I accept that the setting up of the Department was one of the key recommendations of the report. However, many of the other recommendations in the report have not been addressed to the level envisaged in the CEDRA report. This is evident when we look at the issues of housing and investment in rural Ireland. My colleague mentioned how many of the jobs outside of Dublin are only just outside of Dublin. Many of the jobs are still in the big towns and centres. The more rural and isolated areas are still very much left behind. In fairness, the Minister recognises that we have a great deal of work to do. We need to work together on that.

One relevant example is something I have mentioned to the Minister on several occasions, that is, the issue of housing in every town and village in the country with fewer than 700 or 800 people. Half of the houses on the main street lie empty. The people who own these houses have a liability, not an investment or anything they can make something out of. They need some help to turn this around. The suggestion that there will be some plan does not give them the help they need. In effect, they need seed capital in order that they can develop and bring life back to those areas. It is similar with developing new sectors in agriculture. No new sectors will develop unless there is someone to pull them together. I believe the Department is crucial efforts to make that happen.

**Deputy Michael Ring:** What Deputy Kenny says is correct. Yet, the Central Statistics Office figures show that employment is growing throughout the country, including outside of Dublin. I gave the figures on the increase in the previous reply.

Other initiatives we have looked at include the town and village scheme, the outdoor recreation scheme, the CLÁR programme and the rural regeneration scheme. The Deputy made a valid point about the towns and villages where we have dereliction. I set up the pilot scheme. I will be answering a question later on the matter. I set up the scheme to see what we can do at Government level to support people who, as the Deputy noted, already have investment in rural Ireland. That property is there. We need to give them an initiative. This is something I will be talking to the Minister for Finance about. The existing schemes are not working. If they were working they would be drawing down funding. They are not working and there must be some reason why they are not working. We need a mix. We need a little grant aid and some taxation. The schemes in place at present are not working. We want to do something. That is why I picked the six pilot towns. They have come back with an initial report. I hope to have the full report published between now and the end of the year. The initial report and some of the suggestions we have are very interesting. We need to deal with that problem because it is one of the big problems.

**Deputy Martin Kenny:** The issue of housing is one of the key issues the Department can address. An agriculture scheme was brought out recently whereby a small amount of Government money was used to leverage a greater loan at a lower interest rate that people could access. One of the problems is that many of the people who own these properties cannot get a loan anywhere because they are already in debt for other properties they may have. They may have a house somewhere else or have perhaps inherited a property in a town but they can do nothing with it - it is a liability. We need some mechanism outside of the formal structure. The banks will not give them money. Some way has to be found to help those people to get that going.

Another issue I wanted to bring to the attention of the Minister is the issue of alternative sectors, especially in agriculture. These require co-operation across Departments and agencies. One of the things we are all talking about is plastics and the green economy. We hear

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how plastics are poisoning the country. If we are going to change that we need to come up with biodegradable plastic. Farmers have an opportunity to grow the product and turn it into plastic but that will not happen by a handful of farmers getting together and deciding to do it. They need to have a sector developed. The various agencies will have to come together to set that up. It cannot happen by our waiting to see whether it will happen or by leaving it to the markets. Someone somewhere has to pull it together.

**An Leas-Cheann Comhairle:** Let us hear the Minister.

**Deputy Martin Kenny:** I think the Department has a crucial role in this because it is a rural matter.

**An Leas-Cheann Comhairle:** We are not making progress.

**Deputy Michael Ring:** Deputy Kenny has raised this question on several occasions and he is right. He commented on dereliction in towns and villages. I will talk about this to the local authorities and State agencies. Every time they come seeking a new development or building, the first place they look at is a greenfield site. It is time for the councils and State agencies to start looking at towns and villages to see where they could put libraries. It need not always be out in a greenfield site. Why can they not come into these towns? If properties are derelict, why can they not buy them? If there is no title on them they should be used under the Derelict Sites Act. They have a responsibility as well. One thing that got us into a great deal of trouble was planning in towns. Shopping centres were brought outside towns and this killed the town centres. One town in which this did not happen is my home town of Westport and it works well. The local authorities have a part to play.

We have the LEADER programme to nurture job creation and ideas in farming. There will be new initiatives to encourage people on climate action. We have to encourage people. We have to provide grant aid and assist and help them. There are great people out there with great ideas. We can see the initiatives they are setting up in every corner of the country. We sometimes forget this because they are indigenous industries, and we do not give them credit. If they are multinational companies, they are great people, but our own people are great too and create a lot of employment and jobs.

### **RAPID Programme**

3. **Deputy John Curran** asked the Minister for Rural and Community Development the specific programmes, funding and supports targeted at the most disadvantaged areas as previously identified under the RAPID programme in view of the fact that the programme has now closed; and if he will make a statement on the matter. [30892/19]

**Deputy John Curran:** The Minister last year took a retrograde step in closing down the RAPID programme, a programme that was to support our most disadvantaged communities. Since the Minister has closed it, what specific supports and grants has the Minister made available to our most disadvantaged communities that would previously have received funding under the programme?

**Deputy Michael Ring:** I opened the programme and amalgamated it with another programme.

**Deputy John Curran:** The Minister closed it.

**Deputy Michael Ring:** A previous Minister closed it. In any case, we will not argue about that.

**Deputy John Curran:** We will shortly.

**Deputy Michael Ring:** The original RAPID programme ran from 2001 and closed to new applications in 2011. In 2017, a nationwide recast RAPID programme was launched and, in 2018, my Department completed a review of that new programme. Following the review, which included consultation with the 33 local community development committees, LCDCs, throughout the country, I launched the new community enhancement programme. I have allocated €4.5 million to the community enhancement programme in 2019. Under the programme, funding is allocated to each local authority area, taking account of the relative level of poverty. The LCDCs then administer the programme. This is a more effective, flexible and locally-responsive approach to addressing disadvantage. The committees, which have the local knowledge, monitor the programme and ensure the funding is benefitting communities, urban and rural, across the country in the fairest way possible.

The new five-year social inclusion and community activation programme, SICAP, which runs from 2018 to 2022, is our country's primary social inclusion intervention. This is a €190 million national programme that is delivered locally to help those in the greatest need. For example, in Dublin, SICAP will provide €9.7 million in 2019, giving vital support to those community groups and individuals most in need.

My Department also provides funding for certain specific areas of urban disadvantage, for example Dublin north-east inner city, which has been allocated a total of €6.5 million in 2019.

**Deputy John Curran:** I thank the Minister. The community enhancement programme is no replacement for RAPID and it is a different programme. RAPID was designed specifically to focus on and positively discriminate in favour of our most disadvantaged communities. I remind the Minister that the programme for Government made a commitment to support schemes that support disadvantaged communities and to support the RAPID programme, which is very specific. It is also in the confidence and supply agreement. Where, along the way, did the Minister decide to close down RAPID? Was it a Government decision or the Minister's decision?

The honest truth is that the community enhancement programme that has replaced it has not provided the same level of support. I have seen the grants that have been made available and while they are welcome, they are not positively discriminating in favour of our most disadvantaged communities, and therein lies the problem. I have asked the Minister before and he has responded by mentioning SICAP and other programmes. The reality is the Department and the Government are letting down our most disadvantaged communities. We do not see the significant advances for DEIS schools and additional funding, and it is the same with local and regional drugs task forces, which have not received additional funding. Where we have some of our greatest problems, we are not getting the level of support and it is being washed across the entire community under the community enhancement programme. That was not what RAPID was supposed to be about. It was a lot more than that.

**Deputy Michael Ring:** I do not agree. I did not close down the RAPID programme.

**Deputy John Curran:** The Minister did.

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**Deputy Michael Ring:** I did not close it down; I opened it.

**Deputy John Curran:** He closed it down.

**Deputy Michael Ring:** Let us have the facts.

**Deputy John Curran:** He needs to be straight about it.

**An Leas-Cheann Comhairle:** Order, please. Allow the Minister to continue.

**Deputy Michael Ring:** I amalgamated the RAPID programme-----

*(Interruptions).*

**An Leas-Cheann Comhairle:** Order, please.

**Deputy Michael Ring:** Deputy Curran's party closed it down in 2011. I opened it.

**Deputy Dara Calleary:** No, Phil Hogan closed it down in 2013.

**Deputy Michael Ring:** No, it was 2011.

**Deputy Dara Calleary:** It was 2013.

**An Leas-Cheann Comhairle:** Perhaps it would be a matter for Topical Issues, when we would have more time.

**Deputy John Curran:** It would help if we got a straight answer.

**Deputy Michael Ring:** I will explain it again. I hope the Deputy is not giving out about his councillors and representatives on the LCDCs.

**Deputy Dara Calleary:** It is always the councillors' fault. What about his own councillors?

**Deputy Michael Ring:** And my own. There was a fund of approximately €3 million and we amalgamated the community enhancement programme and RAPID programmes. Last year, although the Deputies did not give me credit for this, while there was €4.5 million in the budget, I finished up putting €12 million into it because we had savings in the Department which I put into the community enhancement programme. The LCDCs felt this was the best way to deliver this money. Who knows best about local needs and local areas but local people? If the Deputy thinks this is not working, we will review it again, and if he wants to bring it back to giving €2 million from the RAPID programme again, we can do that. However, that is not the best way of spending money. If the Deputy thinks the local people do not know the areas that need most funding, it is him who has a problem.

**Deputy John Curran:** I want to read a quote to the Minister:

I want to have a rethink about the community enhancement scheme and the RAPID programme. I started to think about this matter the other day. We all know what is being done in the north-east inner city and how it has been successful so far. People would like to have that model replicated in their areas but that is not possible. One could not find the resources to do it in all areas. I thought that perhaps we should designate ten or 20 areas of profound deprivation around the State and do something similar, but then it occurred to me that we had done that previously and called it RAPID.

That was the Taoiseach speaking a month ago. We all know our most disadvantaged communities need additional support but community enhancement is not the additional support those communities need. The Minister has closed it down. He should not blame us on this side. I know there were problems in 2011 and funding was suspended, and I would be the first to put my hand up. However, we did not close down the a programme that positively discriminated in favour of our most disadvantaged communities. The Minister did that. At a time our economy is doing well, our most disadvantaged communities need that level of support and the Minister has let them down.

**Deputy Michael Ring:** I will say it again: I did not close them down. I amalgamated it with another programme and I put more funding into it.

**Deputy John Curran:** He did close at down.

**Deputy Michael Ring:** €2 million was all that was in it and I put €4.5 million into it.

**Deputy John Curran:** He did not.

**Deputy Michael Ring:** I put €12.5 million into the combined schemes last year.

**An Leas-Cheann Comhairle:** We are always glad to have a robust debate but we need to have some order.

**Deputy John Curran:** The Minister did not put into the RAPID programme. He put into a different programme. He is trying to whitewash the whole thing.

**An Leas-Cheann Comhairle:** Deputy Curran has made his point.

**Deputy Michael Ring:** I will say it to the Deputy again: I amalgamated both schemes and I put more money into it than any other Minister. If the Deputy cannot see that, there is something wrong.

**Deputy Dara Calleary:** Fake news.

**Deputy Michael Ring:** It is €12.5 million, €4.5 million of which was in the budget line and €2 million of which was in RAPID. I am doing this from the bottom up. I know Fianna Fáil always like to do it from the top down but I always like to go from the bottom up.

## **Climate Change Policy**

4. **Deputy Willie Penrose** asked the Minister for Rural and Community Development if he has been briefed on the recommendations within the cross-party report on climate change specifically relating to a just transition and the need for local economic diversification plans; and if he will make a statement on the matter. [30433/19]

**Deputy Willie Penrose:** The Minister is aware of the recommendations of the excellent cross-party report on climate change and the significant recommendations arising therefrom, including the necessity and urgency of reducing the carbon footprint of many industries located in rural Ireland. We know the consequences of this transition will affect rural Ireland. We are long past the point of questioning the need to change in response to climate change. The question is how to achieve that change as quickly, as efficiently and as fairly as possible. Has the

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Minister had discussions on a cross-party basis to ensure this can take place?

**Minister of State at the Department of Rural and Community Development (Deputy Seán Canney):** I will take this question on behalf of the Minister.

The cross-party report on climate was published by the Joint Committee on Climate Action in March 2019. Our Department actively engaged with the work of the committee and also in the preparation of the all-of-Government action plan published recently by the Minister, Deputy Bruton, and the Department of Communications, Climate Action and Environment.

The Minister, Deputy Ring, and I have been briefed on a number of occasions on the recommendations. We are particularly concerned with ensuring that transition to a low-carbon future is done in a just and fair manner, recognising the potential for measures to be felt differently in various parts of the country. The Government has consistently stressed the importance of ensuring a people-centred transition that recognises vulnerability within certain communities and takes action accordingly. Our Department is providing supports to assist communities and those in rural Ireland with climate change initiatives to enhance their resilience, and will continue to do so.

In developing the next phase of rural development policy, climate adaptation, sustainability and resilience are likely to be guiding features. In respect of recommendations on the need for local economic diversification plans, consideration of any measures that would allow local communities be included in the formulation of climate actions that directly affect them is to be welcomed. Engagement with communities will be key to delivery of climate change targets and our Department will be happy to play a role in making this happen within the scope of agreed Government policy on climate action.

**Deputy Willie Penrose:** The Minister of State is aware that communities in rural Ireland will undoubtedly be affected most by changes in agriculture, the increasing carbon taxation and the closure of peat bogs, particularly in the midlands. There are many such bogs in Derygreenagh, Boora, Derrahaun, Cullenagh and across the midlands. The recent announcement on the Moneypoint plant in west Clare was instructive about how electricity generation would be handled. For some, the changes will dramatically alter the way in which they live, affecting farming and the types of employment that will be available in the future. There could also be many opportunities for rural communities in the production of green methane gas, microgeneration and mixed agriforestry, but if we are to capitalise on them, we will need strong local economic diversification plans to smooth the transition. Rural communities, particularly farmers and farm labourers, will need to be adequately incentivised and rewarded. That is why the Labour Party continually called for a diversification fund at the all-party Joint Committee on Climate Action, but I have heard nothing about it yet. I hope it is a measure the Ministers and the Department will support. Otherwise, the report will be a waste of time. Local diversification plans will undoubtedly cut across a number of Departments from the Department of Agriculture, Food and the Marine to the Departments of Transport, Tourism and Sport and Employment Affairs and Social Protection, but they must be consistent, coherent and always have the concerns of rural communities at their core. The climate action delivery board cited in the climate action plan is one possible mechanism for achieving a just transition in Ireland. Is it being given consideration? There is no use in us waking up after the fact. We must act now.

**Deputy Seán Canney:** I agree with the Deputy that ensuring we respect and deal with local communities is important. The Department works to ensure the impact of climate policies on

rural areas and communities is given appropriate consideration. It is engaging with communities throughout the country on these matters. The needs of rural areas are important in the light of the contribution their communities can make to climate mitigation and ensuring our climate action policies will not impact on them disproportionately.

The Deputy mentioned microgeneration and the fact that farming had to change. All of these issues are covered within the climate action plan. Consider also the house retrofit programme and the fuel poverty scheme, under which we are providing 100% grants for households. The effects are threefold. First, they help people to live in their homes more comfortably. Second, they help to save on energy bills. Third, they create employment in SMEs across the country, with many subcontractors and contractors due to be employed in the next few years in undertaking the required retrofits. It is important that the threefold effect be understood. Of course, it will cost money. People's ways of living and doing business will also have to change.

**Deputy Willie Penrose:** The similar Climate Change Delivery Board, CCDB, was established in Scotland in 2012 after cross-party consensus was reached on climate action. Scotland's rural ministry has played a central role on the board in achieving a buy-in from rural communities. We must have local buy-in, including in the case of the Moneypoint plant. For every direct job that is lost there, 1.5 indirect jobs in, for example, services will be lost in the community. We must support a just transition. We could as a consequence surpass our environmental targets, as happened in Scotland. We should learn its lesson and take the same approach, as we cannot afford for rural communities to be left as the hind tit taking crumbs from the rich man's table. Will the Minister of State confirm whether he has been briefed on the recommendations made in the joint committee's report, specifically those relating to a just transition and the need for local economic diversification plans? Will his Department play a significant role on the proposed climate change delivery board outlined in the Government's climate action plan?

**Deputy Seán Canney:** Take Bord na Móna as the prime example. It is close to the Deputy's neck of the woods.

**Deputy Willie Penrose:** It is.

**Deputy Seán Canney:** Like everyone, I view Bord na Móna as a model for every other organisation in transitioning in a fair way. It is embedded in the communities where it has worked since its inception. It is undertaking a large number of pilot schemes to examine ways of diversifying its business model and changing what it is doing from brown to green. That model will stand the test of time and show how any country or company can transition in a way that will retain jobs in communities. Granted, they might be different, but I am fully confident that Bord na Móna's potential will be delivered on in time, although there are issues. It will be laying off people in certain places because it is getting out of certain types of business. However, it is regenerating other businesses and creating new, more sustainable jobs. That is what it is all about.

The Deputy referred to rural Ireland being left with just the crumbs from the table. If we put the national broadband plan in place and give everyone in rural Ireland a chance, we will leave no one behind. I agree wholeheartedly with the Deputy in that regard.

**Deputy Willie Penrose:** I thank the Minister of State.

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## Rural Regeneration and Development Fund

5. **Deputy Dara Calleary** asked the Minister for Rural and Community Development the number and value of payments made to date for approved project funding under the Rural Regeneration and Development Fund; and if he will make a statement on the matter. [30893/19]

**Deputy Dara Calleary:** We spoke briefly about the Rural Regeneration and Development Fund, RRDF, which seems to be another of the Minister's specialties, but there have been lots of announcements, with nothing practical happening on the ground. Will he, please, flesh out the details?

**Deputy Michael Ring:** The RRDF seeks to support ambitious and strategic projects that have the potential to transform rural economies and communities. The Government has committed €1 billion over ten years to the fund, with €315 million allocated to it for the period 2019 to 2022, inclusive. Following the conclusion of the first call to the fund in February 2019, a total of 84 successful projects had been announced, with funding of €86 million provided. This funding supported a total investment of €117 million by the projects in rural areas.

Following the announcement of the successful projects, my Department engaged with each lead party to complete due diligence requirements. Contractual arrangements were also drawn up, with the release of funding based on the achievement of key milestones in the projects. In that regard, significant progress is being made in the implementation of successful projects, a number of which have met their first milestone and had funding released. To date, €1.722 million has been drawn down from the fund by seven separate projects. I expect payments to accelerate significantly in the coming weeks and months as further milestones are achieved across all 84 projects.

**Deputy Dara Calleary:** The figures for 2019 are 84 projects and funding of €86 million. To date, approximately €1.7 million has been spent. Even with a significant acceleration, it is difficult to see €86 million being spent by the end of the year. Will the Minister confirm whether the allocation for the budget has been reduced by €3 million because of the national children's hospital fiasco? Rural communities will be made to pay for the incompetence of the Minister for Health.

The Minister interacted with Deputy Martin Kenny earlier. We all know rural towns and villages where there are loads of empty spaces, units and, more importantly, accommodation. What specifically will the plan do to encourage people and local authorities? The Minister was right, in that local authorities should be leading developments in towns. What is there within the fund or the milestones he mentioned that will inject people back into small towns to live and be part of their communities on a day-to-day basis?

**Deputy Michael Ring:** My Department has been in constant contact with all State agencies, local authorities and anyone who has received funding under the RRDF. I will answer the Deputy's other question shortly, but, regarding milestones, we have set targets. I am obliged by law - there is also an evaluation committee - to ensure we do not hand out funding until bodies reach milestones in procurement and being shovel ready. There must also be a certain level of spending before they can draw down from the fund. I expect the figures to improve. Some of the projects in question are major. They told us that, although they were shovel ready, they still had to undertake procurement. That they would not attempt procurement until they were allocated the money was understandable. Some of the projects are fantastic and will create very

badly wanted jobs and infrastructure in many towns, villages and other areas throughout the country. Consider the project proposed for Began in the Deputy's own area. It can be used for shows and markets and will be open to the general public. It will give a lift to Claremorris, Ballyhaunis and many other towns. Many other projects throughout the country will do the same. This is a game-changer for rural Ireland. When I started in this job, one of the issues constantly raised with me was in respect of promoters with ideas and projects. There was not enough grant aid or State funding to bring these projects over the line. This scheme will work well.

**Deputy Dara Calleary:** Can the Minister confirm the €3 million reduction in the budget? The project in Began is really interesting and has massive potential for east Mayo. What is being done was in the Minister's Department to ensure that potential is reached? That project will not happen on its own. Knock, Ballyhaunis and Claremorris need to get the kind of wins they need out of it and there must be a plan in place for those towns. For instance, there needs to be a plan in place for accommodation for people who are going to use that facility. Is somebody driving the local authority, which in this case is Mayo County Council, to come up with a plan that knits that huge development with the towns around it, so that they get the win we want them to get rather than us hoping, or assuming, they will get a win? At the moment people are being bussed in and out. Somebody has to drive it in order to get the impact. That is where this fund should come in. Fund the project but in order for it to deliver its full capacity and full benefit, somebody must also drive it on.

**Deputy Michael Ring:** The local authorities are one of the drivers. I will tell the Deputy about the real drivers behind any project, and we talked about that project in east Mayo. I refer to the town and village scheme. The plaza in Knock has given a lift to the town. The streetscaping in Ballyhaunis has given a lift to that town. Claremorris is a town that has seen much development over last number of years. What is happening in all these towns is that jobs are being created and there is a little bit of confidence in the towns. Communities and community spirit lead these projects.

I refer to the LEADER programme and the amount of grant aid allocated to very good projects in east Mayo. It takes time to develop them and for these schemes to be up and running. I am pleased my Department has played a major part in rural development with all the different schemes. The local authorities have a job to do to drive this on. They need to be doing more of that and encouraging more towns. I have asked them not to concentrate on the Ballinas, the Castlebars or the Westports but to look at the smaller towns and give them an opportunity as well.

## **Ceisteanna Eile - Other Questions**

### **CLÁR Programme**

6. **Deputy Tom Neville** asked the Minister for Rural and Community Development the status of the 2019 CLÁR programme, the 2019 outdoor recreational infrastructural scheme and the walks scheme; and if he will make a statement on the matter. [30081/19]

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**Deputy Tom Neville:** I ask the Minister for Rural and Community Development the status of the 2019 CLÁR programme, the 2019 outdoor infrastructural scheme and walks scheme and if he will make a statement on the matter.

**Deputy Michael Ring:** The CLÁR programme provides funding for small scale infrastructural projects in disadvantaged rural areas that have experienced significant levels of depopulation. I launched the 2019 CLÁR programme on 28 February last and applications were invited under three separate measures. Measure 1 provides support for school and community safety measures; measure 2 provides support for play areas and multi-use games areas; and measure 3 provides funding for community well-being support. The closing date for applications under the 2019 CLÁR programme was 30 April and almost 500 proposals were received by my Department. My officials are currently finalising the assessment of these applications and I hope to be in a position to announce successful projects shortly.

The outdoor recreation infrastructure scheme provides funding to develop new outdoor recreational infrastructure and to maintain, enhance and promote existing infrastructure. I launched the 2019 outdoor recreation infrastructure scheme on 29 March last and applications were invited under three separate measures, based on the scale of the projects. The closing date for applications was 31 May, and over 260 applications were received. These are now being assessed by my officials.

The walks scheme supports the development and maintenance of some of Ireland's key walking trails. The scheme currently covers 39 trails, with payments made to approximately 1,900 private landholders to maintain these trails. The Programme for a Partnership Government includes a commitment to increase the number of walks covered by the scheme, and funding for the scheme was doubled in budget 2019, from €2 million to €4 million.

In February this year, I invited expressions of interest for new trails to join the scheme. To date, 46 trails have been put forward by local development companies for consideration. I hope to be in a position to announce the first tranche of trails to be added to the scheme by the end of the summer. There is no closing date for the expressions of interest to be made to my Department under the walks scheme at this time. Interested groups should contact their local authority or local development company for further information if they have a trail that they want to have added to the scheme.

**Deputy Tom Neville:** I thank the Minister. I welcome the outdoor recreation scheme. There has been added benefit in County Limerick from it. One walkway in which I was heavily involved was the Askeaton Slí na Sláinte. Approximately €120,000 was given to that last year, which was very welcome. The local authority said it will be developed and work will be happening there quite soon.

This may not come under his Department but I ask the Minister to use his influence being a rural Deputy on the issue of tertiary roads and low-cost safety junction improvements throughout the country. A programme needs to be set up on that. Every year there is a list of junctions in rural Ireland that need to be refurbished or made safe. Usually within a council electoral area, one will get two or three junctions done if one is lucky. A programme should be put together over three or four years so that we can deal with this. The people of rural Ireland will see the fruits of the economy coming back to alleviate or help in road safety. I ask the Minister to use his influence with the Department of Transport, Tourism and Sport on that and to give me an update.

**Deputy Michael Ring:** The only responsibility I have for roads is in respect of the local improvement scheme, LIS, which I have opened and for which I have provided funding again this year. At Cabinet level, I always promote and push for funding for tertiary roads. The Deputy is correct that it is an issue, and it is one we need to promote. I will talk to my colleague, the Minister, Deputy Ross. The LIS has worked well.

The Deputy will be doing a bit of walking down the road in the next fortnight. I hear the Deputy is getting married and I wish him well. I hope his road will be in very good shape that morning for the bride to be.

**Deputy Dara Calleary:** And the walkway.

**Deputy Tom Neville:** I thank the Minister for his reply and for his good wishes which have been well-noted. On the broader debate on rural Ireland and on an issue I have raised here before and which is one for all rural Deputies, some towns and villages are beginning to feel the fruits of the economy and are starting to grow. They need help to get to the next level and these are towns and villages that were left behind during the boom. I refer to the sewerage scheme debacle during the Celtic tiger where schemes were bundled and unbundled but which were never done. These schemes need to be put to the forefront and developed. That would give these small towns and villages a critical mass that would sustain a market for small indigenous businesses. If a number of these towns and villages had an expanded sewerage scheme, it would help them to grow. That is the next step in the development of rural regeneration.

**Deputy Michael Ring:** I agree with the Deputy. The Minister, Deputy Eoghan Murphy, and his Department is looking at some schemes. The Deputy is correct in that we need to develop sewerage and water schemes. Many small schemes throughout the country need to be extended and, in some cases, new schemes are required. These are small schemes. My officials and officials in the Department of Housing, Planning and Local Government have been talking about what we can do to provide some support. My Department does not have the resources and I do not mind if the Department of Housing, Planning and Local Government plays some part in it. We can look at the CLÁR and other programmes assisting small communities but we need a scheme. The Deputy is correct that many towns and villages throughout the country are expanding and want a sewerage treatment plan and to extend the water scheme. To be fair, it is communities that are leading this and not local authorities or State agencies. They deserve a bit of support and a scheme. My colleagues and I are looking at that. In regard to the CLÁR programme, I am looking at different ways to see what I can do to assist rural areas.

**An Leas-Cheann Comhairle:** I speak on behalf of all Members when I wish Deputy Neville well.

### **Rural Regeneration and Development Fund**

7. **Deputy Aindrias Moynihan** asked the Minister for Rural and Community Development the discussions he or his Department have had with the Department of Culture, Heritage and the Gaeltacht regarding the eligibility of a theatre (details supplied) for the rural regeneration and development fund; and if he will make a statement on the matter. [30432/19]

31. **Deputy Aindrias Moynihan** asked the Minister for Rural and Community Development if the refurbishment of a theatre (details supplied) is eligible for funding under the rural

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regeneration and development fund; if a special case to prioritise the theatre will be made in view of the circumstances; and if he will make a statement on the matter. [30430/19]

**Deputy Aindrias Moynihan:** The Briery Gap theatre in Macroom closed its doors in recent weeks after three years of trying to operate out of temporary arrangements. It has now been three years since the fire that damaged the theatre and it was difficult for it to continue operating out of a temporary set-up. There are ambitious plans in place to do up the existing facility, but those plans need funding. We need to establish what options are available to the theatre to bring about that ambitious reopening.

**Deputy Michael Ring:** I propose to take Questions Nos. 7 and 31 together.

The rural regeneration and development fund seeks to support ambitious, strategic projects which have the potential to transform rural economies and communities. The Government has committed €1 billion to the fund over ten years and €315 million is allocated to the fund for the period of 2019 to 2022. I launched the second call for applications to the fund in April 2019, details of which are set out in the information booklet and application form relating to the fund on the Government website. The information booklet provides full details on all requirements for potential applications. The second call is currently only open to category 1 applications, which relate to projects which have full planning permission, have all necessary consents in place and are procurement-ready. The closing date for applications is 12 noon on Tuesday, 6 August 2019. Calls for applications to the fund are competitive in nature once all requirements are met and no project is prioritised for funding. My Department will provide general guidance relating to both the application process and the objectives and requirements of the fund. In that regard, a public information session was held last week in Athlone to inform prospective applicants, which was well attended and positively received. Officials from my Department are willing to speak to applicants to assist them in any way.

**Deputy Aindrias Moynihan:** There is an ambitious plan in place to do a job on the Briery Gap theatre, which will cost up to €4 million. It has been a big loss in Macroom over the past three years since it was lost in a fire. The council already has its own funding of over €1 million in insurance money, but only 6% of the cost is being put forward by the Department of Culture, Heritage and the Gaeltacht, or by any State agency beyond that. Has any discussion taken place between the Minister and the Department of Culture, Heritage and the Gaeltacht to fund the scheme up to now, beyond the scheme having now opened? The question is fairly specific. To what extent, if any, have the two Departments discussed this up to now? The talk locally is that this scheme is the only show in town for funding, as the arts funding only amounts to €200,000 or €300,000. Is some commitment already in place to fund this through the Minister's Department, or have any discussions taken place?

**Deputy Michael Ring:** I want to be honest with the Deputy. Applications for the rural regeneration scheme close on 6 August. Department officials will assist anyone in putting applications together and will give advice on how they have to be done. However, no scheme or particular project would be discussed with any other Department. When the applications come in, they are assessed by an evaluation committee which brings them to me for a decision. We do not discuss individual cases and would not discuss them with the Department of Culture, Heritage and the Gaeltacht because that it is a separate Department which is doing its own thing. If the Briery Gap application comes in, it will go through the evaluation committee and be assessed and a decision will then be made.

**Deputy Aindrias Moynihan:** I am glad the Minister has cleared that up because the talk locally, including from many of his own party colleagues, is that this is already a done deal and the plan will be funded through this channel. It is now clear that discussions are not taking place with the Department of Culture, Heritage and the Gaeltacht. It is good that the scheme is open and that there is an opportunity to make applications. I am keen for this project to be prioritised through this channel. The Briery Gap is looking for about €1.5 million in funding. Is that kind of project preferred for the rural regeneration scheme? Would it be a real contender and can it be prioritised?

**Deputy Michael Ring:** I confirm that the scheme is open and that funding is there. While anyone can make an application, it must fit the criteria in order to be successful. We do not discuss individual cases with anyone, in the interests of fairness. The process is there and any group, including the one the Deputy has referred to, can make an application. There is a process and an evaluation committee in place. If an application comes through the process, it will be considered like all other schemes. We do not talk about individual cases to anyone. One would expect that as it would not be fair to any particular project.

*Question No. 8 replied to with Written Answers.*

### **CLÁR Programme**

9. **Deputy Dara Calleary** asked the Minister for Rural and Community Development the status of the review of the CLÁR programme; and if additional measures will be considered to be permissible under the programme. [30426/19]

**Deputy Dara Calleary:** The Minister is currently reviewing the Ceantair Laga Ard-Riachtanais, CLÁR, programme. It is a superb programme, invented by Deputy Ó Cuív, which has made a significant difference with a small amount of money. It is a good project. Where is that review at and how open is the Minister to new suggestions for assisting rural facilities through CLÁR?

**Deputy Michael Ring:** The CLÁR programme provides funding for small infrastructural projects in rural areas which have suffered high levels of population decline. The areas originally selected for inclusion in the programme in 2001 were those which suffered the greatest population decline from 1926 to 1996. The Cooley Peninsula was also included on the basis of the serious difficulties caused in that area by foot and mouth disease. The average population loss in the original CLÁR regions over the period of 1926 to 1996 was 50%. In 2006, an analysis of the 2002 census data was carried out by the National Institute for Regional and Spatial Analysis, NIRSA, at Maynooth University and the programme was extended to include areas with an average population loss of 35% between 1926 and 2002.

As the Deputy is aware, the CLÁR programme was closed for new applications in 2010. However, I relaunched the programme in the second half of 2016, using the areas identified in the work carried out by NIRSA as a baseline. The projects supported since 2016 include safety measures around schools and community facilities, the provision of play areas, supports for first responders in emergency situations and measures to provide vehicles to transport people to cancer care and respite centres.

I have initiated a review of the CLÁR programme which will examine CLÁR areas by ref-

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erence to data from the 2016 census. I will also consider whether any other factors should be taken into account in designating areas for eligibility under CLÁR in the future. The review process began last November with targeted consultation meetings with a number of experts who are recognised for their background in rural development issues. Following on from this, my officials have been in contact with NIRSA with regard to carrying out a detailed analysis of the most recent census data in order to inform the review process further. I envisage that a wider stakeholder consultation will also take place before the review is fully completed. Once completed, the review will help inform the design of future CLÁR programmes and any additional measures which may need to be included.

**Deputy Dara Calleary:** We need to start looking at infrastructure and long-term developments, as well as some of the short-term measures the Minister has taken. For instance, Newtownwhite national school outside Killala in our constituency in County Mayo, a school the Minister is familiar with, has expanded significantly in recent years under the patronage of Educate Together, and it now needs to acquire land. However, the Department of Education and Skills does not support this land acquisition as it is intended for traffic safety and a playing field. That is the kind of project CLÁR could support in order to sustain a developing rural school.

We are also awaiting information from the Minister's Department on the Downpatrick group water scheme, which the Minister is aware of. This is again about putting facilities and infrastructure in place that will sustain communities to live in certain areas and protect the environment. Those kinds of infrastructure investments, which are long term but will sustain communities and help them grow, are what Deputy Ó Cuív had in mind when he first introduced CLÁR and we need to re-focus the programme on them.

**Deputy Michael Ring:** I again acknowledge, because I have always been fair, that CLÁR is one of the better schemes we have in place. My biggest problem is that I wish I had more funding for it. I need that funding now, which is why I am conducting this review. When I reintroduced CLÁR after many years, I brought it back in a limited way. The Deputy is correct and as Deputy Neville also mentioned we need to be able to examine schemes. I do not know whether we will be able to buy the land the Deputy referred to, because when I worked on the sports capital programme people were only given funding for capital works and never for buying land. That should be looked at, because that is a small school in a small area that needs support and it can only get so much from local contributions.

Many other places in rural areas also need small bits of support. It is like the rural regeneration scheme we discussed earlier.

That is for bigger projects that need support. The Deputy is correct to say there are small schemes and the CLÁR programme has been one of the best. We have not reviewed it for a long time but we will get an opportunity and I want it to be done before the review of the next CLÁR programme. I want to sit down with other Departments to look at how to do it.

I hope the Deputy and other rural colleagues support me in what I have to say next. We cannot allow other Departments to throw everything over to my Department. There is a bit of that happening at the moment and I want to be careful about it. Other Departments have an obligation to rural-proof projects but I have to ensure that Ministers do not see my Department as a soft touch that has to do everything. They have responsibilities too. They have their own programmes and schemes and they have their own money. I have to make them accountable

as well.

**Deputy Dara Calleary:** I agree with the Minister about other Departments. His Department cannot be just a clearing house. He said he wanted more money but one quarter of his 2018 CLÁR budget is still unspent. We keep coming back to this in respect of all the schemes we discuss. There is an announcement but this is not the same as actual spending. What is it about schemes that we are making them so difficult for communities? I do not care about local authorities, as they are big enough and bold enough, but communities are being affected. If the Minister is saying that he has not got enough money, we will support him and the reintroduction of CLÁR was, of course, part of the confidence and supply agreement. Communities suffer, however, when more than one quarter of the 2018 budget remains unspent half way through 2019. All Departments need to work collectively and to not dump all the rural issues into the Minister's Department.

**Deputy Michael Ring:** All the money for schools and community safety, play areas, including the multi-use games areas, MUGAs, community well-being and support, first responders and the mobility and cancer care transport scheme was spent last year. Why must I and my officials write to local authorities to ask them to spend the money they have received? Why are elected representatives not up on their feet at every council meeting asking why money on approved projects is not being spent? I can only do so much and I seek the Deputy's support in this. I have secured the funding but whoever is here after the next election will have the same problem. Pressure is coming on me from the Department not to spend more, because councils have not yet spent what they have got. If I do not have a stream of spent money, we will have the same situation in a few years' time. I would love to put the money out into the private sector, if I could, but I cannot do that.

### **Rural Development Policy**

10. **Deputy Bernard J. Durkan** asked the Minister for Rural and Community Development the extent to which he continues to monitor social or economic deficits in urban and rural areas nationally with a view to identifying the more salient interventions available to his Department in order to maximise the social or economic outcome; and if he will make a statement on the matter. [30441/19]

889. **Deputy Bernard J. Durkan** asked the Minister for Rural and Community Development the extent to which he has identified gaps in the system in which urban or rural communities, older or younger persons have suffered as a result of geographic location or economic exclusion with a view to offering assistance; and if he will make a statement on the matter. [31389/19]

**An Leas-Cheann Comhairle:** Deputy McLoughlin has been given permission to introduce a question submitted by Deputy Durkan.

**Deputy Tony McLoughlin:** I ask the Minister for Rural and Community Development the extent to which he continues to monitor social or economic deficits in urban and rural areas nationally with a view to identifying the more salient interventions available to his Department in order to maximise the social or economic outcome; and if he will make a statement on the matter.

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**Deputy Seán Canney:** I propose to take Questions Nos. 10 and 889 together.

I am satisfied that my Department delivers an effective package of supports which strengthen rural and urban communities. Funding priorities are reviewed and monitored on an ongoing basis to ensure our supports remain targeted at those most in need socially and economically.

The social inclusion and community activation plan, SICAP, is the largest social inclusion intervention in the State. The current programme, which runs from 2018 to 2022, was launched last year and will provide approximately €38 million this year for communities in need. SICAP allocations to areas are informed by the Pobal Haase deprivation index, which measures the relative affluence or disadvantage of areas within the State. This ensures that the programme is targeting disadvantage. Other relevant programmes, supports and interventions funded by my Department include the provision of €6.5 million towards the regeneration of the Dublin north-east inner city, NEIC.

My Department also funds the community services programme, which is currently being reviewed and has €46 million available to support community organisations in 2019. The community enhancement programme, born out of a review of the RAPID programme and communities facilities scheme, addresses disadvantage in urban and rural communities and allocated €13 million to more than 3,000 projects in its first year. The 2019 scheme was launched in May last with an allocation of €4.5 million.

My Department also continues to develop policy that can assist with the effective targeting of future funding. We are engaging with communities throughout the country on a new Government rural development policy to follow on from the Action Plan for Rural Development, a cross-Government plan to support economic and social development in Ireland's rural areas. An implementation plan for the framework policy for local and community development in Ireland, as well as Ireland's first national policy on social enterprise, are also at an advanced stage of development. In addition, the rural regeneration and development fund will provide €1 billion over the next ten years for rural towns and villages, while the town centre living initiative, a pilot programme aimed at testing approaches to the revitalisation of towns and villages, was rolled out in six towns across the country in 2018.

The Department is confident that all the initiatives it is delivering will combine to have a significant positive impact on all communities, rural and urban, both socially and economically.

