



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 22 Deireadh Fómhair 2019

Tuesday, 22 October 2019

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Gnó na Dála - Business of Dáil

An Ceann Comhairle: Before we take Leaders' Questions, I would like to address the recent controversy regarding voting in the Dáil. These revelations are very grave and go to the heart of the credibility of our parliamentary process. As I said in my public statement, the integrity of the voting process in Dáil Éireann is of the utmost importance. The public must have total and absolute confidence in it. Given the gravity of the matter, I have directed the Clerk of the Dáil to prepare an urgent report to establish the facts of what transpired last Thursday, 17 October. Work on this is well under way and I have now requested him to speak with a number of Members, with the tellers on the day, and with the party and group Whips. I also ask all concerned to co-operate with this process as I believe it is imperative that we get to the facts without any delay to restore public confidence in our voting system.

I should also say at this juncture that last Thursday's events are also the subject of a complaint under the Ethics in Public Office Acts of 1995 and 2001. This statutory process must take its course but in the meantime, it is essential that the facts be established and that the Committee on Procedure considers any recommendations that may be required in the short term relating to the electronic voting system and the operation and procedure of it. This afternoon, at 4 p.m., the Committee on Procedure will meet at my request and I will take the opportunity to brief Members on the process so far.

Let no person in this House and beyond be in any doubt that this is a very serious situation which requires urgent action. I am absolutely committed to establishing the facts and making any changes to the electronic voting system that are deemed necessary following the review. The electronic voting system is integral to our parliamentary system and has been since 2001. Any recommendations on changes to the system that emerge from the review will be given immediate attention. In the meantime, any votes this week shall only be taken when all Members are seated in their designated seats. Furthermore, I have directed that each Whip certifies the Members who voted from his or her party or group. This certification will be given to the tellers.

In conclusion, it is my intention to convene a meeting of the Committee on Procedure on Thursday morning to consider the completed report of the Clerk of the Dáil. I will revert to the House on that at a later stage. I should point out that the Dáil Business Committee met earlier today and provision will be made, if necessary, on Thursday for a debate on this matter, that is on the report of the Committee on Procedure.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Micheál Martin: I thank the Ceann Comhairle for his statement, with which I agree.

On Leaders Questions on 1 October I raised with the Taoiseach concerns about the escalating costs at the national children's hospital. He undertook to reply to me. Last week, I received his written response, which again clearly points to escalating costs at the national children's hospital. It is all a far cry from April 2016, when the Taoiseach, then Minister for Health, announced that the hospital would cost €650 million all-in. Those costs increased year by year and the current Minister for Health had to apologise to Deputy Barry Cowen in the Dáil for misleading information about those costs. As the Taoiseach said in his reply to me, the guaranteed maximum price established through the two-stage tender process does not provide a contractual ceiling on cost and significant residual risks remain of additional further costs. These include the risk of construction inflation in excess of 4% which are allowed by the contract to be recovered. We also learned from the Taoiseach's response and from the August minutes that the main contractor has submitted claims to the board, which I understand to be quite significant as well. For some reason, ICT is not covered in these costs, neither are the costs associated with the children's hospital integration programme. I suggest that is designed to reduce the overall cost for appearances and so on. I ask the Taoiseach to give me specifics on the costs of the ICT programme and the integration initiative.

The Taoiseach will recall that PwC's report on the construction of the new children's hospital was a shocking indictment of a badly-managed project. Critical phrases leap off the pages of that report, such as "Significant failures" and the "lack of sufficiently comprehensive or robust planning". The report said the understanding of the risk profile was "poor at all levels of the governance structure" and that "red flags ... were missed." The report said the business case: "contained material errors and did not adhere to the Public Spending Code." It also described the execution as: "poorly coordinated and controlled."

We have learned from the August minutes, as revealed in the *Irish Examiner* yesterday, that the State's chief procurement officer, Mr. Paul Quinn, who appears not to have alerted the Government to the original spiralling costs of the hospital, has resigned from the hospital board. This follows the resignations of Mr. Tom Costello and the project director, Mr. John Pollack. The minutes state that all we have at the moment is "a best estimate" on the overall cost of this project and that a significant increase in financial claims is being made by the contractors at the Dublin site, about which the board is very concerned. Can the Taoiseach indicate to me why Mr. Quinn has resigned? Does he know something the rest of us do not? How robust are the procedures, given the resignation of the chairman, director and the State procurement officer? Would the Government agree to an oversight mechanism from the Oireachtas to rigorously monitor the costs of this project, given its capacity to devour the health capital budget and delay

and perhaps prevent other badly-needed projects from developing?

The Taoiseach: At the outset, I want to welcome the Ceann Comhairle's earlier statement. The integrity of the voting process is at the centre of our democracy. Whether it is people going to the polling station to cast their vote on election day or referendum day or whether it is Deputies or Senators voting in these Houses, people need to know the system is robust and valid. I welcome the fact you have acted swiftly, that an investigation is being carried out, that there will be a report this week and I welcome the fact the Deputies concerned will be invited to make statements to the House on Thursday to explain their roles in all of this.

On the Deputy's question, the cost of the capital element of the national children's hospital project, as agreed by Government in December 2018, is €1.433 billion. There has been no change in the Government decision since then, and that includes VAT. The €1.433 billion is the cost of the capital build in the project. That is the main hospital at the St. James' Hospital campus, as well as the urgent care centres at Connolly Hospital Blanchardstown and at Tallaght University Hospital. There have been references to figures such as €1.7 billion or even €2 billion but those figures can only be approached when lots of other elements of the project are included such as ICT equipment, the electronic health record and the entire cost of the children's hospital integration programme - which is decommissioning Crumlin and Temple Street hospitals and is moving those hospitals to the new site. Those figures also include pre-2013 expenditure on the failed attempt to build the national children's hospital at the Mater Hospital, which I know the Deputy will be familiar with, having been involved in same. They also include the children's research and innovation centre, as well as contingency provision. There is also a clause in the contract to allow for an uplift if the rate of construction inflation exceeds 4%.

These figures we often hear used such as €1.72 billion, are much more than the cost of the project at St. James' Hospital. People are including Connolly, Tallaght and the Mater project that never happened, as well as the moves out of Crumlin and Temple Street, the cost of ICT equipment, the electronic health record, the entire integration programme and the research and innovation centre.

On claims, as was stated last June at the joint committee, it is possible, as is the case in any construction contract, for a contractor to make claims for additional expenditure that was not covered in the contract. Where those occur they are independently assessed before any decision is made on whether they should be granted.

With regard to the resignation of Mr. Paul Quinn from the National Paediatric Hospital Development Board, it happened in July 2019 and is not news and certainly not new news. He has not resigned from his day job working as a civil servant but he has resigned from his position on the board. His decision on this is a matter for himself. I do not know the reasons for it nor do I have any reason to believe there is a conspiracy theory behind it.

Deputy Micheál Martin: We have this kind of detached "It's none of my business". The Minister for Health says it is none of his business. The State procurement officer resigned from the board of the most expensive capital project in the history of the State and it is nobody's business, the Government is not a bit worried about it and it is his decision and a personal decision.

Deputy Brendan Howlin: A conspiracy.

Deputy Micheál Martin: It is a conspiracy theory. I have deliberately reiterated for the Taoiseach the criticism of the PwC report on how badly managed the project was until quite

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recently. We have had the resignation of the director. Has the Minister for Health met the State procurement officer? Has the Minister for Public Expenditure and Reform met the State procurement officer? The project is a matter of genuine and reasonable concern to the Oireachtas. The minutes do not give room for any confidence. Surely the Minister for Health should meet the board, given the alarming levels and high volume of safety issues. It is in the minutes.

Deputy Simon Harris: You should visit the site.

Deputy Micheál Martin: Sorry?

Deputy Simon Harris: You should visit the site and meet the health and safety officers.

Deputy Micheál Martin: Sorry?

Deputy Simon Harris: You have never visited the site.

Deputy Micheál Martin: Through the Chair, it is a high volume and there twice have been alerts in the minutes.

Deputy Brendan Howlin: He was an engineer.

Deputy Micheál Martin: I call for a full, transparent presentation on what the concerns are about health and safety on the site.

An Ceann Comhairle: The Deputy's time is up.

Deputy Micheál Martin: Relative to other sites, what is going on there? More importantly, why is the State procurement officer getting off the bus early?

An Ceann Comhairle: Deputy please, the time is up.

Deputy Micheál Martin: Does he know something we do not know? I ask the Taoiseach whether the Government will now agree, given the history of the project, to an Oireachtas oversight mechanism, perhaps through the finance and expenditure committee, to monitor the project very closely?

An Ceann Comhairle: Deputy, you are way over time.

Deputy Micheál Martin: There have to be serious question marks about how robust the process is in terms of coming in within some reasonable budget.

The Taoiseach: Mr. Quinn was appointed to the board in his individual capacity and he resigned in his individual capacity. It is up to him to say whether he had a particular reason. I am not aware of a particular reason for his decision to resign from the board last July. The Oireachtas Joint Committee on Health has oversight over the project.

Deputy Micheál Martin: It does not.

The Taoiseach: As recently as June, the chairman of the hospital development board, Mr. Fred Barry, came before the committee and was asked a lot of questions. I am sure the committee can do so again. I do not think anyone in the House would have any objection to the Oireachtas taking an interest in the project.

Deputy Barry Cowen: The Taoiseach will be well able to open it.

The Taoiseach: I believe the committee has been invited to visit the site. I believe that, unfortunately, only a small number of Deputies have taken up the invitation to take a look at the site with their own eyes.

Deputy Thomas Byrne: Any high-vis jackets left?

Deputy Charlie McConalogue: Put on your hard hats and get your photographs taken. We will have to queue up behind you.

The Taoiseach: What I can say is that I had the privilege and honour of visiting the urgent care centre at Connolly Hospital, which is now up and running. It is not fully commissioned but is now up and running. It is the first element of the hospital and children are being seen in the urgent care centre.

Deputy Micheál Martin: There are a lot of design faults.

The Taoiseach: The outpatient element is fully open and already the number of children waiting to see a general paediatrician has decreased by 30% as a consequence of the fact the facility has been opened and there is now more outpatient capacity for children who need to see a paediatrician.

Deputy Micheál Martin: Health and safety.

The Taoiseach: Tallaght is under construction and will be finished next year. Construction of the main hospital on the St. James's site has reached the point where the scaffolding is at roof level.

Deputy Thomas Byrne: Congratulations.

The Taoiseach: This was promised by successive Governments for decades.

Deputy Micheál Martin: Health and safety.

The Taoiseach: Fianna Fáil even spent a lot of money not delivering it and now it is being done.

Deputy Micheál Martin: Health and safety.

(Interruptions).

An Ceann Comhairle: Deputies, please.

Deputy Micheál Martin: Will the Taoiseach undertake to send me the details on the health and safety aspect of the site?

An Ceann Comhairle: Deputy Martin has gone over his time already.

The Taoiseach: I cannot. I do not know.

Deputy Thomas Byrne: I do not know; I do not know.

An Ceann Comhairle: Can we hear Deputy McDonald please?

Deputy Mary Lou McDonald: I want to raise the controversy that has struck at the integ-

rity of the voting system of the Dáil. Over the weekend, as we know, it emerged that Deputy Niall Collins voted on behalf of Deputy Dooley on six separate occasions. Subsequently, questions have been asked of other Dáil Deputies as to whether they cast votes for absent colleagues. This has been portrayed by some as a controversy over who sits in what seat - a game of political musical chairs, Deputies sit in the wrong seats and press the wrong buttons. We must acknowledge that the real world outside looks on gobsmacked at the fact that highly-paid officials cannot manage to sit in the right seats or hit the right buttons. I suggest that we collectively decide that, from hereon in, we will sit in our designated seats and endeavour to press the right buttons. That would resolve the concerns over musical chairs.

The real story here is much more serious and alarming because Deputies have cast votes on behalf of colleagues who are not present before also casting their own vote and, thereby, voting twice on a given question. Article 15 of Bunreacht na hÉireann states that the decisions of this House are determined by a majority of the votes of Members who are present and voting. Our own Standing Orders echo that position. Standing Order 77 explicitly sets out that Members must be present to vote. We are elected to make laws, amend laws, pass budgets and make decisions that impact society and the lives of real people. Measures have been voted on in this House that have denied respite care, taken away home help hours, prevented meaningful action on runaway rents and I could go on. It is because of the gravity and reach of our decisions that we must be present and vote. That is why it is spelled out so explicitly in the Constitution and Standing Orders.

The behaviour of Fianna Fáil Deputies has discredited the Dáil. It conveys a complete lack of regard for the Oireachtas and institutions of governance. It demonstrates, above all, an absolute disrespect for those who have elected those Deputies and who they represent but it is even more serious than that because if the behaviour of the Fianna Fáil Deputies represents a pattern of behaviour in that party, it calls into question the validity of decisions and votes taken here. That is how serious it is to vote on behalf of a colleague who is not present or to vote twice on any given issue.

I ask the Taoiseach for his response to this. Beyond the investigation that has been ably taken up by the Ceann Comhairle, how are we to establish whether this practice is, and has been, widespread? How will we deal with the consequences of that?

The Taoiseach: I want to say once again that I believe the integrity of the voting process is absolutely central to our democracy. When people go out to vote and cast their ballots on election day or on referendum day, they expect the procedures to be followed properly. It would be a crime if an ordinary citizen cast a vote on their own behalf and that of someone else. To vote on behalf of somebody else is impersonation and to vote twice is a crime. It would be no defence to say that it did not matter because the person who won the election did so by a wide margin anyway. We must apply the same standards to the Members in this House as apply to ordinary citizens going out to vote on an election day or referendum day.

Deputy McDonald rightly quoted the Constitution. Bunreacht na hÉireann states that any votes that occur in this House must be decided by majority vote cast by Members who are present and voting. There is a world of difference between someone being present in the Chamber, although not in one's seat, and not being present in the Chamber or the building at all. To allay any future concerns or confusion, all Members should be in their seats for all votes from now on.

I welcome the Ceann Comhairle's comment earlier that there will be an investigation and report this week and I very much welcome that. I understand that, separate to that, a complaint is going to be assessed under the ethics Acts. I believe that is done by the Committee on Procedure and that will allow for a hearing. I also welcome the fact that there will be statements on this issue on Thursday and those Deputies who admitted to voting on behalf of others, or allowing votes to be cast on their behalf when they are not in the Chamber, will have an opportunity to make a personal statement at that time and will perhaps also agree to take questions.

Deputy Mary Lou McDonald: Over the course of the weekend I was asked by somebody in my constituency whether it would be okay if they showed up at a polling station and voted for their friend because their friend could not make it. Of course, the answer was, "No, absolutely not." There cannot be one law or standard for citizens and the electorate and a different one for Deputies. The real concern is beyond the antics of Deputies Niall Collins and Dooley and others in Fianna Fáil. Is this a pattern of behaviour? Was it an isolated incident, or is there some unwritten, implicit or explicit agreement between some Deputies that it is all right to cast a vote for colleagues who are not present? That needs to be established. I absolutely accept, a Ceann Comhairle, that you will do your work diligently in respect of last Thursday's turn of events, but the big question for the people is whether it is how we do our business here. That is what citizens are asking. Aside from not sitting in the correct seats and the almost farcical comedy it was, is something else at play? How will we establish if that is the case? Beyond the inquiry and investigation that will be carried out by the Ceann Comhairle, how will we establish whether this is a pattern of behaviour engaged in by Fianna Fáil in the House and how will we deal with the matter? What is the Taoiseach's view, as Head of Government?

The Taoiseach: The Deputy asked some very pertinent and relevant questions that deserve answers. Unfortunately, I cannot give them because I cannot speak on behalf of Fianna Fáil Deputies or any individual Deputy. It is agreed by all of us that an investigation is required. The Ceann Comhairle has announced that it will be carried out by the Clerk of Dáil and that there will be a report this week. Separately, I understand some members of the public have made complaints under the ethics Acts which will result in a statutory investigation to be held by the Committee on Procedure. We should allow those investigations to take place and I hope they will be thorough and robust. It is welcome that there will be an opportunity to make statements and have a debate on the matter on Thursday.

Deputy Brendan Howlin: I also welcome the Ceann Comhairle's statement on the voting controversy in the House last Thursday. I, too, regard it as a most serious matter that deserves to be addressed urgently and resolved.

The Government recently announced plans to extend free GP care to children aged seven and eight years. As the Taoiseach will know, the previous Government provided GP care for all children up to the age of six years and for those over the age of 70. The move to provide it for the under-eights is a slow realisation of the pledge made by the previous Government to provide free GP care for all. It suggests the current Fine Gael-led Government is not convinced by the arguments made in the Sláintecare report for a single tier public healthcare system, rather than the current two tier one. It is also another example of the poor use of public finances. The Government will have to negotiate with the GPs again to agree a new contract to cover the under-eights. What then? If free GP care is expanded further to the under-tens or the under-12s, it will require new contracts. How many contracts will it take before the Government reaches the objective of providing free GP care for all? How much more time and money will it take to go through the various rounds of negotiations? Every time there is a new contract, the public

finances lose leverage over the whole project and the next phase becomes more expensive. It would be much better value for the money to move directly to providing free GP care for all those above the age of 18 years, which is what we had envisaged, rather than take a series of incremental steps. We know from medical statistics that older people and the under-sixes use GP care services more than most and they already have access to free GP care. By and large, people with major medical needs have a medical card. There is simply less medical need among the population of older children, teenagers and working adults. It does not require an incremental approach. It should be done as one negotiation. It is inefficient to drag this process out and it represents a failure of Government to deliver. We were able to negotiate care for children under the age of six in the worst of times but no progress has been made on this critical issue over the past three years. I have two questions. Will the Government agree to extend free GP care to everyone or at least to those under 18, rather than the policy announced by the Taoiseach of simply adding another two years to include those under eight? If not, will the Government at least produce a cost-benefit analysis of both courses of action?

The Taoiseach: I thank the Deputy. I am very committed, as is this Government, to moving towards universal healthcare in this country, but I also know the steps that have to be taken and how difficult it is to achieve that. Part of universal healthcare and the Sláintecare vision is ensuring that everyone in the State has access to healthcare that is either free at the point of use or provided at a very low and highly subsidised cost. My party, in coalition with Deputy Howlin's party, made a very positive step in that direction even before Sláintecare by extending free GP care to all children under six and all adults over 70. I worked closely with the Deputy and the then Minister of State, Deputy Kathleen Lynch, to deliver that during the last Government.

This Government, comprising Fine Gael, the Independent Alliance and Independents, has built on that still further. We extended the medical card without any means test to all children with profound disabilities, 40,000 of them. We also extended free GP care to anyone in receipt of the carer's allowance and carer's benefit.

Deputy Finian McGrath: Hear, hear.

The Taoiseach: Last year, we increased the income limit for low-income working families by 10% so that more of them would qualify for free GP care. The budget announced a few weeks ago included changes to income limits to extend the full medical card to approximately another 50,000 people aged over 70.

Deputy Finian McGrath: Hear, hear.

The Taoiseach: This Government has very much built on the progress Fine Gael and the Labour Party made together. We intend to build on it still further. The next step, which will be taken later next year, is to extend free GP care to children aged seven and eight. The year after that, it will be extended to children aged nine and ten, and the year after that to those aged 11 and 12. That does not preclude us from also doing other things by changing income limits, but that is our current plan.

The incremental approach is right. When I was introducing free GP care for children aged under six, I remember seeing the research from health experts and all of the people who go on the radio and tell us about health expertise. They said there would not be a big increase in attendance of GP services by those under six. They were wrong because there was. We know that now. When free GP care for children aged under six was introduced there was a big increase

in attendance at GP surgeries, particularly at out-of-hours services. I do not want to do this too quickly and overwhelm the capacity of general practice to deliver. The NHS is a pretty good health system, but people using it have to go on waiting lists to see their GPs. A two-week or three-week wait to see a GP is normal in the NHS. I know that happens in Ireland, but it is pretty uncommon. I do not want us to overwhelm the capacity of primary care and general practice to deliver. That is why I think it is better to do this in an incremental manner, and that is what we have decided to do.

Legislation is required to deliver on the commitments. It is relatively straightforward. The Minister for Health is working on it. We think we can have that through the Houses before Christmas, or if not, in the early part of next year. It requires consultation with GPs on fees. However, because we have agreed with the GPs that this will not be compulsory and they do not have to provide the service, it does not require negotiation to be concluded. We just need to consult GPs on fees. They can then decide whether they want to opt in to providing care to children aged seven and eight.

Deputy Kevin Boxer Moran: There will be another budget now and we will try to get it all sorted.

Deputy Brendan Howlin: If the Minister of State reflected on what the Taoiseach has just said, he would be shocked. He basically said that he does not want GPs' surgeries to be overwhelmed so he will put a brake on them, namely, cost. The Government will continue to charge and that will be the brake. If people can afford to go, off they will go. The Government will monitor and reduce the numbers by keeping a charging mechanism in place. That is not the universalism approach we have been advocating and which we advocated in government. The changes the Taoiseach has outlined move against the principles of universalism - a universal health system available on the basis of the need, not ability to pay. Having been in the Department of Public Expenditure and Reform for five years, it makes no sense to me to negotiate incremental contracts. The closer we get to getting the final tranche done, the more it will cost. That has been the experience of any incremental contract system. It is much better to do it in one fell swoop and agree a contract for all the under 18s and then the next tranche up to full universal coverage. That is the approach we worked on together in government but it has been abandoned since the Labour Party left government. It is not acceptable to propose reducing pressure on GP surgeries by continuing with a charging mechanism that allows those with the money to have access to have their children treated, but those without the money to have to wait.

The Taoiseach: I do not think that is quite the case. We agreed in government that we would first provide free GP care to those aged under six and over 70 regardless of their incomes. The next step we had agreed - money was provided in the Deputy's final budget - was to go from age six to 12. We were, therefore, pursuing an incremental approach.

Deputy Brendan Howlin: What happened?

The Taoiseach: This Government has done something slightly different. We decided to increase the income limits by 10% for low-income families. Some 40,000 children with profound disabilities now get full medical cards as of right regardless of their parents' income. We have decided to increase the income limits for the over 70s in the budget just introduced. We also decided to give people on carer's allowance and carer's benefit access to free GP care because carers also need to have their health looked after. It is still an incremental approach by the previous

Government and by this Government, but perhaps a different approach to that incrementalism.

I will answer the Deputy's question very frankly and I say this as a former GP, former Minister for Health and Taoiseach. If we provided free GP care for everyone tomorrow, next year, the following year or even the year after that, we would overwhelm primary care and general practice in Ireland.

Deputy Brendan Howlin: People cannot see their doctor if they cannot afford to.

The Taoiseach: We know from the experience with those aged under six that there is a big increase in attendances. I do not want us to have primary care systems such as those in the NHS-----

Deputy Brendan Howlin: Sick people have to stay away because they cannot afford to pay.

The Taoiseach: -----where people have to wait for weeks and weeks to see a GP. That is not the norm in Ireland at the moment and I do not want to see general practice and primary care overwhelmed. I do not want a situation where people cannot get a GP - I know that is an issue for some people-----

Deputy Micheál Martin: It is for a lot of people.

The Taoiseach: -----but most people still can - and where people have to wait for two or three weeks as the norm to see the GP, as is the case in England. We do not want that to happen here. It is better done incrementally in co-operation with the GPs and the IMO representatives.

Deputy Catherine Connolly: I welcome the speedy inquiry into the voting debacle.

I might direct the Taoiseach's attention to what is the norm in our hospital in Galway. However, it highlights in the most acute way the utter failure of the Taoiseach and the Government to focus on public health and the hospital in Galway. As recently as 25 September in the Taoiseach's absence, the Minister, Deputy Humphreys, answered questions and I raised the hospital in Galway. I specifically raised it in the context of the INMO statement that warned that Saolta management should be gravely concerned due to the high levels of missed care, delayed care and poor patient outcomes arising from the number of nursing and midwifery vacancies.

I went on to highlight the 200 vacancies. The Taoiseach has referred to primary care, which is an illusion. I mentioned the *de facto* embargo in primary care and I mentioned 11 posts. I spoke of the continued closure of a theatre at Merlin Park and a consultant telling us that the situation was unbearable and that management could not cope with it. Since then I have discovered that there have been 13 external reviews into the situation at the hospital over a ten-year period, which is more than one a year. It looks like we are heading for another external review.

A family contacted me about what happened to their 74 year old mother. I ask the Taoiseach to listen and put himself in the shoes of that woman or, indeed, on the trolley on which she spent 72 hours even though the policy and ethos in the hospital require that it be no more than 24 hours. That woman was admitted from another hospital with a suspected infection, which I might add was hospital acquired. Subsequently, during her three days on the trolley she was found on the floor screaming in pain. Nobody knows how it happened. She was taken back to a bed or trolley and left for five solid hours without having an X-ray or pain relief. The family who have no medical training diagnosed that she had a broken hip. As the Taoiseach can imagine, it must have been very obvious. Subsequently, when they had a little energy, almost two

and a half weeks later they made a formal complaint, but they heard nothing from the hospital until the formal complaint was made. Once it was made, they received a telephone call and learned that some investigation was in being. We do not know what type of investigation is being carried out, who is behind it, when it started or when it will be completed. I want the Taoiseach to take a hands-on approach. I also want the Minister for Health to come into the Dáil with a written statement and convey to us verbally what happened to this patient in Galway, how it happened, why the family were not contacted and explain to us exactly what happened because, unfortunately, it is not unusual or uncommon.

The Taoiseach: I am very sorry to hear about what happened to that lady and, of course, my thoughts are with her family. As is often the way when an individual case is raised in the Dáil, I am loath to speak about it because I do not have all or any of the facts of some of individual cases. However, I have been informed that there is an investigation under way into this case. There is a Garda investigation and one by the hospital authorities. I do not think it would be appropriate for me or the Minister for Health to comment on an ongoing Garda investigation or one by the hospital authorities that is ongoing, but I absolutely agree that whatever happened in this case, the incident needs to be investigated thoroughly by the Garda if there is a criminal aspect to it - I understand there may be - and by the hospital authorities in respect of her medical care. The Minister for Health and I will follow up on the case and make sure any investigation that should be carried out is carried out, but for very good reasons mentioned, we will not be commenting on any investigation while it is ongoing.