**Deputy Tony McLoughlin:** The Minister of State mentioned urban regeneration funding of €6.5 million. Rural areas are crying out for an extension of regeneration and additional funding over the next number of years and money is earmarked for the plan for 2018 to 2022. How many rural areas will benefit from this regeneration? There is a need for additional funding and I am sure Deputy Durkan's constituency is like mine in this regard. I welcome the allocation of €38 million for drawdown. There is €46 million for community schemes and this is the way forward. The Minister, Deputy Ring, spoke about how these have been in place for a number of years and we see how many communities have benefitted from that funding.

**Deputy Seán Canney:** The rural regeneration development fund is a game changer for rural Ireland. The Department has allocated €52 million in funding in 2019 for projects supported by the rural fund. The first call for applications was closed in September 2018 and 280 applications were received, out of which 38 successful category 1 projects were approved, which have planning and other consents in place and are ready to go. The 46 vital projects in category 2

have been announced with funding of €86 million to support projects worth €170 million. A total of €1 billion is available in the rural regeneration fund over the next ten years and we need to have a cycle of projects coming through, from inception to getting the consents, at which point they move to category 2, the detailed design and procurement stage, before being built. This is the game changer that rural Ireland needs. When we look back on it, we will see it as one of the most significant funding opportunities rural Ireland has had from the Department.

**Deputy Tony McLoughlin:** Getting schemes ready, from the planning stages to being shovel-ready, in order that funding can be drawn down in local communities across the length and breadth of the country, is very important. It has been a game changer and it is the only way forward for communities to get funding to enhance their areas. Local people get involved in these schemes once they get the incentive and the funding from the Department. I welcome this and I hope it continues. The Minister of State said there was approximately €170 million over the next number of years for these schemes and that will make a huge difference across the country, including in urban areas where derelict parts of town need regeneration and funding. In the future, we also need to assist local authorities with funding.

**Deputy Seán Canney:** The Deputy referred to rural regeneration and social deprivation in urban areas. SICAP is informed by the deprivation index, which measures the relative affluence or disadvantage in areas within the State. It is important that we do not leave anybody behind. The community services programme extended in 2019 will provide an additional €1 million to organisations finding it difficult to meet the minimum wage obligation. The budget for the Dublin north east inner city initiative that was put in place following the Mulvey report budget is €6.5 million in 2019, an increase of €3 million on 2018, which may be of interest to the Deputy. It funds further projects, including pilot drug schemes, social employment projects and community grants and events.

The community enhancement programme, which initially received funding of €4.5 million for 2019, focuses on supporting groups in disadvantaged areas. The framework policy for local and community development in Ireland's implementation plan, as well as Ireland's first national policy on the very important theme of social enterprise, are in advanced development. We must not forget the urban regeneration fund, which helps larger projects in cities that will start the process and are key to achieving social inclusion.

### **Community Enhancement Programme Funding**

11. **Deputy John Curran** asked the Minister for Rural and Community Development the reason the allocation to the community enhancement programme is only a third of the allocation made in 2018 (details supplied); and if he will make a statement on the matter. [30087/19]

13. **Deputy John Curran** asked the Minister for Rural and Community Development his plans to provide additional funding for the community enhancement programme in 2019; and if he will make a statement on the matter. [30088/19]

**Deputy John Curran:** In a previous reply, the Minister indicated that the community enhancement programme has been established since the RAPID programme was closed. He referred to the €13 million he made available last year and indicated that a budget of €4.5 million is available for the community enhancement programme this year and another €500,000 for men's sheds. A far smaller allocation has been made for 2019 than was the case in 2018. Does

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he plan to make additional funding available for the programme during 2019?

**Deputy Michael Ring:** I propose to take Questions Nos. 11 and 13 together.

The community enhancement programme helps community groups to improve facilities in their area. The allocation of funding is weighted towards those communities in most need. It supports a range of investment in all areas of communities, including childcare facilities, playgrounds, recreational facilities, sports grounds, landscaping projects and supports for the elderly.

In 2018, I launched the programme with initial funding of €4.5 million allocated to it in the Vote. As there was significant interest in the programme, I was delighted to be in a position to allocate additional once-off funding to the programme later in the year, with the final amount allocated being €13 million. This included €500,000 that was ring-fenced for men's sheds and women's sheds. More than 3,000 projects across the country were funded, all of which were targeted at enhancing facilities in disadvantaged communities.

There is funding of €4.5 million for the 2019 programme, the same amount that was initially provided in 2018. If savings are identified elsewhere in the Department as the year progresses, then, as a result of its success of last year, I will consider additional funding for the community enhancement programme.

**Deputy John Curran:** This issue follows on from my previous question. The funding this year is substantially less than it was last year. As the RAPID programme is no longer in operation, there is a particular need for the most disadvantaged communities to receive continuous long-term support. They need to know on a year-to-year basis that programmes will be supported. Although the allocation of €13 million last year was very welcome and I have looked at projects funded under it, the most disadvantaged areas are not receiving the required level of support. Will the Minister review the community enhancement programme in light of the fact that it has replaced the RAPID programme, which targeted funding at the most disadvantaged areas? I previously raised my concern that the most disadvantaged communities are not being engaged and receiving funding on the ground. I welcome the funding for men's sheds and other programmes but I am concerned that it is at the expense of the most disadvantaged communities. While I acknowledge that savings were made last year, the fund this year is substantially less than the outturn last year.

**Deputy Michael Ring:** I know from where the Deputy is coming. We are speaking the same language and I would like to discuss the matter further with him. I am not having a go at him. In my view, I amalgamated the RAPID and community enhancement programmes. The Deputy will dispute that, which is fine. I accept that. The core budget line was €4.5 million. Thereafter, savings became available from elsewhere in the Department. I would be worried if that money was not being targeted at the intended areas. I acknowledge that the Deputy did not make that point. I want the money targeted at the people in the areas identified under the RAPID programme who need it most.

A review was carried out this year on the community enhancement programme because I do not want it to become a slush fund to be used by councils for other works they wish to undertake. The programme must target the most disadvantaged in society. That is why the LCDCs are of such importance. I expect them to take a bottom-up approach and to identify where the needs are, where the money should be spent and who should receive it. I am prepared to listen

to the Deputy because he is saying the same things as I am. I want the money to be spent on the people who need it most.

**Deputy John Curran:** I agree that the community enhancement programme must not become a slush fund. The Minister is well aware of the importance of investment in disadvantaged communities. The Minister of State, Deputy Canney, alluded to it in a previous response regarding the north east inner city. We know the challenges in the most disadvantaged communities. As I referenced earlier, the Taoiseach is also of the view that our most disadvantaged communities need additional supports. I am not hanging all of this on the Minister's Department as other Departments have a role to play.

**Deputy Michael Ring:** That is true.

**Deputy John Curran:** However, there has been very few advancements in DEIS schools or in funding drugs and alcohol task forces in our disadvantaged communities. Most of those programmes support very disadvantaged communities and the only such programme that relates to the Minister's Department is the community enhancement programme, which has replaced the RAPID programme. The Minister should go back to the drawing board with his colleagues at the Cabinet table, in addition to within his Department, to consider what the Government is doing to support these communities. The Taoiseach rightly said that we cannot afford to support all communities financially in the same way as has been done for the north east inner city, but we need to support them proactively and we are not doing that.

**Deputy Michael Ring:** I do not disagree with anything the Deputy stated. We are speaking the same language. I want to learn from the programme in the north east inner city and see if there are measures we can bring to other areas, including towns and cities, that need support. The Deputy asked about the community enhancement programme. I will look at it again because I want that funding to go where it ought. That is what the programme is about.

A programme that the Deputy did not mention, but which I know he likes and which I think is a great scheme that does not get the credibility and support it deserves is SICAP. There is a lot of flexibility in it. Deputy Calleary earlier referred to making schemes difficult to access. Since I became Minister, I have tried to make schemes easier to access. Deputy Curran and I disagree in regard to the funding of men's sheds, women's sheds, the community enhancement programme and the relationship to the RAPID programme. I established the community enhancement programme to make it easier to target the groups that need it most. If, following the review, the Deputy and I are unhappy with the reforms that have been made, I will consider the matter further.

*Written Answers are published on the Oireachtas website.*

*Sitting suspended at 10.20 a.m. and resumed at 10.30 a.m.*

## **Brexit Contingency Action Plan: Statements**

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Brexit represents a unique and unprecedented challenge for Ireland. I think this House understands that well. Three months since the European Council extended the Brexit deadline to 31 Octo-

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ber, we still do not know how or under what conditions the United Kingdom, UK, will leave the European Union, EU. It is hard for any of us to believe that the British Government and Parliament would allow the UK to leave without a deal. Such a decision would have profound political and economic implications for the UK, including, most significantly, Northern Ireland, as well as for Ireland and the EU. Given events in London, a no-deal Brexit on 31 October is an ever more significant risk that the Government takes extremely seriously. No deal means the UK will fall outside the Single Market and the customs union, with no trade or co-operation arrangements in place with the EU and no transition period. It will be impossible for the UK to maintain the current seamless arrangements with the EU across the full range of sectors from justice and security co-operation to transport connectivity, trade flows and supply chains. This has significant implications for us, as the Minister for Finance, Deputy Donohoe, set out in the summer economic statement, and would cause lower growth, increased unemployment, and an impact on our exporting sectors, including agrifood, indigenous manufacturing and tourism.

Extensive measures were put in place for a no-deal Brexit in advance of the 29 March and 12 April deadlines. The extra time to the end of October is an opportunity to strengthen, refine and refresh those preparations where appropriate, which is exactly what we are doing. No-deal Brexit preparations continue to have the highest priority across Departments.

The Brexit contingency action plan the Government laid before the Oireachtas on Tuesday reflects this extensive work, both on a whole-of-Government and at an EU level, and sets out the steps to be taken between now and 31 October. It follows on from the Government contingency action plan, that was published in December and updated on 30 January. The action plan does not seek to pull its punches but lays out clearly the work done and the significant risks to Ireland in the event of a no-deal Brexit. To be clear, we cannot fully mitigate against the impacts of a no-deal Brexit. The action plan shows that while extensive work has taken place to be prepared, the impact of a no-deal Brexit would still be profound. This is an exercise in damage limitation and Brexit will still pose serious challenges to many sectors and areas of economic, political and social life. It is only by Government and Opposition parties, business and citizens working together nationally, along with EU partners, that we can aim to mitigate as far as possible the impacts of a no-deal Brexit and ensure that we are as prepared as we can be for the changes it will bring.

The action plan lays out the substantial work done in advance of the 29 March and 12 April Brexit dates. This includes passage of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019, signed into law by the President on 17 March. I thank the House again for the co-operation and support in ensuring this critical legislation was put in place in a timely fashion. We have put in place sufficient infrastructure to manage the necessary checks and controls on east-west trade at our ports and airports. This has seen some 400 additional Revenue staff, nearly 190 staff from the Department of Agriculture, Food and the Marine, and almost 60 additional HSE staff trained and already in place. The high level memorandum of understanding on the common travel area that I signed with David Lidington on 8 May protects the right of Irish and British citizens to travel freely, and to move to live, work and study, and access healthcare and social benefits in our two countries.

In the time left until 31 October, the action plan emphasises in particular the need for exposed businesses to be prepared. While a no-deal Brexit was averted in March and April, citizens and businesses cannot assume that the same will happen in October. This would be a dangerous assumption. The need for preparations is more pressing than ever. Government Brexit communications will, therefore, include a call to action to businesses operating in ex-

posed sectors to take the necessary steps to prepare for a no-deal Brexit, including an intensified engagement programme by Revenue. We will continue to provide further additional infrastructure at ports and airports to enhance our capacity to manage the necessary checks and controls on goods coming from the UK as smoothly as possible. I thank Dublin Port and Revenue for the work that they have done there, and indeed the teams that have worked so well in Rosslare. Dublin Airport will also be ready and I thank it.

We will continue work with the EU, the UK and partners on securing a landbridge connection through the United Kingdom. To meet our commitments to the people of Northern Ireland, we are also advancing work on access to Erasmus+ programmes and the European health insurance card. Prudent economic planning and building the resilience of the economy have been a key part of our preparations, with the provision of supports to help businesses and other affected sectors to prepare. This will continue as we prepare for budget 2020, including making provision for targeted funding for the sectors most affected in the event of a no-deal Brexit.

In dealing with Brexit, we do not stand alone, and it is important to re-emphasise that message. We are working in close co-operation with our EU partners. Work at EU level has been set out in five European Commission communications, the latest of which was published on 12 June, as well more than 90 Brexit preparedness notices. Prior to the 29 March deadline, the Union adopted 18 primary legislative measures on a unilateral temporary basis to mitigate the worst effects of a no-deal Brexit. A number of these are in key areas for Ireland, including air connectivity and road haulage access, as well as maintaining PEACE and INTERREG funding. The Commission is committed to supporting Ireland in addressing the specific challenges of Irish businesses and we will continue our engagement with member states and the Commission on key outstanding issues, including on potential supports for Ireland and affected sectors.

The risks of a no-deal Brexit are most acute with regard to its possible impact on Northern Ireland, North-South relations and the Good Friday Agreement. A no-deal Brexit risks significantly undermining wider community relations and political stability in Northern Ireland with potential related security concerns. The impact of tariffs, of the customs and sanitary and phytosanitary, SPS, requirements and associated checks necessary to preserve Ireland's full participation in the Single Market and customs union would impact significantly on the all-island economy. I have made that very clear this week. There would be additional costs and disruption for businesses throughout the island, particularly in Northern Ireland. This is why the commitment of the Government throughout the Brexit process to prevent the re-emergence of a hard border on the island of Ireland remains the highest priority. Those objectives were delivered by the withdrawal agreement. With the backstop, it remains the only solution currently on the table that delivers the outcomes that everybody, including the UK, wanted to achieve. It is very important that we in Ireland remain clear and consistent on the need for the backstop, which has come under sustained attack during the Conservative party leadership contest. We can continue to rely on the solidarity and unity of our EU partners on this issue. In the absence of the withdrawal agreement, there are no easy solutions. The Government is working closely with the European Commission to meet the shared twin objectives of protecting the Single Market, and Ireland's place in it, and avoiding a hard border, including physical infrastructure. This work is looking at necessary checks to preserve Ireland's full participation in the Single Market and customs union, but any arrangement will be clearly sub-optimal to the impact of the backstop should that ever be needed in the context of Brexit.

The Government's overall objectives have been consistent from the start. We have worked to minimise the impact on trade and the economy, protect the peace process, including avoiding

a hard border, protect the all-island economy, maintain the common travel area and reinforce our commitment to, and participation in, the EU in the future. These continue to guide our approach in any Brexit scenario, as is mapped out in the action plan. A no-deal Brexit will have profound implications for Ireland on all levels. Addressing those challenges requires difficult and significant choices of a practical, strategic and political nature. It is only by the Government, business and citizens working together, as well as with our partners in the EU, that we can aim to mitigate as far as possible the severe impacts of a no-deal Brexit and ensure that we are as prepared as we can be for all it may bring.

**Deputy Lisa Chambers:** We are approaching yet another Brexit deadline and we can look back to last March to see many similarities, but there is an acceptance that this time is different. By 31 October the UK must either accept the Brexit withdrawal treaty it negotiated, including the backstop that it helped to craft, or face a disorderly Brexit and leave the European Union with no deal. While there might be space to tweak the declaration on future relations to give further assurances that a good trade deal will be struck, thereby hopefully negating the need to invoke the backstop, there is no space and there are no cracks in the withdrawal treaty to wedge in any alterations. There must also be an acceptance in Ireland, however, that without a deal there is no backstop, which would leave us in a difficult and challenging position.

Ireland's position and the EU's position have remained constant and unchanged. There has been solidarity across Ireland, ranging from the business to the farming communities. All Members of this House have stood together to face down the challenge that Brexit presents. The maturity this House has displayed in dealing with the Brexit crisis is in stark contrast to the immaturity of the much older neighbouring parliament in England. Our politics, despite a minority Government and a sometimes fractured political landscape, have worked remarkably well on this issue, so it is deeply disappointing to see British politics so utterly broken and unable to serve the citizens. While we can look on with interest at the Tory leadership contest, we have no role in who becomes the next British Prime Minister. We will work with whoever replaces Mrs. Theresa May at the end of this month, although it is worrying and disappointing that a willingness to crash the UK out of the European Union and deliver the hardest Brexit is now almost a badge of honour for the two candidates. However, we must remember that in the heat of the leadership contest, they are speaking solely to Tory Party members and not to their wider citizen base.

The way in which relations between the Irish and UK Governments have deteriorated is a deep concern for Members. We have spent many decades building a strong relationship between both islands and Brexit has put a considerable strain on that. At times, there even appears to be a degree of hostility between both Governments. That is not good. We must look at the bigger picture and try to think of a time beyond Brexit, when we wish to continue to have a strong relationship with our closest neighbour not only because it is our biggest market but also because we have long historical and strong cultural links that are very important to our people. The Government has done a great deal of work on interacting with EU leaders in member states but, arguably, has failed to put the same effort into the very important relationship with the UK Government. Ultimately, that has caused damage and it must be addressed urgently.

The updated Brexit contingency plan published this week contains very little new information and is not really a plan. It contained much of what was in the original plan and a great deal of information on what the Government has already done, such as the memorandum of understanding, MOU, work at Dublin Port and staff who have already been hired. The economic warnings issued by the Government again this week were nothing new. We know Brexit is bad

and the many economic forecasts from the Economic and Social Research Institute, ESRI, the Irish Fiscal Advisory Council, IFAC, the Central Bank, the Department of Finance, the Department of Business, Enterprise and Innovation and the Minister for Finance have been saying that for a long time. We know there could be a deficit of €6.5 billion in the Government's finances next year and that we face job losses of up to 55,000 in the immediate aftermath of Brexit, so the stark warnings this week did not add anything to the debate. I am not sure the publication of the plan this week was useful.

There are glaring omissions from the updated plan. We still do not know what type of support package will be in place for farmers and businesses in the event of a no-deal Brexit. There are no details about that. We also still do not know how we will manage the Border and what happens in the event of a no-deal Brexit when we know we will have to protect the integrity of the Single Market. As the Tánaiste said, we cannot have Ireland removed from the Single Market because of Brexit. Reasonable questions are being asked, not just by Fianna Fáil but by every Member of the Opposition and our citizens, farmers and businesses, but we still do not have answers with just over 100 days to go. Our preparedness leaves a great deal to be desired. More than 40,000 businesses are still not registered with an economic operators and registration and identification, EORI, number with the Revenue Commissioners. I appreciate that not all those businesses trade frequently with the UK, but some do.

I will reiterate a point I made previously. The Government cannot take a hands-off approach to small and medium-sized businesses or to small haulage businesses. It is not acceptable to say that it is up to them to get ready. It is in the national interest that the Government works with them and ensures they are ready. If they are not ready, every citizen on this island will be impacted.

**Deputy Declan Breathnach:** Like many other Border county representatives in the House and others, I worked tirelessly and diligently, both locally and nationally, to ensure that the spirit of co-operation for an all-island economy would be achieved. Long gone are the days when the people of Northern Ireland and the Republic kept their backs to each other. They now face each other and have confronted what appeared to be insurmountable issues at times to achieve not only the fragile peace but two economies, North and South, that are interdependent. The prospect of a crash-out Brexit will leave both economies back at square one. There is also a real danger that the fragile peace process, which is so important for these islands, will be compromised.

Yesterday's cross-Border report in respect of a no-deal Brexit is stark reading, with an estimated 40,000 to 50,000 jobs to be lost in Northern Ireland coupled with a similar forecast of 50,000 to 60,000 job losses in the South. That equates to the adult population of my constituency of Louth. If we wish to discuss the imposition of tariffs, the Police Service of Northern Ireland, PSNI, has indicated that one of its major concerns, particularly with regard to the sheep and pig markets, is that there will be a huge compromise of animal welfare. If tariffs are introduced there will be no market and there is a danger that farmers will be unable to feed their animals or let them out. That shows there must be collective action to solve the problem. It is also evident that the small and medium-sized companies that are trading across the Border each day will soon find themselves with no place to go. When it comes to EU tendering and so forth they may be excluded.

I fully support the backstop and particularly the collective solidarity in these Houses of all parties and none. The withdrawal agreement was agreed by the British Government, but it is

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now trying to unravel it with suggestions of a five-year time limit. The elephant in the room is how we deal with a hard border. Politics is the art of compromise and I firmly believe, having lived with the Border, that an all-Ireland economy and an economic zone must be created on these islands for a period of years to ensure that the people North and South and their economies and livelihoods are protected. I hope that the Russian roulette being played with our economy will be resolved. We are staring down the barrel of a gun and politics is being played by those who would like to pull the trigger. They need to take into account the people of all of our islands and particularly the island of Ireland.

**Deputy Brendan Smith:** Half way through the extension agreed with the EU 27 a number of permutations and combinations of how dangerously Brexit may play out have increased. The leadership contest within the Tory party, some uncertainty, to say the least, in the British Labour Party, the rise of the Brexit Party and the increasing Scottish support for a second Scotland independence referendum means that things are now far more uncertain than they were last March. It is a costly and dangerous uncertainty for us on this island. While we still fervently hope for an orderly and managed Brexit based on the already negotiated withdrawal agreement with a lengthy and calm transition phase, we know that we must prepare for a no-deal Brexit.

The wild speculation and the misinformation that is passing for political analysis from those around both of the Tory leadership candidates leaves us with no alternative but to be prepared for the worst, but we must still be careful that what we do and say does not add fuel to the flames of the misinformation. There is a responsibility, indeed a duty, on those who speak for the Government to be measured and precise in their phraseology in these uncertain times. People need to be kept informed. The political atmosphere on the neighbouring island is now so febrile that even the wildest piece of nonsense, something that we here know as totally untrue and incorrect, is hailed as political fact. We saw this recently at the ITV Tory leadership debate. Both candidates were asked about the Irish Border and the backstop. Mr. Boris Johnson asserted that the Border issue could be kicked down the road and addressed during what he called the “implementation” period after Brexit. That this nonsense claim was not challenged by his rival or by the moderator is breathtaking. Leaving aside the simple fact that there is only an implementation period if there is a withdrawal agreement, the other fact is that the Irish Border must be addressed in phase one. It cannot be kicked down the road to be used as a bargaining chip by Britain to hold us hostage. Mr. Jeremy Hunt failed to call out Mr. Johnson’s nonsense and added to it by saying there were ways of avoiding checks at the Irish Border after Brexit. Mr. Hunt then bizarrely said that is “not new technology, but technology that already exists”. Let us be clear that such a solution does not currently exist. As the EU’s Director-General for trade, Sabine Weyand, said in January: “We looked at every border on this earth, every border the EU has with a third country – there’s simply no way you can do away with checks and controls.” As others have pointed out, even if the EU agreed to implement a solution using existing technology, such as one based on mobile phone tracking, there is not a chance it could be designed and put in place by 31 October.

We risk seeing a whole fictional fake news world being built up around the idea of alternative arrangements as a viable and available solution. Last week the Prosperity UK think tank came to Dublin to outline its alternative arrangements proposals, which it claims provide a working solution that would supersede the backstop, ensuring it never comes into operation. To its credit Prosperity UK does at least acknowledge the primacy of the Good Friday Agreement, something that many in the Tory party do not acknowledge and seem happy to tear up. The good news, however, ends there. The excellent note from the British Irish Chamber of

Commerce calmly and factually debunks and dismantles the alternative arrangement proposals championed by Prosperity UK when it advocated inspectors from neighbouring jurisdictions going onto farms on both sides of the Border. From going up there I know how welcome that would be.

**Acting Chairman (Deputy Declan Breathnach):** I have given the Deputy some leeway because I believe I infringed on his time. I hope people will respect that.

**Deputy Seán Crowe:** The ongoing circus that is the Tory leadership contest should not in any way lessen the gravity of the situation facing Ireland. Boris Johnson and Jeremy Hunt have both shown an ignorance of the island of Ireland, its history, its politics and its economic reality, which would be laughable if it were not so serious. Regardless of who wins, this island needs to be prepared for all eventualities.

No matter what way we look at it Brexit means disruption. There is no doubt about this and the only question is by how much. Apart from Britain, Ireland will be the country most affected by Brexit in ways that are out of proportion to anything that may be experienced by the rest of the EU member states. Because of this it is not possible to apply a contingency plan drawn up to suit France, Germany or Italy and expect it to work for Ireland. We need bespoke solutions because our situation demands it. This is the case whether there is a soft or hard Brexit. Last year the EU took the decision that in the event of a no-deal Brexit all 27 remaining EU member states will initiate the same plan and it has not altered or changed those plans in any way since. The EU is using the same logic it used with the banking crisis and subsequent austerity, a logic that had disastrous consequences for the Irish State and for Greece, Portugal and Spain. There is no one-size-fits-all solution to a no-deal Brexit. While cognisant of our EU responsibilities the response that is needed should, nonetheless, address the singular problems facing Ireland, namely the threat that Brexit poses to exporters, the all-island economy, the Good Friday Agreement and the Border. There is a need for direct Government support for importers and exporters who trade exclusively with Britain.

I shall now move on to the substantive issue of the threat of a border and to the all-island economy in the event of no-deal. I reiterate that Sinn Féin has supported this Government and will continue to support this Government when it comes to the backstop and guarantees for the island of Ireland. We have not and we will not play politics with this issue.

We have concerns and we want to raise them, not to score points but because they are legitimate. They are held by the majority of the people in the North who are worried about what the next Tory party leader will do, be it Boris Johnson or Jeremy Hunt. People are worried about the threat posed by a no-deal Brexit to the Good Friday Agreement. They are worried about what a no-deal Brexit will bring to a British imposed border. Brexit will be catastrophic for the people of the North and the island of Ireland. It is quite clear the British Government does not care about the impact of Brexit on the North's people, economy, businesses or agreements.

Brexit is incompatible with the Good Friday Agreement. One of the legal components of the Good Friday Agreement is the birthright provision that enables citizens in the North to identify as a right and be accepted as Irish, British or both. As such they should be allowed to assert their full rights as EU citizens. We must ensure Ireland's interests and the rights of citizens in the North are fully protected at this crucial time. As joint guarantors of all aspects of the Good Friday Agreement, including its nationality clause, the Irish and British Governments have a responsibility to defend it and to ensure its protection to protect the peace process, the all-Ireland

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economy and to avoid a hard border on the island of Ireland.

Sinn Féin has been clear, the EU has been clear and the Irish Government has been clear that the backstop is the insurance policy for the people of Ireland. It is the bare minimum and it must be maintained. In the absence of a deal we must hear from the Irish Government and from the EU just how exactly they expect to protect the Good Friday Agreement in all its parts. The Oireachtas Joint Committee on the Implementation of the Good Friday Agreement had many presentations from Border communities and organisations trying to plan programmes that benefit communities and businesses and local authorities North and South. A mapping exercise was completed by the British Government and published in December 2018. It identified 156 areas of North-South co-operation, including the implementation bodies, agriculture, environment, health, tourism, education - including higher and further education - energy, telecommunications, justice and security, and fisheries. It shows that it is not enough to talk about border checks and what is happening away from the Border as if this will somehow square the Brexit circle. It is important to understand that Irish prosperity, in addition to being linked to the Single Market is also linked to the all-island economy.

**Deputy Gerry Adams:** Whether it is Mr. Johnson or Mr. Hunt who wins the contest to be the next British Prime Minister there is little to suggest that we can avoid a UK crash out of the EU. As we all knew, and as Sinn Féin has consistently warned, the consequences of this for the Good Friday Agreement and for the restoration of the political institutions in the North are not good. The power sharing Government was stood down by Martin McGuinness because it was not fit for purpose. So far, talks have failed to bring the DUP to accept the imperative of a rights-based Good Friday Agreement dispensation. The British Government has also failed to fulfil its obligations even before Brexit. The outcome of Brexit, whether it is a no-deal scenario or with a withdrawal agreement, is not good either.

Both will have a damaging impact on the political, social and economic life of the island of Ireland but especially Border communities such as those in County Louth and citizens living in the North. According to the Government's contingency action plan update, we can expect job losses in the order of 50,000 to 55,000 in the most exposed sectors. A report published yesterday by the North's Department for the Economy predicts that up to 40,000 jobs will be at risk in the event that there is a no-deal Brexit. Last month a confidential British Government study was published by the Brexit select committee. It identified 142 areas of co-operation between this state and the North and between the island of Ireland and Britain. Incidentally, I appeal to the Government and others, in the interests of geographical accuracy, to stop describing this state as Ireland. It is not Ireland; its title is the Republic of Ireland. As we all know, Ireland is the entire island.

This week the Government acknowledged that checks on some goods from the North would be necessary after a no-deal Brexit. The Tánaiste's statement this morning refers to the impact of tariffs, customs and sanitary and phytosanitary, SPS, requirements and associated checks necessary to preserve the State's full participation in the Single Market and the customs union. That is despite many previous assertions made by the Tánaiste and the Taoiseach that there would be no physical infrastructure or related checks or controls. What does that mean for the tens of thousands of citizens who travel across the Border every day, whose land straddles the Border and, in some places, whose homes straddle the Border? What will happen to the people travelling to and from work, the farm, school, on business or socially to sports events and so on? The Minister, Deputy Ross confirmed to me yesterday that the Government had asked the European Commission to exercise its right to set aside the use of the so-called green

card for drivers. Thus far the European Union appears to be refusing to do so.

As we have all pronounced, it is the future of the Good Friday Agreement and the political institutions that is of the greatest concern. Under Mrs. Theresa May, the Tories were committed to scrapping the Human Rights Act and undermining the core human rights values of the Good Friday Agreement. Under Mr. Johnson or Mr. Hunt, that stance is likely to harden. We must always remember that the people of the North voted to remain in the European Union. That is a fact and it needs to be upheld. In its contingency action plan update the Government concludes that there is “a risk that the UK government might initiate a move to Direct Rule” as a response in managing the new post-Brexit situation. Having identified that risk, what is the Government doing about it? Has it spoken directly to the British Government about it? Will the Tánaiste confirm that the Government is implacably opposed to the imposition of direct rule? Will the Government also move beyond the rhetoric and, if the British Government moves in this direction, will the Tánaiste commit to using the diplomatic service and all available international forums to prevent it from happening?

**Deputy Willie Penrose:** We are standing on the bridge as the Brexit date looms into view. The challenges arising therefrom are significant to say the least and have been referred to expansively by my colleagues. We must continue working in an anticipatory fashion. However, we continue to work in a vacuum as we do not know what type of Brexit will emerge or the conditions that will be attached to it. The stark reality, as indicated in the Government’s report, is that 50,000 to 55,000 jobs are at risk if there is a hard Brexit. Everyone contributing in Ireland, Britain and everywhere else says we do not want a hard Brexit. However, we are hurtling towards a no-deal Brexit facilitated by a battle for the leadership of the Tory Party in Britain, as the candidates outdo one another in their machismo, trying to indicate how strong they would be, but they have given very little thought to the economic consequences, even in their own country.

A report in Northern Ireland published yesterday states 40,000 jobs are potentially at stake there. For Northern Ireland, that level of job losses would be nearly twice as serious, given its smaller population and workforce. Clearly, the economic risks for Northern Ireland are acute in the context of a no-deal Brexit. As well as direct job losses, we know that any Brexit will affect wider economic output here and in Northern Ireland. The whole economy will contract, with a loss of living standards and incomes across the whole economy or, perhaps I should say, nearly the whole economy. One of the big problems with Brexit is that the harm will be concentrated in some indigenous sectors that have been mentioned such as agriculture and food. During the debate yesterday on Mercosur I indicated that in terms of the impact on agriculture, the immediate focus should be on Brexit. There are 300,000 tonnes of beef going to the United Kingdom, which accounts for well over 52% of the overall market. It is our largest market for high value and quality cuts. It is a terrible impact. While Mercosur is important, it is down the line and we can all work at it and indicate our dislike of it, but Brexit is the big issue. The farming public with which I deal is more acutely aware of Brexit and its confidence has been more directly impacted on by it.

Job losses will be concentrated outside Dublin and the other big cities, which is a significant problem. There is a real risk that the Dublin economy will be okay and that policy makers in the Dublin bubble will not see the reality for the rural economy. The word “rural” appears just once in the Government’s 117-page plan which states: “The agri-food and fisheries sector is Ireland’s largest indigenous industry [...] and acts as a primary driver of the rural economy”. That is an understatement, as everybody understands. The plan acknowledges that most of the 55,000 job

losses will be in the most exposed sectors which include agrifood, tourism and retail, but it fails to put two and two together. I asked that this issue be given attention in the coming weeks. It is my view that whoever wrote the plan failed to see the difference between normal fluctuations in employment and the job losses that will come from structural change in our export opportunities. We all know that when the economy is going well and GDP is going up, there are more jobs. We used to hear the old saying about the rising tide. However, what goes up must come down. When GDP drops, as it inevitably will and as the Minister for Finance, Deputy Donohoe, pointed out recently, the economy can provide fewer jobs. While in the normal run of events new or lost jobs are spread across the whole economy, in a hard Brexit most of the job losses will be in the same sectors of the economy and the same towns and rural areas. The impact will be significant.

There are about 91,000 people outside the farm gate employed directly in agriculture, forestry and fishing. How many of these jobs will we lose? Will we lose one quarter, one third, 30% or 40%? We have to get down to that level of detail; otherwise we cannot prepare or put in place the necessary resources to counteract these losses. There will not be another job to go to for someone who has the skills needed for farm work or food processing. They are specialised skills. We may suddenly be faced with losing 55,000 jobs in rural Ireland and smaller towns. If we assume Dublin jobs will mostly be okay, it means that around one in every 30 jobs in the rest of Ireland will be gone. Even if we include all 2.3 million jobs in the State, 55,000 job losses still represents one in every 42 jobs. That is a massive impact which will have significant consequences and implications for thousands of families and communities in the heart of rural Ireland. I know what it is like. We only need to hear the news emanating this morning from Lanesborough and Derrahaun about Bord na Móna. Losing ten or 20 jobs in such a place is like losing 200 or 400 in a city. The impact on the wider economy is significant and will mostly be felt in rural Ireland and smaller towns. The Government's plan does not demonstrate real preparedness for this scale of job losses and the impact it will have in those areas. When there are normal job losses across the whole economy, a worker can usually find work in the same industry or in a job that needs similar skills. However, we are talking about 55,000 workers who might have to retrain and seek work in a totally different industry. The first response should be to see how many of these jobs we can support. As my party leader, Deputy Howlin, said yesterday, the Government should be talking to trade unions about altering work patterns on a temporary basis to see if we can limit the number of job losses and keep businesses going. We have to be proactive in that regard. It is much easier to preserve existing businesses than to foster new ones and jobs from scratch. We are all acutely aware of the concentration being on areas with a high skills base, but trying to find a job in a rural area is more difficult. The Government should be talking about the amount of money and resources that will be available to keep businesses from closing down so as to preserve jobs.

It cannot all be doom and gloom, as this is only anticipatory, but we all have to work together. We all have an obligation in that regard, not just the Government. The economy is going well, but the Labour Party contributed to making the necessary changes and adjustments to fix it, hard though it was, and suffered as a result. However, we do not want to see another wave of job losses barely ten years after the last economic crisis. Following the economic crash in 2008, we created a €500 million jobs fund which we used to boost employment in areas in which a lot of jobs could be created such as hospitality and tourism. The Tánaiste is well aware of this, as it was the jobs fund that was used to fund the lower rate of VAT in the hospitality sector. I recall that, as part of our objectives, the Labour Party set about providing 30,000 new training places per year, but we delivered more than 40,000 per year. The Government's plan includes a two-

page section on training for workers who lose their jobs but no quantitative targets. However, what bothers me - another speaker referred to it - is that there is no indication that new money will be made available to secure existing jobs and train people for new ones. The question is: what jobs? The nature and type of job are of critical importance. There must be a greater focus on an industrial strategy in the Government's plan.

There are a number of potential growth areas in the economy. We could develop new jobs in home retrofitting. We need workers in such areas if we are to reduce carbon emissions and eliminate fuel poverty. An area in which I see great potential to create new jobs is forestry in making new materials from wood, including replacements for many industrial plastics. Obviously, we could create more jobs in construction in building the affordable homes people need across the country.

In addition to looking across Europe to replace goods we currently import from Britain we should be looking at what we can supply efficiently in the domestic economy. There are many possibilities for job creation in the economy, but none of them is alluded to in the Government's plan. Having a focus on an industrial strategy within the plan is critical.

The European Union understands the nature of the challenges we are facing. They were outlined by the Tánaiste. The reason there is a European Globalisation Fund, EGF, is to deal with situations where industries go bust and particular regions suffer acute job losses. The Government's plan mentions the fund, but it simply states: "There has been engagement with the European Commission and agreement on the potential for the EGF to be used...". That is a good start, but how long will it take to activate funding? If the Government's plan is to wait and see if it will be needed, it is being foolish. We must be more proactive. We must seek changes by way of engagement on the European Globalisation Fund to ensure it will be more widely available and less circumscribed than it is in the context of when job losses occurred. More could be done to ensure we would ready to step in at the beginning of the crisis. There is no point in waiting to see how bad matters will become or work out before taking action. Once businesses close and jobs are lost, it will be more difficult to pick up the pieces and families will find themselves unable to pay their mortgage or rent. In a word, the Government's plan is passive. The tone of the plan is to wait and see what happens. We know what will happen if there is a hard Brexit. We do not need to wait and see thousands of jobs being lost before we take action. There are three and a half months until there is a hard Brexit. The Government has to be ready and we all have to support it in the actions it will take to ensure it is ready.

**Deputy Mick Barry:** When a country is the victim of a big external shock, it needs to respond and there are always choices in how it might respond. During the Second World War, for example, many countries, even those within the framework of capitalism, decided that a high degree of nationalisation, coupled with increased welfare provisions for the population, was the best way to deal with the crisis. In advance of a potentially disorderly Brexit, the Government is making its choices. It has chosen the option of neoliberal shock therapy, with 50,000 to 55,000 job losses, wage cuts, price increases and cuts in social spending. That choice is being presented to the people as not being a choice at all. Instead, it is something that is inevitable and to which there is no alternative. It is not inevitable; there are alternatives. The key alternative is for the State to intervene to prevent job losses, price hikes and pay cuts. That could best be done by nationalising all major companies threatening to sacrifice jobs or cut pay rates to protect profits in the event that there is a disorderly Brexit. These measures could be supplemented by others such as freezing prices, banning rent hikes, etc.

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The Government and the supporters of the capitalist market generally will argue that such measures are impractical and not realistic. However, let us note that the Government is proposing State intervention in the economy as the Brexit scenarios play out. It is proposing, for example, to increase state aid for businesses that will be impacted by Brexit. The stated intention is to help to defend jobs, but the provision of aid will not be made conditional on job cuts not being made. Beneficiaries of this policy might well include the likes of Larry Goodman who has shown his concern for the welfare of the nation in recent times by choosing to pay company taxes in Luxembourg, rather than in this jurisdiction. The State intervention we advocate would not serve to benefit beef barons, tax avoiders, millionaires or billionaires. It would serve to benefit working people at the expense of those vested interests, through a policy choice of nationalisation, workers' control, job protection and the defence of living standards.

The Government will not achieve unanimity in this House on the option of neoliberal shock therapy because we will oppose it. Fianna Fáil, through its finance spokesperson, Deputy Michael McGrath, has made it clear that it is willing to support a shock therapy prescription. That was clearly demonstrated when Deputy Michael McGrath announced that, in the event that there was a disorderly Brexit, Fianna Fáil would join the Government in opposing even a €5 increase for pensioners and other social welfare recipients at budget time. Not only will we vote against neoliberal shock therapy policies, we will also urge the working class to oppose them, too. The working class and the poor should not be the whipping boys in the context of Brexit. We will support any genuine campaign, resistance and push-back against any attempt to make working people the whipping boys in this crisis.

**Deputy Simon Coveney:** We are trying to protect working people. That is what the Government has been doing throughout in the context of Brexit.

**Deputy Richard Boyd Barrett:** The rottenness, the recklessness, the dishonesty and the overweening personal ambition of people like Boris Johnson and Jeremy Hunt are plain for all to see. They do not give a damn about people in Ireland or Britain. They just give a damn about themselves, their hunger for power and pathetic attempt to restore the notion of Great Britain and the Empire, the irony being that their stupidity and personal ambition may propel the United Kingdom towards its disintegration. That would be a reason to be happy if it were to happen, but the dangers they pose for people in this country and working people in their own country are obvious. Of course the best outcome would be if whoever emerges as the victor, which will probably be Boris Johnson, does not succeed in getting his crazy plans through the British Parliament, thereby provoking an election, and a Corbyn government is elected. That would at least allow for a sane discussion, something which Boris Johnson is completely incapable of having. That would change the pitch. We do not have any control over what British Government would emerge or whether a Labour government would be elected but we should roundly denounce the scurrilous attempts to derail a possible Corbyn government with completely dishonest accusations of anti-Semitism. Jeremy Corbyn is, of course, a lifelong anti-racist. That is part of a really rotten effort-----

**Acting Chairman (Deputy Declan Breathnach):** We are discussing the Brexit contingency action plan.

**Deputy Richard Boyd Barrett:** Absolutely, and what happens in British politics will impact upon it very significantly. We should want a Corbyn government. It is the better option if we are to have any sort of sane resolution to this situation. However, if I do not trust Boris Johnson, the Tories, Jeremy Hunt, or the UKIPs of this world, neither do I trust the European

Union to protect the best interests of working people in the North and South of this island. If there was any doubt that it would not do so, we have seen evidence that it will not in the past week. The EU-Mercosur deal shows that Europe is engaged in deals that will undermine the best interests of farmers in this country.

In the context of Brexit, this double threat to many working people and farmers, the EU is also saying the integrity of the Single Market must be protected regardless of what happens. That means that we will have to impose tariffs and so on, which will do immense economic damage and cause great numbers of jobs to be lost. The Tánaiste has acknowledged and detailed this and we have heard similar reports from the North. That is what it is willing to do to protect its Single Market. Tragically, the Government seems to be willing to implement this on the EU's behalf. Let us be clear; the only people who could physically impose such tariffs are us. We should tell Europe we will not do so because tariffs would have these consequences. They would lead to these job losses and we should not accept them. We should stand up to Boris Johnson and Jeremy Hunt, but we should equally tell the EU that the all-island economy and peace on this island will not be sacrificed to protect the integrity of the Single Market.

Deputy Barry is absolutely right that our contingency plans should also involve being willing to do, at the very least, what we did for the banks. When we talk about nationalisation to protect jobs and industries, we are told that it cannot be done. Despite this, we could pass emergency legislation to nationalise banks to bail them out. Through NAMA, we also ultimately bailed out the developers who crashed those banks. We can do that but it is apparently ridiculous to talk about nationalising key sectors of the economy to protect jobs. That just does not fit in with the neoliberal agenda. We cannot care about the neoliberal agenda when there is talk of the imposition of tariffs resulting in tens of thousands of jobs losses. Why on earth would we accept that? We should reject it. We should tell Europe and the Tories that people, jobs, services, and livelihoods come first for us and that we will not sacrifice those things either for the crazy extremist politics of Boris Johnson or to protect the Single Market.

**Deputy Thomas Pringle:** I would like to talk about Brexit preparations for small businesses as they stand. Regardless of whether a no-deal Brexit or a Brexit with a deal occurs, small businesses have a lot to do to get ready for whatever kind of Brexit comes about. They must register for EORI numbers to allow them to trade across the Border and to trade with the UK in the future. That is vitally important. The number of such registrations has increased significantly in recent months. That is very welcome because these numbers must be secured. I was surprised to find that some businesses are still not fully aware of what needs to be done in that regard. I do not know what can be done to increase the number of businesses registering for those numbers but they will need them in either scenario. I believe this is partly because of the confusion surrounding whether there will be a no-deal Brexit or a Brexit with a deal. Regardless of the type of Brexit occurs, businesses must register. People seem to think that they will only have to do so if a no-deal Brexit occurs but they will have to do it in either event. The Tánaiste should take this on board and factor it in. I do not know how he intends to deal with it, but it is something which needs to be taken-----

**Deputy Simon Coveney:** They will all be contacted individually over the next two months.

**Deputy Thomas Pringle:** That is vitally important. I hope that they will not treat those contacts like every other official letter one gets. One tends to bin it and hope it was nothing.

**Deputy Simon Coveney:** They will receive phone calls and we will have conversations.

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**Deputy Thomas Pringle:** That is good because it is vitally important to ensure that small businesses are ready and capable of dealing with this in order to continue to trade in the way in which they have. They must be made ready to get over any difficulties that will arise.

With regard to much of the talk we have heard about a no-deal Brexit, I wish I had the Minister's faith in our so-called European partners and in how they will go along with this. I believe that it is only when it comes down to the last half hour or ten or 15 minutes that Europe will become focused and try to make a deal. While everything is holding up well now, this is because we are not yet facing into the jaws of a deal. It is when it comes down to the last half hour that things will happen. Europe will make its deal at that stage but it will be too late for us to deal with it.

Deputy Boyd Barrett mentioned the Mercosur deal. This basically amounts to cars for cows. That is the reality of the situation; Irish cattle are being sacrificed for the sake of German cars. When it comes down to it, will ensuring access to the UK for German cars be the deciding factor when making agreements on our Border? I am sorry but I do not have the Tánaiste's blind never-ending faith in our so-called European partners. I believe they will make their decisions based on their own needs when it comes down to it. That will be very difficult for us; there is no doubt about it. We will have to manage our way through that. Based on what has been reported in the newspapers, it seems the Tánaiste is also starting to see that. His commentary has changed in recent times. He has been promising to protect the Single Market while insisting that there will be no border checks, but there will be border checks. That has to happen. The Tánaiste will now have to change his tune in that regard. I believe there probably will not be border checks and that there will not be a complete crash-out. That will be even more difficult for the Tánaiste and for us, because we are going to be sacrificed on the altar of a deal. That will be a problem. I do not know how we will deal with it but it will have to be done.

Allowing for that, we will also have to look at how to protect our citizens who live in the Six Counties. That will be vitally important. I have never bought into the idea that the EU is vital for peace in Ireland. I do not remember it being an integral part of negotiations on the peace process. Regardless of what happens within the Union, the peace process in Ireland should be able to continue. We should be able to negotiate and to maintain the Border as it is. We have to look after our own interests and make sure that we do so in the future as well.

There are no conclusions coming out of what I have said but, much of the time, no conclusions come out of these discussions anyway. It seems to be the most discussed issue in the Dáil Chamber. Until we see what type of Brexit there will be, we will be unable to focus on what needs to be done for the future. I do not believe we will find out whether the Brits are going to crash out until we reach the last 30 or 60 minutes of the negotiations.

**Deputy Mattie McGrath:** I am happy to speak on this matter. As the Tánaiste has made clear, the Brexit contingency action plan has been updated following the agreement by the European Council at its meeting on 10 April last to extend the Article 50 process until 31 October next. The Council made it clear in its conclusions that the withdrawal agreement cannot be opened and the extension cannot be used to start negotiations on the future relationship. The EU is willing to look again at the political declaration on the future relationship if the UK moves on its red lines. It is in this context that I acknowledge and accept the Government's assessment that there is a significant risk of a no-deal Brexit on 31 October or thereafter. Accordingly, preparatory work for a no-deal Brexit should continue as a matter of priority across Departments and agencies. Much more preparatory work should be done in the interregnum.

There is no doubt that the stark reality of what Brexit means is closing in on us quickly. The contingency plan makes clear that a no-deal Brexit will be an unprecedented event that will lead to disruption and have a severe and negative economic impact. It is deeply disturbing to read in the plan that in a no-deal scenario, significant job losses are likely in the most exposed sectors of our economy. It is estimated that if the UK leaves the EU in such circumstances, the number of unemployed people in this country will increase by between 50,000 and 55,000. This is probably a conservative estimate.

The people of Cashel and surrounding areas of County Tipperary are reeling this morning after learning that 50 jobs are to be lost at the relatively new Amneal plant in the town. We thought that this fledgling plant was in its gestation years, and that it would expand up to 300 jobs, but 50 jobs are now being lost, which is a pity. It is a huge shock and trauma for the local people. We understand the sheer devastation associated with the loss of 50, 100 or 200 jobs. I sympathise with the families in Cashel. I hope the State agencies will help to support the company, which intends to retain a skeleton staff. We can see the impact that a small closure can have. This closure is not small for Cashel because 50 families will be affected by the loss of these important and good jobs. This brings home to us the impact that job losses can have.

The possibility of a no-deal Brexit is creating significant fear and uncertainty in the agriculture sector, which is having to contend with the inevitable disaster that the Mercosur deal will bring about across the beef trade. The Tánaiste, Deputy Coveney, and the Minister of State, Deputy McEntee, must know that this is the case. The contingency action plan puts all of this in real terms by stating that the agrifood and fisheries sector is our largest indigenous industry, contributing 7.7 % of Ireland's gross national income and acting as a primary driver of the rural economy.

A no-deal scenario would not protect the peace in Northern Ireland. We all agree that there is a need to work hard to avoid such an outcome. The Rural Independent Group will do its utmost to this end. We will put our shoulder to the wheel. This is a surreal scenario. Nothing is certain. It seems that nothing can be offered to assure us that we will be able to emerge from this process without the infliction of significant and ever-increasing damage on our people, our economy and our country.

Some of the much-dreaded outcomes are already here. We all received an email from the Freight Transport Association recently. When I referred to the email in this Chamber on the Order of Business, with the permission of the Chair, I could not believe the reply I received from the Taoiseach. I thought I was back in national school when I heard the leader of our country say we will have to get smaller trucks. I know the Tánaiste and the Minister of State are distracted as they talk to each other. I ask them to think about the logic of the statement made to me by the Prime Minister of our country to the effect that the freight industry might have to get smaller lorries. I am grateful that our negotiating team is headed by the Tánaiste and not the Taoiseach. I agree that the Tánaiste is a safe pair of hands. I support him and ask him to keep the Taoiseach at home. Maybe the Taoiseach should be sent on holidays to some island - perhaps Bull Island - and not be let out.

**Acting Chairman (Deputy Declan Breathnach):** I ask the Deputy to stick to the agenda.

**Deputy Mattie McGrath:** I am sticking to the agenda. All Deputies, including the Acting Chairman, were contacted recently by the Freight Transport Association. Its correspondence made it clear that the failure of the UK Government to get its withdrawal Bill through the House

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of Commons will have significant ramifications across the Irish Sea. The general manager of the association, Mr. Aidan Flynn, has explained that the future economic success of this nation rests on Ireland being able to reinforce its supply chain and reassure businesses on both sides of the Border that trade can continue uninterrupted. He has made it clear that Irish businesses cannot wait any longer and referred to the need to ensure this country's trading relationships do not come under threat while new arrangements are bedded in.

Mr. Flynn has argued that the Tánaiste, who is leading Brexit engagement, must meet stakeholders in the logistics industry as a matter of urgency. He has pointed out that, despite many requests from the association, this has not happened in the past two years. Is this true? Has the Tánaiste met representatives of the freight industry? Mr. Flynn said that no such meeting has taken place in the past couple of years. What kind of planning, preplanning and logistical arrangements are being put in place? We cannot focus entirely on negotiations in Brussels and Northern Ireland. We must think about the stakeholders who transport our vital goods. The Taoiseach has said they should get smaller trucks because of carbon tax. It was a childish, pedantic, silly and downright stupid thing to say. I ask the Tánaiste to tell the House whether he has met representatives of the Freight Transport Association. It has been suggested that despite many requests from the association, such a meeting has not happened in the past two years. How many times has the Tánaiste met personnel from the association? When did he last meet them? Are there any engagements lined up at which he will meet them? This is basic stuff. The freight industry is the most important link in the export chain. These people get all our products to the boats and elsewhere. I salute the drivers and everybody else involved in the industry.

I stress that Deputies on this side of the House will co-operate with the Government when there is a genuine need to be constructive. I mean it when I say we want to be constructive. As a small business man, I understand the importance of forward planning. If the Government does not intend to engage with the major stakeholders in this area, it is very scary. More needs to be done along the lines of the Brexit scorecard issued by the Department of Business, Enterprise and Innovation. Such measures will allow us to mitigate as far as possible some of the immediate effects of a disruptive exit of the UK from the EU. The Department has made clear that despite the uncertainty, Irish companies can, and should, take immediate action to mitigate the potential risks and position themselves to take advantage of opportunities as they arise. That is why it would be so alarming if the Tánaiste has not met representatives of the freight transport organisations, as they have alleged. I cannot believe that he has not engaged with them for two years. They are the most important link in the chain, apart from the ferries and boats that carry the produce. They bring the produce to the roll-on roll-off facilities.

I have seen reports of hurried Cabinet memorandums to the effect that loading and parking areas at our ports need to be extended. That is not much good at this stage. It is like closing the door after the horse has gone up the yard. It is very scary. The actions that are needed to increase the resilience of businesses make practical business sense, regardless of the outcome of the Brexit negotiations. We must take such actions. Those involved in business must be supported because they are very worried. There has been a great deal of talk about the €50 million and the €50 million that is going to be put on top of it. When will this €100 million from the EU be rolled out? We cannot keep talking about these things. It is like the €50 million for the beef sector and the €50 million that is being put on top of it. Where are the application forms? Where is the process? When is it going to happen?

There are profoundly challenging times ahead. We must work together to navigate these historic times if we are to ensure our communities and our businesses survive without cata-

strophic damage. I mean it when I offer the Government the support of the Rural Independent Group in this regard. I am disappointed that the briefing that was offered the other day did not work out because of delays in the Dáil. I spoke to the Tánaiste about it last night. We are still available to meet and engage so that we are on the same page as the Government. The Rural Independent Group has significant concerns. Why would we not have such concerns, given that we represent rural constituencies? Part of the constituencies represented by the Tánaiste and the Minister of State, Deputy McEntee, are rural as well. I will leave it at that because I know the Chair is under time pressure.

**Deputy Róisín Shortall:** This is the umpteenth time we have had statements on Brexit in this House. The reality is that we are no clearer about what is likely to happen and significant uncertainty remains. There are several possibilities. Obviously, the withdrawal agreement is still on the table but it is very hard to see how the numbers in the House of Commons can change with regard to that. If a vote was put on a no-deal Brexit, one would have to say that it would not be carried by the House of Commons. There could well be a general election in which case I presume there would be an extension or there may be an extension for some other reason. Whatever about those possibilities, we are at the point where the likelihood of a crash-out is increasingly becoming a reality. The unthinkable scenario we said could not happen, that Britain could not possibly crash out and that it could not possibly be that foolish, might come about. We are now clutching at straws and are hoping that if Boris Johnson does end up becoming Prime Minister, his volatility might work to our advantage insofar as he might switch his position. This cannot be ruled out entirely given his past record of changing horses or changing direction for no apparent reason. It is shocking that so much of our economic, political and security welfare is dependent on the Rule Britannia brigade within the Conservative party which in turn is being dictated to by an extreme right-wing nationalist in Nigel Farage. That is the reality. That is what is dictating the pace in respect of all of this. To a large extent, our welfare is in their hands, which is a frightening thought.

Going back to the time Michel Barnier addressed this House, the issues have not changed. At that point, he said he was confident that all the non-trade issues like the movement of people and services could be dealt with. In fairness, they have been dealt with pretty comprehensively. All of the issues relating to entitlements, education, health and passports have been addressed and it would seem that they have been put to bed. However, the question remains about what we do about a situation where our Border with Northern Ireland becomes an EU border and Northern Ireland becomes a third country. What do we do about the movement of goods? I accept that the Government is in a bind about this and that the Tánaiste cannot discuss the details of the implications of that for lots of strategic reasons but we are three months away from what is looking increasingly like a crash-out Brexit and we have no idea how the Border will operate.

So much of our economic and social standing and our standing in terms of jobs is dependent on the agrifood industry. The Irish agrifood industry has a very strong reputation. That is a reputation that is underpinned by the strict rules and regulations that apply within the European Union. It is also dictated by a very high level of confidence in Irish products, be they food products or in terms of the traceability of our livestock and food products. That confidence will not continue to be maintained by other member states and indeed countries outside the EU unless we can protect the integrity of the Single Market. That is the enormous bind Ireland finds itself in. We like to think things in the Border region can continue or potentially continue as they are but the reality is that if we are to protect our agrifood trade, that cannot be the case.

There already are indications of that from other countries, which are saying they need as-

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surances that there will be no question of breaches of standards or lack of traceability regarding any of our goods. We must be able to provide an assurance of that but how do we do that if we have a long Border that is not policed and if there are no checks? People have talked about the possibility of having checks off-site away from the Border and having a zone around the Border but I cannot see how that can operate. Perhaps somebody has worked out the logistics of that and perhaps the detail has been worked out in the Departments of Agriculture, Food and the Marine and Foreign Affairs and Trade but I cannot understand how that can work. I would like assurances that it is possible to maintain the integrity of our agrifood industry, while also being able to retain the integrity of the Single Market but it is very hard to see that without a hard border.

Whatever way issues along the Border are addressed, whether there is an economic zone or whether it is an actual hard border, the cost will be very significant, not just immediately but on an ongoing basis into the future. I do not know whether that has been costed by anybody here but the likelihood is that the costs involved will be significant. Given that our Border will become an EU border, the moral responsibility is on the EU to fund that. We may well want to be the people taking responsibility for that given that it is within our country but the costs need to be met by the EU and I have not heard anybody from Government providing that kind of reassurance and telling us what the estimated costs might be. Again, I appreciate that it is very difficult for the Government to go there but that is the reality and we need an assurance that these substantial costs will be met by the EU.

The other point concerns the implications of all of this for peace on the island and the Good Friday Agreement. We know that, regrettably, it seems that many in the Conservative Party have little regard for the extreme difficulties being caused between North and South on this island. We know they have little knowledge of the complexities and intricacies of operating in any kind of free trade manner across a border like our Border. We know there is very little appreciation of the implications of a hard border or the severe restrictions on trade that will inevitably result from a crash-out. That is the context in which we are operating. Of course, it is not helped by the fact that there is an absence of political structures in the North. This has been a key factor in recent years. If there had been an assembly in the North with which we could have dealt and that could have beat the drum for the future of Northern Ireland and spoken about the implications of a no-deal Brexit for Northern Ireland, that would have been hugely helpful but, unfortunately, we have not heard the voice of the citizens in Northern Ireland, which is regrettable. All parties involved must take responsibility for that. There is no question but that Northern Ireland will be the biggest loser in a crash-out Brexit. There are significant implications for trade, jobs, the economy generally and the political stability of Northern Ireland. How will we maintain the levels of North-South agreement that are provided for in the Good Friday Agreement? I would also like to hear whether there is potential for legal action under the terms of the Good Friday Agreement in respect of the proposed action by the UK Government. There are significant questions, but it looks like Brussels is holding firm. Even if it does on the backstop, we still should be in a position where we know what will happen in three months' time, given the increasing likelihood that there will be a no-deal Brexit.

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Helen McEntee):** As the Tánaiste outlined and has been reflected in Deputies' contributions, Brexit represents a unique and unprecedented challenge for Ireland. As Deputy Shortall outlined, significant uncertainty remains. The political uncertainty in London means that there is a significant risk of a no-deal Brexit. It is not certain that the United Kingdom will seek a further

extension or that the European Union will grant it if it does. It is in that context that the Government continues to prioritise preparations for a possible no-deal Brexit.

The Brexit contingency action plan update reflects the work that has taken place across government to prepare for a no-deal Brexit, as well as the further steps that will be taken between now and 31 October. I disagree with any assertion that the document is not useful and that there is no reason for it to be published now. While some understand and know what has been done, many do not. For example, two weeks ago I met an old neighbour from Scotland who wanted to know about arrangements for the common travel area and how they could impact on him and his family. It is important to stress the work we have done and outline what our plans are in the next 122 days in anticipation of a possible no-deal scenario. We cannot replace the seamless arrangements in place today with mitigation measures. The mitigation measures will reduce some of the impacts. There will, however, be a fundamental change in the relationship between the European Union and the United Kingdom. We want to continue to have a close relationship.

The Government has been clear on its objectives since the United Kingdom decided to leave the European Union, namely, protecting the Good Friday Agreement and the gains of the peace process, including protecting the all-island economy and avoiding the emergence of a hard border on the island of Ireland. These objectives are delivered by the withdrawal agreement. Given the UK red lines, the withdrawal agreement, including the backstop, is the only solution on the table which delivers the outcomes everyone, including the United Kingdom, is committed to achieving. In the absence of the withdrawal agreement, there are no easy solutions. As the action plan states, we should be under no illusion that a no-deal Brexit would result in far-reaching change on the island of Ireland. It would disrupt the flow of the all-island economy.

The Government is working closely with the European Commission to meet the shared twin objectives of protecting the Single Market and Ireland's place in it, while avoiding a hard border, including physical infrastructure. This work is looking at necessary checks to preserve Ireland's full participation in the Single Market and the customs union. As the Taoiseach indicated, tariffs, for example, could be paid online. However, other areas such as sanitary and phytosanitary, SPS, checks are far more challenging. Any solution agreed to will be far from suboptimal to the backstop and highly disruptive to the all-island economy.

In the time between now and 31 October the action plan emphasises the need for stepped up preparedness measures by exposed businesses, in particular. This is not a matter of urban versus rural. I come from County Meath which has a mix of both, with strong small and medium-sized enterprises in the agrifood and drinks, agritourism and tourism sectors. It is about protecting all of them. Citizens and businesses cannot assume that because a no-deal Brexit was averted in March and April the same will happen in October. The need for prudent preparations is more pressing than ever.

A new phase of the Government's Brexit communications, including an intensified engagement programme by Revenue, will focus on individual businesses. It will include targeted letters and follow-up phone calls. We need to ensure those businesses which have not registered to trade with the United Kingdom will do so. That is why they will receive a third letter and a phone call. We are supporting them in every way we can, but we cannot register all businesses. It is important that these messages get across. That is another reason the document was published this week.

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Seminars offering advice and support for companies organised by Departments and State agencies will continue to take place nationwide. There have been over 2,500 engagements with stakeholders. I attended an event on 5 March with Freight Transport Association Ireland. The Government has engaged with the customs consultative committee, with a view to identifying a series of targeted measures which will be taken to support and incentivise capacity building in the customs intermediary sector.

The Government has put in place a range of supports for the agrifood industry, including a €78 million Brexit package for farmers, fishermen, food SMEs and to cover additional costs related to Brexit; the future growth loan scheme via the Strategic Banking Corporation of Ireland for farmers, the seafood sector and food SMEs; specific supports for food businesses through Enterprise Ireland and the LEADER food programme; technology and innovation hubs; additional funding for Bord Bia; trade missions and market access activity. Recently the European Commission announced a €50 million exceptional aid fund for the beef sector to address price difficulties caused in part by the ongoing uncertainty about Brexit. The Minister is meeting the respective bodies today to discuss the fund.

The Government will continue to engage constructively with the European Commission to explore the full range of state aid flexibilities and supports for sectors in the event that there is a no-deal Brexit. Ireland will work with the European Union and fellow member states to identify options for the fishing industry from 2020 onwards, including a common framework to manage the potential tying-up of boats, the possible displacement into EU waters under the control of Ireland of fleets from other member states, as well as funding for the sector. The Department of Agriculture, Food and the Marine will continue to engage with relevant traders to ensure they are registered on the EU trade control and export system, TRACES.

As detailed in the plan, sufficient infrastructure is in place at Dublin Port, Rosslare Europort and Dublin Airport to provide an emergency response to a no-deal Brexit. In the coming months we will be refining and improving this infrastructure. At Dublin Port a 6,000 sq. m warehouse has been converted to accommodate facilities, including 13 inspection bays for SPS and food safety checks. Plans for a further 18 inspection bays are in place.

Additional staff have been trained and are in place to respond to a no-deal Brexit. Revenue has hired 400, the Department of Agriculture, Food and the Marine, 190, and the HSE, 59. Further staff will be made available before 31 October.

The United Kingdom's accession to the Common Transit Convention, CTC, post Brexit will facilitate its use as a landbridge. This is a crucial route for Irish trade, with 150,000 trucks, carrying 3 million tonnes of trade worth €21 billion, using this route to mainland Europe each year. We are working with the European Union and fellow member states, particularly France, to facilitate the best possible use of the landbridge after Brexit. We anticipate that there could be delays and need to look beyond this. Should there be significant difficulties in that regard, the Dover-Calais crossing has been identified as a particular bottleneck. There is capacity on our direct sea routes to mainland Europe. Irish Ferries *MV W.B. Yeats* which entered into service in January provides capacity for 60,600 HGVs per annum. Another vessel of similar size is due to be delivered on Irish Sea routes in 2020. In 2018 CLdN launched the *MV Celine*, the world's largest roll-on/roll-off vessel. In 2019 it launched *MV Laureline*, significantly increasing capacity on the Dublin-Rotterdam and Zeebrugge routes. In May 2018 Brittany Ferries launched a direct route from Cork to Santander. BG Freight Line will commence a Waterford-Rotterdam weekly freight service in July. All of this shows the continuing work on preparations.

The Government remains firmly of the view that the best and realistic way to ensure an orderly Brexit is for the United Kingdom to ratify the withdrawal agreement agreed with the European Union. Our position has been clear and consistent. A change of UK Prime Minister will not change the facts of Brexit. The European Council has made it consistently clear that the withdrawal agreement, including the backstop, cannot be opened or renegotiated. That said, the Government's view is that there is still a significant risk of a no-deal Brexit. That is why contingency planning continues and has the highest priority across all Departments. We should be under no illusion that a no-deal Brexit would result in far-reaching change on the island of Ireland. We are doing everything in our power to protect every single citizen. It is only by the Government, business and citizens working together nationally and with our EU partners that we can aim to mitigate as far as possible the impacts of a no-deal Brexit, as well as ensuring we will be as prepared as we can be for the changes it will bring. We will continue this work as a strong and committed EU member state and with the solidarity and support of our EU partners, in which there has never been a chink. There has only been full solidarity from our EU colleagues.

On Deputy Adams's question about direct rule, the Taoiseach, the Tánaiste and Minister for Foreign Affairs and Trade, other Ministers and I have always said we would never accept it.

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I wish to close the debate by saying that on a practical level, we are about to head into recess and this summer will be dominated in media commentary and political concern by Brexit and by the build-up to what will be a challenging period in September and October, with a new British Prime Minister in place, with an ongoing negotiation and with a lot of efforts to try to avoid a no-deal Brexit, the consequences of which have been discussed in this debate.

*12 o'clock*

I thank all of the political parties and Independents in this House for the co-operation the Government has got thus far on this challenge. As Deputy Lisa Chambers pointed out, it is in stark contrast to the British Parliament and political system. As the Government wants to ensure that co-operation continues, if Members need briefings or if they have questions or concerns, we will be available through the summer to answer those questions to ensure the unity of purpose this House has created with the Brexit issues can be sustained and strengthened as we move into a difficult period in the weeks and months ahead.

### **Ceisteanna ó Cheannairí - Leaders' Questions**

**Deputy Dara Calleary:** Before we move to the formal business of Leaders' Questions, I note the life of our nation has been diminished today by the passing of two men, Noel Whelan and Brendan Grace. They were two very different men but they both made enormous contributions to our nation's political, legal, media, social and cultural life and both have died too young.

Noel Whelan was passionate about democracy and about people understanding and accessing that democracy. Unlike a lot of political pundits, he was not afraid to put his name on a ballot paper and he was exceptionally proud of the history of this country and of its potential and he was never afraid to challenge that potential. His most important and proudest role was as a husband to Sinéad and a dad to Séamus. We think of them today and we think of our colleague, Councillor Michael Whelan, his brother, and of his family in Wexford of whom he was enormously proud.

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Brendan Grace brought joy and laughter to generations of people over more than 50 years as an entertainer. He was immensely talented and he devoted his life to sharing that talent to improve the lives of those he interacted with and those he spoke to. He had the unique distinction of being able to connect to generations of much different characters, from Bottler to Fr. Fintan Stack. We again extend our sympathies to his wife Eileen and to his children and grandchildren. Our country is so much the poorer this morning for the passing of these two fine men.

I want to come back to an issue that has been discussed in this House on a number of occasions in recent weeks, and for which we have got no information on the reality on the ground, and that is home help hours and home care packages. We all know and agree that home help hours and home care packages are essential to people with conditions and to families all over the country. They are essential to keeping our health service working well and efficiently because if they are properly managed, they ensure that beds are moving, that accident and emergency rooms should not be full and that people have the right and the dignity to be treated in their homes.

In recent months, many Deputies on all sides of the House have been asking questions about the allocation of hours and the lack of those hours on the ground. The Taoiseach told us there was not a problem but that he did not have the information and the Minister of State at the Department of Health, Deputy Jim Daly, came in and took questions in the House on a number of occasions. Their experience and their answers to the questions were utterly different from our realities as Deputies on the ground in dealing with home help and the lack thereof. What we do know is that the home help waiting list has 6,300 people on it as we speak. That is 6,300 families who are waiting hours for their loved ones to be kept at home. That is 6,300 patients, many of whom might be in hospital and many of whom might be in an acute hospital and who would be far better off at home. The only comment the Minister for Health, Deputy Harris, added was that there was 800,000 extra home help hours and that he would ensure that they would be fully implemented but that is not happening.

Deputy Butler was given figures last week that show that home support hours are short by over 160,000 hours in the first five months of this year and if that trend continues, there will be a shortage of 400,000 hours by the end of the year. All of our experiences suggest this trend is not only continuing but it is getting worse and the number of people receiving home care is less than what the HSE itself targeted. I do not want the Tánaiste to deny that there is a problem this morning or for him to tell us that he will get back to us because he will not get back to us - today is the last day of the Dáil session. I anticipate that over this recess, there will be a range of challenges to our health service we will have to deal with without having Government accountability.

Does the Tánaiste accept that the HSE figures provided to Deputy Butler fly in the face of the Minister's assertion that all hours committed to will be delivered? Does the Tánaiste accept there are major difficulties and inconsistencies across the country in providing home help hours? Can the Tánaiste lay out a precise action plan the Government has in mind to ensure we do not end up with a shortage of 400,000 hours and to ensure that families whose loved ones need home help will get it in a timely manner and in a manner that respects their loved ones?

**The Tánaiste:** I also want to recognise the sad passing of two well-known and much loved personalities. I got to know Noel Whelan well during the marriage equality referendum but I had known him before then as well. He was somebody who had the courage to put his name forward for politics. He had a close connection with the Fianna Fáil Party but that did not deter-

mine his commentary and his influence in many social change campaigns and he was somebody who was deeply respected and liked across the political divide. He was also someone who was trusted in seeking his counsel and advice. Dying at the age of 50 is a tragedy for his family. For his wife Sinéad, his son Séamus and other family and people who were close to him, I want to say we are thinking of them today and we recognise the extraordinary contribution he has made to public life in Ireland as a senior counsel, as someone who was interested and involved in politics and as an accurate and respected commentator for many years.

Brendan Grace was also a giant. There are few Members of this House who have not heard, seen or been at a venue when he has been entertaining, singing and making people laugh and where his acting and talent have been a source of extraordinary entertainment for many decades. A lot of people were deeply saddened to hear of his passing this morning. It is important to recognise what were two giants, certainly for my generation as we grew up, in both political discourse and in broader entertainment. They have passed far too early in life and Ireland is a lesser place for that.

On the issues the Deputy raised with home care packages and home help, in truth I will not be able to give him the detail he is looking for today. That is something on which both the HSE and the Minister for Health must provide information and answers. I will, however, give the Deputy some basic information to respond to his questions.

As outlined in its national service plan for 2019, the HSE maximises the utilisation of current resources, prioritising those requiring discharge from acute hospitals. The management of the service and the budget is delivered to improve responses for older people at the most demanding times of the year, particularly in the winter. In the winter of 2018-19 the immediate focus was on reducing delayed patient discharge through mobilising the additional resources made available and ensuring that social care measures were effectively deployed to enable older people to move to a more appropriate care setting, including step-down or transitional care, or their own home with the supports needed.

Preliminary data for May indicate that almost 7.52 million hours have been provided this year, about 2% below the target, with 6,819 people waiting for a new or additional service. Under the 2019 service plan, 10,980 transitional care funding approvals, approximately 210 per week, have been sanctioned to support patients discharged from acute hospitals to move to private nursing home beds during the year so far. A budget of €28.5 million has been assigned to the services for 2019.

We are aware of the severe pressures on the supports needed to allow discharge from hospital. There are broader challenges with a significant increase in demand for home care packages given the ageing population and the increasing number of people who want support to live as independently as they can at home. We are responding to that by increasing budgets, hours and available resources, but work clearly remains to be done in the area.

**Deputy Dara Calleary:** While I accept the Tánaiste not having the information, my frustration is this has been a very live issue in this House for the past four weeks. We have had debates and special time allocated. A number of CHOs have advised that home help hours will not be made available to any family unless their loved one has a terminal condition and that must be proved by a letter from a consultant.

Figures provided to Deputy Donnelly show that in June 18,600 bed days were lost because

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of delayed discharges from hospitals. At the same time one in every ten applicants for home help support is waiting for some hours. The two are connected. The lack of investment, understanding and commitment on the part of the Government to follow the money to ensure that the money the Tánaiste keeps talking about is actually being spent on hours is having an impact on delayed discharges, thus impacting on acute hospital services.

Why will the Government not ensure as a priority that home help hours are made available to those who need them and that families are not put through the trauma of having to go to their consultant and get a letter to say that their loved one is dying so that they might get an hour or two of home help? The Government needs a laser focus to ensure that the money it says is being invested is actually being spent on home help hours because all the figures show that families and loved ones all over the country are not getting those hours, that people are being delayed from being discharged from hospitals and that the system is not working.

**The Tánaiste:** The Deputy cannot argue with the numbers for the money being spent. In 2015 the budget in this area was €306 million and is now almost €450 million, an increase of almost €150 million in the budget.

**Deputy Dara Calleary:** There is no increase in hours.

**The Tánaiste:** That recognises the challenge the Deputy mentioned, which is the increasing demand with an ageing population. We are trying to prioritise how that money is being spent. As I outlined earlier, improving the capacity to be able to move from hospital to a home care setting obviously also impacts on the hospital system. That needs financial supports, increased hours and supports for families. That is what we are trying to do. However, we also must keep pace with the significant increase in demand in this area from a funding perspective.

**Deputy Louise O'Reilly:** On my behalf and on behalf of Sinn Féin, I offer our deepest sympathies to the families and friends of Brendan Grace and Noel Whelan, two men who are gone far too soon. Both of them made not inconsiderable contributions to public life.

The members of the Psychiatric Nurses Association, PNA, have begun an overtime ban. This is happening because of the lack of progress in talks to address the recruitment and retention crisis that is crippling the mental health services. If the service was adequately staffed, an overtime ban would have no impact. It is precisely because of the staffing levels that an overtime ban will have the impact it will. This is the same recruitment and retention crisis that forced nurses and midwives across the State to take to the picket line earlier this year. While members of the Irish Nurses and Midwives Organisation, INMO, concluded a deal with the Government after their strike action, no agreement was reached with the PNA.

For over five months, the PNA and psychiatric nurses have been working really hard to try to de-escalate this situation but little progress if any has been made. All the while its members have been propping up the service using overtime. There is no obligation for them to do this overtime, but as a gesture of goodwill they have been leaving their families and not being at home when they should be in order to work extra hours just to keep the services going.

I am sure the Tánaiste will accept that nurses have shown extraordinary patience as they continue to struggle with staff shortages. In some areas of the service, these shortages amount to a reduction of 20% in nursing staff and there are 700 vacancies nationally. That is not sustainable in a vital area of our health service where demand is growing all the time. This was flagged by the PNA last year in the wake of the resignation of three psychiatrists in the south

east due to unacceptable working conditions. The general secretary of the PNA said that shortages were expected to exacerbate significantly. To make matters worse the HSE is adding to the problems by maintaining an effective embargo on recruitment and by not offering permanent posts to graduate nurses this year, something that had been done in previous years but that practice appears to have stopped. At a time of crisis this embargo must end.

There is a premium for overtime: it is more expensive than regular hours. Nurses take their duty of care very seriously. They do not want to be engaged in this overtime ban. They want to do their job of caring for patients. That is what they do best and train hard for. Our psychiatric nurses need adequate staffing levels to protect their patients and themselves. They have been more than patient and the Government has relied on their goodwill for far too long. If the recruitment and retention crisis in mental health is to be addressed and the goodwill of psychiatric nurses restored, it requires a clear demonstration of urgency and commitment from the HSE. I call on the Minister for Health to act with urgency to address this situation. What actions will the Government pursue to ensure this dispute is resolved?

**The Tánaiste:** I thank the Deputy for raising this issue, which is a concern. The Psychiatric Nurses Association members have withdrawn their availability for overtime from 7 a.m. this morning for an indefinite period. The PNA has indicated this will not affect child and adolescent mental health services. The HSE has stated that this course of action will have a significant impact on the delivery of mental health services generally. It is assessing the situation on a service-by-service basis. The HSE will make every effort to minimise the impact of this course of action.

For obvious reasons, this decision is very disappointing given that the PNA and health service management are still engaged in conciliation under the auspices of the Workplace Relations Commission, WRC. It is important to note that the dispute with the PNA was referred by the Labour Court to the WRC some time ago. Progress has been made in some areas since this engagement started, but obviously agreement has yet to be reached in remaining areas. I appreciate that there is a degree of frustration on the part of the PNA at what it has seen as very slow progress. I urge the PNA to reconsider this decision to withdraw the availability of overtime and to continue to engage fully with the industrial relations machinery of the State to resolve the remaining issues in this dispute. I am informed that genuine progress is being made although it has been slow. I emphasise that the services are reliant on overtime as the Deputy knows well, understanding the sector as she does. The consequence of this decision is potentially significant for patients.

The HSE, supported by Government, wants to see the outstanding issues resolved as soon as possible. As the Deputy knows that can only be done through the Workplace Relations Commission, WRC, and the consultations that are taking place. There will not be a separate intervention. I encourage the PNA to engage to seek to resolve issues and management will do the same. The decision to withdraw overtime will have significant consequences that those who work in and understand the sector best, as psychiatric nurses do, want to try to avoid. It is a serious development today. I think some were surprised at the decision to go ahead with it but it is a reminder that the outstanding issues need to conclude. I encourage the PNA to think again about the continuation of an industrial action which will have a significant impact on the support for many of the patients they work with daily.

**Deputy Louise O'Reilly:** The Tánaiste's response will do absolutely nothing to encourage psychiatric nurses to undertake overtime. It is not the first time they have done this and it

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should not come as a surprise. I was on my tools the last time they did it in 2007. It did have a devastating impact but it did bring the parties to the table and it brought a resolution. The Tánaiste did not address the issue of the recruitment embargo. We need to get to the heart of this because people on the ground know that there is a recruitment embargo in place. They see its impact every day of the week. If there was no recruitment embargo in place and if the Government had cracked the recruitment and retention crisis they could be involved in an overtime ban every day of the week and it would have no impact. It is having a devastating impact purely and simply because the service is effectively being run by overtime, agency and locum. That is no way to run our mental health services. It is no way to plan for future mental health services.

The Tánaiste did a very good job of describing the situation and said very little about what he and the Government are going to do about it. This is a very serious issue. It requires commitment. They have been five months at the WRC. If progress was being made, believe me, they would be back in work, doing overtime. They have no faith that progress is being made. What is the Government going to do about it?