Deputy Catherine Connolly: As the Taoiseach has not used the three minutes available to him, I might take some of the time for my answer because this case is really serious. I am not asking the Taoiseach to comment on the individual facts. That is not possible and it is not my way. I am asking him to acknowledge that both he and the Government have been put on notice repeatedly about the state of the hospital in Galway. It is not fit for purpose. It is No.1 on the risk register in terms of capacity. We have put the Taoiseach on notice about this. I have pointed out that in a period of ten years there have been 13 external reviews, or more than one per year, carried out. I am not talking about an internal or other type of review which, presumably, includes those carried out by the Health Information and Quality Authority, HIQA. In this case the woman was allegedly assaulted by somebody who was drunk and roaming about with a carer but not being properly cared for. There was no porter to take the woman to a hospital between 6 a.m. and 9 a.m. There were no security staff. One cleaner appeared to clean up the mess when the person who was allegedly drunk also went to another patient. The family were told, "Let's go forward." Can the Taoiseach imagine from his previous life a diagnosis of a hip fracture being made by a patient's daughter who has no medical experience? I want him to consider this in the context of what other Deputies and I have continually said to show him that the hospital in Galway is not fit for purpose. The Irish Nurses and Midwives Organisation put him on notice that it was "gravely concerned", that there would be "delayed care", "missed care", "poor care" and so on. I really want an answer to the question about the absence of staff, the overburdened health system and the collateral damage of people suffering, not just from their illnesses but also from mismanagement in a health system that is not fit for purpose.

The Taoiseach: I absolutely acknowledge that the Deputy is putting us on notice about this issue, issues in the hospital in Galway and the health care system in general. There has been considerable investment in University Hospital Galway in recent years. The budget has been increased year on year for the last three, four or, perhaps, five years and there are more staff. The new 75-bed block, all individual rooms, which was opened in the last 18 months is a good

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addition to the hospital too. We have never had a bigger health budget than we have now and we have never had more staff working in the health service than we have now, but I appreciate that it is not enough. We need to increase the number of staff and budgets for health care further. All of this is provided for in the budget to which we agreed only a week or two ago. We need to add more beds to the hospital system, as well as investing in primary care services. When it comes to the hospital in Galway specifically, there is another new block in planning - a new emergency department - which I accept is long overdue. As part of the new block, there will be maternity and paediatric services also. We need to get it through planning and start building it.

An tOrd Gnó - Order of Business

Deputy Róisín Shortall: The business this week shall be as set out in the first revised report of the Business Committee, dated 22 October 2019.

In relation to today's business, it is proposed that the Dáil shall sit later than 10 p.m. and adjourn at the conclusion of Private Members' Business which shall be taken for two hours at the conclusion of statements on developments in Spain. No. 37, statements on an acknowledgement and apology to the women and families affected by the CervicalCheck debacle, shall commence immediately after the Order of Business and be followed by Taoiseach's Questions and shall conclude within 85 minutes, if not previously concluded. Statements shall be confined to a single round for the Taoiseach and leaders or the main spokespersons of parties and groups, or a member nominated in their stead, and shall not exceed ten minutes each, with a five minute response from a Minister or a Minister of State, and all Members may share time. No 38, statements on developments in Spain, shall be brought to a conclusion after 45 minutes, if not previously concluded. The statements of a Minister or a Minister of State and the main spokespersons for parties and groups, or a member nominated in their stead, shall not exceed five minutes each, with a five minute response from a Minister or a Minister of State, and all Members may share time.

In relation to Wednesday's business, it is proposed that the Dáil shall sit at 9.30 a.m. to take No. 39, financial motions by the Minister for Finance [2019] (motion No. 9, resumed). If there are no speakers offering, the motion shall be adjourned and the sitting shall be suspended until 10.30 a.m. The Dáil shall sit later than 10.15 p.m. and adjourn not later than 11 p.m.. No. 40, statements on post-European Council meeting of 17–18 October, pursuant to Standing Order 111, shall commence immediately after Taoiseach's Questions and be followed by the suspension of the sitting under Standing Order 25(1) for one hour and shall conclude within 1 hour and 45 minutes, if not previously concluded. The statements of a Minister or a Minister of State and the main spokespersons for parties and groups, or a member nominated in their stead, shall not exceed ten minutes each; a Minister or a Minister of State shall take questions for a period not exceeding 20 minutes, with a five minute response from a Minister or a Minister of State, and all Members may share time. No. 1, Industrial Development (Amendment) Bill 2019 [*Seanad*] - all Stages, shall conclude within three hours. The proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion after two hours and any division demanded at the conclusion of Second Stage shall be taken immediately; speeches on Second Stage shall not exceed ten minutes each, with a five minute response from the Minister or a Minister of State, and all Members may share time. The proceedings on Committee and Remaining Stages shall

be taken at the conclusion of Second Stage for the remainder of the three hours and shall, if not previously concluded, be brought to a conclusion by one question which shall, in relation to amendments, include only those set down or accepted by the Minister for Business, Enterprise and Innovation.

In relation to Thursday's business, it is proposed that the Dáil shall sit at 9.30 a.m. to resume Second Stage of No. 12, Finance Bill 2019, if not previously concluded. If Second Stage concludes before 10.30 a.m., the sitting shall be suspended until 10.30 a.m. The Dáil shall sit later than 8.03 p.m. and shall adjourn on the conclusion of Topical Issues, which shall be taken on the conclusion of proceedings on all Stages of the Industrial Development (Amendment) Bill 2019 [*Seanad*]. On No. *a17*, motion regarding financial resolutions of the Finance Bill 2019, the financial resolutions for the Finance Bill 2019 shall be moved together and decided without debate by one question. No. *40a*, statements on matters in respect of the report of the Committee on Procedure on Dáil divisions, shall be taken following the suspension of the sitting for not more than 40 minutes. Statements shall be confined to a single round for a Minister or Minister of State and the main spokespersons for parties and groups or a Member nominated in their stead and shall not exceed five minutes each. The statements shall be followed by any personal explanations permitted by the Ceann Comhairle under Standing Order 46. The order shall resume thereafter. No. 12 is the Finance Bill 2019 and any division demanded on the Second Stage motion after the weekly divisions have taken place shall be taken immediately. No Private Members' Bill shall be taken under Standing Order 140A and no committee report shall be taken under Standing Order 91(2). The Dáil on its rising shall adjourn until 2 p.m. on Tuesday, 5 November 2019.

An Ceann Comhairle: I thank Deputy Shortall. There are three proposals to put to the House. Is the proposal for dealing with today's business agreed to?

Deputy Richard Boyd Barrett: I understand and find it absolutely correct that we need to make time on Thursday to address the issue of people voting when they were not present and the investigation that is being undertaken. I accept the need to debate that this week. However, I also think that this critical discussion, which has to happen this week to restore the integrity of the voting system, should not overshadow another issue, which I mentioned at the Business Committee and which has to be discussed as a matter of urgency. I refer to the revelations around the national children's hospital and the suggestions that we are facing yet another overrun on a project that has overrun massively, and to the resignation of somebody who is in charge of public procurement across all Departments from the board of the national children's hospital. This is a serious matter of public interest that needs to be debated this week.

Deputy Micheál Martin: I support Deputy Boyd Barrett. I raised the matter in Leaders' Questions earlier. The cost of this project has escalated beyond any reasonable expectation at the beginning. The resignation of the State procurement officer has all the appearances of a serious decision. There is reluctance on the part of Government to talk to the person, particularly the Minister for Public Expenditure and Reform, who must be very concerned about the runaway costs of this project. The minutes of the August meeting and the July and June meetings must give cause for concern. One gets a sense that the situation is not under control and that there are significant health and safety issues, on which I would like to have a transparent presentation. I support Deputy Boyd Barrett's call for an urgent debate on that issue.

Deputy Brendan Howlin: I too support that request. There are a number of issues I would have liked to raise with the Taoiseach regarding the ongoing, spiralling cost of the national

children's hospital. Bluntly, the reaction of the Taoiseach today, almost to say that it was none of his business, is not an acceptable view. We need to have great clarity about the biggest construction project in the State sector that is under way right now.

Deputy David Cullinane: I want to raise a matter in respect of No. 40a for Thursday, namely, the statements that will be taken on the report from the Committee on Procedure. I know we are dealing with Tuesday but I ask the Ceann Comhairle to bear with me for a second. There may well be a vote called on the Order of Business for Tuesday's sitting. If that is the case, it does eat into time and we may not get to making our points about Thursday's sitting.

An Ceann Comhairle: We have a call now for a debate on the children's hospital and related matters. Can we deal with that first and we will return to Deputy Cullinane on his matter then?

Deputy David Cullinane: Yes. I am saying that if a vote is called, that will not preclude us from being able to put questions in respect of Thursday's sitting.

An Ceann Comhairle: No, it does not. I call Deputy Shortall, on the same matter.

Deputy Róisín Shortall: I support Deputy Boyd Barrett. It is important to have a debate this week on the runaway costs of the children's hospital and on what is the precise role of the chief procurement officer. Has he gone back to continuing in that role? Why did he step down from the hospital board? I supported Deputy Boyd Barrett at the Business Committee in his request for this debate. It is a pity that other representatives from Fianna Fáil and the Labour Party did not do likewise.

Deputy Brendan Howlin: We were not given enough notice of this matter.

An Ceann Comhairle: Before I call on the Taoiseach or the Government Chief Whip, having some knowledge, as many of us here have, of the itinerary for this week, I would love to know where time can be found to have the debate.

The Taoiseach: Subject to the agreement of the Business Committee, we have no difficulty in having a debate on this on Thursday, but perhaps the Ministers for Health and Public Expenditure and Reform might be allowed to get briefed up on this before the debate on Thursday.

Deputy Micheál Martin: They should be briefed already on this.

An Ceann Comhairle: Please, can we allow the Taoiseach answer?

The Taoiseach: If Deputies are interested in genuine accountability, rather than the political circus that happens too often in this House, an Oireachtas joint committee hearing that the head of the procurement board - the people who are actually delivering the project - could also attend might be an alternative.

To restate what I said earlier, the resignation from the board happened three months ago. Last June, the Oireachtas joint committee was told that in any construction project, a contractor can make claims for additional expenditure outside of contract. The figure allocated by the Government of €1.433 billion in December 2018 has not changed.

An Ceann Comhairle: I ask the Members demanding the vote-----

Deputy Micheál Martin: Can I ask a question, please, on a point of order?

On this issue, a Ceann Comhairle, it is not unusual in this House that requests are made to alter the schedule and that the Business Committee would be asked to reconvene to take on board what has been articulated by some Members here this morning. I, for one, find it incredible that the Taoiseach has said here that he wants his two Ministers, for Public Expenditure and Reform and for Health, to be briefed up on the largest and most expensive project-----

Deputy Brendan Howlin: Would they not be briefed if there was no debate?

Deputy Micheál Martin: -----in the history of the State, which is going off the rails.

Minister of State at the Department of the Taoiseach (Deputy Seán Kyne): We are happy to accommodate a debate on Thursday. We are dealing with the Finance Bill, which may conclude Second Stage on Wednesday. We have set aside an extra hour, to start at 9.30 a.m., on Thursday. Hopefully, that will conclude. The IDA Bill is a Brexit-related Bill. We have three hours set aside for that, which based on what happened last week I expect to conclude more quickly than that. I am confident, therefore, that we will find time after those Bills on Thursday.

An Ceann Comhairle: Can we agree that the Business Committee at its meeting on Thursday morning will reschedule the business to provide for time for this matter? Agreed. I call Deputy Cullinane.

Deputy David Cullinane: This concerns the Thursday sitting and the 40-minute debate that is being put aside for the report from the Committee on Procedure on the voting record last Thursday. I have a number of questions on this matter for the Ceann Comhairle.

An Ceann Comhairle: I am not here to answer questions.

Deputy David Cullinane: I do not believe that 40 minutes is adequate and we will be opposing the Order of Business on this basis. Second, it is not clear where the Taoiseach said that the Deputies involved, namely, Deputies Dooley, Niall Collins and Lisa Chambers, will be present in the Chamber and would be in a position to field questions. That is not clear. Maybe Teachta Micheál Martin would-----

An Ceann Comhairle: I will make that clear for the Deputy, if he allows me to, please.

Deputy David Cullinane: -----be able to clarify that for us. I would be grateful if the Ceann Comhairle could, please.

An Ceann Comhairle: When the Deputy resumes his seat, I will make it clear.

The Business Committee agreed this morning that there would be 40 minutes for statements with five minutes each for each of the groups. This, I believe, was agreed unanimously. There is a further 20 minutes available for Deputies to make personal statements. Whether they make personal statements or not, is a matter for themselves. We cannot direct or force them to make personal statements. I have been surprised to hear reference to questioning of Deputies. The Constitution is very clear. The only questions that are be put in the House are questions to Members of Government. The Government is answerable to the House. There is no structure whereby we can interrogate individual Deputies.

Is the proposal for dealing with today's business agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to? Agreed. Is the proposal for dealing with Thursday's business agreed to?

Deputy David Cullinane: It is not agreed.

Question put.

An Ceann Comhairle: In accordance with Standing Order 72, as the required number of tellers have not been appointed for the Tá side, I declare the question lost. Therefore, the Sinn Féin objection to the Order of Business is carried. It will be necessary, therefore, for the Business Committee to consider alternative plans for Thursday.

Question declared lost.

An Ceann Comhairle: We now move to questions on promised legislation.

Deputy Micheál Martin: As far back as 2017 the Department of Health announced that a funding model would be presented to the Minister for Health, Deputy Harris, for assisted human reproduction. It was announced in January this year that €1 million was to be allocated for an IVF fund. It is particularly cruel to raise expectations for many couples who are finding it extremely difficult financially to afford IVF treatment. I have met many couples who are waiting for clarity on the fund. The idea is that it will essentially be public funding to assist families who are in very difficult circumstances. As we know, many couples remortgage their homes and go to significant lengths to try to afford IVF treatment. Will the Taoiseach indicate when the assisted human reproduction Bill will be brought before the House? The heads of the Bill were approved as far back as 2017, the funds have not yet been drawn down.

The Taoiseach: The Minister for Health, Deputy Harris, will answer the question in a moment. I am conscious that we were to have the State's apology at 3 p.m. and there are people in the Visitors Gallery and elsewhere. Rather than raising 30 or 40 miscellaneous items, perhaps we might go straight to it and then take questions on promised legislation, if that is agreeable to the House.

An Ceann Comhairle: I am content to come back to questions on promised legislation if Members want to do so. Is that agreed? Agreed. There are two Bills to be introduced also, to which we will have to revert.

Acknowledgement and Apology to Women and Families affected by CervicalCheck Debate: Statements

The Taoiseach: As Taoiseach, on behalf of the State, I apologise to the women and their loved ones who suffered from a litany of failures in how cervical screening in the country operated for many years. I do so having listened to many of those affected and do so guided by the Scally inquiry report.

Today we say "Sorry" to those whose lives were shattered. We say "Sorry" to those whose lives were destroyed and to those whose lives could have been different. We know that cancer screening programmes cannot detect all cancers, but we also know that many failures have taken place. We are sorry for the failures in clinical governance. We are sorry for the failures in leadership and management. We are sorry for the failure to tell the whole truth and to do so in a timely manner. We are sorry for the humiliation, disrespect and deceit, the false reassurance,

the attempts by some to play down the seriousness of the debacle and inaccuracies and claims from others, all of which added to confusion and public concern.

We apologise to those who survived and still bear the scars, both physically and mentally, as do their families. We apologise to those who are here in our presence and to those watching from home who have always kept this matter to themselves. We apologise to those who have passed on and cannot be here. We acknowledge the failure that took place with CervicalCheck. I know that today's apology is too late for some who were affected and that for others, it will never be enough. Today's apology is offered to all of the people the State let down and to their families who also paid the price for those failings - a broken service, broken promises, broken lives, a debacle that left a country heartbroken, a system that was doomed to fail.

We apologise to our wives, daughters, sisters and mothers. We apologise to the men who lost the centre of their lives and who every day have to pick up the pieces - single fathers and grandparents. We apologise to the children who will always have a gaping hole in their lives. We apologise to all those who are grieving for what has been taken from them; the happy days that will never be. A State apology may not provide closure, but I hope it will help to heal. I have met some of you and your families in recent weeks. I have heard your stories, told to me with dignity, courage and integrity, about families turned upside down; the grief of losing loved ones; the guilt of those who survived, thinking they were the lucky ones; those who have lost their jobs and careers, their ability to have children, and their feeling of self-worth; those who feel mutilated inside; and about those who feel they have robbed their partner out of the possibility of having a child, with a future stolen from them. A State apology will not repair all that has been broken or restore all that has been lost but we can make it count for something. Thanks to Dr. Scally's three reports into CervicalCheck, we have discovered many truths and now know many of the facts. There are some things that we will never know but we can act on what we know about. The Government has accepted all of the recommendations set out in Dr. Scally's reports and all will be implemented.

In the words of Vicky Phelan, I too want something good to come out of all of this. Speaking as a doctor, as well as a politician, a brother and a son, I know the lessons we must learn. We need to build a different and much better culture in our health service, one that treats patients with respect and always tells the truth and which is never paternalistic, because the doctor does not always know best. We must share full information with our patients, admit mistakes and put the person first. There is no information about a patient that the patient should not know. No patient should ever feel stonewalled by the system. We should never fail to act out of fear of litigation or recrimination even if those fears are real. The involvement of patient advocates such as Stephen Teap, Lorraine Walsh and others has shaped and enhanced our response. We revised the open disclosure policy so that in future patients will have full knowledge about their care and treatment. They will be informed when things go wrong, will be met to discuss what happened, and will receive a sincere apology if an error was made while caring for them. Above all, patients will be treated with compassion and empathy.

The new patient safety Bill will provide for the mandatory reporting of serious reportable events and will establish a statutory duty of candour. We will soon establish a new independent patient safety council. The first task of that council will be to undertake a detailed review of the existing policies on open disclosure across the whole healthcare landscape. As a State, we aim to make cervical cancer a very rare disease. It is almost impossible to eradicate a disease but we can come very close. We are switching to primary HPV screening and Ireland will become one of the first countries in the world to adopt this new, more accurate screening test. We

are also extending the ever-developing HPV vaccine to boys. We are educating and informing parents about the benefits of the vaccine. We are investing in better facilities in Ireland, such as a national cervical screening laboratory, in conjunction with the Coombe. This enhanced facility will take some time to develop but will provide a better balance between public and private provision of laboratory services to the cervical screening programme, always putting quality ahead of cost, and it will bring more testing back to Ireland.

I also want to recognise the staff of the HSE, of CervicalCheck in Limerick, and the people working in smear clinics, colposcopy clinics and outpatient departments across the country. They too got caught up in the system's failure. I know they are not individually to blame and have been working hard ever since to put things right. We need to restore confidence in screening. We need to listen to those who have suffered and learn from their stories so that we can find justice and truth. In July, this House established the CervicalCheck tribunal, a statutory tribunal to deal with the issue of liability in CervicalCheck cases. It will not be perfect but it will be quicker, with a dedicated judge and independent experts, and it will be less adversarial than court. Women will still have the right to go to court. Separately, we established an *ex gratia* compensation scheme for those affected by the non-disclosure of CervicalCheck, to provide financial compensation without the need to go to court. However, this was never about money. It was about accountability, discovering what happened and why, providing justice and finding peace. It was about making a meaningful acknowledgement of what happened and giving an assurance that this will not happen again to anyone else again. Sadly, as we have seen further errors in some laboratories since the publication of the Scally report, causing confusion and anxiety, I know we have more to do to restore confidence and we are determined to do so.

What happened to so many women and their families should not have happened. While every case was not negligence, every case was a lost opportunity for an earlier diagnosis and treatment. It was a failure of our health service and our State, its agencies, systems and its culture. We have found the truth and the facts and are making changes to put things right. We need to restore trust and rebuild relationships that have been severely damaged. On behalf of the Government and the State, I am sorry that all this happened and I apologise to all those hurt or wronged. We vow to make sure that it never happens to anyone else ever again.

Deputy Micheál Martin: On behalf of the Fianna Fáil Party, I strongly support and welcome the apology by the Government for what women and their families were put through as a result of the cervical cancer screening scandal. The incredible and avoidable stress that they and their families have had to endure, as well as too many serious delays in treatment, have quite rightly been a major concern for the Irish people since the first details of this scandal emerged. I wish to share my speaking time with Deputy Donnelly.

It took a very brave and determined woman, together with her family, to go to the High Court before the scandal was actually acknowledged and it has taken a series of damning independent reports before the full details were revealed. The facts of this scandal and the failings it exposed have posed a direct and urgent challenge to a vital part of our health system and those who oversee it. However, our first duty today must be to honour the fight of those affected in order to obtain information, accountability and, above all, change. They fought for themselves, but they also fought for the women of today and the years ahead who need a screening service and a system they can trust at one of their most vulnerable moments. This scandal has touched on many important issues relating to the oversight of our health services and, more fundamentally, how the rights of individuals can be too often ignored in the design, delivery and oversight of women's health services.

Screening services are one of the greatest advances of modern medicine. The ability to identify diseases in time for early and more effective treatment is now a fundamental part of helping people to live longer and healthier lives. In this case, the introduction of national screening for cervical cancer directly targeted one of the diseases most responsible for the early deaths of women. Let us never forget that this service has saved thousands of lives. No screening or diagnostic service in the world is without error. However, every patient who uses such a service has the right to know that everything possible has been done to reduce potential error and that they will be quickly and fully informed when those errors are spotted.

As the High Court heard and as the Scally and MacCraith reports showed in detail, hundreds of women were badly let down on these fundamental points. Since the system believed in the value of its work and because of a failure to put the patients' interests at the centre of every decision, vital information was withheld, appalling errors were made and it took immense legal, public and political pressure for action to be taken. As the reports demonstrated, there was an aversion to open and full disclosure. Multiple examples were exposed of what Professor MacCraith described as women being frustrated in their search for results and clarifying information. They were given incorrect information, often after another serious delay and for many, the information they were given was still inaccurate. The paternalistic approach of deciding what women could be allowed to know about their own health was demonstrated at important moments, with vital results often only supplied to doctors with no intention to inform the women involved. The reports also pointed to the central lack of proper corporate governance within the HSE. The replacement of the HSE's independent board by a system that directly reported into the Minister's office was an enormous error by the Government and underpinned a culture where there was no one focusing on general oversight. Dr. Scally particularly pointed to the need to restore this essential governance layer and for the voices of patients to be included at this level. The Government's decision to reverse its abolition of the HSE board is welcome and we hope it will become the driving force for reform, which is so badly needed.

The series of recommendations made in the Scally and MacCraith reports are detailed and there appears to have been progress in important areas. However, the history of the handling of this scandal and of other scandals in recent years means nothing can be taken for granted and pressure must be maintained so the reports are implemented in full. Errors were clearly made in that response and lessons will have to be learned.

I would like to remind the Taoiseach and the Minister for Health, Deputy Harris, that in the full spirit of this apology, we need to bear in mind the sense of grievance one whistleblower, Ms Sharon Butler Hughes, still has about how she was treated. She feels her integrity was wrongly impugned. She did some important work for the public good and service. I ask the Minister please to meet Sharon Butler Hughes without precondition-----

Deputy Simon Harris: Yes.

Deputy Micheál Martin: -----because the letter that issued to her put preconditions on such a meeting and in the spirit of this apology I would like to see that happen.

In the future work of this House, we must make sure we honour the struggle of those who worked to get to the truth and demand reform. We cannot let the programme of change for the planning, delivery and oversight of screening services become yet another area where early publicity is followed by a failure to deliver. This apology by the Government is an important step, but the true measure of it will be seen in the action which is taken today and in the months

and years ahead. It will particularly be seen in the judicial system, where the State must follow through on the spirit of this apology in not being adversarial. An adversarial judicial system has become the essential mechanism for the cover-up of scandals of this kind. Never again can that happen.

It is about eight years ago since Ms Vicky Phelan was first diagnosed and it took a long time to get to the High Court and to get the situation revealed. It is about a year since the hearse of Emma Mhic Mhathúna passed by the gates of Leinster House, as part of a premeditated decision by Emma to remind us all of the impact of this scandal, and to remind us of our essential duty and obligation to make sure nothing like this ever happens again. We thank them and all the women involved for their dogged determination in ensuring change and in providing a pathway for the future well-being of women in this country.

Deputy Stephen Donnelly: I want to acknowledge the women and their families who have travelled to Dáil Éireann and who are with us today. I also want to acknowledge the many women and their families who are watching this apology at home. Today's apology is important and welcome. A formal State apology is a serious thing. It is an acknowledgement the State has caused or has been complicit in causing, the most serious hurt to people, and it is undeniable many thousands of women across Ireland have been treated appallingly in the last year and a half.

Every woman should have been told of the results of previous audits of their tests. No woman should have had to battle both the laboratories and her own State in court. No woman should have been asked by her own State to sign a non-disclosure agreement. Women and their families should have had access to supports quickly once this was uncovered. Some 80,000 women should not have had to wait up to nine months to receive their test results and many thousands more should not have had to go for retests. No woman should have been shut out of the public healthcare system because, in desperation, she went and paid privately for a test. When that happened, the HSE should not have apologised for any "confusion" caused: it should have been very frank, very open and very apologetic. It should not have taken the work of one woman to uncover the serious issue of many test results not being issued to either the women nor to their GPs. Preconditions should not have been given to any woman about what she could and could not discuss with Government when they met.

Dr. Scally's report into the governance failings was comprehensive. It is good to see and I acknowledge the progress being made on his recommendations. However, as the Taoiseach has said, there is far more that needs to be done and I agree with that. The HPV test will save lives and it was meant to be in place last September. We must all work together to get it in place as quickly as possible. Many women who face delays seeking smear tests are now facing delays in their follow-up specialist care and we must all work together to bring those waiting lists down to zero.

It is essential these issues are resolved, that public confidence is rebuilt, that as many women as possible engage in the screening service and that men engage in the other screening services, because they save lives every day. It is thanks to the service of women and their families, some of whom are with us today, and it is thanks to their fight, their refusal to be silent, their bravery and their extraordinary perseverance that we are here today and that we have identified many of the failings. We must and can work together to fix those failings, to make sure we have the best and most effective screening services on Earth, and that all patients, women and their families are treated at all times with dignity, respect and openness.