**The Tánaiste:** In response to the first question there is no recruitment embargo. There is recruitment within the parameters of the budgets that have been agreed.

**Deputy Dara Calleary:** There is no recruitment.

**The Tánaiste:** There is recruitment taking place across the HSE. The Deputies know that.

**Deputy Mattie McGrath:** Management.

**The Tánaiste:** It is not just management. There are areas where there are staffing pressures of course. The Deputies cannot ignore the availability of financial resources when recruiting. There are targeted recruitment campaigns happening particularly in areas where there is most pressure but they have to happen within the budgets that have been allocated. Otherwise money that is not there will be committed to for extra staffing, as has happened in previous years.

**Deputy Pat Buckley:** The Government trains graduates but does not offer them jobs so they are going to leave.

**The Tánaiste:** Virtually all sectors in the HSE are seeing increased staffing. It does have to be cognisant of the available resources. People know that.

**Deputy Dessie Ellis:** Why is the Government spending so much on the children's hospital if it there is not enough money there?

**The Tánaiste:** It is not helpful to go into the individual issues under discussion at the WRC to resolve outstanding issues. My understanding is that management is absolutely committed to bringing to a conclusion the issues that have been discussed for quite a long time, I accept that. I understand the frustration of the PNA but I also ask them to consider the impact of their decision on overtime and to focus on the industrial relations machinery that can resolve this issue.

**Deputy Brendan Howlin:** On behalf of the Labour Party and my own behalf I would like to be associated with the expressions of sympathy on the sudden passing of two giants of public life in our land. Brendan Grace brought boundless joy to millions of Irish people at home and abroad and indeed beyond the Irish family. He was a talented actor, singer and comedian and he will be sorely missed.

I was shocked to hear today of the passing of Noel Whelan. He was a county man of mine. I have known his family. His father was a distinguished Fianna Fail councillor in Wexford. He came from Ballykillane in New Ross. I have had countless discussions with Noel on public affairs. We did not always agree but he was somebody of great intellect and incisiveness whose views I certainly listened to. He was able to marshal words in writing to great effect. He will be really missed in public affairs in this country, particularly in his native county. He was the driving force behind the Kennedy Summer School, a relatively recent innovation that brought much fresh political thought and intellectual vigour to New Ross during the summer. I hope the summer school will be maintained in his memory.

Bord na Móna has announced the loss of 72 permanent jobs and 78 seasonal jobs at Lough Ree in County Longford. It is talking to the trade unions representing the workers involved. We will see what comes of that process. I want to address the wider question, namely the future of Bord na Móna, one of the most important employers in the midlands, not only in Longford but Westmeath, Laois and all the adjoining counties. The Government's climate action plan calls for early and complete phase out of coal and peat fired electricity generation. Labour agrees that this is necessary if we are serious about cutting our greenhouse gas emissions to 33 million tonnes by 2030. We do not agree on the Government's free market approach to these jobs. Bord na Móna is a cornerstone of employment in the Midlands, in many rural and urban communities. Every good job at Bord na Móna provides demand in the local economy and keeps countless other jobs in existence. Rural Ireland needs these quality jobs but the pattern of job creation is that multinational jobs tend to be highly concentrated in the urban areas, particularly Dublin, Cork and Galway.

The State needs a vision for the role of Bord na Móna in the future low-carbon Ireland. We need to know that industrial peatlands seep massive quantities of greenhouse gases into our atmosphere, even when they are no longer worked. We cannot leave brown acidic deserts in our landscape. We need to do everything to ensure that we reduce greenhouse gas emissions. Bord na Móna can, and should, be the future custodian of our peatlands. This should involve the re-wetting of peatlands on a major scale. That is a sizeable project that will require significant State investment. It is a long-term investment in communities as well as meeting the demands of environmental protection. We will face EU fines if we do not meet our greenhouse gas targets and re-wetting our peatlands is one way to make sure we make real headway in that objective we are all agreed upon. What is the Government's future vision for Bord na Móna? Will it commit to a major investment programme to rewet the peatlands and a renewal of Bord na Móna's remit as the guardian of the peatlands? Will it commit to expanding the remit of Bord na Móna in order that it can take a leading role in creating new jobs in peatland restoration, wildlife management, nature tourism and recreation? Will it commit to new State-led enterprises in rural Ireland, including the major retrofit now required, to ensure all of the workers who will be disemployed by the requirements of our climate action policies will be re-employed in a beneficial way?

**The Tánaiste:** On the news announced today which is impactful on many families, I will give the House an update on the source of the issue and how, I hope, it may be resolved. Last month the ESB shut Lough Ree Power Station in County Longford to carry out planned maintenance. The generating station was due to return to service the week of 6 and 7 July, but the decision was taken to defer its return to service for three months to address an environmental issue linked with an Environmental Protection Agency licence. As a result, Lough Ree Power Station does not require peat supplies from Bord na Móna. This impacts on the Mount Dillon

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bog which is also located in County Longford. Bord na Móna has been left with no choice, therefore, but to cease all operations on the Mount Dillon bog and place all 148 staff on protective notice, effective immediately. It began informing staff at 8 a.m. All employees will be kept apprised, as one would expect, on a regular basis of how the issue is progressing. I understand the company is also talking to the trade unions. All staff - 72 permanent, full-time employees and 76 seasonal employees - will be on a temporary unpaid lay-off from Thursday, 18 July. It will continue until Bord na Móna is informed by the ESB that Lough Ree Power Station will return to normal operations, which is expected to be in four to 12 weeks' time. The Minister for Communications, Climate Action and Environment, Deputy Bruton, and the Department are following the issue closely.

On the broader challenges in the context of the future of Bord na Móna, the State has made a strategic decision - it is the right strategic decision - to move away from generating electricity using coal and peat. That policy decision has been in place for some time. Bord na Móna has responded by developing a plan for diversification into renewables, a different type of resource management and aquaculture. Recently, in the climate action plan the Minister, Deputy Bruton, announced the intention to re-wet many bogs, some of which has happened. In recent years we have spent approximately €50 million on raised bogs. I am told by my colleague, the Minister, that it costs approximately €2,000 to rewet 1 ha of bog. This challenge is not without cost, but it has an important environmental value through being a secure carbon sink. It is a natural resource that we should use in dealing with the climate change challenges we face.

I am very much aware, as is the Government, of the challenges for Bord na Móna. It will need the State's help in meeting these challenges and changing the very nature of the company, how it employs people and the skill set involved. Bord na Móna will need to be a significant employer throughout the midlands in the future, as it is today. It is also a significant landowner and has a significant resource with which to work. We will support and help it through that transition which needs to be just for the workers and families involved.

**Deputy Brendan Howlin:** I heard what the Tánaiste said about the necessity to support Bord na Móna in what is an extraordinary major transformation, but I did not hear the detail of what the support is to be. Bord na Móna is not to be abandoned as a company that must make such massive changes in the services and work it offers. We must have a national plan in sync with a just transition to a different, carbon-free economy. Today communities are fearful for their jobs. Lough Ree power plant will be the start, but many more people will be worried today. Families who have depended, in many cases for generations, on Bord na Móna want to hear clearly from the Government that it will stand by them and ensure nobody will be left behind and that they will be supported with whatever resources are required, not only to do what I have suggested such as re-wetting bogs but also to create new carbon sinks, which is an infinitely better solution than paying fines to the European Commission for a failure to meet our greenhouse gas emission targets. Will the Tánaiste give a commitment that no worker will be left behind? We all remember the Norman Tebbit attitude when the coal mines in England were closed and the Thatcherite view to workers was "Get on your bike." Let us not give that message from this House. Let us be clear that every worker in Bord na Móna who will be affected by a new national strategy into which we have all bought will be protected in a just transition and that their livelihood and that of communities throughout the midlands will be protected.

**The Tánaiste:** The issues at Lough Ree power plant this morning are not necessarily linked with the transition about which we are talking

**Deputy Brendan Howlin:** It is a precursor to what will happen.

**The Tánaiste:** It is a specific environmental issue with licensing, water cooling systems and so on in respect of discharge. It needs to be resolved, but the Deputy is correct that in the medium term the challenges will be significant. Having said that, Bord na Móna has been planning for this and talked to its workforce about it for years. It is already diversifying. Recently it created 50 jobs in the opening of a plastics recycling plant in Littleton. It is, therefore, investing in a workforce that did not previously exist. Through the midlands regional enterprise plan, its transition plan and regional enterprise strategies for urban and rural funding, much of which is available from the Government, we will work with Bord na Móna, those who work in it and their families in the transition which needs to happen throughout the midlands to move away from peat as a power source and perhaps use it for many other things, as outlined in the climate strategy. The State will support the efforts of the company and its workforce in the years ahead.

**Deputy Paul Murphy:** I too express our sympathy to and solidarity with the families and friends of Noel Whelan and Brendan Grace.

More than 2,000 children are in US migrant detention centres. They have been separated from their parents and crammed together in massively overcrowded warehouses. In many cases, they are held for weeks in very cold temperatures, with the lights on 24 hours a day and without adequate access to medical care, sanitation, soap, water or food. It is the grossest, most inhumane and depraved expression of President Trump's anti-immigrant, racist policies. The centres meet the definition of a concentration camp. It is the mass incarceration of people, in this case children, without trial. A lawyer recently inspected a facility in Texas and stated:

[The children] were filthy dirty, there was mucus on their shirts, the shirts were dirty. We saw breast milk on the shirts. There was food on the shirts, and the pants as well. They told us that they were hungry. They told us that some of them had not showered or had not showered until the day or two days before we arrived. Many of them described that they only brushed their teeth once [...] The guards are asking the younger children or the older children, "Who wants to take care of this little boy? Who wants to take of this little girl?" and they'll bring in a two-year-old, a three-year-old, a four-year-old. And then the littlest kids are expected to be taken care of by the older kids, but then some of the oldest children lose interest in it, and little children get handed off to other children. And sometimes we hear about the littlest children being alone by themselves on the floor.

This was a pre-announced visit and one can only imagine the circumstances where there is no warning of such a visit. It is absolutely heartbreaking stuff and it is not an accident. It is being done in an extremely conscious and open way by the Trump Administration to discourage asylum seekers from coming to the United States.

The conditions those people are fleeing from countries in Central America include vicious narcotics gangs, collapsed economies and ecological disaster. To a very large degree, these are the result of the policies of the United States, which has ruthlessly dominated that region for 150 years. That includes dozens of military interventions, support for military coups and the implementation of the so-called Central American-Dominican Republic Free Trade Agreement, CAFTA.

There is a growing movement of protest targeted against these migrant detention camps. People like Megan Rapinoe, the United States women's soccer team captain, have spoken out

against the message from Donald Trump of excluding people. In the most powerful recent message, workers at the Wayfair furniture company in the United States took the lead by walking off the job because their company refused to stop doing business with these for-profit detention camps. That is what solidarity looks like and these are the steps needed to shut down the camps and take down Trump.

The question is what the Government will do about this. A year ago we passed a motion unanimously in the Dáil describing this treatment as inhumane, undignified and unwarranted, and we called for these practices to be reversed immediately. What has been done by the Government and how has it spoken out about this? Was the matter raised by the Taoiseach with Donald Trump or was he able to come to Ireland to play a game of golf while being responsible for these conditions at home, including the death of seven children in the so-called care of the United States immigration agencies? Will Mike Pence be able to do the same in September and will this Government continue with mild hand-wringing and criticism when they are not here but grovelling subservience when its representatives meet officials of the United States Administration?

**The Tánaiste:** The images we see from some of the detention centres on the southern borders of the United States make for very uncomfortable viewing. When refugees and asylum seekers cross a border, there are international standards that should be expected and delivered, particularly in the protection of children. The migration challenges and the suffering of children is not solely confined to the camps we see in the United States and the European Union must also look at itself with regard to questions around migration. It is not just the need for generosity to be shown to people fleeing conflict, as there are also international standards and obligations that should be adopted.

Today, across the globe, there are over 70 million people who are either refugees, displaced persons or asylum seekers. It is an enormous number and I hope Ireland is trying to give some leadership in how integration can work. We deal with much smaller numbers than many other countries but the collective challenge for the European Union in terms of migration is one on which we need to focus, as well as offering constructive criticism on how other countries manage migration.

I do not want to shy away from this. Like others, I have been concerned about and critical of the border management on the southern border of the United States. Nobody wants to see children separated from parents and they should not be. This is the source of a significant debate in the United States Congress on Capitol Hill and there are differences of opinion. The European Union and its member states need to consider how we, as a collective, deal with the migration challenge, as well as offering criticisms or observations on what happens abroad.

**Deputy Paul Murphy:** Will the Government voice those criticisms to Mike Pence when he comes here in September? Did the Taoiseach raise any of those criticisms with Donald Trump was here last month? The conditions are obscene and horrific, and they are well beyond the bounds whereby what is needed is just some constructive criticism. We need clear condemnation by the Government of the actions of Donald Trump and the US Administration. It is what we need and it is part of building international pressure. This will get worse. When we passed the motion a year ago, the conditions were not as bad and there were not as many children affected. Conditions will continue to worsen unless there is a movement for change, particularly in the United States but also elsewhere.

I agree with the Tánaiste's point that the European Union must also look at itself, as it is not a paragon of virtue. The EU outsources its dirty work and the Government agrees with that. For example, it agreed with the deal with Turkey to give that country €6 billion to have the migrant camps there rather than in the EU. The Government agrees with the externalisation of migrant policy by the EU, which means these camps are being set up in north Africa, for example. Broadly speaking, it agrees with the fortress Europe policy that has seen 10,000 migrants die in the Mediterranean since 2015. If the Tánaiste believes that Ireland should be a leader, we should shut down direct provision, as 6,000 people are in that direct provision using for-profit camps.

**The Tánaiste:** The Deputy has raised many issues and I would like to have the time to respond to them. I do not.

**An Leas-Cheann Comhairle:** The Tánaiste has a minute.

**The Tánaiste:** I accept that and I will stay within the time. This House made its views clear on the separation of children in the context of migration and refugees, and that position has not changed. I am not aware of everything raised by the Taoiseach with President Trump but I certainly hope to have the opportunity to meet Vice President Mike Pence when he visits Ireland later this summer.

The EU policy on migration will be one of the big challenges for the next five years for the European Parliament, the Commission and the European Council. We need to partner with neighbouring countries in trying to manage migration in a way that would not see an increase in the rise of the far right and anti-immigrant sentiment. Providing practical political solutions that are also generous and humane in managing migration is one of the big challenges and Ireland certainly wants to be part of that discussion.

**An Leas-Cheann Comhairle:** Sula bogaimid ar aghaidh, thar ceann na dTeachtaí eile, ba mhaith liom cur leis an rún comhbhróin do theaghlaigh Noel Whelan agus Brendan Grace. Ar lámh dheis Dé atá an bheirt acu.

Before me move on, ba mhaith liom, thar mo cheann féin agus thar ceann an Chinn Comhairle, ár mbuíochas a chur in iúl do na Baill as ucht an comhoibriú, an chuid is mó den am, i rith na bliana. Ar ndóigh tá a fhios agam nach laethanta saoire a bheas againn. Ní bheimid anseo sa Dáil ach beimid ag obair sa Dáilcheantar. Táimid ag fáil briseadh ó ghnó na Dála. Bain sult as an tréimhse idir anois agus 17 Meán Fomhair. Go n-éirí go geal libh. Sin teachtaireacht uaim féin agus ón Cheann Comhairle.

### **Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation**

**An Leas-Cheann Comhairle:** I have a list of approximately 30 Deputies who wish to make a contribution. Deputies should please consider other colleagues in the time they use. I have been accused of using too much discretion so for the day that is in it, please be as brief as possible.

**Deputy Dara Calleary:** On behalf of Fianna Fáil I extend our good wishes to you and the Ceann Comhairle in particular. Thank you for the efficient running of the House during this

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session. It has been very difficult for the staff of the Houses because of the refurbishment-----

**Deputy Michael Healy-Rae:** The rats.

**Deputy Dara Calleary:** -----but they have stood up in a fantastic way. I particularly thank everybody involved with the Dáil 100 commemorations that occurred during this session. I hope when we return in September the Houses will be fully restored and the building will be back in good shape. As the Ceann Comhairle is fond of saying, I hope everyone takes a break during the recess. I refer to the issue of a HSE decision to scrap the rehabilitative training allowance for people with disabilities. I listened to the Tánaiste's earlier responses to the question I asked about home help and the question Deputy O'Reilly asked about psychiatric services. It struck me that the Government has no sense of the serious situation within our health service that is affecting day-to-day services for families. This is another example. This allowance is €31.80 per week per student, designed to help people with disabilities to develop work, life and social skills. That amount makes a considerable difference to these people and the HSE has decided to scrap it without any recourse or explanation. I fear this is typical of what is going to happen over the next few weeks. Issues such as this will be swept under the carpet when the Dáil is not sitting and the HSE will not be controllable or accountable to anybody. I want the Tánaiste to comment specifically on this allowance and to give some indication that the Government understands and has some interest in how serious things are in every single aspect of our health services.

**The Tánaiste:** I thank the Leas-Cheann Comhairle, the Ceann Comhairle and all the others who have sat in the Chair this term for the work they have done to contribute to the work of this House.

I also thank the Whip's office, which is a more complicated place when there is not a majority in government

**Deputy Louise O'Reilly:** I would say it is.

**The Tánaiste:** I thank Ms Alice Kearney, Ms Les Hamilton, Ms Elaine O'Carroll and Ms Katie Downes in the Whip's office who have shown extraordinary patience with me and others, including Deputy Kyne.

I also thank the Office of the Attorney General and the Office of the Parliamentary Counsel for drafting legislation. Many people were cynical about how this Chamber would operate with the numbers elected.

**Deputy John Brady:** Some people are still cynical.

**The Tánaiste:** More than 21 Bills have been passed this year and a series of others are ready to go for the autumn.

**Deputy John Brady:** There would be more if the Government stopped attaching money messages to legislation.

**The Tánaiste:** The Government is getting things done and will continue to try to do that.

I also thank the staff of the House, particularly for late night sittings that have been added at different times. People have shown extraordinary flexibility to facilitate the work that we are doing.

I will get a proper answer for Deputy Calleary from the HSE and the Minister for Health, Deputy Harris, about the training allowance that has been removed. I accept that many sectors across the health system are under pressure but many others are working very well. There are significant increases in resources each year to deliver those services. We often focus on negatives and pressure points in this House for understandable reasons, as we must do so to improve them, but the many people who work in our health service, sometimes in difficult conditions, are doing a very good job. We will continue to try to work on the pressure points and I am sure the Deputy will continue to raise those issues with me.

**Deputy Louise O'Reilly:** On behalf of Sinn Féin, I extend my thanks to the Leas-Cheann Comhairle, the Ceann Comhairle and all of the people who sit in the Chair for their contributions to the efficient running of the House. I also offer a special thanks to the ushers and the administrative and support staff who keep this place running, often at very family unfriendly hours. They do so with great heart, spirit and tolerance of us, as politicians who work here. I hope everyone gets to enjoy some rest and relaxation over the holiday period.

Today, 11 July, is a day when many in the loyalist and unionist communities on our island light bonfires to mark the anniversary of the Battle of the Boyne. Many of these events pass off without any great disruption to people's lives but, in some areas, there are sure to be, as ever, incidents of hate crimes with election posters belonging to representatives of Sinn Féin, the SDLP and the Alliance Party of Northern Ireland being burned. In some instances, effigies of Sinn Féin representatives have been hung on these bonfires and the Tricolour is regularly burned on bonfires in some parts of the North.

These incidents would be considered hate crimes in anybody's book and so-called cultural expression cannot be an excuse for some of the behaviour witnessed over the period around 12 July. I ask the Tánaiste to join me in condemning all acts of hatred and sectarianism and in calling on the leadership of the Orange Order, other loyal orders and political unionism to take a stand against these kinds of acts.

**The Tánaiste:** This is a sensitive time of year in Northern Ireland, as the Deputy knows well. Today is the eve of 12 July which, particularly for many in the unionist community, is a period of recognition of tradition, identity and many other emotive and powerful influences within communities. There is a responsibility on all of us and all communities in Northern Ireland to ensure that expression of identity does not spill over into hatred and sectarianism and that communities are protected during these activities. There is a responsibility on all parties to ensure that there are not overreactions and we all work to soften language, rather than harden it, and that when acts take place that should not, we do not respond in a way that charges up the temperature rather than defuses it.

There is serious work to do in Northern Ireland in the coming days and weeks to re-establish a functioning, devolved government in Stormont and the institutions of the Good Friday Agreement. The tensions that may exist over the next 24 hours or so might make that more difficult but we need to ensure that the next few days are managed as best they can be so we can respond in the most appropriate way possible to those who may look to instil hatred and violence in Northern Ireland and that is to make politics work. Northern Ireland needs functioning devolved institutions more than ever now than in the past 20 years. I look forward to visiting Belfast next week, to work with all the parties to try and bring good news to the people in Northern Ireland who need it.

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**Deputy Brendan Howlin:** On my own behalf and that of the Labour Party, I thank the Leas-Cheann Comhairle, the Ceann Comhairle and his office, all the officers and staff of the House, ushers and everybody who contributes to make this place function. It functions reasonably well, despite everything, and I hope all of us enjoy some rest and reflective time because the next Dáil session will be challenging.

Other Deputies have talked about different aspects of the health service today. The HSE's capital plan for this year has not been published. That is surely a ludicrous situation. We are more than halfway through the year and the plan around which the organisation must build this year has not yet been published and is not yet known. I cannot imagine any organisation not knowing, halfway through the year, what it will spend money on for the year.

It is reported that the plan is to be published shortly after the Dáil breaks for the summer, which is convenient as there can then be no scrutiny of it.

**Deputy Dara Calleary:** That is very convenient.

**Deputy Brendan Howlin:** It is plainly obvious that the overruns in the spend for the national children's hospital, which are still not nailed down and fully quantified, are having impacts on other announced and expected health projects. What is the reason for this extraordinary delay? When exactly will the plan be published? When published, will the plan tell us which projects have been euphemistically "re-profiled" and will be impacted by the overruns at the national children's hospital?

*1 o'clock*

**The Tánaiste:** The straight answer to the Deputy's question is that the plan will be published when it is ready.

**Deputy Brendan Howlin:** Might we see the plan before the end of the year?

**The Tánaiste:** Clarity on what will be spent next year must be factored into the capital plan for 2019.

The summer economic statement provided extra capital allocation for 2020. That is being factored in terms of how and where it will be spent in the context of accommodating the increased cost of the children's hospital. I understand the plan is close to conclusion. The 2019 spend has been concluded but they are finalising work in relation to the 2020 spend.

**Deputy Brendan Howlin:** That is just the 2019 plan

**Deputy Mick Barry:** I also wish every person who works in this place, all the staff, the best possible summer holiday.

Last Thursday the Dáil voted by 73 votes to 39 for a motion opposing closure of the Cork mail centre and in support of saving the 240 jobs there. The overwhelming vote was supported by Deputies of 11 different parties or groups and was opposed by members of two. The motion called on the Minister to instruct An Post to reverse the closure. The Minister claims he cannot do that and that to do so would be illegal. I challenge that but I will not get into that today.

The Minister is sole shareholder of the company. What is he prepared to do on this? Is he prepared to call in the chief executive officer and inform him of the vote and its serious character? Is he prepared to inform him that he and the Tánaiste are gravely concerned about the situation? Or is he going to continue to do nothing on this in defiance of the wishes of the Dáil

and of the workforce, many of whom are the Tánaiste's constituents?

**An Leas-Cheann Comhairle:** I am sorry but I cannot take other Members in because this is Leaders' or their representatives' questions.

**Deputy Richard Bruton:** I thank Deputy Barry for raising this as it does give me the opportunity to clarify some of the points. The Deputy is absolutely right that it would be illegal for me to instruct An Post to do anything. That has been provided by this Oireachtas. We consciously decided that the operation of commercial State bodies should not be dictated by political decisions by the Minister. That is correct.

On the substantive issue, as the Deputy knows, a collective agreement was worked out with An Post workers. One element of that was that one of the four mail centres would be closed and that the board of An Post would make that decision in the best interests of its customers, employees and the company. To be fair to the company, it is showing that its diversification and restructuring which it is undertaking is working. It is building new opportunities for workers, securing new investment, indeed for Cork, and aims to provide employment. In terms of dealing with the staff who are unfortunately being displaced, it seeks to support them and offer them redeployment as well as support in terms of a package and retraining.

**An Leas-Cheann Comhairle:** I call Deputy Mattie McGrath on behalf of the Rural Independent Group to ask a question on promised legislation.

**Deputy Mattie McGrath:** Ba mhaith liom mo bhuíochas a ghabháil leis an Leas-Cheann Comhairle, leis an gCeann Comhairle, agus le gach duine atá ag obair i dTithe an Oireachtais. I thank the Leas-Cheann Comhairle, the Ceann Comhairle and all the staff, the bar staff and everyone else and all the people who put up with us here at all hours of the night in the restaurant and all over the place on behalf of the Rural Independent Group.

I raise the Amneal plant in Cashel. It is a good plant. The Minister, Deputy Bruton, came to its opening in a fanfare with an announcement of 300 jobs. It had grown to 91 jobs and there was great positivity and hope in the town, but yesterday a bomb struck when the company announced it would reduce its workforce to a skeleton staff of 30 and were letting 60 people go. There has been great disappointment and angst in Cashel, Tipperary and surrounding areas. Will the Tánaiste tell us if the agencies will get involved and see if there is anyway we can help the management, which is good management, in Amneal to get the company back on its feet again? There are talks that more jobs are in the pipeline and more medicines and so on. We need this plant badly and we need supports to ensure that management grow the plant to where we were promised some years ago.

**An Leas-Cheann Comhairle:** That may come in under the programme for Government - job creation.

**The Tánaiste:** It is a serious issue. I take it that this is a good company that was providing very good jobs. Every State support available will be given to the company and the workforce which now has a great deal of uncertainty. Those consultations are ongoing.

**Deputy Thomas P. Broughan:** I thank the Leas-Cheann Comhairle, the Ceann Comhairle, the Secretary General of the Houses of the Oireachtas, and the staff for all the brilliant support they have given throughout the session. I thank all the staff, across our ushers, canteen staff and cleaners and everyone who works here, including in the committees, who help us do our job.

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On behalf of our Independent group, I wish them all a good summer break.

Will the recruitment freeze or embargo which is clearly happening in the HSE continue during the recess? The Chief Executive, Mr. Paul Reed, seems determined to deliver just the resources which the Government gave him in budget 2019 but the result is - all Deputies are hearing this - that skilled professionals who have been appointed to jobs a number of months ago are yet to start their jobs. There clearly is a recruitment freeze. Will it continue during the recess?

**The Tánaiste:** As I said earlier, there is not a recruitment freeze, there is a requirement on the HSE to operate within its budgets. The HSE is recruiting but it is doing so where it has made budgetary provision to do so.

### **Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters**

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case. I am doing so now as Members may wish to raise matters now that they might include under Topical Issues: (1) Deputy John Brady - to discuss the arrangements in temporary accommodation for asylum seekers; (2) Deputy James Browne - to discuss the rehabilitative training allowance scheme for disability allowance recipients; (3) Deputy Thomas P. Broughan - to discuss HSE recruitment, nurses overtime and the areas most affected by expenditure cut-backs; (4) Deputy Mary Butler - to discuss access to speech and language therapy in western areas of County Waterford; (5) Deputy Joan Burton - to discuss the number of Community Gardaí in the Dublin 15 area; (6) Deputy Fiona O'Loughlin - to discuss the crisis in Naas General Hospital; (7) Deputy Catherine Connolly - to discuss Caranua's capacity to complete the outstanding open applications from 1,882 former residents; (8) Deputy Frank O'Rourke - to discuss the advancement of housing development at Hazelhatch and Celbridge; (9) Deputy Michael Moynihan - to discuss safety works required to the junction of the N72 and R579 at Ballymaquirke, County Cork; (10) Deputy Éamon Ó Cuív - to discuss the proposal for a prospecting licence for base metals, gold ore and silver ore in the west Connemara area; (11) Deputy James Lawless - to discuss the workload of the Kildare district courts service and administration of justice; (12) Deputies Denis Naughten, Michael Fitzmaurice, Eugene Murphy and Robert Troy - to discuss job losses and licensing issues at the ESB plant in Lanesboro, County Longford; (13) Deputy Joan Collins - to discuss the payroll system for ambulance paramedics and staff; and (14) Deputy Eamon Ryan - to discuss the relocation of the Hatch Hall direct provision centre to the Baleskin Centre.

The matters raised by Deputies Brady, Michael Moynihan, Naughten, Fitzmaurice, Eugene Murphy and Troy, and O'Rourke have been selected for discussion.

### **Ceisteanna ar Reachtaíocht a Gealladh (Atógáil) - Questions on Promised Legislation (Resumed)**

**Deputy Eugene Murphy:** I will keep this brief as we will have an opportunity to raise this in the Topical Issue debate although that might be late in the evening.

*(Interruptions).*

**An Leas-Cheann Comhairle:** Hold on. We have a long day ahead. What is the problem? I cannot be listening to snide remarks from the side. What is the issue?

**Deputy Danny Healy-Rae:** Is this in the Order of Business?

**An Leas-Cheann Comhairle:** Yes, as is customary. There are no changes.

**Deputy Eugene Murphy:** I raise the issue of the job losses in Bord na Móna announced this morning. As my colleague, Deputy Naughten, will know, I live five minutes from the power station and three minutes away from the Bord na Móna works. Some 150 people are affected by this. I ask the Tánaiste and the Minister, Deputy Bruton, to arrange a meeting immediately with the ESB and the EPA and Bord na Móna to try and get the power station re-opened as quickly as possible.

Second, this is a huge blow for the seasonal workers who have been hit, many of whom are students and part-time farmers. Will the Ministers ask Bord na Móna and the ESB to replace some of those people with other works in the area? We know that things are changing and that it is a difficult situation but we really need immediate action on this.

**An Leas-Cheann Comhairle:** As I said, this will come up later. I call Deputy Naughten.

**Deputy Denis Naughten:** On my behalf and on that of the Minister of State, Deputy Kevin “Boxer” Moran, we have been told that job losses are because of a 2013 alteration to the ESB licence for the Lanesboro power station. We did not see any solutions brought forward by the company for five full years until 2018. This now threatens over 300 jobs. I ask that the Minister, Deputy Bruton, haul the three organisation involved, the ESB, Bord na Móna and the EPA, into his office this afternoon and that he would come to the Dáil this evening and provide us with a proper plan for how we will protect these jobs in the midlands.

**An Leas-Cheann Comhairle:** It somewhat negates my reading the Topical Issues selected but I ask the Minister to respond.

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** The Tánaiste has outlined the position as of today. I will deal with this during the Topical Issue debate this afternoon.

**Deputy Declan Breathnach:** Climate change, air quality, environmental matters are at the top of the agenda for debate, particularly the proposal for a national smoky fuel ban, which is a live issue and rightly so. Approximately 28% of the population of the country experience fuel poverty and they need to be adequately protected. I suggest on this day of recess that the Minister consider substantially increasing the fuel allowance in the next budget. I also suggest that the VAT differential between the 8% on coal in the South versus the 5% in Northern Ireland would make substantial savings, particularly if the Government is contemplating introducing a carbon tax, which would cause further problems.

**An Leas-Cheann Comhairle:** The Deputy should watch the clock.

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**Deputy Declan Breathnach:** There would be substantial savings, which could be made available to address fuel poverty.

**An Leas-Cheann Comhairle:** We have got the point.

**The Tánaiste:** This is a budgetary issue and the decision will be made at budget time.

**Deputy John Brassil:** This is the fourth time I have asked this question since the start of the year. It relates to the wind farm guidelines that have been promised month in month out. On the previous three occasions I requested them, I was told it would be a matter of weeks. We are now approaching the summer recess. Is the Tánaiste able to give an update on when the guidelines are due to be published?

**An Leas-Cheann Comhairle:** On the same issue I call Deputy Troy.

**Deputy Robert Troy:** The Tánaiste will remember that a week before he moved from his previous role as Minister with responsibility for housing and planning he issued, to great fanfare, a press release stating the wind energy guidelines would be announced within weeks. That is more than two years ago. As my colleague has rightly identified, communities are still awaiting the new updated wind energy guidelines. At a time climate change is such an issue and we must embrace renewable energy, will the Tánaiste or the Minister for Housing, Planning and Local Government clearly outline when communities can expect the announcement of the new wind energy guidelines and when can communities affected by the erection of solar panel farms expect the announcement on the guidelines and regulations for those?

**An Leas-Cheann Comhairle:** I call the Tánaiste for a brief response on wind energy guidelines.

**The Tánaiste:** When I announced we were close to agreeing the guidelines, it was agreeing them for consultation and there has been a consultation process since then. My understanding is that the Minister, Deputy Murphy, is very close to announcing a finalisation of those guidelines.

**Deputy Robert Troy:** After two years.

**The Tánaiste:** A statutory process is required.

**An Leas-Cheann Comhairle:** I call Deputy Danny Healy-Rae on the programme for Government and promised legislation.

**Deputy Danny Healy-Rae:** The protection of farmers income is written into the programme for Government. The Tánaiste is the very man who back in 2013 advised dairy farmers to increase production. As he knows, at most 20% of calves are kept for replacement. The rest of the dairy bred calves go into beef production. At that time, the Tánaiste told people to increase production and now the Government is advising beef farmers to reduce production and plant forestry. At the same time, the Government will allow Brazilians to import beef into the European Union. How can the Government reconcile this? How can it explain to farmers that four or five years ago it told them to increase production and now it is telling them to decrease production? It is not as simple as turning on or off a tap.

**An Leas-Cheann Comhairle:** We have had statements on this.

**Deputy Danny Healy-Rae:** These people have invested hundreds, thousands and millions

of euro in their farms.

**An Leas-Cheann Comhairle:** We will have to review all of this in the next session.

**Deputy Danny Healy-Rae:** Yes but I ask the Tánaiste to explain this because this is what the Government is doing.

**An Leas-Cheann Comhairle:** The relevant Ministers were here yesterday.

**Deputy Michael Healy-Rae:** It is as simple as this. Thousands of farmers came from throughout the country yesterday to ask the Government to stand with them and support them. I ask the Tánaiste whether he will leave our beef farmers fade away and be driven out of existence. We need the Government to unite and say “No” to this trade agreement. It is harmful to our beef industry and will finish it. We are looking to the Tánaiste and the Government to come out with a clear statement saying “No” to it on behalf of the beef farmers.

**An Leas-Cheann Comhairle:** We will vote on this in a while. We had a debate and we will vote on it.

**The Tánaiste:** I am not quite sure what the first questioner is looking for the Government to do. He seems to be suggesting we should reimpose milk quotas-----

**Deputy Danny Healy-Rae:** No such thing. The Government is trying to con the farmers.

**The Tánaiste:** -----which would be absolute nonsense. The Government has been, and will continue to be, supportive of farmers and agriculture. There has been much opportunity for debate on the potential Mercosur deal in the past two days. We have a more immediate focus with regard to protecting the beef industry in particular through the Brexit process which, of course, is a big responsibility for me and the Minister for Agriculture, Food and the Marine. I can tell the Deputies that agriculture and farming are big priorities for the weeks and months ahead.

**An Leas-Cheann Comhairle:** I call Deputy Brian Stanley, who I know will be brief.

**Deputy Brian Stanley:** Diversification of Bord na Móna is mentioned on page 126 of the programme for Government. A total of 150 Bord na Móna workers face redundancy this year. Some of them have been made redundant. This morning, workers in Longford found out that 150 of them will be let go on a temporary basis over the next week. This is a serious situation. We are moving from brown to green and everybody accepts this must happen. The people in Laois, Offaly and Longford come from hard-working communities with a good work ethic. Many of them worked in Bord na Móna and I worked there myself. We now need to move to this transition. We are trying to play catch-up.

**An Leas-Cheann Comhairle:** A question.

**Deputy Brian Stanley:** Where will the jobs be in counties Laois, Offaly and Longford? Workers and the communities in which they live want to know this. Where are the plans for biomass supply chains? Where are the plans for major biogas and renewable energy industries? Where are the training programmes for the thousands of workers needed for the new low energy carbon build and for retrofitting?

**An Leas-Cheann Comhairle:** That is possibly a parliamentary question but if the Minister wants to make a brief intervention, he can do so.

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**The Tánaiste:** I have given a pretty long answer to that question but perhaps the Minister wants to come in.

**Deputy Richard Bruton:** The Deputy is moving from our brief to greener fields in agriculture but the climate action plan has set out many of the issues he has raised with regard to how we will develop renewables. Bord na Móna has been leading the field not only with regard to renewables but in recycling and new sectors. It is a very powerful agency and is using its resources to develop new opportunities in a decarbonised world. The Government will be behind those efforts.

**Deputy Richard Boyd Barrett:** The programme for Government includes a commitment to improve services and increase support for people with disabilities. Some time ago, I raised the concerns of people with visual impairments in Dún Laoghaire regarding the possible closure of the NCBI office. The commitment made by the Government at the time that the services would all be retained and in no way eroded has not been met. The drop in service is effectively gone since the central administrator was in there. Many of the other services on which the visually impaired community relied upon in the Dún Laoghaire office are gone. If we ring the Dún Laoghaire office now, we get an answer in Dundalk. I do not expect the Tánaiste to know about this but I expect him to look into it because a clear commitment was given to the visually impaired community that the staffing changes would not result in an erosion or deterioration of services for them by the Government.

**The Tánaiste:** I will get the relevant Minister to come back to the Deputy on it.

**Deputy Dessie Ellis:** As the Tánaiste may recall, legislation was introduced by the Government to transfer people from rent supplement to the housing assistance payment, HAP. People are finding it impossible to find a HAP property or even get their landlord to sign up for one. The Department has taken the decision to stop rent supplement payments until a HAP application has been signed up to and approved. I know of a good number of cases in which rent supplement has been withheld for months, which is putting families under threat as well as making them homeless. We need to stop this practice urgently. I am sure the Tánaiste will agree there have been unforeseen consequences as a result of the legislation because people in the welfare sector are interpreting it in this way.

**An Leas-Cheann Comhairle:** Is the Tánaiste in a position to answer the question?

**The Tánaiste:** I would like to hear a bit more about it and perhaps I can come back to the Deputy on it. The idea of shifting people from rent supplement to the HAP was to provide more security. I see Members shaking their heads. HAP is a much better system for tenants and landlords than rent supplement. If there are problems for individual families regarding the transition from one to the other, then we need to understand that. I will get someone to respond to the Deputy on this issue.

**Deputy Dessie Ellis:** It is happening a lot now-----

**An Leas-Cheann Comhairle:** Deputy Ellis, please.

**Deputy Dessie Ellis:** -----because of the legislation.

**An Leas-Cheann Comhairle:** I call Deputy Fiona O'Loughlin. Please, Deputy Ellis-----

**Deputy Dessie Ellis:** It is a very serious situation.

**An Leas-Cheann Comhairle:** We know that.

**The Tánaiste:** I will follow up on it.

**Deputy Fiona O'Loughlin:** I am raising another serious situation. This morning I spoke to a number of apartment owners in Kildare who are being bullied and intimidated by property management companies. Apart from other issues, those owners are now being told that the maintenance fees they have to pay are being doubled. The problem is that there is a complete lack of regulation in this area. My colleague, Deputy Darragh O'Brien, introduced a Bill in this House dealing with the issue of property management companies. That Bill has passed Second Stage and provides for an ombudsman to be put in place for the 500,000 people whose properties are governed by management companies. That would help to bring resolution to disputes in this area. I know that there have been some meetings in the Department of Housing, Planning and Local Government on this issue. This is a vital issue because as time goes on, we will have many more management companies overseeing multi-apartment buildings. I would really appreciate support on this issue.