Deputy Mary Lou McDonald: Before I begin, I want to acknowledge the women and their families who join us today. The Taoiseach's apology is most welcome. It is important the apology not only relates to the initial failures, but also to how women were treated in the wake of this scandal. Women and their families were dragged through the courts to access their vital medical information. Women had to fight to access information on assistance payments. The initial investigations were slow and struggled to gain the confidence of the women affected. Unfortunately, as the Taoiseach has acknowledged, delay and obstruction were the overriding themes of the response to this catastrophe. Mistakes were made again and again, as more women received incorrect results. Labs were added to the CervicalCheck programme without the proper checks being conducted.

I hope I am wrong but unfortunately it seems that some of the lessons of this crisis have still gone unlearned, because beyond this welcome apology, Government must fix the system. Dr. Gabriel Scally called this apology momentous, stating that: "The three things that really matter to people when things really go wrong badly in the medical system are for someone to tell them the truth, what went wrong, why it went wrong; secondly to say sorry and to really mean that, and from someone with some skin in the game; and the third is to say how it is going to be avoided in the future." This means that in addition to this apology, there needs to be real reform of the screening programme, because screening saves lives. We must see the recommendations of the Scally and MacCraith reports implemented because we can give apologies here with words, but words are hollow without the actions to back them up. We can say that lessons have been learned from this and that this will never happen again, but without putting in place the recommendations of the Scally and MacCraith reports, this could happen again.

A real and tangible apology consists of words and actions. Let us say honestly that because of what happened and in the memory of those who are no longer here, real change has been made, our services are better and this will never happen again. Central to ensuring this is the repatriation of the smear testing process to Ireland. This was recommendation No. 7 of the MacCraith report. It is imperative that a plan, along with funding, is put in place to do that. It is clear that outsourcing played a part in this scandal and in the further mistakes that were made as regards delays in tests and the issuing of results. We know that this cannot be achieved overnight, but we need to work towards it because we have to fix the system. We have to ensure that women can enjoy absolute confidence in the screening processes on which we rely. Fixing anything in the health service means funding, as the Taoiseach knows. His words today need to be followed with actions and those actions need to be backed up by funding.

It was disappointing that in this year's budget no specific funding allocation was allotted to the CervicalCheck programme. This needs to change. The programme needs additional funding to ensure it can change and to implement the recommendations of the MacCraith and Scally reports. I hope, after this moment of apology, that in the coming weeks additional funding can be put forward for the CervicalCheck programme.

We also need to see the implementation of the patient safety Bill. This will provide for mandatory open disclosure of serious reportable patient safety incidents and notification of reportable incidents as well as other changes. The general scheme of the Bill was published in July 2018 but we are still awaiting pre-legislative scrutiny and holding out for its implementation. It is a matter of utmost urgency that the Bill be progressed and that we have full open disclosure.

In the summer of 2018, Emma Mhic Mhathúna spoke outside the gates of the Dáil. She stood with her young children at her side, who were facing the unbearable reality that they

would lose their beautiful mother so early in life. With the mic in her hand, Emma was a force a nature – sharp, witty, funny and utterly unbroken. One line from her speech sticks in my mind to this day. I recall that Emma said; “I am not going to die and leave this country in unsafe hands.” I stood in awe of this young mother fighting for her life and yet still having the courage and determination to speak out for others. She was grace itself, a wonderful person whose tomorrows were stolen from her. She was a beloved mother, daughter, sister and friend whose life was cut short.

I acknowledge there were many other Emmas, other women whose names we might never read in our newspapers but whose families too now live with the sorrowful reality of the empty chair. Beyond the headlines and the heat of the political crisis, Stephen Teap gave an insight into life without his wife, Irene. It is the simplicity of what he had to say that revealed the utter heartbreak. Stephen said; “For instance, I look at Noah [one of his boys] and I ask myself: do I start him in school in September or do I wait until next year? Who do I bounce that thought off? You end up discussing it with relatives and friends and it’s like all decisions then are just you and you alone.” Every parent inside and outside the House can relate to the loneliness of those words. This is the scale of the devastation. This is the depth of the loss. This is the CervicalCheck scandal. We can never lose sight of the human cost of the failures and we should never ever underestimate it. I know we do not.

We also should never forget that if it was not for Vicky Phelan revealing her personal agony in such a very public way that all of this agony may have been borne very privately. Vicky Phelan did not stay silent. Vicky spoke up. What dignity and what bravery. She is owed an immense debt of gratitude. Thank you, Vicky.

As I said, the State’s apology is welcome but the Taoiseach’s words must mark real and tangible change. It is our responsibility now to honour the memory of women such as Emma and Irene by fixing our system. This is the very best thing we can do for all of the women affected by the CervicalCheck scandal and for all of the women, girls, men and boys of Ireland.

Deputy Alan Kelly: When Vicky Phelan stood outside the High Court in April last year, following her decision not to sign a confidentiality agreement regarding her case, she changed Irish healthcare provision forever. Her campaign for justice since then has been one of the most courageous any of us has ever seen and certainly the most courageous I have ever seen. When she, along with her fellow campaigner, Stephen Teap, attended the Committee of Public Accounts a few weeks later, they opened a scandal to us that was unprecedented, complex and deeply troubling. I swore to them that day walking back to their taxi that I would do all I could to help them and I hope I have honoured that.

We, as a State, are today acknowledging that we let down the women of Ireland. We let down the women affected by the cervical cancer scandal and we let down their families. It is a watershed moment. I thank the Taoiseach for listening to the continuous requests that I and many others made for this day to happen and for meeting the 221+ group and their patient representatives on a number of occasions recently. It also helped him to understand that this day was necessary.

I acknowledge all of the women in the Gallery and their families. I also acknowledge all of the young people who will look back on what we are saying today. They have been affected by it but they are that little bit too young to fully understand it. I am particularly thinking of Noah and Oscar Teap. This record will be there for them and many other young people who have

been affected. It will record the mistakes that deprived many of them of a loved one.

An apology today will not bring back any of the women who have passed on, including Emma Mhic Mhathúna, change the terminal diagnoses others have, prevent the fact that some women, such as Lorraine Walsh, cannot have children, or make up for many of the medical complaints from which many of the women continue to suffer. What it is though, is the beginning of a healing process. Finally, we have a proper informed official acknowledgement of the wrongdoings that happened.

Collectively, we have all learned so much since Vicky spoke outside the High Court. We have had the Scally and MacCraith reports. They have shed so much light on what happened. They also raised ongoing questions regarding the Department of Health, the HSE, healthcare professionals and many others. I and others will continue to pursue those questions.

We in the Chamber also have questions to answer but they are certainly for another day. However, one thing is very clear: The decision to outsource the laboratory work many years ago was the wrong one. In fairness to some Deputies, one of whom is sitting beside me and one a few seats away from me, they questioned this and pointed it out at that time. The laboratories were not fine. The quality assurance that was necessary was not in place, the contracts were not managed appropriately and the accreditation in some cases was done retrospectively. These are the facts. It was not acceptable. I do not believe we have found out everything about some aspects but perhaps with the passage of time, we will.

Today, I am hugely thinking of another lady, Ruth Morrissey, who had to take on the State to get justice. She spent over two weeks in total in the High Court only to have the judgment appealed again. Today, I stand in solidarity with her. The Taoiseach said no woman would have to go through what Vicky Phelan went through and no woman would have to face the adversarial setting of the High Court given what had happened to them. It was an error by the Taoiseach but I accept that he has subsequently acknowledged that and it is important that he did. The way Ruth Morrissey is being treated by the State is not something that I accept, however, and I am thinking of her and her family today.

I want particularly to acknowledge the patient advocates who have worked so hard on behalf of the 221+ support group. I acknowledge Mr. Stephen Teap, who lost his beautiful wife Irene, and Lorraine Walsh, who lost the opportunity to have children. I also acknowledge the amazing Vicky Phelan. The work and advocacy they have done has been frankly incredible. Three finer, more decent and caring people I have never met. They deserve to be respected by us all and particularly by the Department of Health in a way that has not happened to date. This must change and they, along with other patient advocates, deserve to be acknowledged and if we are going to have patient advocates across many different settings, we also need to remunerate them.

This long battle has had some good results: better awareness of screening, a developing understanding among the public that screening is not diagnostic and the introduction of HPV screening. We, in this Chamber, need to row in behind the HPV vaccine, not just for its health benefits but also to acknowledge and honour the work of Laura Brennan and others.

The provision of HPV vaccinations in schools for boys to help create herd immunity is another important step. We can actually get rid of cervical cancer in this country. We can get it down to the minimum level as has been done in other countries.

We have also learned throughout this process to question health professionals in a way that simply did not happen before, even when it needed to. People are taking control of their health-care and that is good. Of course, we are in the process of ensuring that open disclosure becomes ingrained in our healthcare provision, which it always should have been.

However, there are many challenges ahead. The implementation of all the Scally recommendations must happen quickly. The audit of cervical screening has stopped and must recommence from the day the previous one ceased. I have never got confirmation that will happen and I ask the Taoiseach to confirm it. Audits are good things and the recommenced audit must start from the day after the previous one stopped.

We also need to provide an optional, low-cost vaccination programme for adults. Dr. Doireann O'Leary, a general practitioner from Cork, has pointed out there is growing evidence that the vaccine is effective past adolescence and beyond the age of 26.

The review by the Royal College of Obstetricians and Gynaecologists, RCOG, also needs to be completed. I am making a clear point to the Taoiseach today. The fact that the review is behind schedule and that there are issues with validating the data is not acceptable. The State must get this right and cannot mess it up. At present, I am not supremely confident the State will not mess it up and that cannot happen. When did an independent review by RCOG have to be revalidated by the HSE? This is something I hope the Taoiseach and his Minister will prioritise.

Today has been a long-awaited day for the women of Ireland, particularly those at the centre of this scandal. It is a critically important day for all of the people in the Gallery who have been affected. What has happened to these women and their families over the past two years has been a black mark on our State's history. If the right steps are now taken, many of which have been outlined here today, it will mean we never allow such a black mark to happen again. I have talked to many of the people who are in the Gallery today and that is the true legacy that they want from today's apology. They want us to have a screening programme of which we can be proud, one that is open with patients and tells them everything, gives them the best care and looks after them as citizens of our State. We, collectively, must do that and if we do, that will be the ultimate impact of this apology for all of those watching from the Gallery and for all those who are watching these proceedings now and in the future.

Deputy Bríd Smith: I am sharing time with Deputy Coppinger. Like others, I warmly welcome the 221+ group and their families to the Gallery today and we should all be extremely proud of the calibre of women in this country and the courage they have had in fighting this terrible battle and tragedy.

One cannot help but notice there was a familiar ring to the apology although it was heartfelt from the Taoiseach and the Ministers involved. It is, once again, an apology to the women of this country whose lives have been unutterably altered by the actions and inactions of this State. While I am happy for the 221+ group, their families and the many others outside these Houses who are receiving this apology, I question what it actually means and the lessons and changes in policy that led to this tragedy.

I want to start by making what seems an obligatory statement, particularly for a woman in this Chamber. I support the screening programme fully. As a woman, I want to emphasise the importance of not undermining the national CervicalCheck screening programme. I support the programme and know too well that it is vital for women but I will not take lectures or mans-

plaining from Ministers or officials who try to patiently explain to me the difference between a screening service and a diagnostic service, that screening services have limitations and all of them have statistically proven numbers of misread or false negative slides among the reads. I know that, as do the women here and many of the women in Ireland. We also know all too well that we must question what today's apology is for. It is for treatment and non-disclosure, which is good but the apology would sit better with all of us in this country if we did not know that, in the near future, the Taoiseach, his Cabinet and the State will take the finest legal minds to a courtroom to argue against Ruth Morrissey in an effort to have a decision overturned that this State ultimately bears responsibility for the catastrophic errors in the laboratories in her case. The State is responsible.

Today's apology should be for the decision taken in 2008 by the then Government, and reiterated by Ministers of Health since, including the now Senator Reilly, the now Taoiseach and the current Minister, Deputy Harris, to continue the outsourcing and privatisation of the screening service. The State was responsible when it did not check whether the laboratories to which it contracted out the services were ISO accredited. The State was responsible when it made cheaper costs the chief criteria in awarding contracts to those outside laboratories and when it did not bother checking the condition and volume of work of screeners in the laboratories to which the service had been contracted. It is incredible that, to this day, the State has failed to investigate what happened in those laboratories when catastrophic errors were made in reading the slides.

For two years, I have asked for a breakdown of the laboratories involved in the misread slides and have been told it is complex, not straightforward, and a breakdown of these misread slides from the laboratories would not capture the full nuance of the issue. I have been told that the laboratories' standards and practices were beyond reproach. We have been told repeatedly by the Minister and the HSE that there is nothing to see, that all laboratories make errors and the errors that were made were statistically in line with what might be expected. Professor Scally was and is invoked to confirm that standards and practices in private laboratories are not the issue. Why, then, is the Taoiseach so assured by the good Professor Scally when the State specifically required him not to look at the medical records or slides of the 221 women? The

4 o'clock Scally report never looked at the errors that have so far left 22 women dead with, sadly, more to follow. Scientists have been paraded out to confirm that we just do not understand the complexities and limitations of the screening but we now have the laboratory audit of the 221 women and 354 slides. We can now have some light thrown on these narratives. What do these statistics and figures show? One public laboratory, with cytologists and technicians trained here in Ireland to standards over which we had oversight, which were publicly funded and run not for profit, had an error rate of misread slides that was statistically a fraction of that found in Quest Diagnostics and CPL. The error rate for Quest in Illinois was five times that of the Coombe. The error rate for Quest in Teterboro was three times that of the Coombe. The error rate for CPL in Texas was seven times that of the Coombe and even the error rate for CPL in Dublin was five times that of the Coombe. It is incredible to say that, in every abattoir and meat factory in this country, an inspector sits there full time to oversee as cattle are slaughtered and meat is rendered to ensure that standards in end products are adhered to.

But for almost ten years we contracted out work to private laboratories because they were cheaper than our own public service and we did not think to monitor or have oversight of the quality and standard of the work.

I would hugely welcome this apology, and it would sit better, if the Government would cease to pursue Ruth Morrissey and reopen the audit for all women. My secretary's best friend is currently privately paying for an audit of her slides because she has been diagnosed with terminal cancer. Her community in Lucan is fundraising so she can pay that. There is a huge limitation to what has gone on and ending the review has unfortunately not stopped the addition of more cases of women who will face this trauma in the months and years to come. I welcome the apology, as I will welcome the next apology from the next Taoiseach or Minister when they finally apologise for the outsourcing of the service, which has dearly cost lives and created tremendous pain for thousands of families throughout the country.

Deputy Ruth Coppinger: I welcome the women, men and families who have come to the House today. I realise that, for them, it must be at least somewhat of an important step that there would be a formal State apology. It is an apology in words but is it an apology in deeds? We continue to outsource a vital health service and still women are being pursued by the State through the courts. Those two vital issues have not been changed one iota by the Government. Women are still not believed or assisted after all they have had to go through. The rights of the companies that profited from the issue continue to be placed before the rights of women in this country. What does it say that during this crisis, a group called Women's Lives Matter sprang up throughout the country? Is it not something else that women have to set up a group to tell the country their lives matter? That is exactly what has happened. Women's health, as we know, has been second place and second class in this country for a long time. The lack of communication during this crisis and the finding by Dr. Scally of medical misogyny constituted the Ireland of old, where male doctors often knew best and women were not consulted about their own healthcare.

The repeal the eighth campaign, the marriage equality campaign and the action of women in this campaign are positive developments in this country because they are a statement of the unwillingness of those who are being discriminated against to accept it any longer. One of the main slogans in the repeal campaign was, "Our bodies, our choice", which has been repeated thousands of times in recent years. So many spoke about the issue of not being heard or consulted about their own lives, health and future, and here we are again in the case of the women in question.

This is not unique to Ireland. Gender discrimination is an international feature of medicine. In the US, for example, there are 96 health schools but only nine run what are called women's health courses. There are many international statistics on the matter. In Ireland, such discrimination is particularly pronounced, given that there is a strongly patriarchal society, but moreover, the women in question have been victims of capitalism. A decision to outsource vital public screening was taken in the House by Fianna Fáil. While I do not know if Fine Gael voted for it at the time, it nonetheless carried it through. Others, including the former Socialist Party Deputy, Mr. Joe Higgins, spoke out against it at the time. The result, according to Dr. Scally, was that cost became more important than quality, while quality dropped as a weighting factor from 25% in 2008 to 15% in 2012. Price increased as a factor to 40% of the consideration for tendering in 2012. The outsourcing to laboratories thousands of miles away, whose work practices the Government is not privy to, has been the result. If the Government really is sorry, it should stop the outsourcing and commit to providing vital women's health and other health screening programmes through the public health service, and stop pursuing women in the courts.

Deputy Catherine Connolly: Fáiltim roimh an deis páirt a ghlacadh sa díospóireacht seo.

I accept the apology, which was the right thing to do, but for it to mean something, we will need action. Earlier, I raised the issue of the public hospital in Galway. Last week, Caranua appeared before the Committee of Public Accounts, of which I am a member. In 1999, the then Government made an apology to those who had attended residential institutions. When Caranua appeared before us, it was a perfect example of an institution having become far more important than the people it was there to serve.

Apologies can be given. They are very important. It is what the women in question deserve, but action is also necessary. I regret that within the Taoiseach's statement, of which I do not have a copy, I did not hear the Government take responsibility for the mistakes made by each Government during the debacle. In the chapter of his report entitled Women's Health, Dr. Scally states:

One key point that surfaced on several occasions was that most of the doctors involved in the disclosure (or non-disclosure) process were male. This, and the general way in which they felt they had been treated, led the women to develop concerns that the attitudes and lack of openness were accounted for by paternalism in the healthcare system.

The culture of paternalism and "we know best" has been mentioned but there are many further serious issues with decisions made by Government after Government. On the same page, Dr. Scally states, "There was a period when women's health was taken very seriously." Can the Government imagine that? It should be grateful for that. He does not go on to say it is taken seriously now but states:

In 1997 the then Health Minister established The Women's Health Council (WHC) with a remit to advise the Minister ... It had a comprehensive list of functions ...

That was then. Over the period CervicalCheck was in operation, I sat on a health forum in Galway. We knew then that the wrong decisions were being made by the then Minister for Health and Children, Ms Mary Harney, and her colleagues in respect of the matter. It simply should not have been done. More important, the people involved in the laboratories appealed to us and begged us not to allow it to happen but still it went ahead, in a manner whereby women's lives did not matter but the cost did. That is the underlying theme of the issue, namely, that women's lives were incidental to the cost, which was uppermost at all times.

A few passages of the report are worth highlighting. I have read all three reports, the first of which was minimal. It was followed by an interim report and then the final, detailed report by Dr. Scally. What strikes me as I read his report is that if we let him continue to investigate, he will uncover more issues. When we gave him free rein to return to his inquiry, he discovered there were laboratories in Honolulu and many other places. The more he searched, the more he discovered, which is interesting. Where do we stop Dr. Scally in his uncovering of issues about which the HSE and the Government knew nothing? The system in place was not perfect but, gradually, Government after Government made decisions including, as has been mentioned, abolishing the health boards, the Eastern Regional Health Authority and the independent board of directors.

We are told by Dr. Scally that from 2010, CervicalCheck did not have an accountable senior person responsible for the delivery of the programme. That is a Government decision. Staff recounted how the bank guarantee occurred three days after CervicalCheck was launched nationally in September 2008. As the financial crisis contributed to an economic recession, public

sector programmes and organisations saw a reduction in the level of resources afforded to them, with CervicalCheck no different. As its budget was reduced, CervicalCheck struggled to replace departed staff adequately. Such decisions were made at Government level.

I turn to the chapter on CervicalCheck within the HSE governance system. Dr. Scally states that screening was downgraded, having been absorbed into the HSE, and staff felt they had little influence within the HSE as a whole. In 2017, there was an appreciation at the top level of the HSE that not all was well. There were several findings and then a number of recommendations. The report made a series of eight recommendations. I do not have time to read them out but they are outlined on page 33 of Scally's report. Surprise surprise, nobody knows what happened to those recommendations but they certainly do not seem to have been implemented.

The board was dissolved, which meant the removal of an external, independent input into the running of the Health Service Executive at the highest level. The Scally report concluded what we really all knew, at great cost in deaths, suffering and the mental and physical health of the women. It confirmed the failure of CervicalCheck to tell women. We knew it afterwards. The crisis centred on the failure of CervicalCheck to tell women about their own medical information and disclose to them the results of a retrospective audit of their screening history carried out after they had been diagnosed with cervical cancer. A paternalistic milieu, a "We know best" attitude and economic decisions made by Government after Government led to this.

When giving an apology, it is extremely important to put the apology in context. It is important to listen as well. We have only a short time. We on this side of the Dáil have repeatedly been dismissed for being left and radical. I have been quoting Dr. Scally and the staff who worked for CervicalCheck throughout. I have listened to the women. When the Taoiseach gives an apology, I ask him to please put it in context and tell us what he will change. He should tell us how many of the 50 recommendations have been implemented. Following publication of the MacCraith report, will the Taoiseach tell us when the outsourcing is going to stop? That is the kernel of this debacle, along with the milieu and the culture. When will that stop?

On the role of the State Claims Agency, I note Ms Ruth Morrissey has been mentioned. Some clarity on that would be very helpful. Finally, I wish to raise a serious issue that shows the system is not functioning in an open and accountable way. None of this would have surfaced without the bravery of the women concerned, particularly Ms Vicky Phelan, who refused to sign a non-disclosure document. All of us would understand if she had done so, given the pressure she was under. She did not succumb to that pressure and neither did the other women. These are just some of the key issues in this debacle. With the Taoiseach's apology, let us hear context, practical recommendations and steps towards taking this vital service back. Let us look back to when women's health was theoretically important, in 1997. It is now 2019. Let us make women's health important.

Deputy Michael Harty: A formal State apology is a solemn occasion. It is very important and very welcome. It is essential that this apology is made and I thank the Taoiseach for it. It is important not only to the group of 221, but to all women who have been affected by the cervical screening scandal; those who have had their anxiety and concerns raised and those who have waited months for delayed results. This is of course a controversy which has particularly affected women, but it has also affected their partners and families, particularly the families of those who have died as a result of cervical cancer.

However, several issues have been raised in this controversy. It is very important to state

that CervicalCheck has been a successful screening programme. It has saved lives. There has been a 7% year-on-year reduction in the incidence of cervical cancer and 50,000 precancerous changes have been identified since the programme was introduced in 2008. In fact, it was introduced in the mid-west in 2001. That may be cold comfort to those who have suffered because of the deficiencies of cervical screening but it is very important to recognise that this screening programme has essentially been successful, albeit not in all cases. Dr. Gabriel Scally made 50 recommendations in his first report. He identified flaws in the system. Every screening system needs to be constantly reviewed. The flaws he identified included a need for more oversight of the scheme, particularly expert international oversight, as well as experienced expertise in public health, colposcopy and communications. Every scheme can be improved, and unfortunately it took legal action to bring the deficiencies in this scheme to the fore. There have been failures in management, organisation and communication. If Dr. Scally's recommendations are carried out, they will all be addressed. Of particular importance was the placement of patient advocates on various committees in order that the patient's voice could be heard. That is extremely important.

It is important that we welcome this. Unfortunately, we need to welcome those who have suffered from cervical screening to the Gallery today. We should recognise their persistence in pursuing this issue. We as politicians have let them down but we have also striven to repair the damage of this scandal. It is important that we continue to improve this screening programme.

It is important to say that this is not a diagnostic test but a screening test. There are flaws in all screening tests and all tests will fail to pick some people up. That does not mean the failure to pick them up is in any way negligent. It is just an inherent problem with the scheme. However, there are some issues which need to be addressed. One of those is open disclosure. The withholding of information from any patient is wrong. We understand that. We are still waiting for the patient safety Bill to be brought before this House. It is extremely important that open disclosure is a part of the culture of our health service. It is the fundamental issue which underlies this scandal. The fact that an audit was introduced was extremely important. It was the correct action to take. Unfortunately, the closure of that audit loop was the failure of this cervical screening programme.

Dr. Gabriel Scally states it was “deeply contradictory and unsatisfactory” that the HSE had a policy of open disclosure but that policy was not implemented in this case. It is very important that when controversies like this arise, recourse to the courts should be the recourse of last resort. It should not be the recourse of first resort. Unfortunately, that is the case where people feel they can only go to the courts to get satisfaction. Open disclosure will satisfy many people in regard to wrongs they feel have been perpetrated against them by the health service.

There is another issue around absolute confidence. Cervical cytology is not a binary “Yes” or “No” question. It involves a matter of judgment about which it is difficult to be absolute. Screening cannot be absolute. In that context, a programme has built-in safeguards which will minimise missed cases but it cannot eliminate them completely. This is true of every screening programme. A missed case does not necessarily mean negligence was involved. It is extremely important that we move to a much more accurate test, that is, the HPV screening test. That will allow us to repatriate our screening to Ireland, where it should be. I am aware of no country in the world that outsources screening as we do. It is extremely important that HPV screening is introduced as rapidly as possible to allow us to look after our own screening. We will have much more control over the governance of such a scheme.

I am glad the Taoiseach mentioned the pressures that front-line staff in CervicalCheck were under. They were under severe pressure and are still under severe pressure in dealing with this fallout. They have had to deal with the real and legitimate anxieties of women and been under extreme pressure to do so. It has affected their health. People have taken early retirement and left their jobs because they came under so much pressure over screening. The backlog in producing reports on smear tests arose from a political decision, whether right or wrong, to offer an out-of-cycle smear test as reassurance. It provided no reassurance and only increased women's anxieties. It should be highlighted that political decisions taken without recourse to thoughtful medical advice can have far-reaching consequences. It led to the anxiety over cervical cancer screening that has built up during the year.