**The Tánaiste:** The Minister is looking at this area and I will ask him to respond directly to Deputy O'Loughlin.

**Deputy Mary Butler:** The Minister for Health recently signed legislation to allow the operation of the medicinal cannabis access programme on a pilot basis for five years. Unfortunately, some of those who have a licence for medicinal cannabis in Ireland still have to go through hoops to get reimbursed for the costs of the prescription. Parents are exhausted caring for children with special and exceptional needs. One family in Waterford, the Kehoes, are having to jump through hoops to try and get this payment made. We welcome the fact that this access programme is up and running but there are still some teething problems. I would appreciate the Tánaiste raising this matter with the Minister for Health.

**An Leas-Cheann Comhairle:** Deputy Cullinane has a similar question. I ask him to be brief.

**Deputy David Cullinane:** I want to reinforce the comments Deputy Butler made. Deputy Gino Kenny will also be raising this issue. We have all been contacted by this family. Some weeks ago the Minister for Health was helpful regarding the case of a different family in Waterford who had a similar problem concerning their child and getting money back under the compassionate access programme. These are children with severe epilepsy. The consultants in the hospital in Waterford, as well as the general practitioners, GPs, are recommending cannabis-based oil treatment. It is necessary for them to go to Holland and elsewhere to get the money but they are not being reimbursed. The family last week was reimbursed but this family has not been. This is the Kehoe family as Deputy Butler mentioned. I ask that the HSE look at this matter in a compassionate way.

**Deputy Gino Kenny:** We finally had some good news last week concerning the medical cannabis access programme. This issue stems from a situation with the primary care reimbursement service. It is an arbitrary and, at worst, highly invidious system. Two weeks ago I raised with the Taoiseach issues being experienced by two families. I am referring to the Kelly and Stevens families. It is no coincidence that they were reimbursed the next day. It was because they had been forced to go public. The family whose situation we are concerned with today also has a heavy financial burden to bear. They can afford the costs of treatment for their child,

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Killian, in the short term but not in the long term. It is important that the Government intervenes.

**The Tánaiste:** I would be concerned if families were getting the supports they need solely because individual families have had to go public and get Deputies in this House to raise-----

**Deputy Gino Kenny:** It is true.

**The Tánaiste:** I am not saying that it does not happen but it should not happen like that.

**Deputy Gino Kenny:** I know but it is true.

**The Tánaiste:** This access programme is very new. It is only a couple of weeks old and the guidelines are only beginning to be understood by families and doctors. I am sure there will initially be issues that we need to address, perhaps politically. We want, however, to try to get to a point where families are getting the services, supports, and access to the treatments they need without having to publicly appeal for support. That is certainly what the Minister for Health, Deputy Harris, is working on. I will, however, relay this particular issue to him.

**Deputy Gerry Adams:** The programme for Government commits to improving the quality of life for our younger and older people in the most disadvantaged communities. We all know that these communities consist of wonderful people who are under great social and economic pressures. We also know that suicide is a major issue in our society. There is a particular cluster of suicides in Dundalk, in Cox's Demesne and Muirhevnamore. The Redeemer centre has asked Pobal to fund a community audit across north Louth to identify these issues. Will the Government support this approach for a community audit to identify the gaps in the current allocation of resources in Dundalk, as well as options for the future?

**The Tánaiste:** This sounds like a very real issue and I will get somebody from the Department to respond directly to the Deputy.

**Deputy Michael Moynihan:** The Tánaiste was previously the Minister in the Department responsible for planning and housing. There is an issue with planning around the country. Everybody is talking about getting more houses into the system. Individuals are seeking planning permission and are coming up against all sorts of regulations and hoops that they have to go through. Has the Government really looked at the planning process in the context of getting more houses built? I also want to raise the issue of frivolous referrals of planning applications to An Bord Pleanála, causing delays of six to eight months for the smallest of developments. After six months, perhaps, a letter is then issued stating that the decision date is being again deferred for a further two or three months. Has the Government closely examined this issue? There are many issues in the area of housing but this is one issue where the Government could do something if it was decisive and really examined this issue in detail. This matter is holding up development and holding up young couples getting roofs over their heads.

**The Tánaiste:** We have introduced new legislation on planning. There have been significant changes that are having positive results. The main change is a new direct fast-track planning system that goes straight to An Bord Pleanála for large-scale housing developments

**Deputy Michael Moynihan:** What about small-scale developments?

**The Tánaiste:** That has delivered in spades, if Deputies will excuse the pun, regarding planning applications being successfully granted in the right places. There are ongoing issues

and considerations but there also has to be an entitlement to offer objections and observations. There have to be rules, regulations, guidelines, zoning and so on. That provides limits but also places statutory responsibility on the State to ensure that we are building houses in the right places. I suspect that the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, certainly keeps the kinds of issues raised by the Deputy under review all of the time.

**Deputy Michael Collins:** On page 86 of the programme for Government, the Government promised to support older people in their homes, as well as the home help service. The Health Service Executive, HSE, employee assistance programme provides short-term counselling and support for home help workers who have personal and work-related problems. This is a vital service for home helpers who work long hours, sometimes in difficult and demanding conditions. Those workers may also become emotionally attached to many of the clients they work for, sometimes for a long time. The loss of an elderly client after whom they have looked for a long time is an everyday part of the job but they may need bereavement counselling. There were two counsellors in west Cork but both have now retired. The nearest counselling service is now in Cork city. Will this Government restore the employee assistance program and provide appropriate support for home care staff in west Cork or is this just another cut, through the back door, in the services provided in rural Ireland?

**The Tánaiste:** This is a specific question regarding west Cork. I will have to respond to the Deputy later and get the relevant person to give him the information.

**Deputy Carol Nolan:** Depopulation in rural regions is still a major issue. I and other rural Deputies have seen that there is no common sense when it comes to people, and particularly young couples, who want to live in rural communities. Those who want to build homes on their family's land are being denied that opportunity. What action is the Government going to take to alleviate the difficulties faced by young rural couples who want to stay in their communities and build houses on their family's land? Adopting a common-sense and fair approach would mean we could address the depopulation issue.

**The Tánaiste:** This is an area where we have to achieve a balance between trying to manage the extent of one-off housing and ribbon development and then trying to put in place more sustainable models for how we develop communities. I am referring to issues involved in communities living together, sharing resources and the provision of public transport networks etc. At the same time, we have to allow people to live in the parishes where they grew up and on their own land in some cases. That is a constant balance that local authorities are trying to get right.

**Deputy Jan O'Sullivan:** As a former Minister for Housing, Planning, Community and Local Government the Tánaiste will know very well that the Irish League of Credit Unions has wanted to invest in building houses for some time. In fact the Tánaiste incorporated this into his own Rebuilding Ireland programme. The league's members have €750 million ready to go straight away but they need a special purpose vehicle to be set up. They have been in negotiations with Government for a long time but nothing has happened. Credit unions would work with the approved housing bodies, AHBs, to keep borrowing off the balance sheet. We need those homes. Will the Tánaiste make a commitment that over the summer work will be done to set up this special purpose vehicle so the Irish League of Credit Unions can invest some of their considerable assets in building homes for our people?

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**The Tánaiste:** I will come back to the Deputy on that. I am not quite sure what stage that discussion is at.

**Deputy Pat Buckley:** There are 700 vacancies within the mental health services. We will probably agree to disagree. There is still an embargo on recruitment and the HSE is not offering permanent posts to this year's graduates. This has also been the practice in recent years. Will the Tánaiste or the Minister for Health instruct the HSE to stop this practice? It seems senseless that we are training recruits to work in the mental health service but we do not offer them a permanent contract.

**The Tánaiste:** We are spending an extra €55 million on mental health this year. As I said earlier, recruitment is taking place but it has to be within the available expenditure envelopes.

**An Leas-Cheann Comhairle:** I will not deprive the few other Members as it is the last day, so I ask Members to bear with me, but they will see a change the next time.

**Deputy Kevin O'Keeffe:** As the Tánaiste is aware, pulmonary hypertension is a rare heart and lung disease. A drug, Selexipag, has recently been approved. When will the Government and the HSE approve funding for this drug so that beneficiaries can avail of it? The drug has been well documented and Professor Sean Gaine, a well-known leading medical adviser on this disease, has asked for it to be considered.

**The Tánaiste:** Once a drug goes through the assessment process for drugs for rare conditions and approval is granted, it automatically follows that the finance is available in terms of making the drug available. I am not sure at what stage in the approval process the drug is actually at, but I can get the Department of Health to check with the Deputy.

**An Leas-Cheann Comhairle:** Perhaps I should remind the House that even though we are going into recess there is still an opportunity to put down parliamentary questions.

**Deputy Dara Calleary:** They will not be answered.

**An Leas-Cheann Comhairle:** Yes, but I mean written questions. The Deputy knows what I mean.

**Deputy Martin Kenny:** About two years ago I raised the issue of Solas, a purpose-built house for children with disabilities in Sligo. It was closed. About this time last year we were told that a new facility called Bayview Respite Service would be opened in Tullaghan in County Leitrim. I am not sure which agency was to run it but it was not the HSE. It may have been the Rehab Group. For the last six months Deputies from across Leitrim and Sligo have been asking when it would be opened. We were told it would be opened shortly. It opened three weeks ago and the first people went into it. Yesterday a fire officer came and closed it. For almost two years people in the north west have been waiting for respite and unable to get it. We now find that a house that has been opened by the private sector is not going to work. We really need to get answers in regard to this.

**An Leas-Cheann Comhairle:** The Tánaiste got the question after the first sentence. Is there no Minister for Health here?

**The Tánaiste:** I suspect even a Minister for Health would not be able to give the detail of a fire officer's report.

**Deputy Martin Kenny:** Why close down a perfectly good house?

**The Tánaiste:** It is an important issue. I will try to get somebody who can give the Deputy the answer.

**Deputy John Brady:** I am glad to see the Minister for Housing, Planning and Local Government is here. Between January and 20 June, 90 Wicklow families presented to the Wicklow local authority as homeless. One of those families has had to resort to one of the local papers, which I am holding in my hand, to try to highlight their case and how they are being treated. Lauren and her husband, Jensen, presented as homeless in June. After a considerable period of time they were offered what can only be described as substandard accommodation in a bed and breakfast-----

**An Leas-Cheann Comhairle:** The Deputy cannot advertise newspapers here. He is well capable making his own case.

**Deputy John Brady:** -----where there were rats and faeces and blood was evident on the sheets. They complained and were subsequently put out of the accommodation. The Minister is aware because I have raised this with him directly.

**An Leas-Cheann Comhairle:** Deputy Brady must conclude. The Minister is an intelligent man.

**Deputy John Brady:** Can I conclude? That family had to resort to-----

**An Leas-Cheann Comhairle:** We will move on. I call on Deputy Quinlivan.

**Deputy John Brady:** -----sleeping in their car. They were subsequently offered accommodation in County Carlow-----

**An Leas-Cheann Comhairle:** I ask the Deputy to resume his seat.

**Deputy John Brady:** I raised this issue three weeks ago-----

**An Leas-Cheann Comhairle:** Deputy Brady must have some respect for the Chair.

**Deputy John Brady:** I asked the Minister to do me the courtesy-----

**An Leas-Cheann Comhairle:** I call Deputy Quinlivan.

**Deputy John Brady:** -----of allowing me to meet with him and his officials to deal with the serious issue-----

**An Leas-Cheann Comhairle:** Deputy Brady must resume his seat.

*(Interruptions).*

**An Leas-Cheann Comhairle:** I am not allowing the Minister to respond.

**Deputy Heather Humphreys:** It is a absolute disgrace. It is so disrespectful to the Chair.

**An Leas-Cheann Comhairle:** Deputy Brady is abusing his position. He has no monopoly on time in this House.

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**Deputy John Brady:** Sorry-----

**An Leas-Cheann Comhairle:** Deputy Brady is abusing his position. I call on Deputy Quinlivan.

**Deputy John Brady:** I am sorry, a Leas-Cheann Comhairle. Can I get a response?

**An Leas-Cheann Comhairle:** You do not deserve one.

**Deputy John Brady:** The Minister has not given-----

**An Leas-Cheann Comhairle:** You do not deserve it.

*(Interruptions).*

**Deputy John Brady:** This family deserves a response. The Minister's silence has been deafening. Not only-----

**Deputy Eoghan Murphy:** Deputy Brady is now lying. I have spoken-----

**An Leas-Cheann Comhairle:** To say the least, Deputy Brady is being disorderly. Deputy Brady is abusing his position.

**Deputy John Brady:** Can I get a response?

**An Leas-Cheann Comhairle:** He is abusing his position. If the Deputy does not resume his seat I will ask him to leave the House.

**Deputy John Brady:** Can I get a response?

**An Leas-Cheann Comhairle:** I will ask him to leave the House if he does not resume his seat.

**Deputy John Brady:** If the Leas-Cheann Comhairle tells me I will get a response from the Minister I will resume my seat. Can I get a response from the Minister?

**An Leas-Cheann Comhairle:** Listen to me, please.

**Deputy John Brady:** Will the Leas-Cheann Comhairle ensure the Minister responds?

**An Leas-Cheann Comhairle:** Will the Deputy listen to me? He must resume his seat.

**Deputy Pat Casey:** He will not listen to anyone.

**An Leas-Cheann Comhairle:** If Deputy Brady does not resume his seat-----

**Deputy John Brady:** Will the Minister-----

**An Leas-Cheann Comhairle:** Deputy Brady may have another motive. I might oblige him.

**Deputy John Brady:** Can I get an answer?

**An Leas-Cheann Comhairle:** I call on Deputy Quinlivan. The House has been very-----

**Deputy Brendan Griffin:** Deputy Brady is shameless.

**Deputy John Brady:** Can I get a response?

**An Leas-Cheann Comhairle:** Deputy Brady should listen to me and resume his seat. He has been totally disorderly. I gave him an opportunity to raise this. He brought in a newspaper. He is well able to make his own case without bringing in advertisements. Deputy Brady must not interrupt. I am warning him.

**Deputy John Brady:** Can I get a response?

**An Leas-Cheann Comhairle:** Deputy Brady may be playing another game.

**Deputy John Brady:** I am not playing any game.

**An Leas-Cheann Comhairle:** He obviously is. On the last day of sitting I will not allow-----

*(Interruptions).*

**An Leas-Cheann Comhairle:** Deputy Brady has no monopoly on time in this House. He has abused his position. I have been more than fair to the Members of this House. I will give the Minister 30 seconds to respond. If he does not wish to do so I cannot force him.

**Deputy Charles Flanagan:** These are bully boy tactics.

**Deputy Heather Humphreys:** It is shocking.

**Deputy Eoghan Murphy:** Deputy Brady is trying to misconstrue both my interaction with him in the last few weeks and the interaction between my Department and the planning and housing authorities in his constituency.

**Deputy Heather Humphreys:** Hear, hear.

**Deputy Eoghan Murphy:** He is abusing all of the Members of this House. He is not trying to get to the core of the issues involved. Time and time again, as his party has done, he has tried to use individual families in very difficult circumstances-----

*(Interruptions).*

**An Leas-Cheann Comhairle:** Deputy Brady may force me-----

**Deputy Eoghan Murphy:** -----for his own political attention and gain. It is disgusting.

**Deputy John Brady:** The Minister is using this as an opportunity to attack me.

**Deputy Eoghan Murphy:** On this side of the House we are in the business of helping families, not using their hurt to our advantage. Deputy Brady embarrasses himself.

**Deputy John Brady:** This is shameful.

**An Leas-Cheann Comhairle:** I call Deputy Quinlivan. There are more Members in this House than Deputy Brady.

**Deputy Maurice Quinlivan:** Page 11 of the programme for Government contains a commitment to reducing waiting times in emergency departments. In Limerick this week we have

seen-----

**An Leas-Cheann Comhairle:** We must have the question.

**Deputy Maurice Quinlivan:** The question is coming. We have seen a disgraceful situation in which 290 people have been on trolleys in the last four days. Some 81 people are on trolleys as we speak. The Irish Nurses and Midwives Organisation, INMO, has asked for a major emergency plan for the hospital and for all activity in the hospital to be halted with the exception of emergency admissions.

**An Leas-Cheann Comhairle:** We have gone well over time.

**Deputy Maurice Quinlivan:** Will the Tánaiste ask the Minister of Health to agree to an emergency-emergency plan for University Hospital Limerick?

**An Leas-Cheann Comhairle:** The Tánaiste might pass Deputy Quinlivan's question to the Minister for Health.

**Deputy Tom Neville:** I refer to the proposal to establish a cross-Government youth mental health pathfinder team with participation from the Department of Health, the Department of Education and Skills and the Department of Children and Youth Affairs. It has Civil Service, management board and ministerial approval. This cross-Government collaboration utilises section 12 of the Public Service Management Act 1997. This section of the Act has never been used before. The Department of Health has engaged with the Department of Public Expenditure and Reform and must work out the logistics of trying to implement this. I would be grateful if the Minister could give me a timeline and deadlines for the implementation of the proposal.

**An Leas-Cheann Comhairle:** That is what promised legislation is about.

**The Tánaiste:** I will have the Minister revert to the Deputy with an exact answer on that. It represents positive progress. I take the opportunity to wish him well in the next few weeks. He is getting married, which is to enter a new institution that I can highly recommend. I wish good luck to him over the summer.

**An Leas-Cheann Comhairle:** With that go the best wishes of all Members to Deputy Neville. Before we move to the next business, I express my gratitude and that of the Ceann Comhairle to the staff of the House at all levels for their support. Without that support, the House would not work as effectively as it does. I was going to say efficiently, but I will let that run. Is mian linn ár mbuíochas a ghabháil le foireann Theach Laighean go léir. Tá súil againn go mbainfidh siad sult as an mbriseadh.

### **Valuation (Amendment) Bill 2019: First Stage**

**Deputy Anne Rabbitte:** I move:

That leave be granted to introduce a Bill entitled an Act to amend the Valuation Act 2001 to exempt childcare services providers from commercial rates.

Childcare is a vital public service and childcare service providers play an important role in

fostering the healthy development of children while reducing educational inequalities. As it stand, however, we do not have a fair system and parents are paying a heavy price. Childcare costs are raised repeatedly with me by constituents. Commercial rates are a significant expense for childcare services providers with many paying tens of thousands of euro under that heading alone. Rates are often forced up, which increases the cost base for parents paying for services. This Bill proposes a simple fix for this problem. This issue is one of the core contributors to the cost base of private sector providers who have come to me and it is driving up the cost of childcare. While the affordable childcare scheme is very welcome, providers tell us that if there were no rates on childcare facilities, it would make a significant difference.

**An Leas-Cheann Comhairle:** Is the Bill opposed?

**Deputy Tony McLoughlin:** No.

Question put and agreed to.

**An Leas-Cheann Comhairle:** Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

**Deputy Anne Rabbitte:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

### **Taisceadán (Valuable Property Register) Bill 2019: First Stage**

**Deputy Donnchadh Ó Laoghaire:** I move:

That leave be granted to introduce a Bill entitled an Act to provide for the establishment of Taisceadán, a Register of items of personal property to be managed by An Garda Síochána to assist in the identification of items of personal property, for the purposes of investigation of crime, for the repatriation of items of property and to provide for related matters.

I wish to share time with Deputy Martin Kenny, who is co-sponsor of the Bill.

**An Leas-Cheann Comhairle:** Is that agreed? Agreed.

**Deputy Donnchadh Ó Laoghaire:** The Bill involves a simple but practical concept. Every community in Ireland has been affected adversely by the significant rate of theft of property, in particular valuable property. That theft can have enormous consequences, including for people's livelihoods. The theft of farm equipment has increased by 40% in recent times and almost €8 million worth of tools and equipment were stolen over a ten-month period last year. According to figures released last year, more than 14,000 bicycles with an estimated total value of €2 million have been stolen since 2016, 83% of them being taken in the major cities of Cork, Dublin, Limerick and Galway. Very often, goods are stolen for resale, in particular expensive equipment. However, it is difficult for An Garda Síochána to identify and seize goods if gardaí cannot determine whether they have been stolen, even though they believe that to be the case. It is also difficult even when goods can be seized to return them to their owners. While Garda stations are full of such materials, IFA crime prevention officer, Barry Carey, said at a Garda property recovery day held recently in Nenagh, 99% of stolen goods could not be returned to

their owners.

Our proposition is called “Taisceadán”, which is the Irish term for a safe or safety deposit box. Taisceadán would be a national property register creating a centralised system organised and managed by An Garda Síochána to catalogue property with a specific identification number for expensive properties such as, but not limited to, trade tools, bicycles, technology and farm machinery. Taisceadán would be similar to the model in Britain, namely the National Mobile Property Register, which is connected to the national police computer and is used by 100% of police districts. In London, for example, 40,000 searches are made of the database each month with approximately 20% of searches returning a matched item and reuniting a person with his or her property. Items may be marked with stencils or by using a Telesis device, which has laser technology to mark items with their owners’ eircodes. While this is happening in some local authorities, a register is required for the system to work properly. All Garda divisions should have access to the technology that can be provided to the community for marking. People could register marked property on the Taiseadán website and report it if stolen. If property was discovered being resold, gardaí would be much better placed to charge those who stole it. This system would require a significant publicity campaign to ensure public awareness of the technology.

This is a simple and practical proposal to help gardaí and people who have had their property stolen. Property crime has a significant impact. People might save up for an expensive bicycle and lose it to thieves. Tradespeople have expensive tools. A bench saw could be €400, for example. If specialist equipment like that is stolen, it can put people out of work or out of business. We need to deal with that and this is a simple and practical yet significant step towards do so.

**Deputy Martin Kenny:** A national property register is long overdue. We all know many people around the country who have had property stolen and cannot relocate it. That property is often found but never returned to its owners because it is found in a different part of the country. In Sligo and Leitrim, the local authorities are engaged in a process of marking property for people. At marts, they mark trailers, farm machinery and other expensive items and put people’s eircodes on them so that if they are ever stolen, they can be recovered. For that to happen, however, we need a national register of this data that gardaí can access to return people’s property if it is found after being stolen. It is a simple enough Bill and we recommend it to the House. We expect all Members will support it to bring this to a conclusion.

**An Leas-Cheann Comhairle:** Is the Bill opposed?

**Deputy Tony McLoughlin:** No.

Question put and agreed to.

**An Leas-Cheann Comhairle:** Since this is a Private Members’ Bill, Second Stage must, under Standing Orders, be taken in Private Members’ time.

**Deputy Donnchadh Ó Laoghaire:** I move: “That the Bill be taken in Private Members’ time.”

Question put and agreed to.

**Twenty-fifth Report of the Standing Committee of Selection: Motion**

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I move:

That Dáil Éireann:

(a) approves the Twenty-Fifth Report of the Standing Committee of Selection in accordance with Standing Order 27F, copies of which were laid before Dáil Éireann on 11th July, 2019, and discharges and appoints members to Committees accordingly; and

(b) pursuant to Standing Order 93(2), appoints Deputy Donnchadh Ó Laoghaire as Chair of the Committee on Culture, Heritage and the Gaeltacht.

Question put and agreed to.

**EU-Mercosur Trade Agreement: Motion (Resumed) [Private Members]**

The following motion was moved by Deputy Brian Stanley on Wednesday, 10 July 2019:

That Dáil Éireann:

notes:

— that the EU-Mercosur Trade Agreement negotiated by the European Commission is a bad deal for Ireland and for the planet;

— that the deal will see the importing of 99,000 tonnes of beef into the European Union (EU) per year, tariff free, which will devastate the Irish beef industry, while simultaneously doing severe climate damage;

— that South American beef has lower safety and consumer standards than our own indigenous beef and uses pesticides and chemicals which are not allowed within the EU, and that there are concerns about the traceability of this meat given the stringent farm to fork chain in Ireland;

— that the wider economic impact of damaging the farming industry will further accelerate the decline of rural Ireland through the closure of small businesses and the loss of local jobs;

— that it undermines our 2030 emission targets and the Government's recently published Climate Action Plan by importing beef which takes four times the carbon footprint of Irish beef to produce, with additional emissions being created through transportation of the beef from South America to Europe; and

— the further undermining of climate action by accelerating the deforestation of the Amazon rainforest which is currently at its highest rate in a decade, where last year alone there was a 13 per cent increase in Amazon deforestation and just last month 739 square kilometers were destroyed, the equivalent to two football pitches every minute;

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further notes that:

— the far-right President of Brazil has shown a complete disdain for human rights, environmental protection and the rule of law since his election;

— the Brazilian Government has failed to adequately demarcate land to indigenous communities and this has led to huge land grabs by agri-business, which is leading to a destruction of these indigenous communities, the environment, and the assassination of community leaders who resist, which will increase massively if the EU-Mercosur Trade Agreement is ratified; and

— Brazil has seen a huge increase in attacks on and the murder of indigenous community leaders and on environmental defenders in recent years and it is one of the world's deadliest places for environmental activists;

rejects the EU-Mercosur Trade Agreement recently made between the European Commission and the Mercosur group of countries;

mandates the Government to:

— vote accordingly at the European Council and the Council of Ministers and consider this motion as binding on this and future Governments; and

— immediately begin building a coalition across the EU to ensure that this deal is rejected; and

calls on the Government to:

— ensure that Ireland's interests are put to the fore in all engagements on this matter, including using all legal and political means available to frustrate and thwart the deal; and

— nominate a suitably competent person to defend Ireland's interests as the next EU Commissioner.

Debate resumed on amendment No. 1:

To delete all words after “Dáil Éireann:” and substitute the following:

“notes:

— the announcement by the European Commission on 28th June, 2019, of an agreement in principle on an EU-Mercosur Trade Agreement;

— the very genuine concerns expressed by our farming community in relation to the beef and other agricultural tariff rate quota proposals in the deal particularly given the serious challenges already facing this sector due to Brexit;

— that as a small, open, export-led economy, Ireland very much supports balanced and sustainable international trade; and

— the positive elements in the Agreement for Ireland including the significant benefits for Irish exporters in sectors such as business services, chemicals, the drinks industry, machinery, medical devices, and the dairy industry with a reduction or elimination

of tariffs and barriers to trade for these sectors;

further notes that:

— the Agreement includes a detailed chapter on Sustainable Development Goals and recognises the urgent need for action on climate change;

— the Agreement aligns with the Paris Agreement commitments in relation to deforestation and re-forestation of some 12 million hectares, as a part of ensuring that Mercosur, including Brazil, will have to effectively implement the Paris Agreement as part of this deal; and

— civil society organisations will be given an explicit role in overseeing the implementation of the Agreement and to flag any environmental or labour concerns;

recognises that:

— it will take approximately two years before the final text of this Agreement is available; and

— the ratification process will involve the European Council, the European Parliament and member state national parliaments, including Dáil Éireann; and

agrees that a comprehensive, independent, economic and sustainability assessment will be carried out on the EU-Mercosur Trade Agreement, which will ensure that Government makes a fully informed decision when deciding on the position to take when the ratification process on this deal commences in approximately two years' time."

-(Minister for Business, Enterprise and Innovation)

**An Leas-Cheann Comhairle:** I must now deal with a postponed division relating to amendment No. 1, tabled by the Minister for Business, Enterprise and Innovation, to the Sinn Féin motion on the EU-Mercosur trade agreement. On Wednesday, 10 July 2019, on the question that the amendment to the motion be agreed to, a division was claimed. In accordance with Standing Order 70(2), that division must take place now.

Amendment again put:

<i>The Dáil divided: Tá, 46; Níl, 84; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Barrett, Seán.</i>	<i>Adams, Gerry.</i>	
<i>Brophy, Colm.</i>	<i>Barry, Mick.</i>	
<i>Bruton, Richard.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Burke, Peter.</i>	<i>Brady, John.</i>	
<i>Byrne, Catherine.</i>	<i>Brassil, John.</i>	
<i>Cannon, Ciarán.</i>	<i>Breathnach, Declan.</i>	
<i>Carey, Joe.</i>	<i>Broughan, Thomas P.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Browne, James.</i>	
<i>Coveney, Simon.</i>	<i>Buckley, Pat.</i>	

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<i>Creed, Michael.</i>	<i>Burton, Joan.</i>	
<i>D'Arcy, Michael.</i>	<i>Butler, Mary.</i>	
<i>Deasy, John.</i>	<i>Cahill, Jackie.</i>	
<i>Deering, Pat.</i>	<i>Calleary, Dara.</i>	
<i>Doherty, Regina.</i>	<i>Casey, Pat.</i>	
<i>Donohoe, Paschal.</i>	<i>Cassells, Shane.</i>	
<i>Doyle, Andrew.</i>	<i>Chambers, Jack.</i>	
<i>Durkan, Bernard J.</i>	<i>Chambers, Lisa.</i>	
<i>English, Damien.</i>	<i>Collins, Joan.</i>	
<i>Farrell, Alan.</i>	<i>Collins, Michael.</i>	
<i>Flanagan, Charles.</i>	<i>Collins, Niall.</i>	
<i>Griffin, Brendan.</i>	<i>Connolly, Catherine.</i>	
<i>Halligan, John.</i>	<i>Coppinger, Ruth.</i>	
<i>Heydon, Martin.</i>	<i>Crowe, Seán.</i>	
<i>Humphreys, Heather.</i>	<i>Cullinane, David.</i>	
<i>Kehoe, Paul.</i>	<i>Curran, John.</i>	
<i>Kyne, Seán.</i>	<i>Doherty, Pearse.</i>	
<i>Madigan, Josepha.</i>	<i>Donnelly, Stephen.</i>	
<i>McEntee, Helen.</i>	<i>Ellis, Dessie.</i>	
<i>McGrath, Finian.</i>	<i>Ferris, Martin.</i>	
<i>McHugh, Joe.</i>	<i>Fitzmaurice, Michael.</i>	
<i>McLoughlin, Tony.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Fleming, Sean.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Funchion, Kathleen.</i>	
<i>Murphy, Dara.</i>	<i>Haughey, Seán.</i>	
<i>Naughton, Hildegarde.</i>	<i>Healy-Rae, Danny.</i>	
<i>Neville, Tom.</i>	<i>Healy-Rae, Michael.</i>	
<i>Noonan, Michael.</i>	<i>Healy, Seamus.</i>	
<i>O'Connell, Kate.</i>	<i>Howlin, Brendan.</i>	
<i>O'Donovan, Patrick.</i>	<i>Kelly, Alan.</i>	
<i>O'Dowd, Fergus.</i>	<i>Kenny, Gino.</i>	
<i>Phelan, John Paul.</i>	<i>Kenny, Martin.</i>	
<i>Ring, Michael.</i>	<i>Lahart, John.</i>	
<i>Rock, Noel.</i>	<i>Lowry, Michael.</i>	
<i>Ross, Shane.</i>	<i>MacSharry, Marc.</i>	
<i>Varadkar, Leo.</i>	<i>Martin, Catherine.</i>	
<i>Zappone, Katherine.</i>	<i>McConalogue, Charlie.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>McGuinness, John.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Munster, Imelda.</i>	

	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Murphy, Paul.</i>	
	<i>Naughten, Denis.</i>	
	<i>Nolan, Carol.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Loughlin, Fiona.</i>	
	<i>O'Reilly, Louise.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Caoláin, Caoimhghín.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Sherlock, Sean.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Bríd.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanley, Brian.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Aengus Ó Snodaigh and Martin Ferris.

Amendment declared lost.

Question, "That the motion be agreed to," put and declared carried.

**An Leas-Cheann Comhairle:** As an objective observer, I apologise for all those whose tempers might have been a little bit frayed today. We will leave it at that. Enjoy the summer.

*Sitting suspended at 2.05 p.m and resumed at 2.45 p.m.*

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## **Public Service Pay Commission Report on the Permanent Defence Force: Statements**

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I thank the House for giving me the opportunity to discuss the report of the independent Public Service Pay Commission on recruitment and retention in the Permanent Defence Force. I welcome the report. It is an independent assessment following the work of the pay commission, as well as inputs from my Department, military management, the Department of Public Expenditure and Reform and the two official representative associations, the Permanent Defence Force Other Ranks Representative Association, PDFORRA, and the Representative Association of Commissioned Officers, RACO. The report was accepted in full at last week's Cabinet meeting, at which an extensive implementation plan was also agreed to. The report represents a €10 million package which will result in immediate and future benefits for members of the Permanent Defence Force. Its main conclusions are that the Defence Forces face a range of challenges in meeting their full strength and retaining certain skilled and experienced personnel. The report also contains a broad range of recommendations aimed at improving recruitment and retention in the Permanent Defence Force.

Among the proposals contained in the report is a 10% increase in the military service allowance which will boost the earnings of the majority of Defence Forces personnel by between €602 and €675 per annum. The overall estimated cost of this measure is €4.8 million per annum. Several allowances will be restored to pre-Haddington Road agreement levels, returning to members of the Defence Forces the 10% cut. They include the patrol duty allowance, the security duty allowance, the Army Ranger Wing allowance and the explosive ordnance allowance. The overseas peace support allowance and overseas armed peace support allowance will also be increased. This means that, for a typical six-month deployment, enlisted personnel will receive between €15,300 and €16,100 and officers, between €19,000 and €20,400. This represents tax-free increases of between €1,400 and €1,850. The premium rates of certain allowances for duties performed at weekends are being reinstated. The rate for 24-hour security duty performed on a Sunday will more than double from €47.59 to €105.79. This is paid in addition to basic pay and the military service allowance. The return of an incentive scheme to address pilot retention issues in the Air Corps is also recommended and welcomed. While the details of the scheme still have to be worked out from the previous scheme, when commenced, it will provide annual payments of €18,000 for the majority of pilots, with an additional lump sum payment at the end of the commitment period. It will see significant increases in yearly earnings for eligible Air Corps pilots. The total cost of all of these measures is €10 million per annum.

The recommendations of the Public Service Pay Commission will build on the increases in core pay for members of the Defence Forces in accordance with national pay agreements. In the past two years it has included the phased unwinding of the FEMPI legislation, the restoration of pay scales and improved pay scales for new entrants to the Defence Forces. The increase in the military service allowance and the restoration of the rates of certain other allowances are in addition to measures related to core pay in the current public service stability agreement. They will deliver pay benefits of between 6.2% and 7.4% over the lifetime of the agreement.

All Defence Force personnel earning less than €70,000 will have their pay scales fully restored by the end of the agreement in October 2020. Civil and military management will progress the review of technical pay for more than 2,500 specialists in the Defence Forces. I have asked my officials to prioritise the Naval Service in the review and, together with the military

authorities, identity other areas for prioritisation. Preliminary discussions have taken place with PDFORRA. The increases in the allowances as recommended by the commission, will be implemented on confirmation of acceptance of the measures by the representative associations.

Separate to the recommendations arising from the Public Service Pay Commission, there are a number of outstanding adjudication findings across the public service, which could not be implemented having regard to the provisions of the Financial Emergency Measures in the Public Interest, FEMPI, Acts, 2009 to 2015. I have had discussions on this matter with my colleague, the Minister for Finance and Public Expenditure and Reform, Deputy Donohoe. With his agreement, it is intended to prioritise the outstanding adjudications in respect of the Defence Forces and pay the awards on a non-retrospective basis from 1 July 2019. The effect of these measures is that the Army Ranger Wing allowance will increase by around €50 to €200 per week. Cooks with the relevant qualifications, will go from tech pay 2 to tech pay 3, which is an increase from €26.90 to €40.42 per week. Those account holders currently not in receipt of the account holder allowance will each receive the allowance of €65.80 per week. Recruits and apprentices will no longer be charged for rations and accommodation, saving each individual €43.63 per week. The annual value of these measures will be in the region of €1.5 million. PDFORRA has initiated legal action on these adjudications and, in this context, my officials will discuss these matters further with the association and I have asked its officials to enter into dialogue with my officials. This Government is committed to delivering incremental improvements to pay for our public servants, including military personnel. It behoves us to only do so to the extent that is affordable and sustainable. With such uncertainty in the international environment due to Brexit and other factors, it is necessary that we continue to manage public pay in a careful and responsible manner.

The commission identified significant retention issues in the Permanent Defence Force. The current challenges we face in filling certain posts arise due to specific circumstances. As with many other areas of the public service, challenges in the recruitment and retention of personnel have arisen in a buoyant economy, with many personnel or potential personnel, including pilots, air traffic control staff and Naval Service technicians, having scarce and highly marketable skills. In addition, many personnel who leave have accrued a pension entitlement and this can add to the attractiveness of external employment.

There are no quick fixes to the current challenges facing the Defence Forces. Returning them to full strength will take time. A high-level implementation plan; strengthening our Defence Forces, has been developed with inputs from the Departments of the Taoiseach, Defence, and Public Expenditure and Reform and military management. The plan sets out clearly how the recommendations in the report will be implemented. The implementation plan includes a commitment to initiate a review of current retention strategies. The implementation of the recommendations in the report will build upon the programme of HR development within the Defence Forces.

Before I conclude, I want to take this opportunity to set out exactly what the wide range of recommendations will mean for serving members of the Permanent Defence Force. If the report is accepted by the representative associations, pay scales for enlisted ranks, including military service allowances for line Army personnel following the implementation of a 10% increase in military service allowance will be as follows: a private, 3 star, post-2013 entrant, will earn between €28,110 and €39,023; a corporal, pre-2013 entrant, will earn between €38,233 and €39,940; a sergeant, pre-2013 entrant, will earn between €40,880 and €43,296; a company sergeant, pre-2013 entrant, will earn between €47,257 and €50,254; and a sergeant major, pre-

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2013 entrant, will earn between €51,829 and €55,253. The pay scales for commissioned ranks, including military service allowances, for line Army personnel will be as follows: a second lieutenant will earn between €36,087 and €39,721; a lieutenant will earn between €41,039 and €51,118; a captain, PRSI class C, will earn between €49,689 and €61,471; a captain, PRSI class A, will earn between €52,206 and €64,610; a commandant, PRSI class C, will earn between €61,825 and €74,805; a commandant, PRSI class A, will earn between €64,988 and €78,608; a lieutenant colonel, PRSI class C, will earn between €73,766 and €81,516; a Lieutenant Colonel, PRSI class A, will earn between €77,517 and €85,674; and a colonel, class C PRSI, will earn between €83,857 and €100,314.

These earnings relate to Army line ranks. In many cases, Air Corps and Naval Service personnel receive additional remuneration per equivalent rank arising from additional allowances for duties performed. Specialist officers such as doctors, engineers, and pilots receive higher rates of pay. On top of these increased rates of pay, members of the Defence Forces will continue to benefit from increases in core pay under the public service stability agreement. On 1 September, there will also be a pay increase of 1.75% for all annualised salaries, a 0.5% increase on 1 January 2020 on annualised salaries up to €32,000 and a further pay increase of 2% on all annualised salaries on 1 October 2020. In addition, the 5% FEMPI cut in allowances will also be restored by the end of the agreement.

**Acting Chairman (Deputy Eugene Murphy):** The Minister of State will have five minutes at the end of the debate to contribute further.

**Deputy Paul Kehoe:** Can I finish?

**Acting Chairman (Deputy Eugene Murphy):** The Minister of State is way over time.

**Deputy Paul Kehoe:** With the agreement of the House I will be finished in two minutes.

**Deputy Jack Chambers:** Can we all get two minutes?

**Acting Chairman (Deputy Eugene Murphy):** The Minister of State will have five minutes at the end.

**Deputy Jack Chambers:** Last week presented a good opportunity for this Government to bring the current recruitment and retention crisis away from the cliff edge and away from the contagion that we are hearing about on a nearly daily basis. It presented an opportunity to provide hope, to provide a future and to provide certainty to the cohort of personnel who are the worst paid in the public service. The Government has maintained that *status quo* with a miserable increase for the members of the Permanent Defence Force. It has exploited their respect and loyalty to this State with its superficial rhetoric and its downright disregard as the hollowed-out Defence Forces structure is at breaking point. The Defence Forces are being dismantled and its personnel are demoralised.

This long awaited report has gone down like a lead balloon and it is highly unlikely to stem the ongoing exodus from the Defence Forces. Despite the Government's ongoing rhetoric about record levels of recruitment, there is an increasing gap between the White Paper target of 9,500 and the establishment strength of the Defence Forces. As of the end of May, there were 8,751 personnel and if it is taken into account that more than 500 of those were in training, we are accelerating towards the strength of the Defence Forces falling below 8,000 under the watch of the Minister of State. That is a worrying establishment strength. Record numbers are pur-

chasing their discharge, record numbers are leaving en masse, record numbers are double and treble-jobbing to keep the lights on, there are record turnover percentages and there are record numbers who could not even cast their vote in the recent local and European elections because of the disorganisation under the Minister of State's watch. This has all crystalised to a point of crisis.

When military management made a comprehensive submission as part of the Public Service Pay Commission process, the Minister of State and his Department butchered the recommendations, which would have helped to improve the recruitment and retention crisis. The Minister of State did not show any leadership, and instead of fighting for the recommendations to be implemented, he removed them. He has spent months deflecting the recruitment and retention crisis, saying he was awaiting the report. The proof of the pudding is in the eating. The irony of the commission report is that the Minister of State and his Department will still be handing millions of euros back to the Department of Public Expenditure and Reform to be blown on the €3 billion broadband plan and the national children's hospital. How much respect does that show to the worst paid public servants when the Government is giving them these miserly increases?

This report provides no substantive additions to current expenditure for Defence Forces personnel based on the defence Estimates, which demonstrates the disregard this Government has for their work and for their loyalty to the State. I have been told that the Air Corps, like our

*3 o'clock* Naval Service, is at breaking point. Bomb disposal units, the Army Ranger Wing and many other units are working completely understaffed since 2013.

The emergency aeromedical senior service pilots have not even been paid their duty allowance since 2013 on the Minister of State's watch. The report, however, provides shocking information from its own survey of Defence Forces personnel. More than 60% intend to leave in the next two years.

Some 70% frequently think about leaving the PDF, while 81% of specialists think of leaving all of the time. These are damning statistics for the retention crisis. More than 84.5% are dissatisfied with pay and allowances. There has been a near doubling of turnover under the watch of the Minister of State. It highlights the drivers which are contributing to the exodus, none of which will improve with this report.

There is greater commuting pressure owing to the disastrous reorganisation implemented on the Minister of State's watch. There have been poor training and promotional opportunities on his watch, as well as high burn-out. Last week he said people would take their hand off to get this increase, but I am not sure how workers who have been given 96 cent a day before tax which will see them continue to breach the national minimum wage would be grateful for it. Again, it is spin and deflection. The Minister of State is more than happy to waltz around the Curragh camp or Haulbowline inspecting Defence Forces members or attend commissioning ceremonies, but actions speak louder than words.

I have been told that 83 members were discharged from the Defence Forces, excluding officers, in the month of June, 21 of whom were recruits. That means that we are haemorrhaging over 25% of those we have just recruited. We are on a trajectory to potentially lose over 1,000 this year, which would be Armageddon. The retention crisis is compromising the capacity and capability of the Defence Forces and the Minister of State has continued his dismissal of it in all Dáil debates. What alarmed many was what he did to Commodore Michael Malone whose letter to Defence Forces personnel gave an honest assessment of the extraordinary burden being carried. However, the Minister of State contradicted the Taoiseach and the commodore. The

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Taoiseach gave a very honest assessment in saying we would not be able to send ships to the Mediterranean again. That was the first indication of the manpower issues that were affecting overseas missions. The irony in the Government's pursuit of a seat on the UN Security Council is that, based on the current exodus, Ireland and the Defence Forces will not even be able to fulfil future commitments to UN-mandated missions.

Vice Admiral Mark Mallet highlighted that it was very difficult to fill management positions because of the recruitment difficulties. I have been informed that the retention crisis in the Naval Service means that, even with the existing ships and level of redeployment, the diving section is at 33% strength, while the communications operations section is at 50% strength. Commodore Malone's letter was confirmed by the Defence Forces press office. When the Minister of State was given the opportunity last week, he said no ships were tied up owing to manpower issues. He contradicted and undermined Commodore Malone. He publicly and disrespectfully sought to drag Vice Admiral Mellet into the controversy via Twitter. Instead of acknowledging the manpower issues, he sought to undermine such a senior officer. That is Trump-style fake news propaganda. The Minister of State accused media outlets of inaccurate reporting. He contradicted the Taoiseach and sought to camouflage the facts.

**Deputy Fiona O'Loughlin:** Last Thursday there was considerable anticipation of the report. There was genuine hope it would contain something that would restore the morale of the Defence Forces. They are the men and women who defend this and other countries and intervene when we have crises. Sadly, that hope was not fulfilled. When we had an opportunity to read the long-overdue report, a number of things were very striking. The terms of reference were far too narrow and limited. The military management recommendations were removed, which was completely wrong. The figure of €10 million proposed within the report is one third of what was sent back to the Department of Public Expenditure and Reform by the Department of Defence. This suggests the 8,500 members of the Defence Forces are worth only one third of what was sent back in terms of what is needed to try to stem the recruitment and retention crisis. The most disturbing aspect is that 60% indicated that they would leave within two years, on top of the 37% who have left in the past four years, of whom 82% left prematurely, with 86 alone leaving in April. Will we have an army left? A mere 96 cent a day would not even buy half a bar of chocolate. Morale is on the floor and we can understand why.

The Public Service Pay Commission has highlighted specific disadvantages associated with military life such as unsocial hours and prolonged separation from family. Because of this we need a permanent independent Defence Forces pay body to be established. The Air Corps and the Naval Service are in jeopardy. Respect and loyalty to defend the State should be reciprocated with proper pay and conditions, but that is certainly not contained in the report.

**Deputy Eugene Murphy:** Like my colleagues, I was very disappointed with this deal. While some might say €10 million is a lot of money, the Army has been allowed to disintegrate so badly by this and the previous Administrations that €10 million is a drop in the ocean. I calculate that there are about 800 men and women from my constituency of Roscommon-Galway in the Defence Forces. Like other Deputies, I have received many representations about their conditions. A private's starting pay of €28,000 is too high in most counties to get a local authority loan and too low to get a mortgage. They are immediately in trouble with housing, which is a major issue for many members of the Defence Forces. Through and through, they tell me that they have several bits and pieces of jobs just to keep bread on the table. The matter will need to be revisited and addressed properly as we need to do better for the Defence Forces. The Air Corps and the Naval Service are vital along the coastline. What is going on is tragic and outra-

geous and I am giving the same message as everybody else. While the deal is something, it is not enough and is not going down well with the Defence Forces.

**Deputy Aengus Ó Snodaigh:** I welcome the long-awaited report of the Public Service Pay Commission which examined the recruitment and retention issues in the Defence Forces. I also welcome the implementation plan which will deliver some benefits to some members of the Permanent Defence Force. I sought this debate because I felt that in the context of the report it was vital to have a discussion in the House on future of the Defence Forces.

Dár ndóigh, tá mé sásta go bhfuil fir agus mná Óglaigh na hÉireann íoctha i gceart, nó go bhfuil muid ag dul sa treo ceart ar a laghad, agus go bhfuil siad ag fáil aitheantas ceart ar an obair a dhéanann siad. Tá ualach breise tar éis a bheith orthu le blianta toisc an cruachás atá cothaithe ag an Aire Stáit agus an Roinn. Níor éist siad le fadhbanna na saighdiúirí agus a gclanna agus anois tá na saighdiúirí sin ag éalú chomh tapa agus is féidir leo as Óglaigh na hÉireann mar nach bhfuil siad sásta cur suas leis an mbochtanas nó an easpa measa ón Aire Stáit agus an Roinn a thuilleadh. Tá aiféala orm nach ndéanfaidh na hathruithe beaga i bpá, nó na liúntais, go leor chun an taoide dóibh siúd atá ag fágáil Óglaigh na hÉireann a chasadh, ach tá súil agam go ndéanfaidh. Tá cruachás ann agus tá sé thar am don Aire Stáit aitheantas a thabhairt don chruachás sin agus obair a dhéanamh dá bharr.

The men and women of the Defence Forces are proud of the role they undertake in the service of the State and only ever expected that they would be appreciated in kind, to such a degree as to allow them to continue in that role. However, in recent years they have felt devalued and unappreciated, especially given their vital and often times dangerous role. Cuts to their wages and allowances, as well as extra duties and responsibilities, with no extra pay, made it more and more difficult for many to stay in their chosen career. Poverty drove many out of the Defence Forces. Their role in the public sector is totally different from that in other sectors. Their distinct role was recognised in the past but not of late when they have been expected to accept their lot without complaint, but the Government has abused their loyalty to the State. However, they reach breaking point when they cannot feed their family; when they are doing three jobs or working three shifts because others have left the Defence Forces; when they find the person near them can get overtime for doing guard duty in the Phoenix Park because he or she wears a different uniform and can go home at night but they cannot; when they are left stranded in the Middle East because of a bureaucratic fuck-up, not once but twice; when their voting papers are not delivered because of a bureaucratic cock-up; when they have to sleep in their car near the barracks to save money on petrol; when their partner has to apply for family income supplement to sustain the family and so much more. Serving the country with pride and distinction, as the Taoiseach stated, is what the Defence Forces personnel wanted to do, and still want to do, but they cannot because they have eyes and are distracted by the chaos around them. The empty places in every rank means more duties, longer shifts, being tired and no additional income for them. A total of 34.7% left the Defence Forces between 2014 and 2018; 82% of those were premature voluntary retirements. There is a turnover rate in the Defence Forces of 9%. In England there is a crisis because it is at 5%. For the navy it is 14% and counting. There was an unprecedented rate of departures and discharges in the first four months of this year, when 256 personnel left. That continued into May and June and I am told the number is 90 this month.

When RACO surveyed its officers, 80% of those inducted from 2013, only six years ago, said they intend to leave well in advance of their too low retirement age. The Defence Forces strength is 672 below the establishment number of 9,500. The Army is short 334 personnel; the navy, 136, of which 25 are officers; the Air Corps, 138, of whom 45 are officers; and there is a

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30% shortfall in pilot positions. The lack of air technicians threatens the ability to deliver for the State and for those in training in the Air Corps because they cannot train those coming up behind. The number of technicians and other personnel in the navy is so low that ships cannot put to sea. Three of the nine ships are out of service the *LÉ Róisín*, *LÉ Orla*, *LÉ Eithne* - and I am told the *LÉ Ciara* and *LÉ Niamh* are scheduled to be out of service in September. That leaves four. The Minister of State's excuse of necessary maintenance has not stood up. Some of these are the best maintained ships in the world but having four out of a total of nine ships available is a crisis and it is not just a matter of getting recruits in or a matter of pay. Technicians who can do the work are needed and that takes years of training. Pilots, air traffic controllers and technicians are needed in the Air Corps, just to survive at the existing levels in the navy and the Air Corps.

Maintenance and refits being brought forward because the numbers are not available and the boats do not have full crews setting off. The Minister of State has said we would not have been able to take part in rescue missions in the Mediterranean Sea again. They cannot even do the security work in our seas, dealing with incidents such as that at Rockall a few weeks ago, fisheries protection, drug smuggling and so on. The Air Corps cannot provide top cover transports for organ donations. There is a list of duties that the Defence Forces were able to carry out on behalf of the State and will not in the future. Unless the Minister of State halts and reverses the exodus, the sustainability of the Defence Forces is in question.

The Minister of State is losing people left, right and centre. I welcome the Public Service Pay Commission's report but it does not go far enough. PDFORRA has had to take the Minister of State and the Department to court to force delivery of awards for members. So much for respecting the men and women who are serving the State. Will the Minister of State engage with PDFORRA in a constructive manner rather than the adversarial way he has been doing so in the courts? Several legal actions could be short-circuited if he would engage with them through their representative organisations, and perhaps the Irish Congress of Trade Unions, ICTU. I do not know what stage that issue is at.

When will he conclude on the issue of the Defence Forces representative organisations' access to ICTU? When will he constructively deal with the other issues that have added to the low morale in the Defence Forces, caused by low pay and extra work? I accept there is no quick fix for the current difficulties and that is not only pay but conditions, promotion, overtime and compliance with the working time directive, housing, shifts, the increased rate of suicide within the Defence Forces, poverty, the use of Larium and the denial of the poisoning of Air Corps personnel in the past and much more. The Defence Forces are not sustainable if this exodus continues.

If the Minister of State declared an emergency and performed public relations stunts every morning as the Taoiseach did when there was a storm coming, even he as the Minister for Defence might put on the hard hat and the high visibility jacket and say we have a crisis. We have a crisis if one in 12 members of the Defence Forces has left and continues to leave and where the Defence Forces are not sustainable. The Minister of State and the Department need to take this seriously and to act, otherwise there will be no Defence Forces, Army, navy or Air Corps. That is the scale of the crisis at the moment and we will see that in the next few months because I do not believe the actions he has taken through the Public Service Pay Commission are enough to stem the tide and he needs to act much more quickly to do that. Otherwise, he will be known as the Minister for no defence because there will be nothing left behind.

Debate adjourned.

**Teachtaireacht ón Seanad - Message from Seanad**

**Acting Chairman (Deputy Eugene Murphy):** Seanad Éireann has passed the Judicial Council Bill 2017 without amendment.

**Public Service Pay Commission Report on the Permanent Defence Force: Statements (Resumed)**

**Deputy Brendan Ryan:** The Irish armed forces have provided loyal public service to our country, at home and abroad, throughout the past century. In the coming years, the Defence Forces will undoubtedly face new challenges with the intensification of organised crime and drug trafficking, the enhanced need to patrol our territorial waters after Brexit, and the potential return of dissident republican activity. However, the ongoing recruitment and retention problem poses an existential crisis to Ogláigh na hÉireann and puts in jeopardy its ability to protect the State of Ireland, its territorial waters and airspace.

Fewer than 20 years ago, the strength of the Permanent Defence Force stood at 10,559. In 2018, this had dropped to under 9,000, with a turnover rate of 8.1%, as 731 personnel exited the force. In 2019, another 256 left, with 86 discharges in April alone. This turnover rate is simply unsustainable if we are to maintain the integrity of our security forces. If the Government fails to provide a decent wage, a living wage, a wage that the Defence Forces deserve for their duties, this trend will only continue. To be specific, the results from a survey of serving members, outlined in the Public Service Pay Commission on recruitment and retention within the Permanent Defence Force, indicate that just under three in five, or some 58% of respondents, stated their intention to leave the force within two years, with this figure rising to 61% for privates, the most numerous rank in the force.

Given the feeling of frustration and deep disappointment expressed in response to the report's publication by various groups representing serving personnel, it is clear that the piecemeal allowances proposed will not be nearly enough to stem this exodus. Three quarters of those currently leaving do so voluntarily. They do not want to leave the jobs they love and have wanted to pursue since childhood in many cases but they have to, for the simple reason of pay. It is hard to believe that almost 85% of personnel surveyed cited inadequate pay for their intention to leave the force, with widespread dissatisfaction with pay found across all ranks. To put this into a broader context, 85% of Irish military personnel earn less than the average industrial wage.

In addition, almost three in four also noted problematic staffing levels, which of course is a direct consequence of the low salaries and high turnover. This serves only to perpetuate a vicious cycle in which the positions of those remaining members of staff and their ability to serve the State are continually undermined. The stark realities of this can be witnessed in the docking of two of our naval vessels, described as being like a neon sign for drug smugglers by one military source, due the lack of sufficient staffing levels.

The core of the Defence Forces is the 7,661 personnel who comprise the three most populated ranks, namely, private, three star and first class. In 2008, the scale for these three groups started at €26,082, rising to €30,429. At the end of the public service stability agreement in

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2020, this will have increased to a minimum point of €26,852, or a 3% increase, and a maximum point of €32,118, or a 5.5% increase. To put this in a broader context, rents in some parts of the country are now 26% higher than in 2008, with the average monthly rent having increased 8.3% in the past 12 months. Under the recommendations of the Public Service Pay Commission, however, these ranks, which make up 92% of enlisted personnel, stand to earn only 96 cent gross per day. This is simply insufficient.

Not only is it insufficient but it is also a short-sighted and inefficient strategy if the Government is serious about resolving the recruitment and retention challenges. As it stands, the proposed increases will cost €10 million. It is estimated, however, that in 2018, the total recruitment campaign and training cost for the year was approximately €15 million. We spend one and a half times more to recruit and train new staff than we spend on retaining existing personnel. Where is the economic logic of that? At the heart of this, there was a clear flaw in the remit given to the Public Service Pay Commission for the work it was asked to do in this regard. The commission was not permitted to examine the issue of core pay. Its hands were tied behind its back because the terms of reference precluded it from looking at the issue of core pay. The commission should have been given a blank canvas to see what it could propose to deal with the acknowledged recruitment and retention crisis. Do we even know the commission's view on whether its recommendations will have a positive impact on recruitment and retention? The whole exercise has been a wasted opportunity.

I understand the concerns about wider public service pay stability. As the Minister of State will be aware, however, there is always wriggle room in public service wage agreements. It was rightly found for nurses and members of the Garda when the Government was put under pressure. The Government seems to have a view that because the Defence Forces cannot go on strike, their members are to be treated differently and are not to receive the increase in their pay to which everyone in the House, as well as everyone in the trade union movement, would agree they are entitled. It is simply not good enough for the Minister of State to hide behind the review of the pay commission when his very Government set the terms and the outcome by not allowing the commission to look at the issue of core pay. While take-home pay will increase for some members of the Defence Forces through allowances, allowances can be taken away as easily as they are given. Core pay is the basis for how any job is perceived by an applicant, or by young people deciding on their future career, how they plan their future and how they will budget for life events. The core pay in the Defence Forces is a massive outlier in public sector pay. It needs to be rectified but the commission's recommendations do not go far enough.

As for what should happen now, at a minimum the Government should, with immediate effect, set up a process for the PDF that will feed into negotiations for the next public service pay agreement, which will commence next year, to deal with the problems everyone knows exist. That might provide some hope for the relatively near future. The current situation is not only unsustainable for the Army personnel and their families but the Government also must see it is not sustainable for the State if the numbers in the armed forces are dwindling and we have to tie up our naval vessels.

Members of the armed forces section of the public sector, unlike all the other sections, march with stones in their boots. The current model for dealing with public sector pay will never allow them to get rid of the stones. It is no wonder that many of them want to stop marching. We cannot continue with a model of pay settlement incapable of finding a solution for this group of workers under the current set-up. All interested parties must think outside the box and begin a separate process for dealing with the unique case of the PDF. We cannot wait a second

longer. It must start immediately - not in six months, as indicated in a Government statement - and must be completed in a very short time. Let us give the PDF and their families some hope and let us start today.

**Deputy Mick Barry:** I begin by quoting from a post to the Facebook page of the Wives and Partners of the Defence Forces, WPDF, last week:

Today was a new low. I had to put water in the milk to have enough for the children. We dont even have enough for breakfast for all. I am on leave but I am gonna go into the barracks, throw on a uniform and sneak in the cookhouse to grab some free lunch and hopefully I'll take some milk by pretending it's for the guard room. I have the [Society of St. Vincent de Paul] coming out tonight in the hope that they can help me. Can't afford to leave the job and cant live on what I get paid. I'm at my wits end.

It is in the context of such conditions that the Minister of State's suite of measures must be assessed. They must also be assessed in the context of the €10 million increase in the Defence Forces' pay, given that the Garda overtime for the visit of Donald Trump to this country for a couple of days was also €10 million. It needs to be measured against the fact that the Department of Defence's pay budget for last year was underspent to the tune of €29.4 million, or three times the sum allocated in this suite of measures. There would have been no increases whatsoever if it was not for the agitation and campaigning work done by the likes of the WPDF, and shown in the respect and loyalty protests and by the numerous members of the Defence Forces who have spoken out in social and traditional media.

The general secretary of RACO, Commandant Conor King, stated the proposals will not cut it. The mood among the ranks seems to be that they do not just fall short but far short. The military service allowance is to increase but by only 96 cent per day before tax. The seagoing allowance is to increase but by only €2.50 per day. A day in the Naval Service, however, is not seven and a half or eight hours. In some cases, it means 24 hours, long days indeed. Duty allowance is to be restored for Saturdays and Sundays, at €70 and €80 per day, respectively. That is to be welcomed but what about duty allowance for a Monday, a Tuesday, a Wednesday, a Thursday and a Friday? It will stay at the same low rate of €20 per day for a 24-hour shift. The increases, albeit small, may have a double-edged effect on some families. They will push some families above the cut-off points, meaning they will no longer qualify for the working family allowance, the medical card and the back to school allowance. Small amounts given with one hand can be taken back with the other. Shelley Cotter of the WPDF summed it up well when she stated that last week was a huge lost opportunity. The Permanent Defence Force Other Ranks Representative Association, PDFORRA, is reported to be weighing up the question of a ballot on the matter. It will make its decision but I strongly encourage PDFORRA to organise a ballot, as the ranks should have a say on this proposal. There is much opposition to it as it does not go far enough. On 10 August, the next respect and loyalty demonstration will take place in Galway. I hope it will be a big event and I encourage a large turnout.

Part of the proposal is to provide a road towards membership of the Irish Congress of Trade Unions. That is a positive recommendation, which I welcome, but there is still no right to strike. The failure of the Minister to listen and of the pay commission and Minister to act means that the day when the ranks demand the right to strike, which exists in other countries, has come somewhat closer.

**Deputy Richard Boyd Barrett:** It is deeply ironic but maybe typical of Fine Gael that this

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report has been published at a time when it pushes ever harder to abandon Ireland's traditional military neutrality and deploy Irish troops in extremely dangerous missions, such as that in Mali, or push us into greater involvement with the emerging European army and its relationship with NATO. Mali is effectively a French colonial project in a very dangerous and volatile area. There is an ambition in Fine Gael to break our neutrality and put our troops in danger but our Defence Forces are beginning to disintegrate. That is ironic as the Government does not respect the personnel and skills involved with the Defence Forces. Fine Gael has all the political ambition but none of the respect for the Defence Forces, which are really in a sorry state.

The report confirms this sorry state. I am sure the small increases in the allowances will be welcomed but as many people have said, they are absolutely paltry against a background of the Defence Forces being on the lowest rung of a public sector that has been hammered by austerity and where people are still getting paid less than they were in 2008. Is it not incredible that public sector workers in general are still being paid less than they were 11 years ago and the Defence Forces are on the bottom rung of that ladder? We have seen consequences in the health service, where there is an unprecedented crisis in recruitment, retention and all the impact this has on services. It is exactly the same scenario of disintegration.

There are nine vessels in the Naval Service and three are fully operational. There are two that will not be operational for the foreseeable future and others will only be semi-operational. We have six specialist divers in the Naval Service and we are supposed to have a complement of 29. It is quite extraordinary. There is a pilot shortage of 30% and if we include senior officers, this goes to 50%, and we are now outsourcing to private companies medical emergency flights. As has been said, we are well below the complement numbers recommended for the Defence Forces generally and they continue to spiral down. It is incredible that according to the commission's report, 60% of enlisted personnel and non-commissioned officers have indicated they plan to leave the Defence Forces in the next two years, with 57% of officers in specialist positions also saying they plan to leave. It is absolutely extraordinary.

Senator Craughwell pointed out to me an issue with cybersecurity. The Government loves to talk about this as the new front line in defence and security, and there is much chatter about our involvement with it in Europe. The Defence Forces computer incident response team was shut down a few months ago because the last person in the office purchased their discharge. It is quite incredible and I understand that operation will be outsourced, so cybersecurity for the State will be done by a private company. That is brilliant.

This is an absolute mess. As Deputy Barry has said, the only reason we even have this report and the paltry, albeit welcome, increases in allowances is because of the agitation of the wives and families of Defence Forces personnel, as well as their supporters. It also comes as a result of Defence Forces personnel being willing to speak out. It is the only action they can take if they want to achieve full pay restoration and increases in core pay that will be necessary to recruit and retain the skills and number of personnel required to have Defence Forces that are capable of carrying out their duty. The Defence Forces make extraordinary efforts to carry out their duties but they are being completely undermined by a lack of resources and respect. They are being demoralised by a Government that hammers them with austerity and does not understand the basic need to pay people enough to survive and have a proper existence.

The Defence Forces and their supporters should keep up their battle and continue the protests in order to force this Government to listen. The Government could save them all that trouble, of course, if it just got rid of the financial emergency measures in the public interest,

FEMPI, cuts and raised core pay to a level where we could genuinely recruit and retain the people we need.

**Deputy Catherine Connolly:** I welcome the opportunity to take part in this debate. I have read the report and it would be churlish of me not to welcome the package. However, as has already been mentioned, the package can only be judged in the context of the géarchéim or the emergency on the ground. This certainly was not a proactive action by the Government and I am struck by the Minister of State's statement that there are no quick fixes to the current challenges. I would not be looking for a fix but rather recognition of the Defence Forces as an essential part of our democracy. These forces keep the peace at home and abroad, and in that context to say there are no quick fixes is insulting. This is the third report of the Public Service Pay Commission and way back in May 2017, it openly recognised there was a problem with recruitment and retention. That problem has worsened.

The package of €10 million is welcome but RACO put this in perspective by saying that the pay rise is worth approximately 96 cent gross per day for a private soldier. I can only go on what I am being told and what I read. It is €1.30 for an officer and approximately €1.70 for a non-commissioned officer. RACO argues that there is a widespread feeling of disappointment and so on. The foreword of the report by the chairman, Mr. Kevin Duffy, states:

A career in the [Permanent Defence Force] is not comparable with that of any civilian occupation. It is well established that there are special disadvantages associated with military life. They include unsocial hours of duty, prolonged periods of separation from family, exposure to danger and restrictions associated with military discipline. It is clear from the research undertaken in the preparation of this Report that those who join the [Permanent Defence Force] do so for a variety of reasons, but most are motivated by a desire to serve their country, which they do with pride and dedication.

That is the chairman of the commission and I will come back to those details.

A submission from Óglaigh na hÉireann points out that Ireland ranks as the fourth-highest country in Europe with respect to national level of trust in its armed forces, with a score of 85%. The Defence Forces also have the highest average trust score, which is important because, on every level, the people of this country have lost trust in the banking and political systems, the medical profession, consultants and so on. The Defence Forces are being pushed to the edge and they have the highest average trust score of all the public services surveyed with a consistent score of 82%, yet they continue to be the lowest paid public sector body.

The public service stability agreement restored allowances to many others, including gardaí, prison officers and firefighters, but not to the Defence Forces. We know, from parliamentary questions, that a substantial number of members of the Defence Forces rely on social welfare to survive and some of them are sleeping in their cars. That is the background to this €10 million package.

Page 17 of the report shows that the estimated pay bill for the Permanent Defence Force this year is €408 million, which accounts for just over 2.5% of the total public service pay bill. The members of one of the remaining organisations in which the public has utter trust are paid the least and treated with the least respect and dignity. I welcome the package but it is unacceptable for the Minister of State to tell us there are no quick fixes.

The body of the report is divided into the Army, navy and Air Corps. The figures are stark

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and there is no need to exaggerate them in any way. They point out that the Army is the largest component of the Permanent Defence Force and explain how it is divided and so on. It has an establishment of 7,591 and a whole-time strength of 7,243. There was a shortfall of 85 in 2013 and that has worsened. The Minister of State has told us there are no quick fixes but that shortfall was in 2013 and we are now in 2019. In 2018, there was a shortfall of 276. While the Army is experiencing a proportionately lower number of vacancies than applies elsewhere, there is a wide variation within that. The strength of non-commissioned officers, NCOs, remained consistently below establishment.

In the report's conclusions, we learn there is a shortfall of 348, which is 4.5%, and where existing enlisted personnel are upskilled to fill technical vacancies elsewhere, which is a positive, this creates general consequential vacancies that must be backfilled. Evidence presented to the commission indicates that the ranks of captain, sergeant and corporal have been consistently below establishment across the Permanent Defence Force generally, with a strength of 77%, 87% and 88% at the end of 2018.

I refer to the navy and Air Corps. We have commitments under permanent structured co-operation, PESCO, which we joined without much discussion some years ago, notwithstanding the fact that we begged the Government for a proper discussion about it. It is interesting that the Minister of State outlined the minutiae of the €10 million now allocated to the Defence Forces but there are none to explain what it means to be a part of PESCO. We know there is a commitment to increase our spending on defence from 0.3% of GDP, €960 million per year, to 2%. We are talking about Monopoly money here. The Government has not given the detail of it but, from what I can figure out, that amounts to €2 billion overall, to which we will contribute our percentage. There is a European Defence Fund of €13 billion into which we will also put millions of euro. We do not have the minutiae of any of that but we have the minutiae of this €10 million.

It is worth examining the section of the report on the Air Corps because it makes for fascinating reading. The establishment of the Air Corps remained at 887 at the end of 2018, a shortfall of 18.3%. There is an acute challenge in retaining flying officers. I could go on but my time is limited so I am just picking out the kernel of the issues fleshed out in detail by the commission. It has been said that the hands of the commission were tied and I agree. It was not allowed to consider core pay. It was allowed to fiddle at the edges, as it were, and make recommendations within its terms of reference.

The White Paper on Defence confirmed the establishment of the Naval Service at 1,094. In 2018, the strength was 989, a shortfall of 105, which is 9.6%. The Naval Service has operated at below establishment since 2016 with a shortfall of 9.6% and so on.

One can be blinded with figures and it is important to read and understand the report before drawing out the message. It is a tiring time of day, we are all tired and looking forward to going home, but we must stand up and use our voices for those who are restrained because of the jobs they have. These people are dependent on social welfare. Our Defence Forces have no problem with money when it comes to warmongering and peace enforcement - a lovely twisting of language - yet when it comes to looking after our own men and women at home, upon whom we are dependent to defend us, we hide behind language.

I will ask for no more comments from the Minister of State today. I ask him to go back and read the report and take on board the crisis that is there. I welcome that there is an implementa-

tion body. There is an absence of dates and times within which the recommendations must be implemented. There is no hope that our Defence Forces will be seen as an essential part of our democracy and given the proper remuneration so they do not have to beg us to stand up, they do not have to sleep in their cars and depend on social welfare.

**Deputy Catherine Murphy:** The Minister of State does not need me to repeat what has been said. It has been made abundantly clear by the thousands of members of the Defence Forces that the proposals put forward in this report are simply not going to cut it for them and their families.

We know that the report was hamstrung from the outset by virtue of its terms of references and what it could and could not look at. The main issue excluded was core pay. In that context, how will there ever be a satisfactory outcome? There could not have been and there was not. There has been a degree of spin around the manner in which this has been presented and how well remunerated members of the Defence Forces are. That takes a brass neck but that is how it has played out to many people and that was how I heard it.

Some of the recommendations are welcome but not enough to offset the considerable disappointment regarding pay levels and overall working conditions. Some of the retention issues relate to progression, which is certainly the case in the Air Corps, for example. It is difficult to be motivated about one's work environment when one is working hard, doing dangerous work for part of the time and, in some cases, drawing on a working family payment. That is not a minor number of cases; it applies to people with families. They are precluded from striking and, if they were in the domestic economy, they would certainly be representing themselves in a different way. Morale in the Defence Forces is at an all-time low. Everyone present has already noted how retention is a significant problem in all branches and against that backdrop, recruitment will be as difficult. How are we to increase our Defence Forces up to the strength at which they should be?

In the 16 months or so since RACO made its submission to the Public Service Pay Commission in February 2018, nearly 1,200 members have left the Defence Forces. Few would have made a different decision had they known the eventual report would give an additional 96 cent daily for privates, €1.30 for officers and €1.70 for non-commissioned officers. They would not have waited for that money. Those are not make-or-break sums that can determine whether a member and his or her family can continue to commit such huge personal sacrifices to the Defence Forces. A great many members of the Defence Forces have wanted to remain there but have had to leave because they are unable to remain.

It is not a nine to five job, nor is it something from which people are able to clock out. The State drafts the Defence Forces into many different types of work, such as the role they played during recent snowstorms, although their main work is outside such activities.

Defence Force membership is often vocational. In any walk of life where there is a vocational aspect, there will be some underpayment as it is taken advantage of but ultimately, people must put food on the table and they need to pay their bills. Our cost of living is very high and that applies to the Defence Forces as it does to anyone. It is unfair to expect people to struggle financially while assuming they will put up with it because they want to serve in their branch of the service.

I recognise the Minister of State's commitment to review core pay and retention issues in

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the next six months but I have heard members of the Defence Forces respond that they are sceptical about that commitment. They do not hold much hope that there will be substantial change, not least when they have heard the Government spin on the presentation of this report. It is telling that the RACO executive had to make it clear that the small concessions proposed in the report will not become available to those serving unless they accept the report. There is bad faith from the word go. When people are on such low incomes, small amounts matter but these are paltry increases, with Defence Force members being told they will not see further advances if they do not accept the report.

There will be road shows around the report. What is expected? People can clearly understand what has been put before them, they know their cost of living, what their expectation was and they know they once again are being asked to wait for core pay to be examined. Will the Minister of State give commitments on his intentions for that review later in the year? There is some scepticism around it.

We pay a lot of lipservice to the Defence Forces. While there was much talk of reputational damage to Ireland in respect of the crash and repaying bondholders, for instance, we would all agree that peacekeeping is the one area where our reputation is enhanced and we are all proud of the role they have played. That does not come without a price. We also pay lipservice to our Defence Forces' health and safety. I have been trying to raise an issue on the Air Corps and the large number of early deaths there. Several cases are before the State Claims Agency. There is the effect of Lariam, with people having to go through the courts over their health and welfare. Not only are members underpaid and not only do they have poor progression but we do not take their health and safety as seriously as we need to.

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I thank everyone who has contributed to this afternoon's debate. It is unfortunate that some Members have made accusations and then scurried out of the Chamber before the reply. To be fair to Deputy Boyd Barrett, he told me he had to leave early.

People have referred to the 96 cent per day increase. Members are all well-educated people. They should multiply 96 cent by 9,500 and see what they come up with. I can assure them it comes well below €10 million. This is not about 96 cent per day. I do not think any contributors, apart from Deputies Boyd Barrett and Barry and possibly Deputy Connolly, recognised the other allowances referred to in the report. No one acknowledged the outstanding adjudications. However, I was in opposition myself and I understand that it does not suit the narrative or the good news in the package.

Deputy Jack Chambers referred to the return in respect of the Department of Defence annual budget. When I was in his position in opposition, I used to have the same figures and would throw them out. It is very easy to do that - I did the exact same when I was in opposition - but when sitting on this side of the House, I am in a very different position and have responsibility. The Deputy should go back and look at the returns. They fall far short of the figure he has cited.

The Deputy referred to the routine maintenance of ships. He did not read the full statement from the Defence Forces press office, which came out on Monday night and which states the *LÉ Eithne* and *LÉ Orla* are due for planned maintenance periods. If the Deputy is going to read a press release he should read the whole thing-----

**Deputy Jack Chambers:** The Minister of State threw him under a bus.

**Deputy Paul Kehoe:** -----and not just quote what suits him. He should read it accurately and if he is going to report it, he should report it accurately. That is exactly what I have done in recent days.

**Deputy Jack Chambers:** Inaccurate reporting by the Minister of State.

**Deputy Paul Kehoe:** What I was told I reported absolutely accurately.

Deputy Jack Chambers referred to the working family payment. I have been absolutely beaten up on successive occasions at Question Time by all of the Deputies present regarding the number of people in the Defence Forces who are on this payment, which is fewer than 70 or less than 1% of the entire organisation. This includes staff of the Department. Now, I am being beaten up for giving people too much back in their allowances and bringing them over the threshold for the working family payment. I just cannot win. I am being accused of taking people out of scope for the working family payment. Deputies either want members of the Defence Forces to receive the working family payment or they do not. I do not want to see people receiving the working family payment. That is one of the reasons we had the independent pay commission report. It is also one of the reasons we increased allowances, with 10% for the military service allowance and the immediate restoration of all allowances that were reduced under the Haddington Road agreement, namely, the security duty allowance, the patrol duty allowance, the 24-hour weekend duty allowance and allowances relating to the Army Ranger Wing and the bomb disposal unit. There has also been a return to premium rates for weekend duties and recognition of peacekeepers in the context of the overseas allowance increasing from €19,000 to €20,400 for officers and from €15,300 to €16,100 for enlisted personnel. This reflects exactly what Deputy Catherine Murphy stated regarding our peacekeepers' work overseas. That work is very much recognised. This is why we have increased their allowances.

The State's cybersecurity is a matter for the Department for Communications, Climate Action and Environment. Military authorities have informed me that the Defence Forces' networks are monitored on a 24-7 basis and that they have the staff to man our networks.

I would love to have another half an hour to be able to wrap up. I thank the Opposition Deputies who came to me looking for reports and a briefing on a number of issues. I emailed Deputy Jack Chambers but he did not take me up on my offer.

**Deputy Jack Chambers:** I do not want the Minister of State's-----

**Deputy Paul Kehoe:** I wanted to brief the Deputy last Thursday. I offered him a number of briefing opportunities but they did not suit him. Actually-----

**Deputy Jack Chambers:** The Minister of State is a spin merchant.

**Deputy Paul Kehoe:** -----this 92-page report had only been published ten minutes-----

**Acting Chairman (Deputy Eugene Murphy):** The Minister of State-----

**Deputy Jack Chambers:** He is a spin merchant.

**Deputy Paul Kehoe:** -----and Deputy Jack Chambers was out on the plinth to speak-----

**Acting Chairman (Deputy Eugene Murphy):** Please-----

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**Deputy Jack Chambers:** Spin merchant.

**Deputy Paul Kehoe:** -----having already read it.

**Acting Chairman (Deputy Eugene Murphy):** Please-----

**Deputy Jack Chambers:** The Minister of State is a spin merchant.

**Deputy Paul Kehoe:** I offered the Deputy the opportunity-----

**Acting Chairman (Deputy Eugene Murphy):** Minister-----

**Deputy Paul Kehoe:** -----for me to brief him on the report-----

**Acting Chairman (Deputy Eugene Murphy):** Minister-----

**Deputy Paul Kehoe:** -----but he did not take me up on the offer.

**Deputy Jack Chambers:** The Minister threw the Chief of Staff under the bus.

**Deputy Paul Kehoe:** All I can say is that the Deputy is a great man, particularly as he was able to read the report in under ten minutes.

**Deputy Jack Chambers:** The Minister of State attacked the media about inaccurate reporting.

**Acting Chairman (Deputy Eugene Murphy):** The Minister of State is losing the run of himself.

**Deputy Paul Kehoe:** The Acting Chairman can understand why that is the case.

**Deputy Jack Chambers:** I can read the report. I do not need the propaganda from the Minister of State and the Department.

**Deputy Paul Kehoe:** The Deputy did not take me up on the offer of a briefing.

**Deputy Jack Chambers:** I can read.

**Acting Chairman (Deputy Eugene Murphy):** Deputy, please.

**Deputy Jack Chambers:** The Minister of State needs to get his facts right.

**Deputy Paul Kehoe:** I offered the Deputy a briefing and he would not take me up on it.

**Deputy Jack Chambers:** The Minister of State needs to get his facts right.

**Acting Chairman (Deputy Eugene Murphy):** I know it is hot outside but I ask both gentlemen to calm down.

### **Citizens' Assemblies Bill 2019 [Seanad]: Second and Subsequent Stages**

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I move: "That the Bill be now read a Second Time."

The Citizens' Assemblies Bill 2019 is a technical measure designed to enable the register of electors to be used for selecting members of the citizens' assemblies which the Government, on 11 June 2019, agreed to establish. Two assemblies are being established. These are the citizens' assembly 2019 and the Dublin citizens' assembly. The role of the citizens' assembly 2019 will be to bring forward proposals to advance gender equality under a number of specific headings. The role of the Dublin citizens' assembly will be to consider the best model of local government for Dublin and, in particular, the issue of a directly elected mayor and his or her powers.