Deputy Danny Healy-Rae: I welcome all those in the Visitors Gallery who have been affected by this sad debacle. I thank the Taoiseach for apologising on behalf of the Government for the failures of the State and the health system which let down so many women, with their husbands, partners, children, parents, grandparents and siblings. I especially thank two women, Emma Mhic Mhathúna who has departed and Vicky Phelan who did so much to highlight the terrible wrong done to so many women. I hope this very public apology will in some way ensure something like this will never be allowed to happen again. When people get sick, they should receive the very best available care from the health service, but it is clear that this did not happen for many. That must change from now on. What happened to so many women and their families is very sad. It need not and should not have happened. I appeal to the Taoiseach, the Minister for Health and the rest of the Government. They are the people on whom we depend to ensure the health service provides the required care for people when they get sick. When people are sick and vulnerable, the health service needs to kick into action and take care of them. It is clear that many aspects of the health service are letting people down and they have been let down. Emma Mhic Mhathúna who lived in Ballyferriter was let down, as were Vicky Phelan and so many others whose names I cannot remember. In many other aspects of the health service people are being let down. As Deputies, legislators and public representatives, with the Government, we need to ensure things like this will never happen again because when people are sick, that is the time they need care and are depending on us. I appeal to the Government to ensure nothing like this will ever be allowed to happen again.

Deputy Catherine Murphy: Like others, I welcome today's apology and the acknowledgement of the hurt and, in some cases, devastation suffered by women and their families as a result of the CervicalCheck crisis. This is not a happy day; it is a solemn and sad day for those in the Visitors Gallery. I know that recognition for the wrongs done and an apology for them are important landmarks for those so directly affected. However, it cannot be the be-all and end-all. An apology must name what went wrong. For an apology to be true, it must give an assurance that it will not happen again.

We have previously heard in this Chamber very encouraging words issued to women and their families, not least when the Taoiseach replied to me during Leaders' Questions to say none of the women would need to enter a courtroom to get justice. It was an error to give that assurance because the State was not the sole party involved. We need to reflect on these things when they happen in order that those errors will not be repeated in other circumstances. The court cases took place within months of those promises being made and people wondered what was happening.

Members of the 221+ group constantly contacted me to say it was like pulling teeth in trying to get answers and a satisfactory outcome. They had been promised that an *ex gratia* payment

and package with some healthcare benefits would be forthcoming by Christmas 2018, yet it was May 2019 before they even received forms to complete. They were very upset and hurt about being presented with forms to complete. There was no doubt about who they were and that they had been impacted on. It is an issue of trust. No indications were given as to how long it would take or how much women could expect to receive. It was not a question of looking at a big payout. They were concerned about spending money they did not have on diagnostics. That was the key issue.

In September 2018 a woman was contacted about a test audit. She was told that the process would take six months to complete. In July 2019, ten months after she had started the process, she was informed that she could expect to receive a communication one month in advance of the results, but she heard no more until last month, 12 months after she had commenced the process, when she rang to request her results. As of last week, she had still heard nothing. She phoned again last Friday only to be told that somebody would contact her on Monday but nobody did. When she contacted them again today, she was told that it would be another four to six weeks. In all, it will have taken 15 months - 15 months of worry.

An apology is really important. I want not to diminish but acknowledge it. However, unless it changes how the women are still being treated, there is a question mark over it.

I pay tribute to Dr. Scally who gave priority to the victims. He wanted to give them a loud voice and get to the truth. We all acknowledge that he has done very good work. He has spoken about the obstacles he encountered, especially in gaining access to senior officials in the Department of Health and the HSE. That was subsequently rectified, but it should not have happened. He outlined how much of their time had been used in attending and preparing for various Oireachtas committee meetings. We all need to reflect on how we conducted ourselves in dealing with this debacle. We need to ask if we impeded or helped. This acknowledgement must consider these things.

There would be no apology today without Vicky Phelan. Members of the 221+ group, many of whom are in the Visitors Gallery, would have been suffering in silence and would not know each other had it not been for Vicky Phelan who had the courage to bring this issue into the public domain. While she was a very ill woman, she had the courage to say she would not sign a non-disclosure agreement, understanding what that meant. Others then realised they were not suffering alone and the bigger scandal was brought into full view.

I particularly remember Emma Mhic Mhathúna who went to primary school with my children. I remember her as a child. She left this world worrying whether her children would remember her. I hope they will hear today's apology for her. For those who were so badly affected by this, the very least they should be sure about is that when they are giving their *imprimatur*, it means what it should mean, that is, it is as safe as it possibly can be. Some have encouraged other women to have screening tests because they are incredibly important. That has to be the legacy of this.

Minister for Health (Deputy Simon Harris): I want to close today's statements by sincerely thanking the women and family members who are here with us in the Gallery, those who are watching proceedings nearby and those who are watching from afar. I have met many of you over the past year and a half and come to know some of you very well. Others I may know less well but I hold their personal stories and experiences with me each and every day. These experiences they have shared with us have been incredibly impactful and there is no doubt but

that they have led us to this moment where the Taoiseach has apologised on behalf of our State. I acknowledge that today is an important day but a very difficult day. I acknowledge that such an apology cannot undo all that has happened, certainly not, but something that really stayed with me from the Scally report was his finding that many women and families wanted someone who was involved to say sorry and to mean it. I hope all those affected, whether they are here in the Oireachtas or watching from home, can finish this day in no doubt that the State apology offered to them is genuine. I hope it brings some healing, which I know is rightly so important to them and the 221+ representative group. It is one thing to stand here and apologise for others, it is easy for me to apologise for others. I want to personally apologise to the women affected as well. I apologise for the times that I gave commitments that were heartfelt and genuine and were harder to follow through on. I apologise for the times we have had to come into this House and give partial information because that was all we had available and for the hurt that caused. I personally apologise. The words of Deputy Catherine Murphy are honest and raw and challenging, in that we need to learn lessons from this as well. I certainly commit to doing that.

It is said we do not heal in isolation but in community. These women have provided a community of support to one another through all of this and in this moment, today in Dáil Éireann, their country, their State, joins with them. We have come to learn a lot about the reality of cervical cancer and the devastation it wreaks on women and their families. We came to know women and men who became household names, though that was never their desire. They gave up their privacy and let us into intimate details of their lives in order that their experiences would become ours; women who have survived but whose bodies, psyche, self-image and future will never be the same again. When I think back on those late April days of last year, when all that we have been discussing this afternoon was still unfolding, I remember making a decision to contact Vicky Phelan, who is here with us today, directly. That would be the first chat of many we would go on to have but it was indeed the most important conversation I have had in all of this. Vicky's words that day were typical of her determination and generosity of spirit when she said to me, "Simon, I just want some good to come out of this." Those words not only stayed with me but guided me from then on. There are many things we wish had not happened throughout this crisis but there is one outcome we can never regret. We now have a national goal of effectively eradicating this horrific cancer. We can move towards a future where as few women as possible experience the awful reality of a cervical cancer diagnosis.

We know how to do this. We can achieve this through an effective HPV vaccination programme combined with a well-organised screening programme. This year, as others have said, we extended the HPV vaccination programme to boys as well as girls. I think of Laura Brennan this afternoon as well. This is a significant step towards protecting the future health of our children from the most serious consequences of HPV infection. Our efforts to increase vaccination uptake rates will continue to intensify. We will keep pushing back against the misinformation because this is a vaccine that saves lives and we will build on the improvements we have seen in recent years. Work is progressing well on the introduction of HPV primary screening during the first quarter of next year. I join others who say we must work collaboratively and collectively to make this happen. This is the culmination of a lot of hard work and will make Ireland one of the first countries to introduce this method of testing. We are investing in the Coombe to develop our own national cervical screening laboratory so we never again will be so reliant on other people's laboratories and, in line with Dr. Scally's recommendation, we have established our first ever national screening committee. We are not just saying sorry. We are implementing every single one of Dr. Scally's recommendations. All of us are involved. There is no disunity on that. We have re-established the women's health task force. We have put patient advocates

on the HSE board and we have told Dr. Scally not to just do his report and go away but to hold our feet to the fire and make sure we deliver this and he is doing a superb job in that regard.

I wish to acknowledge the intense work of many people across the health service who are working hard to make this a reality. I too want to emphasise, as I know our patient advocates do, the substantial contribution of the CervicalCheck staff and the work they have done to contribute to women's health over the ten years of the programme. We must do everything we can to ensure that we have a cervical screening programme that women can trust. I acknowledge the active contribution that so many are making, particularly Stephen Teap and Lorraine Walsh, to the work under way in my Department and the HSE in that regard. Today is a difficult day but it is also a significant one. It is the day we formally say sorry but it is also the day we say collectively we can, we must and we will do better. Some good must come from this. The CervicalCheck crisis has left a very painful mark on very many but we must ensure that it leaves a legacy. Our legacy to the next generation does not stop at making sure the mistakes made here are not repeated. Our legacy is a country that protects our people from this awful disease. I reiterate my apology, my support for the Taoiseach's words and my sincere thanks to the women and families who are here with us today. I promise them that I will continue to work to achieve the goals that I know we in this House and beyond, across the Oireachtas, share to eradicate this horrific disease and to stand by the women who have been affected.

An tOrd Gnó (Atógáil) - Order of Business (Resumed)

Deputy Micheál Martin: I asked about the commitments made in terms of the €1 million fund to assist couples undergoing in vitro fertilisation, IVF, in 2017. Many couples who are in very straitened financial circumstances and who are going through a lot of anxiety and stress were promised this funding. There can be nothing more cruel than to raise expectations for many couples and not to follow through or deliver the funding and the legislation, the proposed assisted human reproduction Bill. Can the Minister for Health give some indication of why the funding has not been drawn down or allocated?

Minister for Health (Deputy Simon Harris): Deputy Micheál Martin raises an important issue and one with which I agree. It is our intention to publish the assisted human reproduction Bill by the end of the year and I imagine this Oireachtas will be working on its passage through 2020. There has been some very good work done on pre-legislative scrutiny. I will bring the Bill to Cabinet and will publish by the end of the year. The Deputy is right about expectation. I take that point. We have €1 million for this year and €1 million for next year. It is my intention that we will use that for secondary supports for families and couples with fertility issues. I expect to be in a position to make an announcement on that in the coming weeks but I intend to spend that €1 million this year. I will write to the Deputy when I have more detail.

Deputy Pearse Doherty: We have consistently pushed for a child maintenance service and we have welcomed the comments of the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, in September signalling her intention to examine the establishment of a statutory child maintenance agency. In her statement on the budget the Minister said she would establish a judge-led group to determine best international practice in maintenance, guidelines and regulations, which I can hope be put on a statutory footing. We are concerned about the references to "guidelines" and use of the word "hopefully". The Taoiseach is aware of

Sinn Féin's Private Members' motion which will be taken tonight and calls on the Government to examine the best examples internationally of statutory child maintenance service models. Does he agree that we need to move to a statutory model in order that the difficulties and challenges faced by lone parents in having to go to court to obtain the maintenance payments to which they are entitled will be removed?

The Taoiseach: We discussed Sinn Féin's motion at the Cabinet meeting this morning when we decided as a Government not to oppose it because broadly our policy position is travelling in the same direction as that of Sinn Féin. The Minister has set aside funds in her budget for next year for research into the best models in place in other countries. It may well be a statutory model, but we first need to do the type of work advocated by the Deputy in examining child maintenance models in different jurisdictions, with a view to identifying what works best and applying it here. We accept that the current system in Ireland is not working as it should.

Deputy Jan O'Sullivan: I understand that prior to this Dáil session the Taoiseach indicated to party leaders that he intended to hold the four by-elections by the end of November. As we know, a number of candidates have been selected. Will the Taoiseach give some certainty to them as to when he intends to move the writs for the by-elections and the expected polling date? For example, does he propose to move the writs this week or when the session resumes in November?

The Taoiseach: Following discussions with party leaders, it was agreed that we would hold the by-elections by the end of November. Our intention is to hold them on 29 November which will be the last Friday of that month. That will require us to move the writs the week after the House resumes, that is, the week after next.

An Leas-Cheann Comhairle: The next speaker is Deputy Bríd Smith. I would appreciate brevity.

Deputy Bríd Smith: I will be brief. I am sure that, like the Minister for Communications, Climate Action and Environment, Deputy Bruton, the Taoiseach is aware that tomorrow the LNG project in Shannon, namely, the fracked gas project, is to be ratified on the list of projects of common interest, PCI, in the European Union. Sweden has pulled its LNG project from the list of PCIs. I appeal to the Taoiseach to listen to the scientists and not proceed with the fracked gas terminal to be located at Shannon if we sign off on the list. The Taoiseach has one day to make this decision, about which people are protesting to him via email and outside Leinster House. People are calling on him to listen to the science and not use fracked gas from North America and to pull the LNG project in Shannon from the PCI list. As I said, he has only one day to make up his mind and follow the example of Sweden.

An Leas-Cheann Comhairle: I call Deputy Eamon Ryan to raise the same issue.

Deputy Eamon Ryan: The Minister says this PCI is in our common interests. I believe it is not. It does provide for advance planning of any project. The Minister says it has already received planning already, but this is far from certain. Putting it through a further planning process would not be appropriate. The Minister says he will not support the provision of finance for it, but we do not know what the American Government or other actors may do to pursue the project. It is not in our interests. Following on from questions raised last week by Ciarán Cuffe, MEP, to the European Commission, we know that it could be stopped tomorrow. I am asking that the Government do this. Not proceeding with it would be in our common interests. This is

a climate change issue of the first order. If the Government wants to show leadership in dealing with climate change, it should stop this project now.

The Taoiseach: I thank the Deputies for raising the issue. It a private sector project, not a Government one. The advice is that it could be useful for Ireland when it comes to future energy security. Recognising that we will continue to use natural gas for decades ahead, we are reliant on imported gas through the pipeline with the United Kingdom and gas from the Corrib field. Gas from the Corrib field will soon run out. That will leave us with the pipeline from the United Kingdom as our only source of supply. If it were ever to be cut off, we would be in serious trouble almost immediately and faced with brown-outs and black-outs.

Deputy Bríd Smith: It is fracked gas.

The Taoiseach: A terminal on the other side of the country provides an alternative way of bringing gas in. It does not only have to be fracked gas. It could be gas from the North Sea also.

Deputy Bríd Smith: It has to be fracked gas in Shannon.

An Leas-Cheann Comhairle: I call Deputy Harty on behalf of the Rural Independent Group.

Deputy Michael Harty: I thank the Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: Groups need to decide who will be the acting leader. I cannot pacify everybody. Groups need to sort out their own problems.

Deputy Michael Harty: I am the acting leader today. On budget 2020 and the legislation that will flow from it, there is a proposal to set up a just transition fund of €6 million to help communities to move away from high carbon sources of energy to low sources, which is a reference to peat and coal burning stations. The fund is to be used to mitigate the significant effects on workers and local communities as the transition happens. However, it is to be confined to peat burning stations in the midlands and will not apply to the Moneypoint plant in west Clare. Will the Taoiseach and the Government consider extending the just transition fund to the Moneypoint plant and surrounding communities and workers who will also experience the economic shock as we move to low-carbon energy production?

An Leas-Cheann Comhairle: I would welcome a brief response from the Taoiseach.

The Taoiseach: The Deputy has raised a very valid question. It is intended, by the middle of the decade, to close the Moneypoint plant and remove coal from the grid when it comes to electricity generation. The sum of €6 million announced in the budget is for the midlands, more specifically, the peatlands, including places such as counties Kildare and Longford. It is part of our response to the fact that peat that is being phased out in electricity generation. As I said, the sum of €6 million is for the midlands. We will need a separate but just transition response for the Moneypoint plant. The ESB is able to redeploy staff, but there will be a loss of income in that part of County Clare, thus we will need a just transition fund for the also. That funding will be separate and form part of a separate announcement at a later date.

Deputy Catherine Murphy: I would like-----

An Leas-Cheann Comhairle: I am sorry, Deputy, but Deputy Eamon Ryan has already contributed.

Deputy Catherine Murphy: He put a supplementary question about a matter that had been raised by another Deputy.

An Leas-Cheann Comhairle: No.

Deputy Catherine Murphy: I had indicated.

An Leas-Cheann Comhairle: I am sorry.

Deputy Catherine Murphy: I had indicated.

An Leas-Cheann Comhairle: It does not matter if the Deputy indicated, I am taking group leaders first. Deputy Eamon Ryan is acting leader. Groups will have to sort out among themselves who is going to represent them. Deputy Eamon Ryan had an opportunity to do so.

Deputy Catherine Murphy: Before we adjourned the Order of Business, I indicated and it was accepted.

An Leas-Cheann Comhairle: If the Deputy is on the list, I will come to her. She cannot be given priority when the acting leader for her group has contributed.

Deputy Catherine Murphy: I am not asking for priority.

An Leas-Cheann Comhairle: Deputy Eamon Ryan indicated to me that he was acting leader today. Deputies need to sort out their affairs at parliamentary party or group level. I cannot appease everybody. There are other Deputies who have to have opportunities.

Deputy Pat Buckley: For the record, I will assume the leadership for now.

An Leas-Cheann Comhairle: I ask the Deputy to be brief.

Deputy Pat Buckley: Cork University Hospital has brought forward a winter plan, but up to this point it has received no additional resources or funding from the HSE. Will the Minister for Health, Deputy Harris, indicate when funding and additional resources will be made available to enable the hospital to implement its plan?

Deputy Simon Harris: As Minister for Health, I have a job to do in providing resources. Those who are paid to manage hospitals have a job to do also. The HSE was given €26 million more by the House and the Government for the winter plan. I suggest the general manager of CUH contact the hospital group director to have this matter addressed. As I said, €26 million in additional funding has been provided to provide more beds, more homecare and transitional care services. Management need to get on with it.

Deputy Mary Butler: My question is to the Minister for Health. On the waiting list for the nursing home support scheme, I acknowledge that some work has been done, but the numbers fluctuated wildly in September. On 17 September there were 525 on the waiting list. On 30 September, that number had increased to 686, an increase of 30%. The Minister will be aware that 745 people are awaiting discharge from hospital. It is a vicious cycle. Quicker access to the fair deal scheme would free up additional capacity in hospitals. What action does the Minister propose to take to deal with this matter?

Deputy Simon Harris: I thank the Deputy for her important question. We have provided sufficient funding to keep the waiting period for the fair deal scheme at four weeks from now

until the end of the year. We are beginning to see a fall in the number of delayed discharges, admittedly from a high base. As I said to Deputy Buckley, the HSE has been given an additional €26 million to engage in winter planning between now and the end of the year, which should mean more homecare packages, more transitional care services and more fair deal scheme places. I will arrange for a specific note on fair deal scheme numbers to be forwarded to the Deputy.

Deputy Barry Cowen: Budget 2017 committed to the establishment of a land development agency that would have the potential to address the Government's difficulty in meeting its targets in the provision of social housing in the sense that it would be able to take over State lands and contract the development of houses and lease the units to local authorities which did not, unfortunately, have the expertise or the wherewithal they had many years ago to deliver. It would also have the potential to allow credit unions to invest in such a vehicle in order for them to derive a more beneficial outcome than they were getting from the pillar banks, as is the law. In the two years since only a CEO and a chairperson have been appointed. There is no land and no bricks and mortar. There definitely have been no houses. How is it that the Government cannot live up to the commitments and expectations it presented when it brought forward a commitment like that two years ago? All there is to show for it is the appointment of a CEO and a chairperson. There is no legislation to give effect to it and no prospect of it being addressed to find a solution to the terrible crisis that continues from day to day.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I am very sorry, but the Deputy is incorrect in his understanding of the Land Development Agency on a number of fronts. To correct him on a couple of the issues that he raised, the LDA was established a year ago under the Corporate Bodies Act.

Deputy Barry Cowen: The Government committed to it.

Deputy Eoghan Murphy: An interim board is in place, but a permanent CEO was appointed recently. In the past year it has been given the capital to begin to proceed to progress work on sites, which is what it has been doing. Eight sites are coming across to the Land Development Agency. Legislation to establish it on a statutory footing which is not necessary to enable it to do its work but which is important will be published shortly. We hope to have it enacted early next year, at which point the agency will be capitalised by the Ireland Strategic Investment Fund to a sum of €1.25 billion. The first four sites which will comprise about 1,200 homes, about 60% of which will be social and affordable units, well above the 40% minimum commitment.

Deputy Barry Cowen: There is none to date and no land.

Deputy Eoghan Murphy: It is about planning and development, but the Deputy would not know anything about them, would he? He never did it when he was in government.

An Leas-Cheann Comhairle: Please, Deputies. We have to have respect for others.

Deputy Eoghan Murphy: It is good to see that the Deputy is here all the same. He is welcome in the House.

Deputy Barry Cowen: I am here all the time. and will be here for a long time yet.

Deputy Imelda Munster: I am raising yet again the issue of homecare packages. Three weeks ago, I referred to the plight of an 18 year old girl, Hannah Donnelly from Drogheda,

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who has been in hospital for over two and a half years. For the last 19 months she has been in hospital because she has been denied an adequate homecare package. It is three weeks since I raised the case and I have written to the Minister for Health, Deputy Harris, and the Minister of State, Deputy Finian McGrath, about it. It appears that neither of them has intervened to secure Hannah's homecare package. At this stage I am wondering. She is 18 years of age and has been waiting for 19 months for a homecare package. She is desperate to get home and her parents are desperate to have her home. Is it that the Minister simply does not care enough? Why has he not looked into the case? How is it that the Government-----

An Leas-Cheann Comhairle: The Deputy must give the Minister, Deputy Harris, an opportunity to respond.

Deputy Imelda Munster: He is turning a blind eye to an 18 year old girl with Apert syndrome-----

An Leas-Cheann Comhairle: Please, Deputy, there are other Members offering.

Deputy Imelda Munster: -----who has been languishing in a hospital bed for 19 months because she cannot obtain a homecare package. Will the Minister intervene and make sure she gets home?

An Leas-Cheann Comhairle: I will have to move on. The Deputy is normally orderly. The Minister has to have an opportunity to answer. He is not a slow learner and knows exactly what the Deputy has said.

Deputy Simon Harris: That is the kind of thing that has not been said about me in a long time, a Leas-Cheann Comhairle. Deputy Munster was making a legitimate case until she decided that she had a monopoly of caring. We all care in this House. The Health Act 2007 actually prohibits me - if the Deputy would like to amend it, she should do so - from directing the HSE to provide care for anyone. However, I will personally take a look at the case, as will the Minister of State, Deputy Finian McGrath. I will reply to the Deputy in writing. It sounds like a very difficult situation for Hannah and her family to be in. We have provided significant additional resources in the budget. I will revert to the Deputy directly.

Deputy Peadar Tóibín: North East Doctor on Call is based on the campus of Our Lady's Hospital, Navan. It is based on it because Navan is the biggest population centre in the county and geographically it is at the centre of the county, to which there is easy access for everyone in the rest of the county. It is also based on it because it allows easy access to the emergency department in the hospital. At least ten patients every week are wheeled from the North East Doctor on Call to the emergency department. Navan has lost a lot of stuff in recent times, including the ETB centre and the Garda divisional headquarters. Now we are being told that the doctor on call service is to be removed from Navan in a matter of weeks, which will radically reduce access and create a need for the further use of ambulances. The Minister's colleagues are probably saying this is meant to be just temporary, but the house in which North East Doctor on Call is located was meant to be a temporary location, but it is based in the building 19 years later. The people of County Meath and staff in the hospital are opposed to the service being moved out of Navan. I appeal to the Minister to find another location in the town.

Deputy Simon Harris: I will certainly check it out, but I can assure the Deputy that Navan is being supported and has not been forgotten by the Government. The Deputy told the people of Navan eight years ago that we were going to close the hospital. Not only have we not closed

it, we have made it busier and have plans to make it even busier.

Deputy Peadar Tóibín: Is it still part of the Government's plan to reduce it to a level 2 hospital?

Deputy Simon Harris: As long as the Minister of State, Deputy English, is looking after Navan, the Deputy need not worry, we will keep the hospital busy.

An Leas-Cheann Comhairle: Deputy Durkan's is an example of the questions that should be asked on the Order of Business.

Deputy Bernard J. Durkan: Thank you, a Leas-Cheann Comhairle. The maritime jurisdiction Bill is Brexit-related. When is it likely to be brought before the House for its Second Reading?

The Taoiseach: The legislation is being handled by the Tánaiste and listed for publication this session. It has been brought to the Cabinet.

Deputy Eugene Murphy: This question might best be answered by the Minister of State, Deputy Doyle. It is a number of weeks since we set up the forum in the context of the beef crisis. Unfortunately, because of an issue that arose outside the Department of Agriculture, Food and the Marine a number of days ago, the talks did not get up and running. There is a deep crisis, as the Minister of State knows. There is a serious issue developing between the factories and the farmers in respect of the price of beef. Is there any hope of the forum commencing? A lot of farm families are in a bad way and the producer groups are ready to move. It is so important that we get the talks up and running as quickly as possible. What is the outlook? Is there any sign of the talks recommencing? I hope they will commence as quickly as possible.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Andrew Doyle): The Deputy is right that the forum was scheduled to meet last Monday. I understand the chairperson of the beef task force has been engaged in bilateral talks with each party to try to get movement. That is in the interests of everybody, as the Deputy said. The weather has deteriorated and stocks are building. There is a knock-on effect in the marts, with store cattle not having the same number of buyers. I appeal to all sides to show some goodwill and make a gesture that they do want to convene as quickly as possible. It is in the hands of the chairperson.

Deputy Catherine Murphy: A number of months ago we passed a motion to declare a climate emergency. We also know that there has been a very large overrun on the national children's hospital project and that there is the prospect of the issuing of a tender for the national broadband plan. A motion that we brought forward was passed here in July on the reviewing of the national development plan. Has any work been done on any of those three things? Has anything been done to start a review of the national development plan?

The Taoiseach: It is not our intention as a Government to review the ten-year national development plan until we are about five years into it. There is provision for a review five years into it. Obviously, we will make amendments along the way and did provide additional funds in the summer economic statement. It turns out that some of it was not actually necessary. We will make modifications along the way, but we do not plan on carrying out a review until we are about halfway through it.

Deputy Michael Collins: The rural regeneration fund seeks to support ambitious projects

which have potential to reform rural communities. The Government has committed over €1 billion to the fund in ten years and €350 million in the period 2019 to 2022. In the last round of funding the whole of County Cork was overlooked. That was quite astonishing to say the least as there were 48 projects seeking funding. Rural communities such as those in Ballyvourney, Kanturk, Macroom, Bandon, Ballinspittle, Clonakilty, Skibbereen, Bantry and Schull were all overlooked. One of the community and voluntary groups, in particular, had spent €500,000 of local money in making its application as strong and suitable as possible to receive funding. The third round of funding will soon be released. Will the Taoiseach assure the people in question that genuine community and voluntary groups with equal or better projects will be treated equally and not overlooked?