The Government decision requires the establishment of the assemblies to be approved by resolutions of both Houses of the Oireachtas. The motion approving the establishment of the citizens' assembly 2019 was approved by resolution of the Dáil last Tuesday and by the Seanad earlier today. The resolution sets out the detailed arrangements that will apply to the working of the assembly. A motion approving the establishment of the Dublin citizens' assembly will follow later. These assemblies will operate under the aegis of the Department of the Taoiseach and will comprise a chairperson to be appointed by the Government and 99 citizens selected randomly from local authorities' registers of electors. The same chairperson but a different selection of 99 persons from the Dublin local authorities' registers of electors will make up the Dublin citizens' assembly. The assemblies are to be run consecutively, commencing with the citizens' assembly on gender equality at the end of October 2019, and will take six months each to complete the work involved.

In order to proceed with the establishment of the assemblies as proposed, it is necessary to bring forward legislation to allow the register of electors to be used for the selection of assembly members. This is because section 13A(3) of the Electoral Act 1992 provides that the use of the register of electors is confined to electoral and other statutory purposes. Such a statutory purpose is provided, for example, in the Juries Act for the selection of members of juries. A similar approach was taken previously in 2012 when arrangements were being made for the membership of the then proposed Convention on the Constitution and again in 2016 for the then proposed Citizens' Assembly. As to the selection process itself, a polling company will be commissioned for this purpose. Its brief will be the selection of a representative sample of the Irish electorate in terms of gender, age and regional spread. The selection process will be overseen by the independent chairperson of the assembly.

I will now outline the detail of the Bill. Section 1 provides that information in the electoral register may be used for the purpose of selecting citizens of Ireland to participate in both assemblies. It provides in subsection (2) that section 13A(3) of the Electoral Act 1992, which confines the use of the electoral register, shall not apply in the establishment of these citizens' assemblies. In subsection (3), definitions are provided for "the Act of 1992", "the edited register" and "the register of electors". Section 2 contains standard provisions dealing with the Title and construction of the Bill.

The sole purpose of the Bill is to provide in statute for the use of the electoral register in the selection of members of the two citizens' assemblies. The Bill is required to facilitate the establishment of the assemblies, as proposed and agreed by the House. I commend it to the House.

**Deputy Darragh O'Brien:** I thank the Minister for outlining and summarising the provisions of the Bill. This is a short Bill designed to facilitate the establishment of citizens' assemblies to deal with two very important issues. One relates to gender equality, the gender pay gap and all other matters that go with it, particularly the need to examine whether Article 40.1.2<sup>o</sup> should be removed from the Constitution or amended. It will specifically look at the role of

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those who care and the interaction of carers and parents with children, parental care and parental leave. This is a very important matter to be looked at in modern Ireland.

In general terms, criticism aside of the citizens' assemblies, they have provided very good fora for teasing through in great detail important issues and matters of the day and looking at where potential pitfalls may be. For those who may have a particular view on it, this is an advisory assembly. The Dáil is the citizens' assembly and that has primacy. It is right and proper and very useful in many instances to consult.

Certainly on the gender equality issue, it is very important in modern society that we make sure we provide the best of opportunities for all our citizens regardless of their gender, background, creed or sexual orientation. We can always be working on that. To have a diverse group of citizens selected at random from throughout the country to consider these matters is something that I and Fianna Fáil welcome and fully support. In his interactions on the selection of citizens, and the Minister will not be selecting them as it will be an independent company that will do so, there were some concerns about regional spread in previous assemblies and the fact certain counties were not represented. I ask that as much as possible some of this feedback is taken on board and perhaps in the Minister's closing remarks he may have further information about how random the sample is. He correctly stated that we want to ensure that it is a representative spread of citizens from across the country, which means taking account of gender and ensuring that a selection of people from rural and urban areas are involved. The Minister may wish to address that further and ensure that the group of citizens is as representative as possible. Turning to the issue of a directly elected mayor for Dublin, this has been raised previously by my party colleague and spokesperson on Dublin, Deputy Lahart. A previous response from either the Minister or the Minister of State, Deputy Phelan, I am not sure which, mentioned that a citizens' convention rather than a citizens' assembly would look at this issue. This is an important issue as it concerns a directly elected mayor for our capital. A citizens' convention would have allowed input from political parties and politicians concerning how we would see that being achieved. I understand that commitment was made in response to a question on the Order of Business. How can we ensure that political parties can input into that process? That is the job of politicians. Is there a reason why we are going with an assembly as opposed to the previously stated citizens' convention?

I say that with the full understanding that whatever recommendations are made regarding a directly elected mayor, as well as the gender and gender equality issues, will purely be advisory. Perhaps the Minister might comment on how long he thinks this process will take? When will the assemblies be established, when will they conclude and when will the next step be taken? I am referring to reports coming back to the Dáil, and the Seanad if necessary, for further debate and discussion. I am seeking some insight concerning the Minister's view on how long this process might take, particularly in respect of the first issue. It is of great importance and deserves detailed attention and discussion by the citizens' assembly. In addition, when the report comes back to the Dáil it is also important that appropriate time is allocated with a view to securing a commitment to holding a referendum on Article 41.2.1o, the women in the home clause of the Constitution, in 2020. It is Fianna Fáil's earnest desire for that to happen, whether that referendum is concerned with a deletion or an amendment to the existing article.

We will be guided by the assembly. I say "guided" but obviously at the end of the day the Dáil will make its decision. I ask the Minister to give us an update on what he sees as the timeline following, hopefully, the passage of all Stages of this Bill today. What is the next step and what is the timeline? Will the Minister confirm that he is committed to holding a referendum on

Article 41.2.1o in 2020? We should be giving this matter priority, particularly concerning early years parental care and seeking to give and facilitate a greater work-life balance and ensure an equal role for both partners in a relationship and co-responsibility for care within the family.

**Deputy Eoin Ó Broin:** I apologise for missing the Minister's remarks but I have had a quick look at them here. Sinn Féin is supporting this proposition. I have to say that I was a sceptic when the Constitutional Convention, as it was then called, was initiated. I thought at the time that it was the Government of the day not being willing to grapple with issues and, therefore, subcontracting them out to assemblies. I have to say I was wrong. The experience has proved to be a useful tool for our democracy. I am referring to getting a group of citizens, with or without politicians, deliberating with experts and accurate information in the round. I am also referring to the reports produced by the Constitutional Convention and the subsequent Citizens' Assemblies. On that basis, I am more than happy to support this proposition.

It is also important that we look at the issue of gender equality and find sensible, practical and workable solutions to remove the many barriers that continue to exist preventing women's full and equal participation in social, political and business life, as well as economic inequalities. In that context, I am happy that Deputy MacDonald's amendment concerned with examining the structural barriers to pay equality for women is an important addition to this Bill. That has to be welcomed and, indeed, already has been by many. The Minister also mentioned in his remarks that there is going to be a subsequent motion on a directly elected mayor for Dublin. I do not think that can come soon enough.

When the Minister of State, Deputy Phelan, introduced the legislation for the plebiscites in Limerick, Cork and Galway cities, some of us reflected on our experience of being councillors in what was then the mayor's forum. It was established to look at the issue of directly elected mayors by the former Deputy and Minister, Phil Hogan. I represented South Dublin County Council. One of the major problems we had as elected members was trying to grapple with the idea of a plebiscite on a directly elected mayor when we did not know what we were talking about. We did not know what the powers would be, if powers would be lost from the local authorities up to the new mayors' offices or if powers would devolve down from central government or State agencies. We were having a debate on directly elected mayors in a vacuum.

We repeated that mistake with the late publication of the legislation for directly elected mayors in Cork, Limerick and Waterford cities. While this time around people had information beforehand, it was only for a short time. If and when this motion is published, I urge the Government to give the maximum amount of information regarding what the mayor's office would look like, what powers and funding it would have, its relationship with existing Government structures, local and central, as well as its relationship with the statutory agencies. That would be a welcome move for those of us minded to support directly elected mayors, with real executive powers devolved downwards from central Government, as an enhancement of democracy.

Concerning the citizens' assembly, I echo Deputy Darragh O'Brien's questions regarding timelines. I would also like to get a commitment from the Minister that the recommendations of the assembly will be implemented. We have had some good reports from the Constitutional Convention that are now sitting on shelves gathering dust. The most obvious one is the eighth report of the Convention on the Constitution concerning social, economic and cultural rights. Those were important recommendations. In fact, many of them would have greatly enhanced gender equality if they had been implemented. I have no doubt those recommendations will be among some of things that this new citizens' assembly will discuss. Looking, for example, at

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the recommendations of that report, some 85% of members of the assembly said “yes” when asked if, in principle, the Constitution should be amended to strengthen the protection of economic, social and cultural rights. When asked specifically about housing, social security, essential healthcare, rights for people with disabilities, linguistic and cultural rights and rights covered in the International Covenant on Economic, Social and Cultural Rights, between 75% and 90% of assembly members voted to support those rights.

On enshrining the right to housing in the Constitution, some 84% of the constitutional convention supported that right in 2014. The Minister is willing to look at that but the Government has not yet stepped up to the plate. That right was not supported as some kind of knee-jerk reaction. The members of the convention looked at, considered, deliberated over and decided on those issues. We are going to ask these 100 citizens that will be selected to do the same on gender equality. Despite such a resounding endorsement of the proposal to enshrine economic, social and cultural rights in the Constitution in 2014, the Government is still not willing to act on that recommendation all these years later. Let us not have a citizens’ assembly on gender equality for the sake of it. Let us not have it do a good job and report back to the Government and the Oireachtas with a set of recommendations only for the Government to do with that report what it has done with a number of previous reports. That would be an insult to the people we asking to spend time, effort and energy on this convention, as well as to those of us in this House who would genuinely like to see this citizens’ assembly do its work.

The Minister has our support. We would like to assist him and the Government in whatever way we can. In return, however, we want a commitment that recommendations, particularly those which have a clear majority, from the citizens’ assembly will be implemented. If the Minister has time to make concluding remarks, I would like to know the answer to a question. My enquiry speaks to the amendment that Sinn Féin tabled in the Seanad but which was voted down. I tried to table it in this House but it was not allowed because of the more restrictive rules regarding amendments. At some point the Government should produce a report listing the reasons it has not acted upon recommendations in the reports of earlier Constitutional Conventions or Citizens’ Assemblies, or provide a timeline for when it will do so. Not doing so will undermine public confidence in the overall Citizens’ Assembly project. While we have had some really big wins, marriage equality and repeal of the eighth amendment being the obvious ones, there are lots of other examples where the Government could have moved on very important proposals supported by vast majorities in the Citizens’ Assemblies and Constitutional Conventions and chose not to do so.

**Deputy Jan O’Sullivan:** I will be brief. This is a fairly simple Bill, primarily facilitating the use of the register of electors for selection of certain Citizens’ Assemblies. This is fairly straightforward but I will say a few words about the concept from the perspective of somebody who was a member of the Oireachtas Joint Committee on the Eighth Amendment of the Constitution. We had some doubts about the setting up of the Citizens’ Assembly, thinking it might delay something which I felt needed to be done quite quickly. However, we would all acknowledge that it was a very positive development. It allowed an issue that was very difficult for many people in Ireland and had been suppressed for many years to be debated, facts and figures to be considered and deliberations on the facts from experts in the area to be discussed. It facilitated a change of perspective for many people in Ireland on this issue. I know several Citizens’ Assemblies have been proposed, that on the issue of gender equality being the most immediate. One has also been proposed to discuss a directly elected mayor for the Dublin area.

These fora provide an opportunity for issues that need that level of scrutiny to be deliber-

ately considered over a period of time. It makes sense to use the register of electors to select participants for such an assembly. I do not want to say anything more on the Bill. It is important that we get it through and facilitate the intention of the Government in this regard.

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I thank the Deputies for their contributions. Deputy O'Sullivan is right - this is essentially a technical Bill, but it is part of a larger framework of political and democratic engagement in the process of informing and reforming decision-making in a progressive and pluralistic society. We are leading the way in doing that, particularly in decisions we have made in recent years which came off the back of work of Constitutional Conventions or Citizens' Assemblies.

To come back to some of the questions that were asked, lessons are always learned as we go through these processes. The selection will be completely independent of me. There were some concerns about representation in previous Citizens' Assemblies. In response, I note that these Citizens' Assemblies did fantastic work and came up with great decisions which, by and large, were implemented on the big issues. I am also aware that some people made arguments about the representative samples in these Constitutional Conventions and Citizens' Assemblies. I believe they made these points more to undermine the outcomes than from genuine concerns about the constitution of these assemblies. They will be completely independent of me.

The Citizens' Assembly on local government will concern reform across the four local authorities in Dublin, with a view also to looking at the possibility of a Dublin mayor. It is not just about a new office-holder. It will be much broader than that. Based on the work I have been doing with the local authorities in Dublin, and given some of the cross-boundary challenges we face, it is really needed. We have passed the motion for the first Citizens' Assembly. The second Citizens' Assembly will have the same chairperson and a different 99 members. The question around whether to call it a Constitutional Convention or not can stray into semantics. The important point is that while there will be input from the political side, politicians will not be members. They will be the decision-makers after the process has taken place. That has proven effective in the past. Everything that comes from the assemblies will be advisory. We make our own decisions as the elected representatives of the people. We have had great guidance from previous Citizens' Assemblies and Constitutional Conventions. They will remain a guide.

Regarding the timeline, we hope to have the first Citizens' Assembly up and running from the end of October and for it to run for six months. Being fair and allowing for a little bit of time between the two Citizens' Assemblies, I would envisage starting the assembly on Dublin local authorities a little later. It will also sit for six months. It will be guided by the same chairperson to facilitate the turnaround between the two assemblies.

I am almost certain that there will be referendums in 2020. I cannot say now what they will be and I cannot make any commitments in that regard. Several different issues are in the works. I will very shortly be writing to the Joint Oireachtas Committee on Housing, Planning and Local Government about another issue of concern to its members. This is a technical Bill. As I said earlier it is part of a larger framework.

Regarding the recent plebiscites on the issue of directly elected mayors, I note that a very detailed policy document was created. Some questions remained to be answered. Even if people had not read the document, the principle of devolving more decision-making functions to local authorities and investing them in an individual elected by the people was passed in Limerick and came very close in Cork and Waterford. Had we seen leadership from other political

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parties in those cities it might have passed.

**Deputy Darragh O'Brien:** The Minister will hardly try that argument.

**Deputy Eoghan Murphy:** I can hear Deputy O'Brien laughing. I am not sure why. If he wants me to mention his party and its lack of a campaign in Cork, I will do so. Deputy Niall Collins did a fantastic job in Limerick.

**Deputy Darragh O'Brien:** The Minister should blame Senator Jerry Buttimer as director of elections.

**Deputy Eoghan Murphy:** Senator Buttimer did a fantastic job. It was not for one party to win. It was for all of us to win.

**Deputy Darragh O'Brien:** He lost.

**Deputy Eoghan Murphy:** Implementation is a matter for the Oireachtas, not for me. Many of the really serious recommendations that have come from previous Citizens' Assemblies and Constitutional Conventions have been implemented. Some are unfortunately still stuck in committees that Fine Gael does not control. I have said before that I am open to enshrining a right to housing, as is the Taoiseach. Currently we are involved in very serious measures to increase housing supply and protections. We are also open to a debate on a referendum on how a right to housing might properly be instituted in Irish law, either through statute or constitutional change. That matter is still with the committee, which is not chaired by Fine Gael.

I wish to reaffirm that the Citizen's Assembly will report to the Oireachtas. It will be for the Oireachtas to decide, given the manner in which it reports and the recommendations that are made, whether to establish a special committee or forward the question to the existing committees and work from there.

If I may address the matter on Second Stage, this is pertinent to one of the amendments put down by Sinn Féin. We dealt with it in the Seanad. I understand it was withdrawn at the time, but I thought it was going to be an amendment of the motion. My point at the time was that it would not be appropriate for me as Minister for Housing, Planning and Local Government to come to the Oireachtas to report on the Citizens' Assembly's work on gender or other issues. It might fall to several Ministers or we might decide to set up a separate structure. The motion establishing the Citizens' Assemblies might be the best way to determine a reporting procedure. That said, the Citizens' Assembly is responsible to the Oireachtas and will report to it. We will then have an opportunity to consider how to move forward. Now is the time to think about what reporting arrangement we might want for the Citizen's Assembly on local governance in the four Dublin local authority areas and whether the Citizens' Assembly should report to the Oireachtas through a Minister or in some other manner. This is an electoral Act which needs to be reformed, which is the technical reason we are discussing it now.

Question put and agreed to.

Bill reported without amendment, received for final consideration and passed.

**Acting Chairman (Deputy Eugene Murphy):** A message shall be sent to the Seanad acquainting it accordingly.

**Courts (Establishment and Constitution) (Amendment) Bill 2019: From the Seanad**

The Dáil went into Committee to consider amendments from the Seanad.

Seanad amendment No. 1:

Section 2: In page 3, between lines 15 and 16, to insert the following:

**“Amendment of Courts and Court Officers Act 1995**

**2.** Section 27 of the Courts and Court Officers Act 1995 is amended by—

(a) the deletion of subsections (6) and (7), and

(b) the insertion of the following subsection after subsection (11):

“(12) This section shall not apply to an adjudication of legal costs under Part 10 of the Legal Services Regulation Act 2015.”.

Seanad amendment agreed to.

Seanad amendment No. 2:

Section 2: In page 3, between lines 15 and 16, to insert the following:

**“Amendment of Legal Services Regulation Act 2015**

**3.** The Legal Services Regulation Act 2015 is amended—

(a) in section 141, by the insertion of the following subsection after subsection (5):

“(6) For the purposes of subsection (3)(f), a County Registrar need not publish the reasons for a determination where he or she is of the opinion that the taxation concerned does not involve a matter of legal importance.”,

(b) in section 154(10)—

(i) in paragraph (c), by the substitution of “adjudication,” for “adjudication, and”,

(ii) in paragraph (d), by the substitution of “attempt,” for “attempt.”, and

(iii) by the insertion of the following paragraphs after paragraph (d):

“(e) a procedure whereby a party to an adjudication may, upon notice to another party—

(i) pay into court a sum of money, or

(ii) make an offer of by way of tender to the other party,

in satisfaction of the costs of the other party that are the subject of the adjudication, and

(f) the respective liability of the parties referred to in paragraph (e) for the costs of the adjudication where the amount of a payment or offer referred to in

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that paragraph is equal to or greater than the amount of the costs concerned that, in the adjudication, are determined to be paid.”,

(c) in section 160(2)(a), by the substitution of “section 163” for “section 166”, and

(d) in section 172—

(i) in subsection (2), by the insertion of the following paragraph after paragraph (a):

“(aa) the President of the Court of Appeal;”,

and

(ii) by the insertion of the following subsection after subsection (6):

“(6A) On the death or retirement of the President of the Court of Appeal, the senior ordinary judge of the Court of Appeal who is for the time being available shall be a member of the Committee until the appointment of a President of the Court of Appeal.”.

Seanad amendment agreed to.

Seanad amendment No. 3:

Section 2: In page 3, between lines 15 and 16, to insert the following:

**“Retirement age of judge of District Court increased to 70 years**

4. (1) Section 30(1) of the Courts (Supplemental Provisions) Act 1961 is amended by the substitution of “seventy” for “sixty-five”.

(2) The amendment effected by *subsection (1)* extends to a person who is judge of the District Court immediately before the commencement of this section and, in particular, to such judge in respect of whom a warrant made under section 2 of the Courts of Justice (District Court) Act 1949 subsists immediately before such commencement (and the continuance in office, on and from the commencement of this section, of the second-mentioned judge shall be by virtue of the amendment effected by *subsection (1)* and not otherwise).

(3) The reference in *subsection (2)* to a warrant made under section 2 of the Courts of Justice (District Court) Act 1949 includes a reference to a warrant made under that section 2 in the circumstances permitted by section 1 of the Courts (No. 2) Act 1988.”.

Seanad amendment agreed to.

Seanad amendment No. 4:

Section 2: In page 3, line 17, to delete “(Establishment and Constitution) (Amendment)”.

Seanad amendment agreed to.

Seanad amendment No. 5:

Title: In page 3, to delete lines 5 to 7 and substitute the following:

“An Act to amend Section 1A of the Courts (Establishment and Constitution) Act 1961 to increase the number of ordinary judges of the Court of Appeal to fifteen; to amend the Courts (Supplemental Provisions) Act 1961; to amend the Courts and Court Officers Act 1995; to amend the Legal Services Regulation Act 2015; and to provide for related matters.”.

**Deputy Jim O’Callaghan:** When is it likely these appointments will be made? We welcome the fact that the Court of Appeal will have six more members, but it is important to ensure they are appointed promptly. The delays in the court’s list are currently of 18 months to two years. If the Minister could provide any information as to when the nominations will be made, I would appreciate it.

**Minister for Justice and Equality (Deputy Charles Flanagan):** I acknowledge the importance of the legislation as part of the overall reform package and am very grateful to the House for facilitating its passage on the last day of the current Dáil term. I intend to set the wheels in motion to facilitate the appointment by the President of the new judges to the Court of Appeal in September. We are unlikely to have the process completed by the time of the final Cabinet meeting before then, which I expect to take place on the last Tuesday or Wednesday of this month. We are also unlikely to have a Cabinet meeting in August. As such, I hope to place the matter on the Cabinet agenda in early September.

Seanad amendment agreed to.

Seanad amendments reported.

### **Criminal Justice (International Co-operation) Bill 2019: Committee Stage (Resumed) and Remaining Stages**

#### SECTION 3

Debate resumed on amendment No. 1:

In page 4, line 36, to delete “Act of 2005.” and substitute the following:

“Act of 2005, or

(d) be likely not be met with reciprocal assistance regarding information for investigative purposes for an inquest or investigation into a troubles related crime committed in this State.”.

- (Deputy Maureen O’Sullivan)

**Deputy Jim O’Callaghan:** On moving the amendment last night, Deputy Maureen O’Sullivan made a number of valid points about the lack of co-operation Ireland has received from the United Kingdom, UK, in respect of the public investigations the State has carried out into the Dublin and Monaghan bombings. In particular, the inquiry conducted by Mr. Justice Barron and, to a lesser extent, the investigation conducted by Mr. Patrick McEntee SC, did not

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get the information sought from the authorities in the United Kingdom. It is a legitimate criticism we can make in the House that the UK has not provided relevant information which goes to serious allegations, namely that there was collusion in the bombings on the part of British authorities. While I accept fully the validity of the points Deputy O'Sullivan made, we should not agree to make ourselves unco-operative simply because the British state has been unco-operative.

The Minister for Justice and Equality stated yesterday that the immediate purpose of the legislation related to the ongoing inquest into the Kingsmill massacre. I do not know whether An Garda Síochána has any information that may facilitate the historical investigation into that outrage but if it does, we should provide it irrespective of whether there is reciprocity in the investigation and inquiries in respect of documentation and information held by the United Kingdom. I understand the point Deputy O'Sullivan sought to make. She wishes to include in the Bill an arrangement that would generally exist in regard to extradition whereby there would have to be reciprocity between two countries. However, the fact that the United Kingdom has failed in its duty to provide information and documentation to Ireland in respect of the heinous bombings in Dublin and Monaghan should not make the State adopt those same low standards. We should provide co-operation in respect of outrages irrespective of whether there is reciprocity. Nevertheless, the Government should continue its campaign and urging of the British Government to provide us with relevant documentation and information in respect of the Dublin and Monaghan bombings. As such, while I recognise the validity of the point Deputy O'Sullivan makes, I will not support the amendment.

**Deputy Brendan Smith:** While I concur with Deputy O'Callaghan, I was struck by Deputy Maureen O'Sullivan's contribution last night. Deputies O'Sullivan, Crowe and I worked with the Minister, Deputy Flanagan, when he was Minister for Foreign Affairs and Trade on the terrible atrocities committed in May 1974, including the heinous murders of 34 people between Dublin and Monaghan. Of course, there have been other tragedies for which justice has never been attained and in respect of which families have never got the truth. When the Minister, Deputy Flanagan, served as Minister for Foreign Affairs and Trade, he continually pursued with the British Government the need for it to respond positively to the request that has been made unanimously by the Oireachtas on three occasions - in 2008, 2011 and 2016 - for an eminent international legal expert to be given access to all the papers pertaining to the Dublin and Monaghan bombings. It is absolutely deplorable that the British Government has continued to ignore the request of this sovereign Parliament. Its behaviour in responding to this sovereign Parliament in such a manner is completely intolerable and unacceptable.

The Minister will be familiar with the bombing in Belturbet in December 1972. Two teenagers - young Paddy Stanley from Clara, County Offaly, which is in the Minister's constituency, and Geraldine O'Reilly from Belturbet - were killed that night. Even though people can speculate about who carried out that heinous crime, nobody has ever been brought to justice for it. These cases need to be pursued as vigorously and strongly as possible. Some family members have pointed out to me that as they get older, they are keen to find out the truth about what happened on these occasions. They are worried that they will never get justice and closure. They are continuing to grieve for their family members who died.

Deputy Maureen O'Sullivan mentioned that, last week, a number of us met members of Protestant and Catholic families from Northern Ireland who believe they are not getting a hearing as they seek to highlight their terrible suffering as a result of the murder of their loved ones. As the Minister will be aware, the Joint Committee on the Implementation of the Good Friday

Agreement has devoted a considerable amount of time to legacy issues. Many of the families and individuals concerned often think nobody is listening or pushing hard enough to deal with these issues. We have to send a message that every possible avenue will be pursued to try to lessen the terrible grief that these people are going through on a daily basis.

There is another issue with which we need to deal. I have tabled questions on the need to reappoint a victims' commissioner in this State. The former Tánaiste, the late John P. Wilson, who was my constituency colleague and friend, was appointed as the first victims' commissioner in 1998 following the signing of the Good Friday Agreement. As I recall, the equivalent position in Northern Ireland was held by Mr. Bloomfield at that time. The position previously held by Mr. Wilson is currently vacant. Families need to be able to go to a person or office and be confident that the appointee will pursue their interests and work with statutory agencies and the Governments to try to find some way of establishing the truth about all of these tragedies. As time goes by, siblings, parents, children and other family members are getting older without getting closer to the truth. We must continue to highlight this issue. We have to work as assiduously as possible to try to achieve some progress in this area. Overall, I welcome this important legislation.

**Deputy Maureen O'Sullivan:** I want to make it clear that I am not saying we should not be providing information to the other jurisdiction. I am very much supportive of the provision of information. It has to be acknowledged that efforts in this jurisdiction to get information about atrocities that happened here are not succeeding. Over 45 years have passed since the Dublin and Monaghan bombings. Some of the other incidents we are trying to get information on happened slightly more recently. Are we going to allow the British authorities to continue to be unco-operative?

Perhaps the Minister can come up with a solution because the British authorities are continuing to stonewall us every time we raise this matter and urge them to consider our perspective. I am aware that the Minister, the Tánaiste and the Taoiseach have been pursuing this matter. Many of us have attended meeting after meeting to try to get truth and justice for the victims. Can the Minister outline how he intends to resolve this impasse if information is not forthcoming? What can we do if the British authorities continue to refuse to provide the information for which people have been waiting? That is the kernel of what I am at. The families of those who died in the Kingsmill massacre deserve an investigation and the truth. They have also been waiting. The other groups, families and individuals who have been waiting also deserve the truth.

I mentioned Dr. Thomas Leahy's research last night. It would be useful to have a look at what the Irish Government can do, based on his research. For example, there are outstanding recommendations from the Barron reports that have never been implemented. Will there be a commitment on the Government's part to implement those recommendations? A number of files in the Department of Justice and Equality have not been made available to the National Archives of Ireland. Will the Minister consider the appointment of an independent committee of academics to advise on this matter? We know about the dreadful way in which the Ludlow family has been treated. Nothing is happening in all of these cases because the British authorities will not co-operate. The Government is going to do all the co-operating. It just does not add up for me.

I am not going to engage in tit-for-tat. However, I must point out that for more than 45 years our experience has been that information has not been forthcoming from the other side. Deputy

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Brendan Smith mentioned the victims' commissioner. Last night, I mentioned the possibility of establishing a victims' forum. The Government could do many other things, including the establishment of a day of remembrance. I ask the Minister to respond to the question I asked last night about the Garda liaison officer. What are the terms of reference? What sort of exchange of information will there be? It is a cliché to say that justice delayed is justice denied, but in this instance it is true. It is heartbreaking to meet people, whose family members have died, who are still waiting. I do not doubt that the Minister is pursuing and raising these matters and using all the words that need to be used, but he is just not getting anywhere with the British authorities.

**Minister for Justice and Equality (Deputy Charles Flanagan):** I thank Deputy Maureen O'Sullivan for tabling this amendment and initiating the discussion we are having now and had late last night. I am not in a position to accept her amendment. I understand and appreciate the level of frustration that has been identified and amplified here regarding the lack of response to or significant engagement with the Dáil motions on the matter of the Dublin and Monaghan bombings, which have been mentioned by Deputy Brendan Smith. However, I do not believe the proposal in the amendment before the House represents anything like a solution.

First, the amendment suggests that the Garda Commissioner may refuse to provide assistance because of the possibility that a request concerning a Troubles-related crime in this jurisdiction will not be met with appropriate assistance. The House will be aware that the only person who has the authority to investigate a specific incident is a coroner. He or she is not a repository for all information on criminal activities relating to the conflict in Northern Ireland. It is unfair to expect a coroner to accept responsibility, in any form, for the action or inaction of other agencies. I do not believe that is what Deputy Maureen O'Sullivan intends.

Second, the amendment, as worded, requires that the decision to refuse assistance be made by the Garda Commissioner. The three reasons for refusal, as outlined in section 3(4), are all based on the functions of An Garda Síochána as outlined in the Garda Síochána Act 2005. The Garda Commissioner has an obligation to fulfil these functions. The effect of the amendment would be to require the Commissioner to make a political value judgment on whether the coroner will assist in unrelated cases in this jurisdiction.

Third, and perhaps most important, I want to reiterate what is the purpose of the Bill. The Government is seeking to help the families of the victims of the conflict in Northern Ireland to access information to the maximum extent that is legally possible. As Deputy O'Callaghan stated on Second Stage, in doing that it would be unwise to give any vent to the possibility that there may be a hierarchy of victims. We cannot escalate the withholding of information from families and victims as something of a negotiating tool. I know this is not Deputy Maureen O'Sullivan's intention but it would be the consequence, effect or impact of her amendment. I agree with Deputies when they say that the level of progress, particularly around the specific incident mentioned by Deputies Brendan Smith, Maureen O'Sullivan, Ó Laoghaire and O'Callaghan, namely, the Dublin-Monaghan bombings, has been particularly slow. I would go further and say that it has been non-existent in recent years. I assure Deputies Brendan Smith and Maureen O'Sullivan, who raised this issue, particularly Deputy Brendan Smith who raises it on a regular basis in the House with me and the Tánaiste and Minister for Foreign Affairs and Trade and in other fora, that the Tánaiste, the Taoiseach and I will continue to raise this issue at the highest level - Head of Government level, as far as the Taoiseach is concerned. At a most recent meeting of the British-Irish Intergovernmental Conference, I raised the lack of progress and my frustration and that of my colleagues on this matter. The UK Secretary of State for Northern Ireland undertook to check matters out with a view towards the provision of a progress

report. I must say that with the passage of this legislation, hopefully by tomorrow, I anticipate that there would be a greater level of urgency on the part of everybody involved to ensure these issues can be addressed in a way that meets the needs of the victims. In that regard, I believe it is time for all of us in this House - I again acknowledge the cross-party support in this House - Westminster and, of course, Belfast to demonstrate a level of progress. I believe that if we do so here, which we will, and I know there is an expectation of the part of people, particularly in Northern Ireland that this Bill will be enacted prior to our summer vacation, and show genuine progress, I expect that others will follow.

*5 o'clock*

**An Leas-Cheann Comhairle:** How stands the amendment?

**Deputy Maureen O'Sullivan:** I am pressing it.

Amendment put.

**Deputies:** Vótáil.

**An Leas-Cheann Comhairle:** Will the Deputies claiming a division please rise?

*Deputies Maureen O'Sullivan, Richard Boyd Barrett, Thomas P. Broughan, Joan Collins, Michael Fitzmaurice, Paul Murphy and Thomas Pringle rose.*

**An Leas-Cheann Comhairle:** As fewer than ten Members have risen I declare the amendment lost. In accordance with Standing Order 72, the names of the Deputies dissenting will be recorded in the Journal of the Proceedings of the Dáil.

Amendment declared lost.

**Deputy Donnchadh Ó Laoghaire:** I move amendment No. 2:

In page 5, between lines 2 and 3, to insert the following:

“(6) (a) Where a decision is made by the Garda Commissioner to refuse in full or in part the request for assistance, the Coroner who made the request may seek a review of this decision by a Judge of the High Court.

(b) The request for a review shall be made in writing to the President of the High Court, who shall nominate a Judge of that Court to conduct the hearing.

(c) The Judge nominated under *paragraph (b)*, shall hold a hearing in camera with the Garda Commissioner, who shall outline the basis of his refusal.

(d) The Judge nominated under *paragraph (b)* may direct the Commissioner to accept the request for assistance, or to accept parts of the request for assistance previously refused, if they are satisfied that it is in the interests of justice to do so, and if they are satisfied that to do so would not—

(i) be likely to prejudice the sovereignty, security or other essential interests of the State,

(ii) be likely to prejudice a criminal investigation, or criminal proceedings, in the State, or

(iii) otherwise be inconsistent with the functions of the Garda Síochána under

section 7 of the Act of 2005.”.

Section 3 relates to the Bill’s most substantive provision regarding the procedures which will exist for the Garda, as an institution, to co-operate and to provide testimony through a coroner’s inquest. It deals with how it would accede to a request from an inquest which would involve a garda of a rank not lower than chief superintendent being questioned by a judge in the High Court and then it being witnessed by the coroner, or his or her representative, who has requested the information.

The procedure is that the request comes into the Garda Commissioner. The Garda Commissioner consults the Minister. The Garda Commissioner then makes the decision to accept the request for assistance, refuse it or accept it in part. In doing so, having consulted the Minister, the Garda Commissioner must be satisfied that doing so may likely prejudice the sovereignty, security or other essential interests of the State, may likely prejudice a criminal investigation or criminal proceedings in the State, or otherwise be inconsistent with the functions of the Garda Síochána under section 7 of the Act of 2005.

The procedure is all well and good. However, the reality is the decision is ultimately that of the Garda Commissioner. There is no scope for review or for oversight of that. It gives the Garda Commissioner a considerable amount of power. Given the weight and importance of these inquiries for families and survivors who are seeking the truth about Troubles-related deaths or incidents, I believe the coroner should be entitled not to agree with what he or she may consider an unfair decision.

This amendment, through a careful mechanism, provides for a coroner who had his or her request refused to seek a review of this decision by a judge of the High Court. This judge, who would be nominated by the President of the High Court, would hold an *in camera* hearing with the Garda Commissioner who would outline the basis for his or her refusal. The same judge would have to have regard to the same three considerations, namely, it may likely prejudice the sovereignty, security or other essential interests of the State, may likely prejudice a criminal investigation or criminal proceedings in the State, or otherwise be inconsistent with the functions of the Garda Síochána under section 7 of the Act of 2005. Therefore, the judge would then have to make a decision as to whether to accept the argument of the Garda Commissioner and whether he or she believes the Garda Commissioner should co-operate with the request from the coroner or whatever organisation is seeking that request. In the context of what we are talking about, namely, the weight of the situation and the sensitivity involved, it is right for the coroner to have the opportunity, in a careful way, to have this decision reviewed and reconsidered. Such judge-led oversight is not unusual for legislation such as this, whether in this jurisdiction or elsewhere. It is a proportionate and carefully weighted amendment but one that is important to ensure every opportunity is given to the coroners to have maximum co-operation from An Garda Síochána in an inquest.

**Deputy Charles Flanagan:** I thank the Deputy for tabling the amendment and for his comments thereon. I must disappoint him by saying I have three fundamental problems with it. First, from a drafting point of view, it is unclear. Second, from a practical point of view, I see difficulties in the outworking of the amendment. Third, and most importantly, it seems to go against the grain of the main objectives of the Bill.

On the drafting, the amendment is not consistent with the mechanism outlined in section 3. The amendment, as stated by the Deputy, provides for a High Court judge, following a review

of the decision, to direct the Garda Commissioner to accept the coroner's request for assistance that he or she had previously refused. However, there is no other amendment to any other part of section 3 to either set aside the Garda Commissioner's original decision or to require the examining judge in subsection (9) to take account of the outcome of the High Court judge's review. Again, it is not clear how a review of an appeal by a judge of the High Court, as proposed in this amendment, may be binding, for example, on the other High Court judge who is conducting the examination of the Garda witness. Again, there are legal problems with this that do not add up from a practical perspective.

Even if the amendment was consistently reflected in the section, and this is the most important reason I have a problem with it, it is contrary to the overall objectives of the section. Section 3 is designed to foster a further spirit of co-operation between the Northern Ireland coroner and the Garda authorities to allow the coroner in Northern Ireland access to Garda testimony in a form that will be admissible in the inquest in Northern Ireland. The practical outworking of this is that the Garda and the coroner would work closely on the request for assistance. The application of the mechanism to take Garda testimony would always be preceded by a significant measure of co-operation, with the exchange of information under a formal co-operation agreement concluded under section 5. A conflict between the Garda Commissioner and the coroner would not arise at the stage of the application of the mechanism in section 3. I invite the Deputy to check the reasons listed in section 3(4) for the Garda Commissioner to not accede to a request for specific information. To my mind, these reasons are fundamental to the functions of An Garda Síochána, namely, the protection of life, the vindication of human rights, the pursuit of justice and the preservation of peace and security in this State for all its residents and citizens. Section 3(4) protects the integrity of these Garda functions.

The amendment, as proposed, would be unprecedented in cross-Border assistance in criminal justice matters. I point out that participating states and agencies enter into co-operation arrangements in a spirit of trust and confidence but at all times they remain in a spirit of accommodation and co-operation. While some restrictions are necessary, such as in section 3 of the original Criminal Justice (Mutual Assistance) Act 2008, this would be in order to ensure the integrity of national sovereignty and the criminal justice process but these are rarely invoked because of the high level of engagement and trust that has been cultivated by the participants.

In this regard, I acknowledge the high degree of trust between the PSNI in Northern Ireland and An Garda Síochána here. That is a level of trust that is likely to be maintained in the context of the relationship with the coroner. I say that because the Garda is much accustomed to operating within these accepted frameworks. Again, I invite Deputies to agree with me that the level of co-operation, trust and confidence in terms of engagement between An Garda Síochána and the PSNI has never been so positive and good. That trust and engagement is never undermined by the threat of a judicial process or a challenge to the integrity of the decision maker. For those reasons, I am not in a position to accept the amendment.

**An Leas-Cheann Comhairle:** Before I call Deputy O'Callaghan, I remind Members that the order of today's business gives us only 40 minutes to deal with all of this. Members might take that into consideration when speaking to the amendments.

**Deputy Jim O'Callaghan:** Section 3 deals with Northern Ireland Troubles-related inquests and also what is referred to as "a designated United Kingdom inquest." The legislation is relatively simple in how it will operate. A coroner in Northern Ireland or in a designated inquest in Britain will make a request to the Garda Commissioner and will provide the Garda

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Commissioner with a list of questions he or she wants answered and the Garda Commissioner then makes a decision whether to comply with the request or to refuse the request. One of the grounds on which a Garda Commissioner could refuse a request is if he or she thought the questions were outside the knowledge of An Garda Síochána or were inappropriate. However, I would have thought that in the vast majority of scenarios, the Garda Commissioner would accede to the request. If he or she refuses, he or she shall refuse on specified grounds, which are set out in section 3(4). For instance, I know Deputy Ó Laoghaire is concerned about a refusal of a Garda Commissioner to provide a member of the force to answer questions but say a Garda Commissioner makes such a refusal, he must do so on the basis of the three examples set forward in subsection (4), namely, that if he or she were to do so it would: prejudice the security of the State; prejudice a criminal investigation; or otherwise be inconsistent with the functions of An Garda Síochána under the Act. If the Garda Commissioner decides to refuse that, it is open to the coroner to judicially review that decision. For that reason, the amendment is unnecessary, and even if it was necessary, I would have concerns about the amendment because under this process, a judge is to be nominated by the President of the High Court, and this judge is to have an *in camera* hearing with the Garda Commissioner. That sounds like a meeting between the Garda Commissioner and the High Court judge *in camera* where no one gets to hear what is said. That is not consistent with the principles of justice. It would also expressly exclude the coroner from being present at that hearing so that he or she could argue his or her side of the case.

On balance, it is an unnecessary amendment and if it was inserted into the legislation it would open up all sorts of issues in respect of section 6(c) of the proposed amendment, which talks about there being “a hearing in camera with the Garda Commissioner” and the judge with no one else there. That is a recipe for problems.

**Deputy Maureen O’Sullivan:** The Minister said my amendment would be contributing to a hierarchy of victims. There has always been a hierarchy of victims because victims in the North are treated differently from those in the South. The victims in the North will have a historical investigations unit, whereas the victims in the South will not. The atrocities in the South are considered as crimes. We are told the Garda is waiting on new evidence but we know the Garda has not acted on the evidence it has got. The amendment is also heavily weighted in favour of one set of victims over another. The Minister spoke about trust, confidence and co-operation. Where has that been for the past 40 years for victims in the South?

**Deputy Donnchadh Ó Laoghaire:** To a large extent I agree with what Deputy Maureen O’Sullivan said about inadequate procedures for victims in the South. Having said that, I do not believe this amendment is heavily weighted in one direction or another. It simply is to ensure the potential for oversight. I hope that any legislation that would exist in the North - we would argue for it likewise - and the British legislation would have the potential for oversight.

I do not accept what the Minister said. He is incorrect in his comments on drafting of the amendment. It is a mistaken understanding of the sequencing. The Minister spoke about referring back to the High Court judge who will undertake the questioning or testimony, but, of course, that testimony will not happen if the request has been refused. This happens at the stage that it has been refused or refused in part. Therefore it would actually be happening before the procedure the Minister is talking about. From a drafting point of view there is no difficulty there and it clearly stands on its own. It does not have to refer back to the other procedures because what would happen if the judge was not satisfied that the Garda Commissioner was applying the section correctly. That is quite clear and is there in black and white. From a drafting

point of view, I am very confident that it is properly worded.

From a policy point of view on the rights and wrongs of this, the comments of both the Minister and Deputy O’Callaghan assume that everything works as it should. We would not have legislation like this if everything worked as it should. Clearly one would hope and I would expect that the Garda Commissioner - and anyone holding that office in years to come - and the gardaí will co-operate properly in a spirit of trust, co-operation and desire to assist the victims of the conflict. I hope they would apply the section correctly and that they weigh up the three considerations they have been asked to weigh up here.

When the request comes in, there are two potential refusals: the Garda Commissioner could refuse to facilitate the testimony by correctly applying these tests or the Garda Commissioner might not apply them correctly and refuse to co-operate for reasons that do not fit within the three categories outlined.

Deputy O’Callaghan spoke about a judicial review. I am not sure the coroner could seek a judicial review of the decision of the Garda Commissioner as outlined in section 3. Even if he or she could, I am sure it would be a very difficult situation for the coroner of another jurisdiction to seek a judicial review against the Garda Commissioner in this jurisdiction.

Deputy O’Callaghan also talked about proceedings *in camera*. Much of this procedure needs to be carefully managed. It has to be careful in terms of it being tight and all the rest of it. Therefore I think that is appropriate. It would be difficult to have a review of the grounds given considerations such as security, prejudice and criminal investigations. I am not sure it would be possible to have an examination by the High Court judge of the Garda Commissioner’s grounds unless the Garda Commissioner was in a position to be perfectly frank and I am not sure that could possibly happen in a public hearing.

The same High Court judge could potentially conduct a judicial review or could potentially conduct the testimony as provided for in section 3. It is important that the High Court judge would have the opportunity to hear what the Garda Commissioner is saying and accept or not accept that he or she had applied the section correctly.

We all expect and hope, and I am quite optimistic, that all requests for co-operation will be facilitated as best as possible and that this section would be applied correctly, as I believe it will be. However, in this legislation, as in other legislation, there must be provision for cases where the procedures do not work as they are meant to because they do not always. We would not be dealing with legislation of this kind if public authorities always acted as they should. Therefore it is a perfectly proportionate, carefully weighted opportunity for the coroner to seek a review in a manner that is very much in the spirit of the rest of the legislation. It keeps it very carefully protected where that is necessary but also ensures that people have every opportunity to have co-operation regarding inquests into what happened to their families and to them.

**Deputy Charles Flanagan:** Deputy Maureen O’Sullivan referred back to her earlier amendment. In recent times the Tánaiste and I have made the importance of this quite clear to the British Government. On a number of occasions Dáil Éireann has passed motions unanimously that an independent international judicial review take place in respect of all the documents in order to establish the full facts of the Dublin and Monaghan bombings, and other attacks in this jurisdiction as evidenced by the contributions of Deputy Brendan Smith. We have made it clear that in the absence of a response from the British Government the matter remains of deep

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concern to the Government here. We will continue to engage at the highest level, including at Head of Government level through the Taoiseach.

I say to Deputy Ó Laoghaire that the precedent of the mechanism that was employed in respect of the Kingsmill killings is that to which we are referring in this legislation. No conflict between a Garda Commissioner and a coroner should arise nor would it arise at the stage of the section 3 mechanism. That is one reason for not accepting the amendment. In addition it is incomplete in its drafting and could be unworkable. I ask the Deputy to withdraw it.

Amendment put:

<i>The Committee divided: Tá, 24; Níl, 60; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Broughan, Thomas P.</i>	<i>Burke, Peter.</i>	
<i>Buckley, Pat.</i>	<i>Byrne, Catherine.</i>	
<i>Burton, Joan.</i>	<i>Calleary, Dara.</i>	
<i>Cullinane, David.</i>	<i>Cannon, Ciarán.</i>	
<i>Ellis, Dessie.</i>	<i>Carey, Joe.</i>	
<i>Ferris, Martin.</i>	<i>Cassells, Shane.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Chambers, Lisa.</i>	
<i>Funchion, Kathleen.</i>	<i>Collins, Joan.</i>	
<i>Howlin, Brendan.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Kenny, Martin.</i>	<i>Creed, Michael.</i>	
<i>Mitchell, Denise.</i>	<i>Curran, John.</i>	
<i>Munster, Imelda.</i>	<i>D'Arcy, Michael.</i>	
<i>Murphy, Paul.</i>	<i>Deasy, John.</i>	
<i>O'Reilly, Louise.</i>	<i>Deering, Pat.</i>	
<i>O'Sullivan, Jan.</i>	<i>Doherty, Regina.</i>	
<i>Ó Broin, Eoin.</i>	<i>Dooley, Timmy.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	<i>Durkan, Bernard J.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Farrell, Alan.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Flanagan, Charles.</i>	
<i>Quinlivan, Maurice.</i>	<i>Griffin, Brendan.</i>	
<i>Ryan, Eamon.</i>	<i>Harris, Simon.</i>	
<i>Shortall, Róisín.</i>	<i>Haughey, Seán.</i>	
<i>Tóibín, Peadar.</i>	<i>Heydon, Martin.</i>	
	<i>Humphreys, Heather.</i>	
	<i>Kehoe, Paul.</i>	
	<i>Kyne, Seán.</i>	
	<i>Lahart, John.</i>	
	<i>Madigan, Josepha.</i>	
	<i>McEntee, Helen.</i>	
	<i>McGrath, Finian.</i>	

	<i>McLoughlin, Tony.</i>	
	<i>Mitchell O'Connor, Mary.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Dara.</i>	
	<i>Murphy, Eoghan.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Naughten, Denis.</i>	
	<i>Naughton, Hildegarde.</i>	
	<i>Neville, Tom.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Connell, Kate.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Dowd, Fergus.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Loughlin, Fiona.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Ring, Michael.</i>	
	<i>Rock, Noel.</i>	
	<i>Ross, Shane.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	
	<i>Zappone, Katherine.</i>	

Tellers: Tá, Deputies Donnchadh Ó Laoghaire and Aengus Ó Snodaigh; Níl, Deputies Seán Kyne and Tony McLoughlin.

Amendment declared lost.

Sections 3 and 4 agreed to.

**An Leas-Cheann Comhairle:** Amendments Nos. 3 and 4 are related and will be discussed together.

## SECTION 5

**Deputy Donnchadh Ó Laoghaire:** I move amendment No. 3:

In page 7, between lines 31 and 32, to insert the following:

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“(4) Within three months of the Commissioner coming to such an agreement as outlined in this section, the Minister shall require from the Commissioner a report outlining the nature, purpose and value of this agreement to the objectives in subsection (1), and the Minister shall cause a copy of this report to be laid before both Houses of the Oireachtas.”.

As discussed, there are already powers in the Garda Síochána Act for the Garda to enter into agreements with police in other jurisdictions. The legislation before us will provide for the Garda to enter into agreements with agencies that are not police but rather those that are comparable to the Policing Authority, the Garda Inspectorate, the Garda Síochána Ombudsman Commission, GSOC, coroners’ inquiries or historical related units such as the anticipated historical investigations unit or the independent commission for information retrieval. Similarly, it will allow GSOC to enter into agreements with comparable organisations. The purpose of the amendments is to provide that the Garda Commissioner or GSOC will lay a report before the Houses of the Oireachtas, via the Minister, outlining the purpose, nature and value of the agreement. Entering into such agreements is valuable and useful and, in the context of the legislation, will facilitate people’s ability to have truth and justice for their individual cases. In general, it will be of value if the Houses are kept informed of any such agreements through a report being laid before them.

**Deputy Charles Flanagan:** The amendments are problematic insofar as it is not clear how a report could outline the nature, purpose or value of the agreements. By nature and purpose, they are co-operation agreements on the exchange of information and it is unclear how the value of agreements, in general, can be assessed within an arbitrary period of three months. I am concerned the amendments have the capacity to undermine the purpose of the agreements being provided for and could also act as a disincentive to concluding the agreements. Moreover, the amendments apply only to co-operation agreements for which I am providing in the Bill, namely, a co-operation agreement with the Garda Síochána and a non-law enforcement agency in another jurisdiction, and a co-operation agreement between GSOC and a law enforcement agency or police ombudsman in another jurisdiction. I cannot accept the amendments as drafted.

**Deputy Donnchadh Ó Laoghaire:** Ultimately, it would be just a report and I do not accept it would be problematic. The value would be partially subjective. It would be for the Garda Commissioner or Garda Síochána Ombudsman Commission to provide an evaluation that states what either considers to be the value of the agreement, either for the Garda or GSOC or for the corresponding jurisdiction. That is the purpose of the amendments. Provisions in a range of legislation ensure that the Houses have oversight of significant decisions taken by certain public bodies, including the Garda Síochána or GSOC. The amendments are relatively modest and make sense. I ask that the Minister consider them or, if not, that he consider them in the Seanad.

**Deputy Charles Flanagan:** For example, a case could involve an asset recovery agency in another jurisdiction. It could be problematic or even damaging to compel the Garda Commissioner to produce a report on the value of co-operation between the Garda authorities and such an agency. I see problems with having to commit such a report to writing and to make it available within three months.

Amendment put and declared lost.

Section 5 agreed to.

Section 6 agreed to.

## SECTION 7

**Deputy Donnchadh Ó Laoghaire:** I move amendment No. 4:

In page 9, between lines 13 and 14, to insert the following:

“(4) Within three months of the Commissioner coming to such an agreement as outlined in this section, the Minister shall require from the Ombudsman a report outlining the nature, purpose and value of this agreement to the objectives in subsection (1), and the Minister shall cause a copy of this report to be laid before both Houses of the Oireachtas.”.

Amendment put and declared lost.

Section 7 agreed to.

Sections 8 to 10, inclusive, agreed to.

## TITLE

**An Leas-Cheann Comhairle:** Amendments Nos. 5 to 7, inclusive, are related and will be discussed together.

**Deputy Charles Flanagan:** I move amendment No. 5:

In page 3, line 5, to delete “taking” and substitute “the taking of”.

I contend that these amendments are self-explanatory

Amendment agreed to.

**Deputy Charles Flanagan:** I move amendment No. 6:

In page 3, line 6, after “inquests” to insert “and inquiries”.

Amendment agreed to.

**Deputy Charles Flanagan:** I move amendment No. 7:

In page 3, lines 7 to 10, to delete all words from and including “and” in line 7 down to and including “purposes” in line 10 and substitute the following:

“to enter into agreements for co-operation with certain persons or bodies outside the State; to permit the Garda Síochána Ombudsman Commission to enter into agreements for co-operation with law enforcement agencies or certain other persons or bodies outside the State; and for those purposes and other purposes”.

Amendment agreed to.

Title, as amended, agreed to.

**An Leas-Cheann Comhairle:** Pursuant to Standing Order 154(3), I must report to the Dáil that the Committee has amended the Title to the Bill as follows:

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An Act to provide for the taking of evidence in the State from a member of the Garda Síochána for the purposes of certain inquests and inquiries held in the United Kingdom of Great Britain and Northern Ireland; to permit the Garda Síochána to enter into agreements for co-operation with certain persons or bodies outside the State; to permit the Garda Síochána Ombudsman Commission to enter into agreements for co-operation with law enforcement agencies or certain other persons or bodies outside the State; and for those purposes and other purposes, to amend the Garda Síochána Act 2005; to amend the European Arrest Warrant Act 2003; to amend the Criminal Justice (Mutual Assistance) Act 2008; and to provide for related matters.

Bill reported with amendments, received for final consideration and passed.

## Saincheisteanna Tráthúla - Topical Issue Debate

### Direct Provision System

**Deputy John Brady:** Direct provision is one of the greatest shames of our time. There are currently thousands of people in the prison-like conditions of direct provision, powerless to change their circumstances. There is a public outcry about this, yet the Minister and his Department continue to line the pockets of private interests while people suffer.

As of this year, the position of those seeking international protection has gotten even worse. The Reception and Integration Agency, RIA, is now accommodating 872 people in 28 emergency accommodation centres, two of which are in my constituency in Wicklow. The website *thejournal.ie* reported last week that, according to a spokesperson for the Department of Justice and Equality, a cultural liaison service is now required to help people living in emergency accommodation and it has issued a tender for non-governmental organisation, NGO, services to provide social services such as access to medical cards. The Department has stated it needs this service in place as soon as possible. I have heard from many constituents and have had contact with community groups such as Bray Refugee Solidarity and the Movement of Asylum Seekers in Ireland, who argue that these temporary centres are falling completely below any acceptable standards. The lack of social welfare support is glaring and totally unacceptable.

With respect to healthcare, in response to a parliamentary question I tabled, the Minister's Department indicated that the RIA is liaising closely with the Health Service Executive, HSE, to facilitate appropriate service provision to these people while in emergency accommodation. However, I have heard reports that residents in Wicklow were given insufficient information on medical card entitlements and how to access same. Some of the residents in temporary accommodation received medical cards only after members of community groups sourced forms, approached GP clinics, received refusal letters and found GPs willing to take on some residents. What has the Minister's Department done to ensure medical care is provided as soon as these asylum seekers landed in temporary accommodation in County Wicklow?

There is also the question of looking after the most vulnerable children in temporary accommodation centres. In response to another parliamentary question I tabled, the Department indi-

cated that children of international protection applicants residing in emergency accommodation can access school places in local primary and post-primary schools in the same manner as the general population. It was indicated that they can avail of the back-to-school clothing and footwear allowance, which is administered by the Department of Employment Affairs and Social Protection. However, many reports indicate that this has not happened in the temporary centre in Bray. What steps did the Minister's Department take for the temporary accommodation in Ashford and Bray to ensure children in these centres were registered and supported in getting into local schools? What contact did the Minister's Department or the Department of Education and Skills have with the local schools to ensure school places were available? Every day a child is out of school in a community is a disgraceful failure. I would appreciate the Minister answering some of those questions.

**Minister for Justice and Equality (Deputy Charles Flanagan):** Under European Union and international law, as the Deputy will be aware, Ireland is obliged to examine the claim of any person who comes here and claims international protection under strictly defined grounds. While an international protection claim is being examined, the State offers accommodation and related services to anyone who requests it. This includes all meals, medical care and utilities. A weekly personal allowance is paid to each person and the Department of Employment Affairs and Social Protection covers exceptional needs. The Department of Education and Skills provides school places for children resident in the centres and children also have access to the free preschool scheme and the early childhood care and education programme. The HSE provides mainstreamed health services to residents. It is a whole-of-Government approach to supports and services for applicants.

As of 7 July, the RIA of my Department was accommodating 6,082 people in its 39 accommodation centres and a further 988 people were in emergency accommodation. The use of emergency accommodation is suboptimal as it does not allow for the full range of services to applicants that the traditional centres provide. However, the State must ensure each person arriving in Ireland today to claim protection has shelter, food and any urgent medical care required.

The RIA has arranged the provision of emergency accommodation for international protection applicants since September 2018 due to the increasing numbers of people arriving in the State seeking international protection. The RIA had reached full capacity in its centres at that time but is committed to using emergency accommodation for as short a time as possible. It is actively working on securing additional capacity, both in existing centres and through sourcing new centres via a national procurement process. The use of such accommodation naturally incurs additional costs to the State, with expenditure this year likely to reach or exceed €120 million.

Residents in emergency accommodation are offered medical screening funded and managed by the HSE located at the Baleskin reception facility for the purpose of assessing recipients who have just arrived in the State.

In addition, arrangements are in place in various parts of the country to offer the service to those who do not avail of it in Dublin. The RIA is also seeking to contract a visiting support and cultural liaison service from the NGO community to assist those residents during their time in emergency accommodation. Residents in emergency accommodation can address any issues directly to the RIA. They may also contact the Ombudsman or the Ombudsman for Children if any issue is not resolved to their satisfaction.

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Additionally, the RIA has facilitated visits by the Office of the Ombudsman to a number of emergency accommodation locations to meet residents and discuss any issues that may be a source of concern or that may arise.

**Deputy John Brady:** Unfortunately, the Minister did not answer any of the questions I put to him. I note that, in his response, the number of people in emergency accommodation has jumped to 988 from 872, which was the last information I had. There are countless more issues that I could bring up that are affecting people in emergency accommodation, everything from packed lunches to the way that residents are moved without adequate warning from temporary centres to direct provision, but I am conscious I am short of time.

The urgent point that I want to hammer home to the Minister today is that direct provision is unacceptable and temporary centres are an unbelievable extension of the horrific nature of that system. We did not think that direct provision could get worse but temporary centres have proven that it can. I urge the Minister to prioritise addressing this. It seems there is a complete absence of basic social welfare provision to asylum seekers in temporary centres in Wicklow. That goes against what the Minister's Department states should happen. I again urge him to review it and intervene in those situations because only through the likes of the refugee group in Bray and other organisations are the most vulnerable people to whom the State is giving protection getting what they are supposed to. Such advocates are going out and speaking directly to GPs, and it is only by those means that these people are accessing medical cards and GPs. There are serious problems and the Minister cannot stick his head in the sand and say we are looking at expanding the direct provision system. The whole system of substandard emergency accommodation is failing these people. The Minister knows that and needs to address it immediately.

**Deputy Charles Flanagan:** I acknowledge the fact that there is significant demand, and to meet that demand my Department has sought to identify additional accommodation by publishing expressions of interest in the national press as the current portfolio will not meet the demand. The Deputy is right that the numbers are increasing and that has put pressure on the current arrangements. The RIA will continue working to identify additional accommodation centres and emergency accommodation.

The need to resolve the issue of suitable, mainstream housing for more than 700 people who are currently residing in accommodation centres who have been granted status and have permission to remain in the State is a key part of the process. Helping those people transition into mainstream housing will free up capacity to ensure that people remain in emergency accommodation for as short a period of time as possible.

These people are being assisted by agencies, and I acknowledge the work of Depaul and the Peter McVerry Trust, to move into mainstream, longer term accommodation. The RIA's regional procurement process is advancing and will be continuing throughout the year. Following the assessment process, as the RIA identifies new centres to be opened, co-ordinated communications will be initiated with all the relevant local authorities and state partners.

I note what Deputy Brady has said about the health services, the HSE, GPs and education. I am happy to assist in seeking to achieve early resolutions to these issues involving agencies, the Department of Education and Skills, the Department of Employment Affairs and Social Protection, and the HSE.

## **Road Projects Status**

**Deputy Michael Moynihan:** I am grateful for the opportunity to raise this matter. I am looking for an update on the proposed works at Ballymaquirk junction, which is on the N72 Mallow-Killarney road and intersects with the Kanturk-Banteer road. It is a very dangerous junction. It is one of the most important junctions in my constituency, in the heart of the Duhallow region. Most people and families from that region travel through this junction, many of them several times a day, getting to work or going to Banteer, Nad and Cork city.

There were some near misses this year. This is an issue that Bernard Moynihan has been raising continually at Cork County Council level. It is of vital importance that we get an update on it and that the Department and Transport Infrastructure Ireland, TII, take seriously the proposals that are being put by Cork County Council. I understand some remedial works are being done in the short term, but there are issues over the Part 8 planning application to acquire the lands around the junction for the proposal from Cork County Council to put in a roundabout. This is a major piece of infrastructure at the junction and it will take a considerable time, but the Department, TII and Cork County Council must be as one on this project.

Some 4,000 people signed a petition to have work done here. Earlier in the summer, before the grass was cut, the junction was dangerous and it remains so. People are crossing that road, travelling west and east. There is a main line that runs from Kanturk to Newmarket and Rockchapel. People are travelling daily from as far west as Abbeyfeale, through Rockchapel, Newmarket, Kanturk and into Cork city. There is a throughput of people at this junction.

The problems with the junction were made obvious when there was a football match in Kanturk on a workday evening. The amount of traffic coming through the town from the Banteer and Ballymaquirk junction left it chock-a-block. I cannot emphasise enough to the Minister the importance of funding this project and ensuring a roundabout is put there as soon as possible and that all the necessary work, and paperwork in the first instance is moved through the Department and TII as soon as possible because we must ensure the safety of people at this junction.

The most recent incident there involved trucks. The volume of traffic passing through that junction is quite alarming. It is a feed road right into Duhallow, so the entire region will be using it, including western and northern Duhallow, Kanturk and Dromtarriff. I raised this issue in a debate previously, on 18 December, and that shows how serious I am. I want an update on what the Department and TII are doing. How quickly can we get proper remedial works done and a roundabout placed at Ballymaquirk to ensure the safety of all those who are using the road?

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I thank the Deputy for raising this very important issue. First, I must explain that, as Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding of the national roads programme. Under the Roads Acts 1993-2015, however, the planning, design and operation of individual local and regional roads is a matter for the relevant road authority, or for TII in conjunction with the local authorities concerned when it comes to national roads.

Within the overall context of Project Ireland 2040, the national development plan, NDP, has been developed by Government to underpin the successful implementation of the new national planning framework, NPF. This provides the strategic and financial framework for TII's na-

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tional roads programme for the period from 2018 to 2027. In the ten years covered by the plan, more than €11 billion will be invested in the overall road network. Following the economic downturn and the subsequent reduction in the availability of Exchequer funding, Project Ireland 2040 provides for the gradual build-up in funding for the road network, but it will take time to restore funding to the levels needed to maintain the road network in a steady state condition and allow for investment in new road improvement schemes.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for TII in accordance with section 19 of the Roads Acts. The N72 road is a national secondary road that runs east-west from its junction with the N25 near Dungarvan in County Waterford to the N70 in Killorglin in County Kerry. The N72 Ballymaquirk junction improvement scheme has been identified through TII's HD15 programme as requiring safety intervention. The HD15 process involves the recording of accident clusters and the identification of locations where accident statistics are above average.

Because of the scope of intervention required, the scheme has been upgraded to TII's minor works programme, which provides for more substantial safety measures. TII has advised that this scheme is likely to require the compulsory purchase of some lands and, because of this, the scheme may take a number of years to get to construction. However, Cork County Council has concluded the appointment of technical advisers to progress the project. Accordingly funding provision is being made available this year to Cork County Council by TII to pay for the services of the appointed technical advisers.

The proposed scheme, which is located near the River Blackwater, is in a special area of conservation. Mitigation measures will undoubtedly be required as part of this development. This will have to be factored into the entire works programme along with planning and acquiring lands for the development and installation of a new roundabout. The timeframe for the proposed works has not been identified at this stage in the process. I fully support the efforts of TII and Cork County Council to put in place road improvement works to remedy the safety issues which have been identified at this location.

**Deputy Michael Moynihan:** I note that consultants or people have been appointed. While I recognise what the Minister said at the outset, he does have influence. This is a very serious junction in my constituency which has serious implications. He has noted the above average incidents and the need for safety measures, including a roundabout. I am asking that the Minister go back to TII to request that it work very closely with Cork County Council to give the project the urgency it deserves. I am sure it will be supported at local authority level and I do not doubt that Councillor Bernard Moynihan will do all he can to ensure that all that needs to be done at that level is done. I note the Minister's reference to the River Blackwater, planning, and the acquiring of land, but that takes time. It will not happen, however, unless there is serious input from and an urgency given by the Minister, his office and the Department to TII in their regular meetings to seek updates and explain the great significance of the project. It is an issue of health and safety.

I hope that the Minister will impress on the Department and TII the urgent need for these road safety measures at the Ballymaquirk junction and seek regular progress reports on the matter so that the project can be completed as soon as possible.

**Deputy Shane Ross:** I fully accept what the Deputy says about the dangers of this road, which the Department and the TII accepts. This is apparent from its upgrading to the minor

works programme and it is passing through some of the necessary hoops. I cannot interfere in the planning process in any way, nor would the Deputy expect me to, and I will not do so. I accept, however, the seriousness of the details of the road crashes he has outlined.

There will likely be compulsory purchase orders as a result of what is happening here and it might take some time. It would be wrong if we did not accept the need for the planning process to go ahead in a meaningful and correct manner. It may be frustrating but it is necessary. As I said in my opening remarks, the appointment of technical advisers has been provided for with funding from TII but there may be conservation mitigation measures which will also take time. I accept the Deputy's pleadings, but unfortunately he will have to be patient to see the necessary processes go ahead. Nonetheless, we fully support the need for what he is looking for. The time may be frustrating but I will convey the urgency he has expressed in the House to the TII.

### **Bord na Móna**

**Deputy Denis Naughten:** Some 24 days ago the Government published the climate action plan which referred to a just transition. That seems to have been ignored today as 148 employees from counties Roscommon and Longford, 72 of them permanent staff, are to be laid off by Bord na Móna. The justification for these lay-offs just does not add up. There have been long shut downs of Lanesborough and Shannonbridge power stations in the past, but these never resulted in the laying off of all seasonal and permanent staff.

The very least those 148 staff and their families deserve now is honesty and answers to the following questions. Has Bord na Móna delivered its contracted tonnage to the ESB under the public service obligation agreement? This lay-off comes after the lay-off of 100 staff by the ESB in Moneypoint due to the price of carbon emissions. Peat has a higher level of carbon emissions than coal. Is this the real reason peat production is to cease in Mountdillon? What is the opening stock of saleable peat on the Mountdillon bogs at the start of this season and what is that figure today? Why is production ceasing when only 62% of the harvest target has been achieved to date?

The justification that has been given for the closure of the plant is the Environmental Protection Agency's change of regulation relating to licensing. That change took place in 2013. It took the ESB five years to set out alternative options and five years to seek an alteration to that licence. That excuse does not stand up. The employees deserve answers to the questions I have raised.

**Deputy Michael Fitzmaurice:** In addition to the 75 full-time workers and 48 seasonal workers, 50 other subcontract workers are affected by this, such as lorry drivers and people not employed by Bord na Móna who now have no job either as a result of this announcement. For about 30 years this hot water has been going into the river. As has been pointed out, this licensing debacle has been ongoing since 2013. Why, all of sudden, have we decided to shut it down and create more unemployment when it is because of the Government, through Bord na Móna, that 400 jobs have already gone and there will be 200 more now. The vision was supposed to be to 2027 and that it would then take two more years to use up the peat held in stock. Unfortunately, there is something that does not look right about this. Yesterday we listened to Deputy Dooley speak about the closure of the Moneypoint plant and now we have the closure of the power station in Lanesborough. What will be next? Is there an underlying trend or desire on the part of the Government and semi-State bodies to get rid of the power stations in the likes

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of Lanesborough, Shannonbridge and Moneypoint? We understand, as rightly pointed out, that there is a need for a just transition, but there is nothing about the 200 workers who had jobs a few days ago in an area that has not been focused on to ensure other employment will be created. Bord na Móna brought people to meetings who spoke about different ideas. They are five and seven years away, but to put food on the table the families in question need work. They deserve answers and want them now.

**Deputy Eugene Murphy:** A total of 150 jobs are gone and it is a total shock. None of the Oireachtas Members or councillors knew anything about this until the news started to filter out this morning. It is deplorable and unacceptable. We might be talking about the hot water coming from the power station in Lanesborough, but by God, the Government is in hot water over this decision. As Deputies Fitzmaurice and Naughten pointed out, it is all very strange. Certain questions have been asked of the Government by the previous speakers and we have more. Before I get into them, I want the Minister to realise this is not just about 150 people. Today I was calculating with my brother who is a councillor and we estimated that 600 or 700 people would be affected by this decision. Think of the poor students who are trying to raise a few bob to go back to college. Think of the part-time farmers and others in part-time work who for years have relied on Bord na Móna and were taken on, as they thought in good faith, this year, but all of sudden - bang - they have been taken out of the equation. That is not acceptable in anybody's terms and it will not be accepted by the people of the region or their representatives. As Deputy Naughten pointed out, the decision affects counties Longford and Roscommon. What is the status of the planning application submitted to Longford County Council to extend the life of the plant for a period of years? We all know that there has to be change, but change can only come over a period of years with co-operation and assistance and everyone working together. Like Deputy Fitzmaurice, I have grave doubts about this story and how it is being developed. Honest and direct answers are needed without delay.

**Deputy Robert Troy:** The decision this morning to lay off 148 people will have a devastating impact on those to be laid off, their families, the community of Lanesborough and much further afield. To my mind, the State bodies, comprising the ESB, the EPA and Bord na Móna, have been negligent in their attitude in dealing with these employees. They have failed them. They have failed loyal employees who have worked hard for the State; many of their families have done so for generations.

The ESB was first made aware of the change to the regulations on water discharges back in 2013. Why did it only recently submit an application to the planning authority? Will the Minister confirm whether it was withdrawn and had to be resubmitted because the first was not of good enough quality? We know that there has to be change, but the employees were promised, as some of the previous speakers said, a just transition to 2027. This is far from a just transition. There is a fear that there is a sinister attempt to use the EPA to close down the plant. The people want the truth and they deserve it. What is the bigger picture for the plant and the employees? When was the Minister made aware of this decision? What has he done to date to try to prevent the decision from becoming a reality? This morning the Minister was asked by two of my colleagues to bring the three organisations together to see whether the matter could be resolved in a timely fashion. Has he done so and, if not, why not? When will he bring the three organisations together? What supports are being put in place today for the affected families?

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** I thank the Deputies for raising this issue. I understand the concern expressed locally. It is an appalling shock for workers to receive notice that they have been put on protective no-

tice as a result of decisions made. As the Deputies know, last month the ESB shut down the Lough Ree power generating station to carry out planned maintenance. The generating station was due to return to service last weekend, but the decision was taken on Friday, 5 July, to defer this for up to a three-month period in order to address environmental and legal issues. As a result, Lough Ree power generating station does not require peat supplies from Bord na Móna. This has had an immediate and adverse knock-on effect on Bord na Móna which has been left with no choice but to cease all operations at the Mount Dillon bog and place the 72 permanent full-time employees and 76 seasonal employees on protective notice. The 148 impacted on staff will remain on a temporary unpaid lay-off from Thursday, 18 July, until Bord na Móna is informed by the ESB that Lough Ree power generating station will return to normal operations. This is expected to take a period of between four and 12 weeks

Bord na Móna fully acknowledges the impact the decision will have on employees, their families and the wider community. The company has arranged a meeting tomorrow morning with the group of unions to work through the process and review all options. I am sure some of the questions raised about stocks will be answered at that meeting. Bord na Móna has committed to ensuring a range of supports will be available for the affected employees. All relevant State supports will also be made available to the workers impacted on by the announcement.

The situation has arisen from an issue with the integrated pollution control licence issued to Lough Ree power generating station. In 2018 the ESB applied to the EPA for a licence review for the station. A key facet of the application relates to amending the conditions imposed by the EPA in 2013 on the cooling water discharged by the station. The ESB has sought the amendment as monitoring of the river profile has shown that the station cannot comply with the new conditions during the summer months when river levels are lower. I understand that because it is a full licence review the EPA has had to have full consultations, which has meant that the application has taken some time to process. The EPA is considering the application and has requested a time extension of a further three months for its deliberations. I understand that last year, on foot of emissions in the summer of 2018, legal proceedings were issued against ESB in respect of the operation of the plant. It is in that context that the ESB has made the decision to keep Lough Ree power generating station shut down to avoid leaving the company open to the risk of further prosecutions over the operation of the plant. The ESB has its responsibilities, but I am nonetheless monitoring the situation closely. The EPA is an independent body that must make its decisions based on the processes set out in law. It has conducted the necessary consultations and will, I understand, bring this to their board in due course for a decision in as timely a manner as possible. It has undoubtedly come as a major blow to have this occur when we are seeing a difficult transition from brown to green, as Bord na Móna describes it. It is acknowledged that the company is undertaking significant efforts to diversify and find new opportunities. As recently as last week, I was pleased to open one of those operations. Regarding the PSO, I have been advised that it has time to run and will continue to the end of 2019.

**Deputy Denis Naughten:** The stories from the ESB, Bord na Móna and the EPA do not add up. My understanding is that the contracted tonnage has already been achieved. I ask the Minister to get answers to the questions I have raised and I would like a copy of those replies as well. Some 400 families are directly dependent on Lough Ree power station. Hundreds more are indirectly reliant on those jobs. We need an immediate transition fund of €125 million to be established. That is 5% of the climate action, rural regeneration and urban regeneration funds ring-fenced to provide alternative jobs for employees of Bord na Móna, the ESB and the communities dependent on those jobs. That must be approved by the Cabinet before the end of this

month. We can then leverage that fund to get EU and European Investment Bank, EIB, funding to make a real difference to the local economy right throughout the midland counties.

**Deputy Michael Fitzmaurice:** The Minister should acknowledge that there are more than 150 jobs affected. Do people who are subcontractors not matter? It is always the case that no one thinks about the people in the lorries, the people who supply the lorries, the mechanics and the people in the shops who will be affected by this in the surrounding areas. Bord na Móna was left in an awkward position. I agree with Deputy Naughten on a transitional fund. We need to get to the root of this situation, however. Why, when planning was pending, could the power station not continue working? This has been going on since 2013. Is there a hidden agenda to wipe out the peat stations in Lanesborough and Shannonbridge and then take out Moneypoint as well? I want a straight answer to that.

**Deputy Eugene Murphy:** The Minister can be in no doubt now after hearing the words of Deputies Naughten, Fitzmaurice, Troy and myself. This really is not good enough. The Minister spoke in his reply about the station being closed for up to three months. This issue must be acted on now. I call on the Minister, and his colleague, the Minister for Business, Enterprise and Innovation, Deputy Humphreys, to intervene in this situation. We cannot keep treating human beings in this manner. If this is the way that we are going to try and achieve our green agenda, it is not on. As I said earlier, that must be done by co-operation and people working together and not by sacrificing people's livelihoods. Many people in our region are going to be struggling because of this situation. Will the Minister become involved directly? Will the Minister, Deputy Humphreys, become involved directly as well? I challenge the Minister in regard to the situation of seasonal workers such as students, part-time farmers and part-time employees in other jobs. Will he ask the ESB, the EPA and Bord na Móna to try and place some of those seasonal workers in other jobs? Let us try to do that for them at least. It can be done if the will is there to do it.

**Deputy Robert Troy:** As has been said, contradicting stories have come from the three different agencies. That is why they need to be brought into one room so that they cannot contradict the stories. The Minister is the person to do that. Since this issue was made known in 2013, why has it taken five years for the ESB to make an application? Where does that application stand now? When will we have a decision on that application? My understanding, and the Minister mentioned this in his reply, is that it will be as soon as possible. There are no statutory limits that the EPA must meet to make a decision within a specified time, in the same way as there are on the county councils and An Bord Pleanála. We need to have something like that. There is a need for transition and we must diversify. No one is arguing with that. It cannot be done overnight, however. What is the long-term plan for this plant? Is there a sinister attempt here to close it down in order to meet our climate targets? That simply cannot happen and we cannot play with people's lives. That is what is happening now. What supports are going to be put in place here and now for the families affected by this closure?

**Deputy Richard Bruton:** I assure Deputy Troy that the EPA has independent powers and, in the context of a full licence review of this nature, it is required to conduct a full environmental impact assessment, EIA. That is required. It is also required to have public consultation. The EPA, therefore, is meeting the obligations of its governing legislation. It is not for me to interfere in how it conducts that business. I will convey to all of the parties involved the urgency concerning this issue to which Deputies have referred. It is, however, a responsibility of each body to meet its obligations. That includes the obligations to meet the conditions of an integrated pollution control licence. I am conscious that the ESB is being prosecuted for its

failures in that respect. This issue arose last summer. That is the backdrop to this issue.

I will seek some more information for the Deputies regarding the tonnages involved. Turning to the just transition, I recognise that is going to be a challenge for some time. We have to ensure that we support workers who are facing change. That means supporting them in re-training and in making an exit if they decide to cease work in this area. We must also develop new opportunities. To be fair to Bord na Móna, it has been exemplary in seeking to develop opportunities in a decarbonising world. It has sought to open up new generation capacity in the renewables sector and it is also examining the waste management and resource recovery sectors. That sector is one where the company can develop opportunities. It is also looking at aquaculture and various horticultural projects.

It is clear that the regional enterprise strategies are also targeting supports to those very opportunities because there is a recognition of the need to develop those opportunities. There will also be support from the urban, rural, regional enterprise and climate action funds in response to proposals coming forward from regions adversely affected in respect of assisting with viable projects. That is the correct way to proceed. As the Deputies know, I have sought at EU level to have peat included in the same category as coal. The EU has set up technical support for regions seeking to transit out of coal and that are impacted by that transition. I am proceeding on all of those fronts to develop effective policies to support workers affected by the impact of the change that is coming. I assure the Deputies that there is no sinister agenda on my part. We have to make changes, as the Deputies have recognised. We are seeking to do that in an orderly way and to support people where they are particularly exposed to the impact of the changes that are coming.

### **Message from Select Committee**

**Acting Chairman (Deputy Bernard J. Durkan):** The Select Committee on Finance, Public Expenditure and Reform, and Taoiseach has completed its consideration of the Consumer Insurance Contracts Bill 2017 and has made amendments thereto.

The Dáil adjourned at 6.40 p.m. until 2 p.m. on Tuesday, 17 September 2019.