The Taoiseach: The Minister, Deputy Ring, is in charge of the fund, as the Deputy knows. I am sure any application from Cork will be treated fairly and considered favourably in the next round.

Deputy Danny Healy-Rae: Many people living in rural Ireland were isolated and marginalised by the last Road Traffic Bill. The Minister, Deputy Ross, was so anxious to ram the Bill through that on one occasion he voted twice in the same vote.

An Leas-Cheann Comhairle: Hold on, Deputy. Let us be very clear. He cannot make statements like that unless he has the facts. That is all I will say.

Deputy Danny Healy-Rae: I want to have the matter clarified because-----

An Leas-Cheann Comhairle: That is not what the Deputy was saying. He should move on.

Deputy Danny Healy-Rae: If someone else has something to say about it, let him or her say it. That is what I am saying.

Provisional drivers have a serious problem because they cannot get to their apprenticeships or go to college. I ask the Taoiseach to reduce the age from 17, where the youngster gets a provisional licence, to 16 years of age. This is the case in many other countries.
5 o'clock They can be restricted to driving during daylight hours until they get a full licence, if they are given the provisional licence at 16 years of age. It would help these youngsters everywhere in a real way if he can could do that.

An Leas-Cheann Comhairle: I do not know if the Taoiseach can do that. He is not the Minister for Transport, Tourism and Sport.

The Taoiseach: I thank the Deputy. In the United States people can get their learner permit at 16 years of age. I do not know if that is possible in any European country. I will advise the Minister, Deputy Ross, that the Deputy has raised the matter and I will him them to consider it and reply to him in some more detail.

An Leas-Cheann Comhairle: Allow me to clarify this point. Any person who has any information, as referred to here by the Deputy earlier, should speak with the relevant committee of the House as I cannot let that go unchallenged.

Deputy Danny Healy-Rae: I have done that already.

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: (1) Deputy Mary Butler - to discuss the Mental Health Commission report on conditions at the department of psychiatry, University Hospital Waterford; (2) Deputy Dessie Ellis - to discuss the proposed developments at the site of the Church of the Annunciation, Finglas; (3) Deputy Michael McGrath - to discuss the allocation of Garda resources to the Cork city Garda division; (4) Deputies Catherine Martin, Bríd Smith, Mick Barry, Eamon Ryan, Paul Murphy and Richard Boyd Barrett - to discuss the proposed Shannon liquified natural gas, LNG, terminal and importation of fracked gas; (5) Deputy John McGuinness - to discuss the terms of reference relative to the death of Shane O'Farrell; (6) Deputy Pat Buckley - to discuss the need for funding for the winter plan at Cork University Hospital; (7) Deputy Michael Moynihan - to discuss the recent allocation of CLÁR funding for County Cork; (8) Deputy James Browne - to discuss appointing a neuro-nurse to the south-eastern region from a base in University Hospital Waterford; (9) Deputies Mattie McGrath and Gino Kenny - to discuss the resignation of the chief procurement officer from the board of the national children's hospital; (10) Deputy Sean Sherlock - to discuss the use of the public services card as identification for banking purposes; (11) Deputy Marcella Corcoran Kennedy - to discuss provision of a physiotherapy room for the Offaly school of special education; (12) Deputy John Brassil - to discuss the need for a second CT scanner at University Hospital Kerry; (13) Deputy Caoimhghín Ó Caoláin - to discuss appropriate resourcing to the drugs and alcohol task forces to carry out their role in the national drugs strategy; and (14) Deputy Pat The Cope Gallagher - to discuss the proposed withdrawal of funding to ParentStop support services in County Donegal.

The matters raised by Deputies Michael Moynihan, Caoimhghín Ó Caoláin, Sean Sherlock and Pat The Cope Gallagher have been selected for discussion.

Planning and Development (Amendment) (First-Time Buyers) Bill 2019: First Stage

Deputy Darragh O'Brien: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Planning and Development Act 2000 to provide for a specific percentage of lands in a private development to be limited for purchase by first-time buyers and to provide for related matters.

I thank the Leas-Cheann Comhairle. The purpose of this Bill is to prevent the so-called cuckoo funds from crowding out first-time buyers out of the market in town and cities across the country. Home ownership levels have already fallen to 67%, which is well below the EU average of 69%, and is from a high of over 80% in 1991. Our concern is without action, that home ownership rate will fall further behind. This Bill is designed to level the playing field for first-time buyers and keep the dream of home ownership alive by earmarking a specific amount of units per development for first-time buyers. The Bill still allows specific build-to-rent in appropriate places but prevents already-built developments from being sold in bulk to one purchaser. This means developments that boost supply are encouraged but purchases that simply swoop in on existing developments would be banned.

Real estate investment trusts, REITs in the private rented sector, PRS, are a small but rapidly expanding part of the housing sector. Additional supply is welcome but there have been numerous cases in which already-built developments have been bought entirely by one fund. This is crowding out first time buyers and risks changing the character of areas of this country.

Home ownership is already under pressure with ownership rates in Ireland at their lowest level in half a century and below the EU average. My party, Fianna Fáil, supports home ownership and we believe it is an honest and just aspiration for people to have. We need affordable housing for working people, both on the rental and purchasing side.

When we look at home ownership rates, we see that other countries that are mentioned often such as Germany and Austria have expanded ownership levels while Ireland is going in the other direction.

This Bill aims to protect first-time buyers from undue competition by massive investment funds they cannot hope to match on the open market. The Bill also ensures that renting is considered as part of overall local housing strategies. This will help ensure balanced communities where different tenure types are available rather than concentrating rent-only in particular areas while excluding first-time buyers.

This Bill will allow local authorities to earmark a certain percentage of zoned land, up to 30% at the discretion of the local authority, for first-time buyers. It will operate on a similar basis to the current Part V provisions, which ensure that 10% of units are set aside for social housing. For example, a development of ten units must have up to three units available for first time buyers to purchase. Importantly, each local authority must also review its housing strategy to set out its requirements for rental units over the lifetime of its own housing plan. This will ensure a full picture of the housing market is considered when the council sets out its future plans.

The goal of the Bill is to prevent the bulk-buying of entire developments by investment funds, thereby freezing out first-time buyers. It contains exemptions to allow build-to-rent developments that would otherwise not be built to go ahead as part of an overall housing strategy agreed by each local authority, while preventing developments already in place being snapped up by investors at the last moment.

This way, investment in new built-to-rent will be allowed at the discretion of the local authority or indeed An Bord Pleanála but they must be earmarked for rental only as part of an overall housing plan adopted at each local authority level. We believe that action must be taken at this level. Last year, 18,000 homes were built according to the Department's own figures. Nearly 3,000 were purchased by so-called cuckoo funds and the PRS. On the other side, nearly 3,000 were also purchased by the State. On the State side, we need to build more public housing and it needs to get involved. We also need to also protect and encourage those who wish to buy their own homes, particularly first-time buyers. I and my party believe that this Bill will go a long way towards levelling the playing pitch for them.

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

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): 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 Darragh O'Brien: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Latent Defects Redress Bill 2019: First Stage

Deputy Eoin Ó Broin: I move:

That leave be granted to introduce a Bill entitled an Act to establish a Latent Defects Redress Board, the functions of which shall be, *inter alia*, to provide resolution to ordinary owners who purchased homes in good faith, in order that such owners have an opportunity to seek mediation or adjudication in relation to non-compliance with building regulations.

As Members of this House know, during the time of the Celtic tiger, hundreds if not thousands of people bought homes only to discover at a later stage that, through no fault of their own, these homes had latent defects. I am not talking about cosmetic changes but significant fire safety defects or water ingress that cause significant structural damage to the people's homes. This was in the first instance the responsibility of developers who oversaw projects in which buildings were built poorly and which were then sold on to people with those defects. There was also a failure of the State to put in place a proper regulatory regime to ensure that builders could not get away with such developments.

When this issue has been raised with both the Minister for Housing, Planning and Local Government and the Taoiseach, the stock response has been that this is a matter between the purchaser of the home and the developer. While in the first instance that is true, it is the failure of the State to properly regulate those purchases and those buildings which means the State has some responsibility in this regard. Indeed, the State has accepted some responsibility with respect to some latent defects, for example, with Priory Hall and some areas regarding mica and pyrite. The question then for buildings left with significant structural defects is that why was the State willing to step in and assist with those cases of latent defects and not others.

The Bill I am introducing today is giving the Government an opportunity to address this issue. The Bill is based on a cross-party Oireachtas Joint Committee on Housing, Planning and Local Government report that was published in January 2018 called *Safe as Houses*. What that report and what this Bill seek to do is as follows. In the first instance, it asks the State to set up a one-stop-shop, not to accept liability for these defects but to provide homeowners with a location from which they can get information on the legal framework within which they find themselves. Crucially, the Bill also seeks to put in place in non-judicial mediation and adjudication scheme. The idea of this would be to ensure that homeowners are not forced to go to the courts but would have some recourse to mediation and adjudication. Contrary to what the Taoiseach has often said when asked about this, in the first instance the proposal here is to ensure that the developer is responsible for remediating the buildings they sold and which had been poorly built.

It is simply not the case that either this Bill or the report is asking the State to take on a *carte*

blanche liability. We are asking for information, mediation and adjudication in order that in the first instance, the developer is forced to pay. Since this is a Private Members' Bill, I cannot propose the introduction of a fund to cover the cost of remediation where the builder or developer is still not trading. What the Bill empowers the Minister to do, however, is commission a report that would allow him to consider options for the provision of such a fund, if it were in his interest.

The Minister of State, Deputy Damien English, who has dealt with this directly, and the Taoiseach should note it is no longer possible for the Government to sit on its hands and ignore the plight of those with latent defects in their homes. Those affected purchased a home, which was probably the single biggest investment in their lifetime. For the State simply to say it is a matter for the homeowner and developer is no longer credible. I am introducing this Bill in a genuine attempt to encourage the Government to put in place a latent-defects redress scheme, as outlined in the report *Safe as Houses*. I look forward to the full support of Members of the Opposition who supported the recommendations when they were before the committee. I ask the Government to study the Bill seriously and work with the rest of us to try to put in place a scheme that supports homeowners and, in the first instance, forces the developers to pay but, where the developers are not pursuable because they are no longer trading, provides some other means of redress.

Sinn Féin will be prioritising this for Private Members' time as soon as possible. I hope we can have a full and frank debate on the merits of the proposition on the floor and also allow all Deputies make clear whether they are willing to stand with homeowners who, through no fault of their own, ended up with properties with significant latent defects or continue to throw the homeowners to the wolves and not provide them with any support whatsoever. On that basis, I seek leave to introduce the Bill.

An Leas-Cheann Comhairle: Is the Bill opposed?

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): 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 Eoin Ó Broin: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Landlord and Tenant (Ground Rents) (Amendment) Bill 2017: Referral to Select Committee

The Taoiseach: I move:

That the Bill be referred to the Select Committee on Justice and Equality pursuant to Standing Orders 84A(3)(a) and 141.

Question put and agreed to.

Ceisteanna - Questions

Taoiseach's Meetings and Engagements

1. **Deputy Michael Moynihan** asked the Taoiseach if he has met the UUP or Alliance Party leaders recently. [39949/19]

2. **Deputy Michael Moynihan** asked the Taoiseach if he has met or spoken to the leader of the DUP or the leader of Sinn Féin in Northern Ireland recently. [42305/19]

3. **Deputy Michael Moynihan** asked the Taoiseach if he spoke to Ms Arlene Foster on 17 October 2019 before the EU Council meeting. [43558/19]

The Taoiseach: I propose to take Questions Nos. 1 to 3 together.

I have had several recent engagements with the Northern Ireland political parties. Most recently, on 8 October, I spoke by telephone to Ms Naomi Long, leader of the Alliance Party. I also met with Ms Arlene Foster, MLA, leader of the DUP, in Government Buildings on Wednesday, 18 September. Previously, I met Ms Long, Mr. Doug Beattie of the Ulster Unionist Party and Deputy McDonald when I took part in the leaders' debate in Belfast on 6 August. The DUP and SDLP also participated. I last met Ms Michelle O'Neill in Dublin in June with the leader of Sinn Féin, Deputy McDonald. However, we spoke on the telephone last week. At each of the engagements, we discussed Brexit developments, the political situation in Northern Ireland and ongoing efforts to restore the power-sharing institutions. I emphasised the Government's full commitment to all aspects of the Good Friday Agreement. The Government wants to see an agreement in place to secure the operation of the devolved institutions and we will continue to engage with the British Government and the political parties in Northern Ireland, as the Tánaiste in particular has done regularly, to seek urgent progress in the period immediately ahead.

Deputy Micheál Martin: I do not believe anyone could question the fact that the political settlement in Northern Ireland is in a deep and sustained crisis. The failure to intervene to stop the various breakdowns and the decision not to intensify attempts to have the institutions restored in the past three years have caused immense damage. I have said time and again that the decision to collapse the Assembly and Executive was unforgivable. It betrayed the people of Northern Ireland and did not give them a voice at a critical time when there was an incredible threat to the future of the economic and social well-being of Northern Ireland. That, of course, was Brexit, which has added to the situation immeasurably. I hope the Taoiseach will join me in calling on people to tone down the rhetoric and examine the potential benefits to Northern Ireland in the context of Brexit and the arrangement being made of having access to the customs territories of both the European Union and the United Kingdom. In this context, will the Taoiseach detail what economic impact assessment has been carried out on the new arrangements for Northern Ireland and the new harder Brexit for Britain? Can we assume the Taoiseach has checked the economic projections of the move away from Ms Theresa May's deal? It needs to be said that the deal arrived at last week is worse than the withdrawal agreement of Ms May

in terms of the relationship between the United Kingdom and the Republic. This is because it implies a harder Brexit in terms of the Tory Party and Mr. Boris Johnson wanting to take Britain out of the customs union and Single Market. All the independent economic analysis is suggesting this will cause significant medium- to longer-term damage to the Irish economy. There are many doubts and there is much detail yet to be worked out regarding how the arrangements for Northern Ireland will work out on the ground and in concrete reality. There was a real sense from Brussels last week that Europe was at the end of its tether. The European Union was happy to do the deal on the basis that it wanted to move on to other issues and avoid having no deal. What was arrived at last week is welcome from the point of view of avoiding no deal but there are very serious questions arising over the nature of it in terms of the harder Brexit that is now in store for us as a result of Mr. Johnson's intentions to take Britain out of the customs union.

Yesterday, two members of the British Government informed the House of Commons that measures for the imposition of direct rule in Northern Ireland had been prepared. This is again in the context of the proposed deal not being ratified by 31 October but it also appears to relate to the new Stormont restoration deadline, in late January. Can the Taoiseach indicate what discussions he has had with the British Government in the past two weeks on this matter? Has he made it clear that this kind of unilateral action on the part of the British represents a clear breach of its commitments to us and Northern Ireland in the overall peace settlement?

Deputy Louise O'Reilly: Regardless of the continuing political machinations in Westminster, Mr. Boris Johnson and the EU leaders have agreed on one fundamental principle, namely, that there can be no veto for unionists. While there is no such thing as a good Brexit — we have debated that here on many occasions and have collectively come to the same conclusion — and while the deal that was agreed last week between Britain and the European Union is not perfect, it does protect the island and its people from all the unimaginable consequences of a hard border. It respects the Good Friday Agreement and recognises the unique needs of the North economically and in terms of protecting peace.

With regard to the political institutions in the North, I want to be very clear. I will say this slowly for the benefit of people who really do need to hear it: Sinn Féin stands ready to govern; we simply need a willing partner in unionism. We have, as the Taoiseach will know, continually stated in public and private that the outstanding issues are resolvable but they do require intensive engagement on behalf of the DUP. I urge those who give out advice with regard to rhetoric to heed their own words.

As with everything in politics, where there is a will there is a way. Let no one in this Chamber be in any doubt that Sinn Féin has the will to get the political institutions back up and running. If the Members of this House were in any doubt that Sinn Féin is alone in the challenges it faces, I am sure their doubts were allayed when listening to the Alliance Party's rationale for not taking part in yesterday's faux sitting of the Assembly. Similarly, I am sure they also noted the SDLP Members entered the Assembly Chamber and very quickly walked back out. It was evidence, in itself, of why there can be no countenancing of a veto power for unionists on the Irish protocol, now or in the future.

Deputy Richard Boyd Barrett: We should take the opportunity to celebrate a major victory for women's rights and the LGBT community in the North. It was the result of the decriminalisation of abortion and the changes that vindicated the right to marriage equality, which took place despite the bizarre attempts to block them by the dinosaurs - there is no other way of describing them - of the DUP and elements of unionism. That is a tribute to years and years

of campaigning by people across the sectarian divide - Catholic, Protestant and people of no religion - fighting against a political establishment that has not sought to vindicate those rights. It is a demonstration of what real unity on this island can achieve. The move was significantly inspired by the repeal and the marriage equality movements in the South.

The DUP, which does not seek to restore the Assembly to deal with social welfare cuts, poverty or the housing crisis, has made a bizarre attempt to restore the Assembly in order to block equality for women and the LGBT community. We should celebrate what was a tremendous and historic victory despite the best efforts of the DUP. It has demonstrated what an odd bunch the DUP is and how out of touch it is with the new Ireland, North and South, Catholic and Protestant, that is emerging. This is something from which we should take hope and inspiration.

The Taoiseach: I thank the Deputies for their questions. Over the past two years, there have been several intense attempts to re-establish the institutions of the Good Friday Agreement; the Northern Ireland Assembly, the Northern Ireland Executive and, of course, the North-South Ministerial Council. The North-South bodies continue to operate, as with the British-Irish Council meeting regularly. It will meet again in Dublin; I will be hosting it in Dublin next month. The British-Irish Intergovernmental Council, BIIGC, has been operating periodically as well. However, those strand one and strand two bodies - the Assembly, the Executive and the North-South Ministerial Council - have not operated now for about 1,000 days. There have been several intense attempts to get them going again. The Tánaiste has been particularly engaged in that work. Indeed, he will be in Northern Ireland tomorrow again, having been there, I think, probably every week for the past two years. Obviously, I have done it at Head of Government level as well both with Prime Minister May and Prime Minister Johnson.

Ultimately, the way strand one works is that, to have the Assembly and Executive functioning, one needs the largest party of unionism and the largest party of nationalism on board at the same time. That, regrettably, has not been possible to date. We have come very close on occasion and were particularly close in February of this year. We are not going to give up. It is complicated by, first of all, Brexit and, second, the possibility of elections in Westminster, which may happen in the next couple of months, but we will keep at it.

Deputy Micheál Martin asked about the nature of the future relationship between the UK and the EU, including Ireland, and its impact on east-west trade. There are lots of different published projections as to what things would look like in different scenarios, but they are only-----

Deputy Micheál Martin: Copenhagen.

The Taoiseach: There are ESRI ones as well.

Deputy Micheál Martin: They are all consistent.

The Taoiseach: Yes, they are consistent, but they are only projections. What I would say is that, if this current agreement gets through, we will have certainty about North-South trade, in that there will not be any tariff on trade North-South and there will be no checks on trade North-South. However, it does not give us certainty on east-west trade. That is really important for our economy, particularly the agrifood sector. Even beyond that, trade between Ireland and Britain is really important to our economy and really important to jobs. I think the nature of that trading relationship between the UK and the European Union is still to play for.

There is a difference in stated policy between former Prime Minister May and Prime Min-

ister Johnson. Former Prime Minister May used to talk about having a trading relationship between the EU and the UK that was as close as possible. Prime Minister Johnson talks more about divergence, talks more about a Canada-type arrangement.

Deputy Micheál Martin: It is worse than the withdrawal agreement.

The Taoiseach: Not exactly because-----

Deputy Micheál Martin: For east-west trade.

The Taoiseach: -----the withdrawal agreement that we had with former Prime Minister May provided for a temporary backstop as a bridge to a future relationship, but it did not provide for a future relationship.

Deputy Micheál Martin: It was a UK-wide customs union for a long time.

The Taoiseach: No. Only in the backstop, which was to be temporary, never to be used and to be an insurance policy. There was a single customs territory. It is not the case that the UK Government argued for, sought or had in the Theresa May agreement a customs union. That is not correct.

Deputy Micheál Martin: In her Chequers speech-----

The Taoiseach: She actively opposed a customs union, in fact. However, we do have a new joint political declaration on the future relationship. That was agreed last week. Hopefully, it will be agreed by the House of Commons when it is ready to do so. In that new revised political declaration, we talk about having tariff-free and quota-free trade between the EU, including Ireland, and the UK. We also talk about there being a level playing field. From my own conversations with Prime Minister Johnson, he is very much a free trader. He does want to have tariff-free and quota-free trade-----

Deputy Micheál Martin: Is that why he is pulling the UK out of the largest free trade agreement in the world?

The Taoiseach: -----between Britain and Ireland and between the UK and the EU. I think that, if we can get past this current phase, which is the withdrawal agreement phase, the future relationship in trading terms and economic terms between the EU, including Ireland, and the UK is all to play for. One of the things that, if I have the privilege to continue to hold this office, I want to negotiate in the next couple of years is that FTA, with Commissioner Hogan and Commission President von der Leyen. That future economic partnership, as they call it, FTA or whatever one wants to call it, would provide for tariff-free and quota-free trade between the UK and the European Union, with a level playing field on standards when it came to the environment, health and safety and labour rights. I think that is an objective that actually is achievable. That would be my objective if we got through this phase of Brexit.

One of the people who really put Brexit into perspective for me was Deputy Noonan. I remember him saying to me a week or two after the referendum that some people saw Brexit as a severe weather event, a storm that we needed to weather and get through. He said Brexit was not a storm or a severe weather event, but a permanent change in the relationship-----

Deputy Micheál Martin: We all said that.

The Taoiseach: -----between the UK and the EU and, therefore, between Ireland and the UK. It will never end.

This is just a phase. This phase is the withdrawal agreement phase, in which we want to protect citizens' rights, ensure a financial settlement that is fair and make sure that we do not have a hard border between North and South. I believe that we will have achieved that if the House of Commons and the European Parliament ratify this agreement, but then we will go on to the next phase, that is negotiating the future economic relationship, that FTA, with the UK. It will be my objective, if I am negotiating it, to try to secure tariff-free and quota-free trade with a level playing field. That is exactly the right thing for Irish business, for Irish jobs and also for workers, health and safety standards and environmental standards.

Just to finish up on these questions, we have had no - at least I have had no - discussions with the UK Government in the past two weeks on a direct rule, but the Government's position on that is as it always has been.

Citizens' Assembly

4. **Deputy Joan Burton** asked the Taoiseach if he will report on progress towards a Citizens' Assembly on a directly elected mayor for Dublin. [41985/19]

5. **Deputy Joan Burton** asked the Taoiseach if he will report on progress towards a Citizens' Assembly on gender equality. [42283/19]

6. **Deputy Ruth Coppinger** asked the Taoiseach if he will report on the preparations for the Citizens' Assembly on gender equality. [43149/19]

7. **Deputy Michael Moynihan** asked the Taoiseach if he will report on the Citizens' Assembly on gender equality; and when it will first convene. [43261/19]

The Taoiseach: I propose to take Questions Nos. 4 to 7, inclusive, together.

At its meeting on 11 June, the Government agreed to the establishment of a Citizens' Assembly on gender equality and noted that a further Citizens' Assembly would subsequently be established to consider the best model of local government for Dublin and, in particular but not exclusively, the issue of a directly elected mayor and his or her powers. It was agreed that the assemblies would run consecutively, commencing with the assembly on gender equality.

The establishment of the first Citizens' Assembly on gender equality was approved by Dáil Éireann on 9 July and by Seanad Éireann on 11 July. The Citizens' Assemblies Act 2019 providing for the use of the register of electors to select members for both Citizens' Assemblies was subsequently enacted and signed into law by the President on 25 July. The membership of the Citizens' Assembly on gender equality will consist of a chairperson and 99 citizens entitled to vote at referendum, recruited at national level and randomly selected to be broadly representative of Irish society. A separate cohort of 99 citizen members will be selected solely from Dublin county and city for the Dublin Citizens' Assembly.

The Citizens' Assembly secretariat is now up and running. A secretary has been appointed and staff assigned. Dr. Catherine Day, the former Secretary-General of the European Commission, will serve as chairperson of the assembly on gender equality. Administrative preparations

are well advanced with a view to convening a first meeting as soon as possible, but certainly before the end of the year.

Deputy Joan Burton: I thank the Taoiseach. Regarding the position of women in Ireland, while the progress and advances have been significant, they have been lopsided. On many occasions it is a bit like one step forward and two steps back. The idea of a Citizens' Assembly was first introduced to the Dáil by the Labour Party, when Eamon Gilmore was leader. It followed a period of examination and reflection by the Labour Party on how democracy could be made more meaningful and especially how very divisive debates could be addressed. Notwithstanding the advances, the equality position of women in Ireland at the moment is very disappointing. In particular, we have a lot of exceptionalism when it comes to officeholders. Women come and go but it seems men are there forever in the overwhelming majority of cases. For instance, we have never had a woman as Minister for Foreign Affairs and Trade, as Minister for Finance or as Secretary General in the financial area and clearly we have never had a woman Taoiseach.

In terms of income and pensions, the Government failed to make any mention, for example, of the supplementary pension scheme, in which I was heavily involved, the purpose of which was to allow women, who are often lower paid and who have broken service in paid work because of rearing families and other family commitments, to get a supplementary pension. Such a scheme would give those women in particular an opportunity to supplement the State retirement pension, which might be the only income they would have to rely on in retirement.

In terms of a lord mayor of Dublin, it is clear there is a need for more local democracy in Dublin but that discussion must be a broad one. If we have a singular lord mayor we need to have a very clear idea of the role and whether the person will have the capacity to deal with housing or to be in some way responsible for the quality of planning in the city, which at the moment leaves much to be desired. How will we address the greening of the city and in particular the serious development of public transport that will encourage people to leave their cars at home and to use public transport?

I would like to know the timeline for both referendums and if the Taoiseach will have a discussion with Opposition parties and other interested persons on what should be the subject matter of the referendums. For instance, has the Taoiseach made up his mind on the position of women in the home?

Deputy Ruth Coppinger: I hope I will get extra time as well, a Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: Sometimes it is better not to hear these things.

Deputy Ruth Coppinger: Okay. I am sorry. There is no question that a Citizens' Assembly on gender equality will have its work cut out for it because there are so many issues such as the gender pay gap, the costliest childcare in Europe that often prevents women getting promoted and continuing in employment, precarious housing and jobs and the pensions Deputy Burton mentioned. She was also responsible for creating the inequality but we will skip over that for the moment.

Deputy Joan Burton: That is pure rubbish.

Deputy Ruth Coppinger: It is difficult to have equality when women's lives and safety are also at risk. The Taoiseach agrees that according to the statistics there is an epidemic of

violence against women. Of the 225 women who have been murdered since 1996, nine out of ten were killed by their own partners and 61% were killed in their own homes.

We signed the Istanbul Convention but we have only one in three of the recommended refuge spaces. In the budget, domestic violence was given €20 million in funding and greyhounds got almost €17 million. Domestic violence was given parity of esteem with a cruel industry. Funding for sexual violence increased by 10% but it was halved over the ten years of austerity. Calls to the rape crisis centres have increased by 25%.

There are only three refuges in the greater Dublin area that are operational right now. I was told that the refuge in Blanchardstown turns away up to 500 women and their families every single year and that many women have to be discharged into homelessness. The outreach the centres do, which is critical to give women support and counselling, for example, while attending court, could be expanded into the area of prevention. They could go into schools and speak in communities if they had the funding. The refuge in Blanchardstown could do with two apartments, which it has space for right now, but we need a hell of a lot more. I put it to the Taoiseach that he has not stepped up to the mark in his constituency and he needs to do it. Will he and the Minister beside him, Deputy Zappone, increase such services? We have a major homeless epidemic in the greater Blanchardstown area and that is compounded by women who cannot get into refuges and those who are in refuges who cannot get out of them because they have nowhere to go.

Deputy Micheál Martin: I would argue that much confusion is evident in the current status and operation of the new Citizens' Assembly on gender issues. What specific steps are left in terms of recruiting members, deciding agendas and beginning work?

The assembly model has been effective in providing a mechanism for deeper debate while the debate continued separately in the Oireachtas. For example, we had an extremely active and effective all-party committee on the eighth amendment. It is fair to say it was the originator of the specific proposal and policy that was put before the people and supported by them and that is now on the Statute Book. Perhaps it is narrower than some of the recommendations that came from the Citizens' Assembly, but both were important parts of the working out of the issue. Ultimately, the Oireachtas committee had to come to a decision, which it did. The three Fianna Fáil members on the committee were instrumental in arriving at the particular proposal that emerged.

The Taoiseach is aware that the recommendations of previous assemblies failed to progress where the process was simply that the report went to the Government and it took unilateral decisions on how to proceed, or not to proceed, with many of the recommendations and the issues discussed. What is proposed in terms of a parallel or follow-on process within the Oireachtas? What discussions has the Taoiseach had with the new chairperson to ensure that the assembly is able to be distinct from day-to-day politics and partisanship?

Deputy Louise O'Reilly: As the Taoiseach has noted, the resolution to establish a Citizens' Assembly on gender equality was passed in the Dáil before the summer recess. We are grateful to Members for supporting my party leader's amendment to the resolution that the assembly would include in its work consideration of existing structural pay inequalities that lead to women being disproportionately represented in low-pay sectors. That is extremely important. As we all know, when Fianna Fáil was last in government and it cut the minimum wage, the majority of workers impacted by that were women. We know they are disproportionately rep-

resented in low-paid employment.

The value of the work of the assembly will be in the opportunity to advance transformative change for both women and girls. That can only happen if the Government commits to implementing the recommendation of the assembly members. The Taoiseach originally committed to having the assembly up and running by the end of this month. Could he assure the House that the full assembly will begin its work by the end of this year?

In terms of the assembly on a directly elected mayor for Dublin, Sinn Féin supports both the proposition for the assembly and the officeholder. However, we hold the strong view that the establishment of a directly elected mayor should be created in tandem with wider and very much talked about reforms of local government. Crucial to the value of a directly elected mayor to the capital city will be the devolving of powers to the officeholder. Devolved powers must include significant policy areas currently controlled by central government, such as transport and waste management. The devolving of powers from central government to the mayor must be included in the considerations of the Citizens' Assembly. Without discussing the devolution of power, the Citizens' Assembly discussion on a directly elected mayor for Dublin would have very little value because it needs to discuss those far-reaching powers that are necessary. I encourage the Taoiseach to set out a timetable today for the establishment of this second Citizens' Assembly.

The Taoiseach: We have made much progress on gender equality as a country in the past few decades. We should not be embarrassed to acknowledge that, whether it is the repeal of the eighth amendment, new laws related to domestic violence, the ratification at long last of the Istanbul Convention, the reform of our divorce laws, gender quotas for election to this Dáil, or subsidised childcare for the first time in the national childcare scheme coming into effect in the next couple of weeks. That is important for men as well as women, but can be very important for women. Participation in higher education by women has increased dramatically in recent years, with better parental leave, and with parental benefit coming into effect in a few weeks for the first time. There will be improved maternity benefits. An initiative that I have been especially involved in is Better Balance for Better Business, to encourage private sector companies to ensure that more women are on private sector company boards. We have well above 40% female membership of State boards. I think more women than men were appointed to State boards for the first time last year. We are pursuing the national strategy for women and girls. A women's health task force has been re-established and that in many ways responds to a matter raised by Deputy Connolly earlier. Even though it is controversial, the advancement of 45 female-only senior academic roles in the higher education sector is a good idea, and it is being pushed forward by the Minister of State, Deputy Mitchell O'Connor. It is fair to say that the Government has been very active in pursuing a gender equality agenda.

With regard to women's refuges, I appreciate that capacity is deficient. There are plans for some new ones or at least to increase capacity but I have to double-check that. We need to change the approach. If somebody is being domestically abused, experiencing violence in the home or being attacked by his or her partner, the partner should move out of the house, not the woman and the kids. We have changed the law to make that easier to make sure that the abusive partner, whether it is the man or the woman, has to leave the home, and not the person who is being abused.

Deputy Richard Boyd Barrett: They do not always have a choice.

The Taoiseach: I know that cannot be the case in all cases but it should be more common that the person who is perpetrating the abuse leaves the home and not the person who is the victim of the abuse.

Deputy Ruth Coppinger: The Taoiseach must not understand the concept.

The Taoiseach: With regard to areas where I think we will all agree there needs to be progress, one area is pensions. It is worth reading the facts and research about the State pension. The difference in the average State pension paid to a man versus a woman is approximately 2%. Pensioner poverty in Ireland is higher among men than women. When it comes to the State pension, there is not significant inequality anymore in what is paid to men and women, or in pensioner poverty. There is when it comes to occupational pensions, which comes down to the fact that, historically, women have tended to work in lower paid roles and have been in and out of the workforce. The solution to that is to press ahead with the Minister, Deputy Doherty's, reforms relating to lawful enrolment, making sure that everyone who is at work pays into an occupational pension and that their employer does so too. That is how we will achieve, over time, the closing of the pension gap. We are pursuing the pay gap with legislation to require employers to produce information on the gender pay gap in their company or workplace and to explain why there is a difference. We need to strengthen that legislation to make sure that it is not just a reporting mechanism and that things actually change. We want to pursue that in the coming period.

I have met Catherine Day on occasion but I have not met her specifically on the issue of the Citizens' Assembly. I will have to think about whether I should or not. The advice from my officials is generally not to do anything that might be seen to interfere in a citizens' assembly, which means not meeting the chair and not calling out to meet the members of the assembly. I did not do it previously but I met the chair afterwards to hear how it went and to get advice on how it might be done better in the future. Meeting beforehand might be seen by some as interference but I have not decided on that yet. It is intended to have the first meeting by the end of the year, to have a report within six months of the first meeting, and to have the Oireachtas consider the report.

Taoiseach's Meetings and Engagements

8. **Deputy Micheál Martin** asked the Taoiseach if he will report on his visit to the UN; if he held bilaterals; and the issues discussed. [39631/19]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his visit to the United States of America for the recent UN meeting. [39637/19]

10. **Deputy Micheál Martin** asked the Taoiseach if he will report on the meetings he held with business leaders while in the United States of America; and the issues that were discussed. [39894/19]

11. **Deputy Joan Burton** asked the Taoiseach if he will report on his attendance at the recent United Nations climate action summit. [41986/19]

12. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his recent visit to Los Angeles and his efforts to boost the film industry here. [42162/19]

13. **Deputy Ruth Coppinger** asked the Taoiseach if he will report on his attendance at the United Nations General Assembly and United Nations climate action summit. [43150/19]

14. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on his attendance at the recent United Nations climate action summit. [43407/19]

The Taoiseach: I propose to take Questions Nos. 8 to 14, inclusive, together.

I travelled to the United States on 22 September for a five-day programme in New York and Los Angeles. My programme in New York centred on the 74th annual session of the UN General Assembly, where I joined Heads of State and Government from around the world for a series of engagements.

On Monday, 23 September, I participated in the UN climate action summit, accompanied by the Minister for Communications, Climate Action and Environment, Deputy Bruton. I outlined Ireland's approach to climate action, including the Government's commitments under the climate action plan, our intention to ring-fence any new carbon tax revenues for climate action and just transition, and the increased focus on climate action in our new policy for international development.

On Tuesday, 24 September, I attended the opening of the 74th session of the UN General Assembly, which was led by UN Secretary General, António Guterres.

I represented Ireland at the high level meeting on the UN sustainable development goals, SDGs, on Wednesday, 25 September, where I outlined Ireland's approach to meeting the goals. This was the first meeting on the SDGs at Heads of State and Government level since the goals were first adopted in 2015, in negotiations brokered by Ireland and Kenya.

I met Prime Minister Ardern of New Zealand, President Macron of France, King Abdullah of Jordan and other leaders at a meeting about the Christchurch Call to Action. This initiative is an alliance between governments, international organisations and tech companies, committed to doing more to remove online violent and extremist content. A shared crisis response protocol was adopted to ensure that all actors are prepared in case of future attacks. We have already seen the added value of these approaches following the anti-Semitic extremist attack on a synagogue in Halle, Germany earlier this month.

While at the UN, I met several leaders to discuss Ireland's candidature for a seat on the UN Security Council, including Heads of State and Government of Serbia, North Macedonia, Egypt, Liechtenstein, Senegal, Saint Vincent and the Grenadines, and the Vice President of Indonesia.

During my time in New York, I took the opportunity to have bilateral meetings with European Council President Tusk and UK Prime Minister Johnson to discuss the latest developments on Brexit at that time. I also spoke with many other EU and non-EU leaders, discussing matters of shared interest.

I began the economic aspect of my US programme with a visit to NBC studios in New York, where I met senior executives to discuss NBC Universal's experience of production in Ireland and plans for future investments.

I then travelled to Los Angeles for a further two-day programme on 26 and 27 September. While in Los Angeles, I opened the new Consulate General of Ireland there, which is the latest

in a series of at least 26 new diplomatic missions that we will open under the Global Ireland 2025 initiative.

I undertook several engagements focused on developing economic ties with the west coast of the US, especially in the tourism, creative and tech sectors. I had meetings with California's Lieutenant Governor, Eleni Kounalakis and the Mayor of Los Angeles, Eric Garcetti.

I attended some events and meetings organised by Tourism Ireland, Screen Ireland, Enterprise Ireland and IDA Ireland. I met senior executives from leading US companies in the creative and tech industries, including Disney, Fox Searchlight Pictures, Hulu, Netflix, Skydance Media, SpaceX and Warner Bros.

I also met representatives of Irish companies who travelled to the US for the trade mission, including Ardmore Studios, Element Pictures, Troy Studios and Wild Atlantic Pictures.

I concluded my programme on Friday, 27 September with an event for the Irish Community at Loyola Marymount University, where I met with groups providing assistance to the Irish in the US.

I believe my visit to the Los Angeles area will help to highlight the growing opportunities for Ireland, and for Irish companies in the creative industries, tech and tourism sectors, which are significant growth sectors for our economy.

Deputy Micheál Martin: Previously when we discussed the Taoiseach's speech on climate change at the UN, he was incredibly sensitive about the idea that he was annoyed with an article criticising his main announcement as tokenistic. The Taoiseach said at the time that it was a shocking conspiracy theory to suggest that he sought the right of reply article which was carried the following week in the same paper. Because he seemed so upset about this, I would like to say on the record that I accept the Taoiseach's explanation that he received an unsolicited personal contact from the editor offering him space for an article. He will understand that this is the sort of attention that no one else here would be used to.

I also raised with the Taoiseach-----

The Taoiseach: I feel very sad for Deputy Martin.

Deputy Micheál Martin: -----the extensive commentary about the Government's target for electric vehicles. Everybody in the House supports an aggressive programme to increase the use of such vehicles. Some of us have even voted for important moves to rebalance in favour of a more carbon-neutral future. The issue is not whether we should try to maximise electric vehicle use but whether there is any substance behind the very specific target that underpins the current climate plan. There is no indication, for example, in the budget for next year or in the projections for the following two years, that the Department of Finance is expecting to end the purchase of internal combustion engine propelled cars in the next few years. Nobody believes the figure of 1 million cars by the end of the plan is either realistic or has any substance behind it. That is an overall problem with the Government's approach because the Taoiseach has admitted the country is a laggard.

I recall that when the Taoiseach's predecessor, Deputy Enda Kenny, took office in 2011, he, along with other Fine Gael Ministers, spent a number of years attacking the previous Government's climate change targets as being unrealistic and attempting to pull the then Government

back from those targets. I recall Commissioner Hogan rubbishing a lot of what was going on at that stage with climate change policies. He did everything he possibly could at that time and in the run-up to that period to undermine the Green Party, for example. We have fallen behind over the past eight years and there has been little action on the climate change front. There is a dire need for some substance behind all the hype and high-flown rhetoric. We need to see reality and concrete plans that can be brought to fruition.

I was disappointed with other aspects of the budget. There were no imaginative ideas, bar the carbon tax, which was well-known and proposed by the Joint Committee on Climate Action. There was nothing else in agriculture and so on to try to move on quickly on the climate change agenda. Is a plan being prepared to try to reach the new goal of electric vehicles or is this another target the Taoiseach has no intention of fulfilling?

Deputy Richard Boyd Barrett: Over the past decade or so, approximately 3 million US troops have passed through Shannon Airport to prosecute disastrous wars in Afghanistan and Iraq. We have had rendition flights illegally kidnapping people for torture using our airports, and we have had the US military transporting support to Saudi Arabia to carry out its horrific attacks in Yemen. The US war machine visits destruction on human beings but it is also important to say the US war machine and war machines generally are among the greatest destroyers of the environment and have done extraordinary damage to the climate.

Some of the greatest opponents of this war machine have been US military veterans. I welcome to the Gallery two US military veterans who served with the US paratroopers and the marine corps, Mr. Ken Mayers and Mr. Tarak Kauff. They have essentially been imprisoned in Ireland for the past seven months because they have had their passports taken from them. They are not allowed go back to the US and they are awaiting trial for a protest at Shannon Airport on St. Patrick's Day this year. Incredibly, they are aged 77 and 82 years, respectively, so they are hardly a danger or threat to anybody, but the State prosecutor submitted to the judge who was hearing their case that they were a flight risk. I can tell the Taoiseach that wild horses would not stop Mr. Mayers and Mr. Kauff from going to their trial, because they want to put the war, the US military and the role of Shannon Airport in the US military endeavours on trial. They are more than willing to come back and will sign affidavits to that effect. Mr. Michael Finucane is representing them.

In a purely vindictive act, which might have been brought about owing to pressure from the American Government, and in a shocking move, the State prosecutor pressed the judge to take their passports off them. They have been separated from their families and friends for seven months and they will not be able to go home at Christmas. The Taoiseach has their solemn pledge they will come back for their trial because, as I said, wild horses would not stop them from attending that trial. I am asking the Taoiseach to ask the State prosecutor to withdraw that submission that they are a flight risk, because they are not, and to let them have their passports back so they can return to their families pending that trial. We have not even got a date for the trial. The Taoiseach can have signed and solemn declarations from them that they will come back and face that trial.

An Leas-Cheann Comhairle: The questions were about the Taoiseach reporting on his visit to the United States.

Deputy Joan Burton: I want to ask the Taoiseach about his discussions of climate change at the UN, which is concerning and worrying to people, not just in Ireland but around the world,

for what it forebodes for the future of the world unless we get our act together. Had he an opportunity to examine initiatives relating to the reduction in air quality, which affects cities and towns right around the world? Does he or the Government feel inclined to take action to reduce air pollution, which is a major cause of asthma for children and older people, in Dublin? As we know from all the different scientific reports, it causes a serious reduction in quality of life, serious illnesses that cost the health services dearly, and is responsible for approximately four times more deaths in the European Union collectively than road accidents. Did the Taoiseach learn anything about how to green our cities and towns, encourage planting and encourage the creation and preservation of carbon sinks?

He also referred to the Irish campaign for a seat on the UN Security Council. He has been courting many countries in the developing world for support. The people most likely to suffer from climate change in the developing world will be women and children. Women are the basic farmers in most developing countries. Without effective programmes to reduce and ameliorate climate change in the developing world, the lives of women and children, particularly young girls, will worsen. The wars of the future may well be resource wars, brought about by the impact of climate change. Has the Taoiseach had an opportunity to raise that and to reflect on it? Ireland's aid budget has increased, which is welcome, but the Government could do an awful lot more, particularly on air pollution, in this State to support the elimination of air pollution on a global basis, and to assist small farmers, the majority of whom are women with dependent children, in developing countries.

Deputy Louise O'Reilly: We all agree the UN summit was an important event for political leaders but it was also an opportunity to debate and secure international agreement for the bold policy responses that will be necessary to tackle climate change. In his speech to the summit, the Taoiseach said leadership is required to take action and, again, we agree. Much like the Taoiseach and Deputy Micheál Martin, we can agree on some issues. However, the Taoiseach's big message to the summit was carbon tax increases and some woolly references to a just transition, the transformation of transport, electricity, buildings and food production systems. Carbon tax is not a big idea and has not proved effective. If a behavioural tax does not change behaviour, it is just a plain old tax. Worse still, it is a tax that will actively work against a just transition for the workers in micro and small businesses that the Government should seek to protect.

Last month was an opportunity to push for the big public policy changes that can, and will, protect current and future generations and to push for solutions that will challenge developed countries' economic models but will protect future generations from having to walk to school knee deep in water day in and day out. For example, did the Taoiseach and others engage on the provision of free public transport? He told the gathering that he wants
6 o'clock Ireland to be known as a green country because of how we respond to the climate and environmental challenges facing our planet. If he is serious about that ambition for Ireland, his policy objectives need to radically shift. We need incentives and solutions to get people out of their cars and onto publicly-funded buses and trains. Any climate scientist worth his or her salt is pushing for this change in individualised public policy to collective responses. How prominently did the provision of public transport for citizens feature in the Taoiseach's engagement with leaders during the summit?

An Ceann Comhairle: I am afraid we do not have any time left for the Taoiseach to respond. Members need to be conscious that if they consume all of the time asking questions, there will be no time left for a response.

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Deputy Richard Boyd Barrett: Can we not have a brief response?

An Ceann Comhairle: No, because we are way over time. I am sorry. In fairness, we should have regard to the order of the House.

Deputy Richard Boyd Barrett: I stuck to the time.

An Ceann Comhairle: If people stuck to the allocated time, it would not be a problem.

Deputy Micheál Martin: There was a flow to it before the Ceann Comhairle arrived. There might be different styles.

An Ceann Comhairle: I am sorry to stop the flow but I must adhere. Some of us will be here until 10 p.m. or 11 p.m. and we would like to get the business done.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Childcare Services Inspections

52. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs her views on whether it is satisfactory that parents are not informed when a crèche is placed at the critical level by Tusla; and her further views on whether it should be addressed. [43572/19]

Deputy Anne Rabbitte: I will try to keep the flow going.

An Ceann Comhairle: I have never been accused before of stopping the flow.

Deputy Anne Rabbitte: I know and I am not saying the Ceann Comhairle did.

Does the Minister believe it is satisfactory that parents are not informed when a crèche is placed at critical level by Tusla? Does she believe this should be addressed? Is she confident that her Department and herself are fully aware of crèches that are deemed high or critical risk? I seek reassurance for parents.

Minister for Children and Youth Affairs (Deputy Katherine Zappone): Where Tusla has evidence of a serious risk to children, Tusla's early years inspectorate brings this to the attention of social work services. This is a requirement under the Children First Act 2015 and in such instances parents are informed. As the independent statutory regulator, Tusla's early years inspectorate employs a risk-rating system for all early years services. This system informs inspection scheduling and levels of oversight and scrutiny of a service. A critical status on Tusla's risk-rating system implies a high and intensive level of scrutiny by Tusla's national review and enforcement panel. It does not imply that children attending these services are at risk, or that they should be removed from the service.

I understand that having limited information available with regard to a service's current status may be a cause of frustration and concern for parents. However, I share Tusla's concern about the implications for parents, children and services, including causing undue worry among parents, if Tusla were to inform parents whenever a service is categorised as critical. The rea-

sons for this categorisation can be varied and do not necessarily imply a child is at risk. Tusla's national review and enforcement panel meets approximately every two weeks, and services are de-escalated whenever concerns are addressed.

The number of services at critical status changes continuously as the inspection process proceeds and as services react to Tusla's concerns. For example, of the 37 services described as critical at the Joint Committee on Children and Youth Affairs on 31 July last, 18 had been de-escalated by 1 October and their cases closed.

While parents have a legitimate interest in knowing the findings of inspections, a service's registration status and the outcomes of legal proceedings, there is also a need to give service providers the right to correct potential inaccuracies in inspection reports prior to publication. Tusla publishes inspection reports as soon as due process has been followed.

Deputy Anne Rabbitte: I thank the Minister for her response. I am glad she drew on the hearings of the joint committee last July regarding the 37 crèches. Since then, I have received responses to parliamentary questions whereby it appears 595 crèches are on a risk rating register at present. The Minister is correct that this can be for a number of reasons but, at the same time, the concern is that parents are still being kept in the dark. Regardless of the rating, and I concur with her and Tusla that we do not need to alarm parents, parents have a right to be informed when a service is deemed high or critical risk. Normally when a crèche is deemed high or critical risk, it is because of a regulation relating to fire, overcrowding or ratios. Are the Minister and the Department confident with regard to monitoring risk ratings in Tulsa and the inspectorate regime? Are they happy with how it is being run?

Deputy Katherine Zappone: I can answer "Yes" to that question; it is very straightforward. As I have identified, a panel meets every couple of weeks to take a look at the various issues that arise in terms of those listed as critical risk. It is also important to note that we are also examining how parents might be given more information at an earlier stage where possible. In addition, I encourage parents to ask their service providers about inspections and any concerns they may have. I encourage service providers to share information with parents about their latest inspection visits, even if it is not yet published. I also encourage parents to speak to their local childcare committees when considering options and choosing service providers. In addition, the Deputy will be aware that I have significantly increased the number of staff in the Tusla inspectorate in recent years to enable improvements in the registration process. I am examining the possibility of new regulations and strengthening powers. We are encouraging service providers and parents to speak directly to each other as well as providing resources for more staff in Tulsa.

Foster Care Provision

53. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs the steps taken to rectify the state of understaffing and lack of professional oversight in the social care system for children in County Kilkenny since the recent HIQA report on foster care services in the county; and if she will make a statement on the matter. [43281/19]

Deputy Kathleen Funchion: My question relates to the recent HIQA report on the Carlow, Kilkenny and Tipperary area. What steps has the Minister taken to rectify the state of understaffing and lack of professional oversight in the social care system for children in the areas I

have mentioned since the recent HIQA report on foster care services in the area? Will she make a statement on the matter?

Deputy Katherine Zappone: I understand the Deputy is referring to the HIQA foster care service inspection for the Carlow, Kilkenny and south Tipperary Tusla region, which was published on 3 October. The inspection was carried out in May this year.

I was very disappointed with the issues raised in the report. To hear the word “chaotic” used to describe the management of this important work was of great concern. While I noted that inspectors found that no child had been harmed, it is clear that significant problems were found, mostly resulting from staff vacancies and a high staff turnover rate. This has led to some children in foster care and their carers having to deal with many changes in their social worker over the years. It was interesting to read that where there was a stable social worker, children were very positive about their relationship.

A total of 92% of children in care were in foster care in a family setting at the end of the second quarter of 2019. This compares well internationally. A recent international comparison, which was carried out by NUI Galway, collected data published between 2015 and 2017. For example, in Wales, Scotland, Norway and Australia, an average of 80% of children were in foster care. The figures were lower again in the USA at 75% and England at 61%.

The area comprising Carlow, Kilkenny and south Tipperary is one of the five Tusla has identified as having significant challenges in providing a consistently good standard of foster care. Staffing levels in these areas is a major contributing factor to the challenges faced. I have asked Tusla to review the reasons for the high turnover of staff, and to identify and examine the contributing factors.

Tusla has developed a workforce strategy, which was approved by its board last spring. It aims to address staffing issues within the agency in the long and short term. The long-term solution is to increase the number of social work graduates and to optimise the mix of skills between social workers and other grades to support them. My Department is working with colleagues across Government and educational bodies to increase numbers of social work graduates. In the short term, Tusla is pursuing a proposal to provide bursaries to social work students to encourage them to work with Tusla.

Deputy Kathleen Funchion: The Minister has described it as “disappointing”. I would go further and say it is totally unacceptable. We have a serious issue in the region with regard to Tusla and its attitude. Part of the reason for the high staff turnover is the very defensive culture in the agency, which does not lend itself to people wanting to work there. On numerous occasions, I have tried to get answers from Tusla but have ended up having to send the correspondence to the Minister to get an answer. On one occasion, Tusla sent me a letter to say that I had sent correspondence to the wrong address when I have been dealing with the same Tusla office in Kilkenny since before I can remember. That is the sort of attitude one is dealing with and that leads to children not having adequate supports and help. It is shocking. The focus should be on the needs of the child and one in five children in that region is without a social worker. The situation was described as chaotic and there is not much aftercare support. We heard there was extra money for this sector in the budget, so my specific question is how many social workers, aftercare workers and administrative workers will be recruited in this area?

Deputy Katherine Zappone: I really note what the Deputy has said about that region and

we will take account of it. I have also tried to indicate my own response to that report. An action plan has been drawn up and the overseeing and implementation of that will hopefully address many of the issues the Deputy has identified. I have also talked about the ways in which we are trying to move on the recruitment and retention of additional social workers. I have significantly increased budgets over the past number of years and much of that has been directed to supporting Tusla in doing that kind of recruitment.

I do not have specific answers to the Deputy's questions, although I can get them, but an eight-point plan for this region, along with some others, has been identified. It offers additional ways to monitor and encourage the change that needs to take place in those areas.

Deputy Kathleen Funchion: I would welcome it if the Minister would specifically look into this region as to why there are such difficulties and so many problems there. Part of the problem is obviously around resources and the need for additional social workers because there are many vacancies but we also must ensure that those social workers stay in the region. We all know that the last thing a vulnerable child needs, one who is already facing changes and different things in his or her life, is to build up a relationship with a social worker only for it to be torn apart. That gives that child the perception that there is nobody there for them and that the State is failing them and, to be honest, the State is failing them in that situation. There will always be situations where staff have to change but not to the level that we are seeing in this area. It really is not good enough. I think of the number of children who are falling through the cracks. It was also stated in the report that many children were only assigned a social worker shortly before the HIQA report commenced, which makes me wonder if they would ever have got a social worker if there had been no HIQA report. This area really needs to be specifically looked at.

Deputy Katherine Zappone: Senior management in Tusla is working to improve foster care in the region. As I already indicated, HIQA has expressed satisfaction with the action plan that has been put in place in the area to address the shortcomings identified in the HIQA report. I take note of and acknowledge the Deputy's statement about the inspection and uncovering of the issues. That is why HIQA is there and inspections are carried out. We have Tusla's response in quickly identifying what it needs to do and put in place in order to bring about the changes. My officials have also engaged with Tusla about the specific matters raised in the HIQA report on this area and are monitoring actions and improvements closely. I look forward to seeing the outcome of the implementation of that plan and, as I have indicated, Tusla has put in place additional ways to bring about change in that area and others in order that standards can be raised more quickly, as we all wish to see.

Childcare Services Provision

54. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs when the national childcare scheme will be fully operational and open to all parents. [43573/19]

Deputy Anne Rabbitte: My question asks the Minister for Children and Youth Affairs to clarify when the national childcare scheme will be fully operational and open to all parents.

Deputy Katherine Zappone: The national childcare scheme will open to online applications on Wednesday, 20 November, with subsidies flowing from the following Monday, 25 November. The paper-based application will be available early in the new year. Children and families using the existing schemes may choose to remain on their current schemes.

22 October 2019

In preparation for the national launch of the scheme in November, we have been piloting the IT system since 16 September. The pilot has been highly valuable, allowing us to identify and address a number of issues.

Last week, I signalled that a minor snag had been identified, which blocked a small number of applications from proceeding through the system. This relates to families with more than four children. The issue has been rectified but required a few additional weeks to address the issue and retest the system.

I am pleased that we now plan for the scheme to open for applications on 20 November. We expect approximately 65,000 children to benefit from the income-based component and a further 15,000 to 20,000 children to be on the universal scheme. Some 7,000 children will benefit for the first time. We anticipate that the families of approximately 45,000 children will receive subsidies higher than those they are currently receiving.

The pilot will continue for the coming weeks. Parents participating in the pilot will be able to register and use their subsidy award once the scheme opens. We are also inviting providers to complete programme readiness activities in this final pre-launch phase in order that they are ready to go and that subsidies can flow as quickly as possible.

The national childcare scheme is a landmark and highly innovative initiative. It is our future pathway to quality, accessible and affordable childcare in Ireland and our platform to support long-term investment in universal and targeted supports.

Parents and providers deserve a robust system and a positive user experience when accessing the scheme. It is too important for families for us not to deliver the best possible scheme and system. Parents with any queries regarding the national childcare scheme are encouraged to check our website, www.ncs.gov.ie, or to phone our parent information line.

Deputy Anne Rabbitte: I thank the Minister for her response. I said, when I asked about the scheme last June, that I was looking forward to asking the question because it was going to be the last time I did. I did not think I would have to ask about the scheme again. Is the Minister confident at this stage that we are down to the last snagging issues? Is she confident that the problem relating to families with more than four children is the last one? Is she confident that on 20 November, I will be tweeting that the scheme has gone live? There are many parents waiting. The Minister was right about how many children will be brought into the scheme.

I am afraid because this has gone on for so long. The Minister and I cannot build an ICT system but at the same time, these problems have been ongoing since 2017. The Minister has piloted the scheme and it was being trialled when I asked about the issue last February. The childcare providers need to know that they are off the paper-based model.

Is the public service card still part of the model of the new childcare scheme?

Deputy Katherine Zappone: In answer to the first of the Deputy's questions, as she is aware this is one of the most significant infrastructural projects that the State has taken on in the past couple of years. We have had in place a project management oversight board of experts in all the different fields, governing the implementation of this initiative to the highest standard. That is exceptionally important in order that, when the scheme is ultimately delivered, we can have confidence in the ways it has been put together.

I had the opportunity to visit the people who are building the system last week. Officials from my Department, Pobal and business analysts from Codec, which is the company we hired to build this incredible system, met one another. Having met those representatives and listened to the ways they are putting the system together and testing it for the last time, I can say to the Deputy that I feel very confident that this scheme will open on 20 November.

An Ceann Comhairle: I ask Deputy Rabbitte to follow up.

Deputy Katherine Zappone: I apologise because I have not answered the Deputy's last question.

Deputy Anne Rabbitte: There is no hassle and I am sure she will answer it the next time. Have we the people with skill sets to man this system or how will it be manned and maintained? We all know that computer systems are quite fickle and may break down, particularly when the system will be inundated in the middle of August, when people will want to register to avail of the scheme or to apply for the September intake under the early childhood care and education, ECCE, scheme, or when children enrol for the first time. Have we properly-resourced people with the proper skill sets to maintain the system within Pobal or the Department? We must ensure that, when the system goes down, it is back on track very quickly in order that people do not miss out on the opportunity to avail of subsidies or whatever benefits they are entitled to. Having seen last week how the system works, is the Minister confident that it is user friendly?

Deputy Katherine Zappone: I am fully confident that it is user friendly. I was given a demonstration of a couple of family types that could use it and how relatively straightforward it was to use. Ultimately, there is a determination of the award and what the subsidy will be. It will be revolutionary, not only for parents and families but also for providers. Nevertheless, it will probably take some time for people to use it, to understand how to do so, to follow the instructions and so on, as well as for providers to take it up, because it is such a large leap into something new. I am also very confident there will be the supports required to maintain the system. One of the reasons for the use of the various types of pilot scheme is in order that when it goes live, we will feel confident that it will work on busy days when there will be an influx. That is also why I emphasise the pilot scheme we have undertaken. All of the people who have gone through the pilot scheme have effectively obtained their award; they just need to pass it on to the provider of their choice. Some of the work has been done and providers are getting ready.

Climate Change Policy

56. **Deputy Eamon Ryan** asked the Minister for Children and Youth Affairs the steps she is taking to ensure the political views expressed by thousands of young persons in recent months who have marched and protested on a range of issues but particularly the issue of climate action are engaged with and acted on, in view of the fact that one of the transformational goals of the strategy of her Department for young persons, Better Outcomes, Brighter Futures 2014 to 2020, is to listen to and involve children and young persons. [43419/19]

Deputy Eamon Ryan: My question follows the major climate strikes by young people throughout the country, including on Merrion Square, outside Leinster House, where they addressed the House directly in saying they were not being listened to and that we were not protecting their future. Everything in the Government's strategy for children indicates that we have to hear their voices, particularly on decisions that affect them. The issue of climate change

will affect them more than us. How might we increase the involvement of young people in decision making and listen to them in a way that works?

Deputy Katherine Zappone: I am deeply conscious that climate justice is the issue of our time. I am proud of how young people have demonstrated tremendous leadership, as the Deputy identified, in amplifying the conversation on climate justice, not least on the international stage. My Department has become a world leader in listening to children and young people. Young people have a right to have their voices heard and contribute to the policy process on climate matters. Not only that, we must acknowledge that the solutions to the complex issues related to the climate will be better shaped if they are informed by young people from the start.

My Department oversees and supports the well established permanent structures that include Dáil na nÓg, Comhairle na nÓg and the structured dialogue process. Many of the projects carried out at local level by Comhairle na nÓg are related to climate action. On 23 November, Dáil na nÓg will meet and form the newly appointed Comhairle na nÓg national executive. Young people have agreed that the national executive's work for the coming two years will be on the topic of climate action. They will be supported and enabled by officials from my Department to work with decision makers in the relevant Departments and other bodies to ensure these actions will be translated into policy and practice on the ground.

Last week I announced a new special fund for youth action on climate justice. I hope it will help to enhance channels for direct engagement between young people and decision makers across Government and beyond. The overall goal will be to bolster young people to be in powerful, enduring dialogue with decision makers and to support initiatives that are both youth-led and respond to the issues raised by young people.

As a country, we have been to the forefront in developing innovative structures to enable young people to participate in decisions that will affect their lives and we have published the first national strategy in the area. I am pleased that we can use these participation structures in a practical way to deal with actions on climate change.

Deputy Eamon Ryan: I welcome all of the developments outlined by the Minister. It is welcome that this Chamber will be used as a setting for young people. As the Minister indicated, Dáil na nÓg and Comhairle na nÓg, when asked at their meetings what the key issue for them was, both agreed that climate change was at the top of their agenda. Will the Minister go further and give examples of how we can engage, not just with national institutions but also at local level? We need to change every community in the way the transport, energy, food and energy systems work. While there is an effective scheme of green flags in primary and secondary schools, I encourage the Minister and her relevant ministerial colleagues, namely, the Ministers for Transport, Tourism and Sport and Communications, Climate Action and Environment, to engage with schools directly such as on the issue of safe routes to schools. At my local school down the road which my daughter attends there are approximately 600 girls, only 20 of whom cycle to school. How can we change that figure? We should involve students by asking for their help and advice on what we could do in practical term to make the leap and change. Such examples, which relate to actions on the ground in the community at a local level, not just at the level of Dáil na nÓg and Comhairle na nÓg, are what we need to listen to and take action.

Deputy Katherine Zappone: I greatly appreciate what the Deputy said. I, too, have visited several schools in my constituency to observe what they have done of their own accord under the green flag scheme or in dealing with other issues they have identified. The other day

I visited a junior school where I met the green committee which comprised senior infants pupils and discussed what they encouraged their parents to do to change their behaviour to support the work on climate action and change. I, therefore, accept the Deputy's point and agree with it. My initial response emphasised that there were structures, not just at school level, as the Deputy noted, but also at local level that fed into what was happening at national level where we have listened to the voices of young people. They have identified climate change as their main issue and specific actions that they want to take and which they also want adults to take. We want to find a way to establish, as part of that process and across Government, tapping into various Departments, an ongoing forum to enable a gathering of young people to have deeper engagement with parliamentarians in a way that will continue to influence what we decide to do and that will help them to stay ahead of us.

Deputy Eamon Ryan: That is welcome. The Minister for Communications, Climate Action and Environment, Deputy Bruton, has travelled throughout the country and held a series of public meetings, but he should have some specifically with younger people. If he were to do so, one hopes it might help to move the dial. During the recent climate march on Merrion Square I heard the anger among young people. There was a sense that they were not being listened to and that, on the one hand, the Government talked about how it was into climate action, while in the next moment it stated there would have to be a liquefied natural gas facility on the River Shannon to provide for our future security. Such facilities, however, undermine the security of young people. I could list example after example, but I return to my main point that on this issue more than others, young people have a perspective and voice that deserve to be heard because it is their future. They can envisage the reality of what will unfold in their lives if we do not address it. The Government states it listens, but it does not seem to change to make different decisions and act. If it involved young people more, perhaps we might finally sway the Ministers for Communication, Climate Action and Environment, Transport, Tourism and Sport and Agriculture, Food and the Marine. They are not moving, but they need to listen more.

Deputy Katherine Zappone: I attended the UN General Assembly with the Minister, Deputy Bruton, and others when young people were outside. The United Nations invited them inside and we listened to what they had to say. Some of our climate activists were in attendance and we had conversations with them. We promised them that when we returned, we would try to identify ways by which we could develop engagement. I refer more specifically to an ongoing youth council forum to extend the structures already in place and to develop a way to ensure their voices will continue to be heard, which is exactly what I identified in my initial response. We are beginning to put such a forum in place and plan for it. I sought money in the budget to do so. I agree with the Deputy and have identified that we have begun the process.

Child and Family Agency

55. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs if she has met with a group (details supplied); if she has received a report compiled by the organisation; and if she will make a statement on the matter. [43418/19]

Deputy Mattie McGrath: Does the Minister believe Tusla is fit for purpose and that it can deal with many pressing issues? I am concerned about the way it treats the Alliance of Birth Mothers Campaigning for Justice which is campaigning for justice for its members' children.

Deputy Katherine Zappone: I understand the Deputy is referring to the Alliance of Birth

Mothers Campaigning for Justice. I have not met the group but I have received its report. It is important that the voices of those who engage with our services are heard. The sample size in the report relates to 25 mothers. They represent mothers whose children are either in the care of their fathers or of Tusla, the Child and Family Agency. The report is concerned with the actions of Tusla, the courts and An Garda Síochána. Although the sample size is small, the feedback and experiences of people who live through challenging life events should influence how our agencies work with vulnerable parents and children.

Parents may find the decisions of the courts regarding where their children shall live to be distressing and upsetting. It is of the utmost importance that efforts are made to support parents where possible and to ensure that a child only enters care where all other solutions have failed. While such decisions can be heart-breaking for a mother, the State, through its agencies and the courts, must bear in mind the child's best interest and safety and act accordingly.

Under its new child protection methodology, signs of safety, Tusla is working in co-operation with family members of children who are considered to be at risk to find safe solutions for them. This methodology was rolled out to all 17 Tusla areas in 2019. I am very glad to say that the formal feedback from families who have been part of a signs of safety intervention has been positive. Tusla has also strengthened policy and practice where a parent voluntarily places his or her child in care.

The report proposes that accountability, competency and transparency should be key guiding principles for services working with children and families. I agree, and I also believe that these principles are respected. I want to assure the Deputy that in Ireland, we set a very high standard for the care and protection of our children. Tusla's valuable work is subject to oversight and scrutiny by the Health Information and Quality Authority, HIQA, the Ombudsman, the Ombudsman for Children and CORU, the latter in its registration of social workers. In addition, the Public Appointments Service ensures fair procedures in the appointment of professionals.

Deputy Mattie McGrath: As the Minister says, I am referring to the Alliance of Birth Mothers Campaigning for Justice. It was launched some time ago and I know Deputy Rabbitte has attended its meetings.

I honestly do not believe Tusla is fit for purpose. Has the situation outlined by the Alliance of Birth Mothers Campaigning for Justice ever arisen before? I have heard of many worrying cases. I have handed the Minister a dossier. I hope she has read it. It is quite distressing, serious and damaging. Tusla, the Child and Family Agency, has been lambasted in several reports in recent years. For the first time, questions are being asked about whether it is fit for purpose in its current form. An audit carried out by Dr. Geoffrey Shannon, the very well-respected special rapporteur on child protection, found that communication between Tusla and An Garda Síochána was poor, with limited levels of inter-agency co-operation and co-ordination between them falling far short of international best practice. This is standard practice all over the world. A lot needs to be done. Socks need to be pulled up. The Minister needs to pull her socks up to turn this agency into a vehicle that is fit for purpose. There are huge concerns about it.

Deputy Katherine Zappone: I believe that this agency is fit for purpose. There are challenges and failures but children are safe today because of its work. It is not a finished product and further progress is needed. As society evolves, so will Tusla. It has achieved much in its five years. It has brought a myriad of disparate groups, technologies and practices together

under one umbrella. It has responded to numerous high-profile tragedies that occurred before its formation. It is important to acknowledge the good work that has been done and is done by the agencies on a daily basis.

In my initial response to the Deputy, I identified several oversight bodies that offer recommendations and analysis on the challenges the agency faces and the things that ought to be changed. Those recommendations are presented to me, action plans are developed by Tusla, the action plans are put in place and the results are monitored. Tusla and its supporting bodies have taken many steps to ensure it is fit for purpose, including its own directorate of transformation and policy, which has made many strides in reshaping and refocusing its policies. As I said before, that does not mean there are no challenges remaining. However I absolutely believe it is fit for purpose. The reform process it has identified is under way and it will be able to build on what it has done before, especially with its new leadership. I have fought for and secured resources to support the agency in doing that.

Deputy Mattie McGrath: I wish I could be as absolutely confident. The Minister mentioned accountability and transparency. They are not in evidence. As the Minister said, Tusla has been in place for five years now. As I said at the time, many officials were simply hived off from the HSE and left to their own devices. Parents deal with Tusla, An Garda Síochána and the courts by themselves. The Alliance of Birth Mothers Campaigning for Justice is a group that has come together because its members are not getting a fair crack of the whip. They mean business.

The Minister says there is a lot more to be done. That is true. I would like to be half as confident as she is that Tusla is fit for purpose. Quite clearly it is not. I speak to members of the Garda on a regular basis. All week long they deal with cases with Tusla and social workers. At 3 p.m. or 4 p.m. on Friday evenings, the social workers call An Garda and say it is the problem of the Garda now. Is that proper communication? The report found that there is not proper communication with An Garda Síochána. These are the statutory bodies that should be dealing with this. I meet superintendents who tell me this all the time. They get a phone call and the cases land in their laps. They have limited resources. They might spend all week dealing with Tusla and its officials but nobody is available from 4 p.m. on Friday evening until Monday morning. On a bank holiday weekend they will have to wait until Tuesday morning. Tusla is not fit for purpose and it is not doing what it should be doing.

Deputy Katherine Zappone: I thank the Deputy. I note the information and the specific examples he has provided. We take note when the Deputy makes representations. I suggest there is evidence of good inter-agency co-operation, particularly between Tusla and An Garda Síochána, which is what the Deputy's comments largely concerned, as well as other bodies working with children and their families.

As the Deputy knows, social workers and gardaí work together on a daily basis in the interests of children and in the main, these relationships are positive and work well. However, as the Deputy notes, the system has benefited greatly from the audit performed by Dr. Shannon and other investigative reports. Recommendations were made in light of that audit. As a result, An Garda Síochána and Tusla published the Children First joint working protocol to reflect the provisions of the new Children and Family Relationships Act 2015 and the Children First national guidance for the protection and welfare of children of 2017. That protocol covers respective responsibilities in key areas, including notifications of suspected abuse between both agencies, the role and function of each agency, confidentiality and information-sharing, ongoing case

management, liaison management, structures and meetings. I can assure the Deputy that the ongoing implementation of joint working strategies is subject to ongoing analysis and review by Tusla and An Garda Síochána and is monitored by this group.

Ceisteanna Eile - Other Questions

Childcare Services Administration

57. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs if the childcare subvention schemes that were operational prior to the national childcare scheme will continue to accept new applicants; and if new applicants will only be eligible to receive national childcare scheme levels of childcare subsidy. [43238/19]

72. **Deputy Ruth Coppinger** asked the Minister for Children and Youth Affairs if parents on current subsidy schemes such as the community childcare subvention programme and the childcare education and training support programme will be detrimentally affected following the introduction of the national childcare scheme; and if she will make a statement on the matter. [43277/19]

80. **Deputy Paul Murphy** asked the Minister for Children and Youth Affairs the measures being taken under the national childcare scheme to assist families that previously would have been on the community childcare subvention programme. [43219/19]

Deputy Anne Rabbitte: I wish to ask the Minister for Children and Youth Affairs if the childcare subvention schemes that were operational prior to the national childcare scheme will continue to accept new applicants and if the new applicants will be eligible to receive the levels of childcare subsidy outlined by the national childcare scheme. I know the Minister understands exactly what I am trying to ask although the question is a mouthful.

Deputy Katherine Zappone: I propose to take Questions Nos. 57, 72 and 80 together.

As I have indicated, the national childcare scheme will open for applications on 20 November. The current childcare subvention schemes will continue to accept applications for a further short period of time. The community childcare subvention scheme, CCSP, will remain open to new applicants until Friday, 15 November 2019. The training and employment childcare, TEC, schemes will remain open to new applications until 14 February 2020. No new applications for these schemes can be made after these dates.

The transition to the national childcare scheme represents a major change management initiative for Pobal as scheme administrator. Accordingly, while applications for CCSP will be accepted until Friday, 15 November, providers are strongly urged to submit all applications by 1 November, to the greatest extent possible, so that applications can be processed in a timely way and Pobal can concentrate on preparations for the opening of the national childcare scheme.

Any parent who is in receipt of support under the current legacy schemes can choose to remain on that scheme and can continue to receive the same level of support that they are receiving.

ing at present. These families can also choose to move over to the national childcare scheme at any time from 20 November onwards and, for many, this will mean receiving a higher level of subsidy towards the cost of their childcare.

This approach reflects my commitment that no one will lose out in the transition to the new scheme.

Through budget 2020, I have secured the full year costs of the national childcare scheme for 2020, in addition to extra enhancements that will be of particular benefit to lone parents and other working families. Certain families already had the option to stay on existing schemes until the end of August 2020. They will now be able to stay on those schemes until they are no longer eligible or they no longer require childcare.

From September 2020, the maximum hours for the new scheme will increase from 40 hours per week to 45 hours, particularly benefiting parents of school-age children who need before-school and after-school childcare to include time for work and commuting. Low-income parents who are not working or studying will have their hours increased from 15 to 20 hours. This will support our objective of promoting employment and reducing poverty.

The introduction of the national childcare scheme will increase the number of families who can access financial support, with some families now receiving support towards their childcare costs for the first time.

As mentioned, it will also see many families qualify for a higher level of support, including as a result of the important new enhancements from budget 2020. For example, the budget measures will see maximum subsidy rates for a child aged under one increase from their current level of €145 per week, to €204 per week from 25 November 2019 when they move on to the national childcare scheme, NCS, and to €229.50 per week from September 2020.

I am pleased to be able to provide the House with assurances about the financial impact of the national childcare scheme from its inception. While there were concerns that some groups would lose out in the transition to the new scheme, I assure Deputies that this will not be the case.

Deputy Anne Rabbitte: I thank the Minister for her response and clarification. She has answered much of what I wanted answered, but I still have a concern, as highlighted by Louise Bayliss from Single Parents Acting for the Rights of Kids, SPARK. From what the Minister has said I understand that the families that have already signed up to the scheme can stay on it indefinitely until the end. They will not be asked to come off it. There was a fear over the 15 hours going to 20 hours for low-income families going back to education. They used to have 40 hours and there was a fear that they were coming back to 15 or 20 hours.

Anybody who is on the scheme can stay on the scheme and the new criteria only apply to the new people coming forward. People can stay on the existing schemes until they finish their course, their job activation or anything else. There is no time limit on it. It is not just for 12 months as was mooted at the beginning. That is the clarification I seek.

Deputy Paul Murphy: I would also like 100% clarity on that.

The Minister has said no one will lose out, but that is not accurate for future participants, is it? If what she is saying is correct and the clarification is provided that these parents can stay on

the old scheme as long as they are eligible, it still means that in future working lone parents will no longer be able to apply for the old schemes which will be gone after a short period and therefore they can only qualify for this new scheme, meaning, as I understand it, they will lose out.

This is a group of people who are at high risk of poverty. I believe one in five working lone parents are at risk of poverty. SPARK has pointed out that under current childcare subvention rates the parent could qualify for €145 a week which would drop to a maximum subsidy of €51 per week, which would be a substantial loss. In the past I believe the Minister has referred to about 10% of parents losing out under the new scheme, but that 10% happens to be the 10% most at risk of poverty.

Deputy Katherine Zappone: I appreciate the Deputies' questions and I know the scheme has complexity. We have worked hard to ensure that no one will lose out in transitioning from the current targeted schemes to the national childcare scheme. That was the promise made. In that regard, we have ensured that they can remain on the scheme they were on. Initially it was up to August 2020 and now it is up to 2021. After that they will have finished their studies and their children will be older or the budget can ultimately be decided for the following period.

I understand the Deputies are asking about some lone parents who will need childcare for the first time who will be on the national childcare scheme and not in the transition process. For lone parents accessing the national childcare scheme in a few months there may not be absolutely the same level of supports as there were in the targeted schemes. However, in budget 2020 I secured funding to increase hours from 40 to 45 and from 15 to 20, and also after-school hours from September of next year. One of the primary motivating factors behind that was to increase hours and subsidies so that these more vulnerable groups could have the levels of support they require.

Deputy Anne Rabbitte: I thank the Minister for the clarification. She has answered one part: there will be a gap for about ten months in one strand of it if they need it. That is welcome. Depending on the number, will the Department be able to accommodate those exceptional cases that come forward?

I have an example of Mary, a single parent with an 18 month old child, John. She has been out of work since the lad was born and she has now decided to go back. The only subsidy she can get is for 15 hours, which will increase to 20 hours, but technically she needs 30. However, she cannot get a childcare place because, as we all know, capacity in Dublin is a major issue and a parent can only enrol a small child if they are prepared to enrol that child full time. She will be unable to afford full-time childcare. Therein is another problem because under the old scheme she could have got full-time childcare support. How will the Minister square that circle?

Deputy Paul Murphy: From September 2020, will any parents have a lower benefit under the new scheme than they have under the existing schemes?

I agree with the principle of universality, which is a good thing because it means that society as a whole has a buy-in for something. Therefore it is good to go for universality. However, this problem arises for half-universality because it gives a subsidy but to a system that is controlled by private operators who are entitled to hike up the prices as they wish in a sector with very low-paid workers. This problem comes down to the State trying to enable some form of universal access but through private providers. Is the answer not to move to a national childcare service and to provide access to childcare as a State provision free at the point of use?

Deputy Katherine Zappone: I am very proud of what we have managed to achieve in the lead in to and the establishment of the national childcare scheme, particularly in placing a focus on the families about whom the Deputies are speaking. They are fully aware that one of the major objectives of the scheme as I have developed it is to decrease the level of child poverty and, in particular, increase and empower vulnerable families and lone parents. We have done it in different ways before. The move to the national childcare scheme is to enable those families with the least money to receive the most subsidies. We are maintaining that objective as we move to the national childcare scheme.

To answer Deputy Paul Murphy's question specifically, my hope is that is not the case, but it depends on the ages of the children involved, their requirements and how many hours of childcare are required. We have increased the number of hours, particularly with those families in mind. Until people receive the subsidies in calculating how much their children require, we will not know, but we will continue to monitor the position.

There was one other question, although I know that I have run out of time.

Deputy Anne Rabbitte: I think it was to do with the budget if there were exceptional cases.

Deputy Katherine Zappone: We are open to hearing about those concerns and being able to respond. We have tried to ensure the overall objectives will be met and I anticipate that that will be the case.

Child and Family Agency Staff

58. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs the quality control procedures in place in Tusla; the type of performance management and upskilling which takes place for persons working with vulnerable children; the workplace supports available to those working with vulnerable children and families; and if she will make a statement on the matter. [43104/19]

Deputy Thomas P. Broughan: We discussed Tusla earlier. My question arises from the 2018 annual report which was an interesting account of all the work done by the agency, particularly in respect of performance management, outputs and supports for a vital workforce in the public sector, particularly in the workplace learning and development programme.

Deputy Katherine Zappone: I know that the Deputy is aware of Tusla's work with some of the most vulnerable children in our society. It is reasonable to expect this work to be of the highest standard. Tusla's quality assurance directorate carries out a range of ongoing audit and monitoring exercises. This is done to ensure the child protection and welfare services are delivered in line with national standards and Tusla's own operating procedures. In addition, HIQA inspects Tusla's child protection services against standards and its inspection reports are published regularly.

Social workers and others working with vulnerable children also engage intensively with parents. Professional staff need to have considerable knowledge, competence and skills to engage fruitfully with adults who are experiencing difficulties such as addiction, mental health issues and domestic violence. It is also important that social workers fully understand the impact on children of such parental difficulties with child attachment, development, anxiety and

behavioural problems.

Social workers benefit from workforce support with regular practice supervision and learning events that focus on complex cases. Tusla has developed an excellent online resource called Empowering Practitioners and Practice Initiative, EPPI, to support social workers. It provides summary research findings and best practice guidance across a range of subjects. They include more recent social concerns, including organised child sexual exploitation, the trafficking of children and cyberbullying. Child protection work is carried out in a highly pressurised environment, often with heavy case loads. It is crucial for Tusla to make sure staff are supported. With this in mind, a health well-being and employee assistance programme is available free of charge to all staff. Tusla has also committed to implementing a formal performance management development system, PMDS, with a focus on performance achievement for its staff.

I am reassured that research and exit interviews with child protection social workers consistently highlight the support social workers provide for each other and the importance of teamwork when dealing with difficult situations. I take the issue of quality performance management and workplace supports for professionals who work with vulnerable children very seriously.

Deputy Thomas P. Broughan: It is regrettable that during the period of five years the agency has not been able to meet its whole-time equivalent professional workforce targets. It has to deliver on the strategic workforce plan until the end of next year. I have raised the problem of the recruitment and retention of social workers previously with the Minister. In the budget the Minister received another 4% increase for the Department. Approximately half, or €814 million, I think represents a €29 million increase in Tusla's budget. Some of the ambition was to reduce the number of unallocated cases to address cost pressures in residential care provision and so on. The Minister mentioned the pressures on the workforce. For example, in July 802 high priority cases, 2,813 medium priority cases and 1,818 low priority cases were awaiting allocation. The pressures the workforce is operating under because of those waiting lists are immense. What targets does the Minister have to ensure the strategic plan will be achieved?

Deputy Katherine Zappone: I presume the Deputy is referring to the strategic workforce development plan.

Deputy Thomas P. Broughan: Yes.

Deputy Katherine Zappone: The board and a sub-committee of the board of Tusla will oversee and monitor the plan, with my officials. They have identified a couple of things that will make the difference in increasing numbers. First, they have to focus on the importance of the mix of staff in order that Tusla will be in a position to hire some additional administrative staff, which it has done and will continue to do. It will ensure the mix also incorporates social care workers, with administrative and social workers, in order that social workers will be free to do work required of them. The other aspect they are focusing on is retention. Tusla will be providing additional supports for employees to make it effectively an employment of choice.

Deputy Thomas P. Broughan: Tusla has produced a very interesting performance and activity dashboard. The last one I read was for July. It showed the backlogs of cases to be seen in the different areas, as well as outlining the immense workload of the agency. Is it the case that the workforce learning and development programme still needs additional resources to provide more supports for staff who carry out this vital work daily for the nation? Does the strategic ac-

tion plan recognise the needs of those doing the work this House has mandated should be done?

Deputy Katherine Zappone: As the Deputy indicated, the amount I was able to receive in the budget to increase Tusla's resources was allocated within a very tight budgetary space. It was an important achievement to get that additional sum of money for Tusla. I am aware of ways in which it is examining the numbers and cost of the agency staff it utilises because of the difficulties experienced in the recruitment of new social workers. It is a high cost and Tusla is considering ways by which that cost can be brought down. I have had significant engagement with it in that regard. Perhaps I might say a little more about it in response to other questions. There are additional resources available and the agency is considering other ways to save money, as well as to increase the number of permanent social work staff.

7 o'clock

Children in Care

59. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs the locations of voluntary residential services situated in the strategic plan for residential care services for children under State care. [43152/19]

Deputy Maureen O'Sullivan: Where in the strategic plan for residential care services for children will the voluntary residential care services sit?

Deputy Katherine Zappone: I thank the Deputy for her question.

Foster care is the preferred form of alternative care for children in need of care and protection and who cannot live with their parents or guardians. Ireland is a world leader in this regard with over 92% of the 6,017 children in State care at the end of June being in foster care. This compares favourably from an international perspective. Indicative figures show that 61% of children in care in England reside in foster care, while the equivalent figures in Norway and Scotland are 89% and 88%, respectively. It must be noted that these figures relate to different time periods and thus are not directly comparable. It should also be noted that alternative care may be approached very differently in other jurisdictions, with different policy, practice and legislative contexts in operation.

There are a number of reasons foster care is not always an option. It may not be possible to find an appropriate foster care placement, a child could be at immediate risk or a child might have specific therapeutic needs that are best met in residential care. In these cases, a child may be placed, in his or her best interests and on the basis of social work assessments, in a residential setting. Approximately 7% of the 6,017 children in care in Ireland live in residential settings. In June 2019, this amounted to 400 young people. Individual residential centres care for small numbers of children, often no more than two or three.

Residential services are provided by Tusla directly and by private and voluntary bodies commissioned by Tusla. There are 26 voluntary residential children's centres providing care for children in State care. Tusla uses a mix of its own services and voluntary and private providers to maximise the availability of services that are best suited to meet the needs of individual children and young people. Tusla uses other providers where no suitable placement is available in its own residential centres.

Tusla has advised that it is in the process of developing a three-year strategic plan for children's residential services. I understand that this process will involve consultation with all relevant stakeholders. The outcome of this process will help shape the future of residential service provision.

Deputy Maureen O'Sullivan: I thank the Minister for her reply. There is a role for residential care services but some of the voluntary services have raised concerns with me. They are alarmed at what they perceive to be the privatisation of the service, similar to what was done in England with disastrous consequences there. In England, there were zero-hour contracts for the staff and thus very low staff retention, which has a negative effect on the relationships between young people and the staff. I have had engagement on this issue with a number of services in the Dublin and greater Dublin areas and they are very concerned. The staff in voluntary residential services here are not on zero-contract hours and, therefore, they have all been in those services for a long time and they have built up relationships with young people. They are concerned that service provision into the future will be a tick-box exercise in terms of whether children are being fed and a service complies with governance and so on. While the relevant boxes may be ticked off, this is not an indication of the quality of the services. It appears there is a bigger agenda which seems to be undermining the community and voluntary sectors. I am seeing this in Dublin Central, where the community and voluntary sectors play an important role.

I welcome that there will be a consultation process but it must be real consultation and not one to which Tusla comes with a prearranged agenda.

Deputy Katherine Zappone: The consultation process will be ongoing and open. I mentioned earlier that Tusla uses a mix of its services and voluntary and private providers. There is a concern in regard to the cost of provision of residential settings. My understanding is it has increased and that costs are similar across the board regardless of the type of residential setting in which the young people live. I take on board the Deputy's concerns in regard to the voluntary providers. It is particularly important that they be heard in the consultation process.

Deputy Maureen O'Sullivan: I thank the Minister. One of the voluntary services about which I am speaking is Streetline, which has been in operation for more than 30 years with really positive results. It is based in the community in the north inner city, where it has engagement with other community and youth groups, which is important for the children in its care. This service presents an alternate family situation. It has been told that it must align with the Peter McVerry Trust. This is not a criticism of the Peter McVerry Trust but it has a different value system to the Streetline service. As I said, Streetline has been told that if it does not align with the Peter McVerry Trust, its funding will cease. Tusla has stopped making referrals to Streetline at a time when there is great need. Currently, this service has three vacancies in its under 18s section, three vacancies in its aftercare section and there will be no more referrals until such time as it complies with what Tusla wants. I have fears in regard to open consultation if this is what has been decided. Everybody cannot fit into the same box. We can address needs in different ways. Streetline has been addressing needs for more than 30 years. It would be a shame were it to be forced to fit into a box that is not an easy fit.

Deputy Katherine Zappone: It is important that the Deputy raises those issues now. I am not familiar with the details of what she has identified but I will raise questions about it, following which I will communicate with her. I can assure the Deputy that the consultation process will be open and transparent. Hopefully as a result of it, all of the different types of providers in the context of residential settings for our young people will continue to be there for us, they will

have had an opportunity to have their needs expressed and the system will change accordingly.

School Completion Programme

60. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs the status of the promised review of the school completion programme; and if she will make a statement on the matter. [43273/19]

Deputy Kathleen Funchion: I would like an update from the Minister regarding the review of the school completion programme.

Deputy Katherine Zappone: The school completion programme, SCP, continues to deliver a valuable service for some of our most vulnerable young people. Currently, the SCP receives annual funding of €24.7 million.

My Department works with the educational welfare service, EWS, in Tusla to ensure that necessary resources are available to support this programme and to ensure staffing levels are sufficient to deliver a high-quality service for those young people most at risk of early school leaving. However, a number of long-term complex issues continue to exist in regard to the governance and the staffing of the programme.

In recognition of the need for a strong policy platform for educational welfare services, including the SCP, I requested that my officials establish a task group to support the further development and integration of these services. The work of this group is near completion. As someone with a background in educational welfare, I am eager to ensure the output will result in a clear blueprint for the development of the three strands of the EWS, including the SCP.

A consultation event on the blueprint was held on 10 June, where those working with vulnerable young people as part of the EWS were able to express their views and help shape the policy blueprint prior to its publication. The closing date for the consultations was extended to mid-September at the request of some stakeholders. Some 58 submissions were received and are now being examined. Next steps are being informed by the content of these submissions and action will proceed on that basis with the aim of completion by the end of the year.

As part of the implementation of the actions contained in the blueprint, I have requested that a new SCP scheme be scoped out and developed to ensure that its reach, resources and impact are maximised in supporting young people. My Department has worked closely with colleagues in the Department of Public Expenditure and Reform in regard to the employment status of SCP co-ordinators and project workers and I will continue to examine options in regard to this in the context of the development of this new scheme.

Deputy Kathleen Funchion: I thank the Minister for her reply. The Minister is aware that I am an advocate of this programme and I can never say enough good about it. This service follows the needs of the child and is not based on the child having first come to the attention of Tusla in order to get assistance. Under this programme, it does not matter who the child's parents are or what is going on in his or her life. A lot of kids do not necessarily come to the attention of other services. A lot of stuff is means tested based on parents and people just fall outside of various other schemes but this is totally child-centred. It is centred around what the child needs at that particular time whether through homework clubs, play therapy and counsel-

ling services, which are one of the most valuable things provided currently given the increase in levels of anxiety, stress and worry that we see in our young people particularly in schools. Children in schools running the school completion programme can get access to that immediately. It is invaluable, particularly for any child going through a crisis. Were school completion co-ordinators invited to that event on 10 June and have they been included in the consultation process? That is key. Is there going to be new money allocated? As far as I am aware, they have not had their budget increased since 2008.

Deputy Katherine Zappone: I know some were at that event because I was there myself. I know they have been included in the consultation process as well. In response to the Deputy's second question, in budget 2019 I secured an additional €500,000 in funding for the educational welfare service and the alternative educational assessment and registration service and I have maintained that in budget 2020. This has allowed the educational welfare service to increase its number of educational welfare officers to provide additional administrative support, which has allowed these educational welfare officers to focus on working with young people who are experiencing difficulties with school attendance. As the Deputy is aware, they work with the school completion people very closely. In addition, in terms of school completion, in my Department we have been working closely with colleagues in the Department of Education and Skills and local stakeholders, particularly in the context of a programme called City Connects, which is coming out of Boston College, and taking a look at it specifically initially for the north-east inner city. It is an evidence-based intervention that is committed to an ongoing and scientifically rigorous evaluation of results. Its strength-based programming works to the principle of progressive universalism. There is a desire to use this programme and to begin to put it in place there as a way of moving forward and supporting the school completion work.

Deputy Kathleen Funchion: It is really important that the school completion co-ordinators are totally involved in that consultation process. I know there have been some governance issues and I accept that. They also did have a proposal going back a few years in respect of being brought in under the education and training boards, ETBs, for their governance issues. I had concerns when it was taken out of the Department of Education and Skills because Tusla has a different approach and attitude to school completion from what the programme was actually designed for. As I said earlier, it is totally focused on the needs of the child but sometimes those in Tusla think it is an extra resource for them and for children who come to their attention. The idea of this service is that it can prevent people coming as far as the attention of Tusla. Is the new money that has been allocated specifically for school completion or is it falling under a general budget for educational welfare? It is important that any money that is going to it is specifically ring-fenced for it.

Deputy Katherine Zappone: The Deputy raised a point that has to do with the employment status for school completion co-ordinators and project workers in the proposal they put forward to be brought in under ETBs. I can say absolutely that I personally, as well as my officials, have been exploring that with the Department of Public Expenditure and Reform. The process of examining that is ongoing. We have had many meetings to try to move forward and certainly have taken their voice into account in that regard. We do not have an outcome yet. In respect of additional moneys, I will be in the process of identifying with Tusla the appropriate way to resource and to spend. School completion is part of that as well as the other aspects of the educational welfare service. I am very much aware of the fact that they could use additional resources in order to support their work.

Child and Family Agency Staff

61. **Deputy Aindrias Moynihan** asked the Minister for Children and Youth Affairs the steps she is taking to ensure that children using Tusla services will have the benefit of a long-term social worker; and if she will make a statement on the matter. [43267/19]

66. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs if her attention has been drawn to the use by Tusla of agency social worker staff; and if she will be taking steps to assist Tusla in hiring additional social workers. [43239/19]

82. **Deputy Aindrias Moynihan** asked the Minister for Children and Youth Affairs the steps she is taking to ensure that Tusla increases the number of permanently employed social workers as opposed to using agency staff; and if she will make a statement on the matter. [43266/19]

Deputy Aindrias Moynihan: Continuity of care is the central aspect of this question, in the sense of a child being able to rely on having consistency and the same social worker being available to him or her. There seems to be an increased reliance on agency workers whereby there is more than a doubling of the number of agency workers. It is up 125% over the last four years while at the same time there is only a 3% increase in the number of permanent staff being taken on. Can the Minister outline how she is going to provide consistency to children who are dealing with social workers? Is she going to put further emphasis on permanent staff?

Deputy Katherine Zappone: I propose to take Questions Nos. 61, 66 and 82 together.

I am very much aware that the ideal for the continuity of care of vulnerable children is to have a long-term social worker available when required. Tusla has taken a proactive approach to the recruitment of social workers in a difficult and challenging recruitment environment. We covered this a bit with Deputy Broughan. There is a worldwide shortage of social workers and this was noted by HIQA in its report on 19 June 2018. Tusla is competing with the HSE and the voluntary and private sectors. Tusla has advised me that recruitment efforts to 31 August 2019 are ahead of target for social work with a total figure of 149 hires. This has resulted in an increase of social workers by 64 whole-time equivalents when attrition is taken into account.

I share the concerns expressed by Deputies regarding the increased use of temporary agency social workers in recent years and I have communicated this to Tusla. I also appreciate the attention that the Joint Committee on Children and Youth Affairs has given the issue as part of its deliberations on the recruitment and retention of social workers in Tusla. Notwithstanding this, Tusla must deploy agency workers to ensure it can continue to provide its services to vulnerable children and their families at a time when overall referrals are increasing. I understand that Tusla is currently reviewing agency use. I am informed that formal discussions will take place with Fórsa on 29 October 2019 regarding a proposal to carry out an agency conversion across front-line service. I welcome this initiative.

I will be raising the issue of agency staff in my performance statement to Tusla, which will issue next month, as a key input to its business plan for 2020. Tusla currently spends approximately €31 million annually on agency staff. I am setting it a target of reducing this spend, primarily through the conversion of agency staff to permanent staff. I also requested that Tusla develop a strategic multi-annual workforce plan, which would include reflection of the labour market and the current limited supply of social workers. I am pleased that Tusla now has a strategic workforce planning model which I understand will be rolled out over the coming

years. The implementation of the strategic workforce planning model will represent a very significant change for Tusla and its service delivery teams in 17 geographical areas. The model will increase and formalise the use of social care workers on child protection teams. The model should also reflect the realities of the labour market supply and ensure that social workers are supported by appropriate complementary grades. I refer again to Deputy Broughan's questions earlier. The model will also seek to deliver on a strategic focus for Tusla with a gradual transition to multidisciplinary teams. The multidisciplinary teams will look to consist of the optimum mix of skills across social work, social care, therapeutic staff, family support, education welfare and administrative support.

Tusla Recruit has also informed me that it has a very special, proactive approach to recruitment with 16 social work-specific campaigns, for example, a rolling campaign for professionally qualified social workers; the social work graduate programme designed to recruit new graduates; social work team lead; senior social work practitioner; and principal social worker. I welcome the fact that there is a focus on recruitment and retention as part of the roll-out of the strategic workforce implementation plan, assisting staff well-being by assessing workplace stressors and critical incident exposure in the workplace.

My Department has also taken an initiative to establish the social work education group which provides a forum for Tusla and other stakeholders, including the HSE and the Probation Service, to explore and act upon possible actions to influence the future supply of social workers. The first priority identified by the group is the streamlining of student placements. My Department has commissioned research to identify alternative approaches to streamlining the process of working with stakeholders. A final report is due shortly and potential next steps will be considered. The social work education group also provides a perfect platform for Tusla to bring forward creative ideas for initiatives such as conversion courses to train existing social care workers as social workers. These are just some of the ideas that are coming forward.

Deputy Aindrias Moynihan: Gabhaim buíochas leis an Aire.

Trust and the relationship with social workers are significant key aspects of their role for the child and for getting results for them. I am pleased with the proposal to convert agency staff to permanent staff. There has been an emphasis on agency staff over the past while, with a 126% growth in the agency staff sector but only 3% growth in permanent staff. Can the Minister set out a timeline for when she might expect to have a full complement with everyone on board and the number? Can she also keep me updated on the ongoing talks and the plan that is in place?

Deputy Katherine Zappone: What timeline is the Deputy referring to?

Deputy Aindrias Moynihan: The timeline as to when the Minister would have the conversions completed and everybody in place with a full complement of staff.

Deputy Katherine Zappone: That is the current hope and intention of Tusla and its CEO. We have had exchanges as well on the issue of agency staff. The CEO conducted an introductory engagement with Fórsa last week during which he mentioned his hope of a once-off blanket agency conversion, which received a very positive response. A formal meeting with Fórsa and the human resources, HR, department of Tusla is scheduled early next week to take a look at exploring the detail of beginning a major conversion process. Tusla currently has 677 agency staff engaged. While we cannot predict the outcome, I understand from the CEO that he is hopeful that there will be a significant result from the initial conversion work. This would

be a significant change and many of the technical details and aspects of that kind of process of change will have to be interrogated and agreed with other Departments as well.

Deputy Aindrias Moynihan: That is a comprehensive response, with welcome steps noted. Can the Minister clarify if she has a targeted timeline as to when she expects to have those people on board? Will it be in the next six months or year or is there a broad outline?

Deputy Katherine Zappone: I do not have an exact timeline at the moment to offer the Deputy. Part of my discussions with Tusla will be to identify the possibility of putting one in place, particularly as we go back and forth on the performance statement. We will keep the Deputy informed.

Childcare Services Funding

62. **Deputy Kathleen Funchion** asked the Minister for Children and Youth Affairs the reason for delays in Pobal payments or shortfalls in payments to early years service providers since August 2019; the reason there has been no correspondence or notifications made by Pobal with the service providers affected in advance of the delays; and if she will make a statement on the matter. [43276/19]

Deputy Kathleen Funchion: This question relates to childcare and early years services and the delays or shortfalls in Pobal payments to them since August of this year and why there has been no correspondence or notifications made by Pobal with the services affected.

Deputy Katherine Zappone: Pobal administers both the early childhood care and education, ECCE, and targeted early learning and care and school age childcare programmes on behalf of my Department.

There have been no delays to ECCE standard capitation programme payments. All eligible ECCE standard capitation has been paid out in line with the payment schedule, published as part of programme readiness in August. The first preliminary payment was made on 23 August. This payment was made to all services that had entered into a funding agreement by the published deadline.

On the ECCE higher capitation payments, Pobal announced to services prior to the beginning of the 2019-20 programme year in September that it would begin processing applications in October. Regrettably, this start date was later than had been indicated the previous year. Pobal has begun processing applications in October, in line with the announced schedule. Pobal is currently processing a large volume of applications and is working to approve applications and release funding as soon as possible.

There have also been some issues with the community childcare subvention plus programme, CCSP, whereby the processing of registrations has been taking longer than usual to complete, owing to the large volumes of CCSP registrations being made following the merging of this programme with the CCS programme. As of 17 October last, Pobal had registered 30,000 children to the programme, compared to 23,000 at a similar point in last year's process. In addition, there has also been a significant block of work for Pobal associated with a large volume of re-registrations of children due to corrections that needed to be made to their registrations following compliance visits.

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Notwithstanding these issues, which Pobal is working hard to mitigate, I stress that the majority of registrations for the targeted schemes and the standard capitation levels for ECCE are being turned around within Pobal's 15 day target for this activity.

Deputy Kathleen Funchion: There has to be some misinformation somewhere regarding this because that is not the case for many services in Kilkenny which have contacted me to say that they are dipping into their own money to try to pay staff wages because there has been such a delay. The problem that they have is that nobody is talking to them. They have to chase down Pobal, and nobody is coming to them to say that there is an issue or problem or to furnish a preliminary payment to keep the services going. That is not what is happening on the ground. On 4 October, a service in Kilkenny was given a preliminary payment. That payment was then taken back from its bank account. Some misinformation is definitely going on. It is not acceptable that services have to try to pay out of their own funds, which many would not have, to keep the service going. Even if they did, that is not the point. It is totally unacceptable. Pobal may say there are some glitches, but it is definitely not dealing with them for these services. If the Minister wants, I can forward the particular details of these services to her. A number in Kilkenny have been left short of money with absolutely no answers.

Deputy Katherine Zappone: I thank the Deputy and, of course, I would very much like to have that information. I accept and take at face value what she has identified. My understanding of the initial communication is that Pobal made an announcement to service providers through the Pobal PIP system on 19 August, informing them that applications would not begin to be processed until October. Officials in my Department are in close contact with their colleagues in Pobal on the processing by these timelines. That is the first issue. The second issue is Pobal went through the regular channels where it communicates with the services but that some services are out of pocket and have not been communicated with. I will have to take that information from the Deputy and look into that.

Deputy Kathleen Funchion: I will forward this information to the Minister afterwards. The issue relating to the service providers is not the delays. Everyone in life understands that there are delays and glitches with systems. The issue is the lack of communication and preliminary payments being made and then taken back, with no explanation. That seems to be the big issue for the services. I will forward this information to the Minister to see if we can get to the bottom of this for the services. I thank her and the Ceann Comhairle.

Childcare Services Administration

63. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 1665 of 6 September 2019, the way in which the national childcare scheme can address the further stigmatisation for persons requiring a referral; and if she will make a statement on the matter. [43154/19]

An Ceann Comhairle: I call Deputy Maureen O'Sullivan who will have just enough time to introduce a question.

Deputy Maureen O'Sullivan: This is a follow-on from an earlier question on the national childcare scheme and that addresses further stigmatisation of particular women - the Minister knows who I am referring to - when they seek a referral.

An Ceann Comhairle: We are out of time. Could the Minister provide the answer to Deputy Maureen O'Sullivan?

Deputy Katherine Zappone: I would be very happy to because there are some changes with the introduction of the national childcare scheme in terms of sensitivities in that regard.

Written Answers are published on the Oireachtas website.

Saincheisteanna Tráthúla - Topical Issue Debate

CLÁR Programme

Deputy Michael Moynihan: I thank the Ceann Comhairle for the opportunity to raise this matter. The last allocation of CLÁR funding has been a serious disappointment in County Cork. I will go through the figures. Over €3.8 million was allocated nationwide. In Cork county, €115,000 was allocated. This represented only 3% of the total. In north Cork, which I represent, there was no funding at all. It went to a number of projects in west Cork. The Department, which had been in communication with the local authorities over recent years, set out that Cork county was entitled to have 15 priority projects under the CLÁR programme. The Department informed the local authority that if these were prioritised by it, they would be funded. Only three of them were funded. The funding applications made by Cork County Council, which examines each of the communities' priorities, prioritised traffic-calming in Knocknagree, alongside the school, for example. The Minister of State, Deputy Canney, would have to agree that the traffic-calming measures around schools have a positive effect. The local authority also prioritised projects in Kanturk, Lyre and Millstreet. The representatives on the ground were making great play about what they had done for those communities but none of the funding came through.

CLÁR funding is a vital component of projects. The locals put in so much money, and CLÁR and the local authorities provide other moneys. The CLÁR programme is vital in funding projects in rural communities, such as Knocknagree, Kanturk, Lyre and Millstreet. CLÁR funding has been of great benefit. Why was Cork county getting only 3% of the funding? As I stated, it received only €115,000 out of €3.8 million, which was the allocation nationwide. Why were the projects prioritised by the local authority in Cork not funded?

Cork county is at a great disadvantage in that its landmass is greater than six counties put together. Any of the six counties that would make up the landmass of County Cork would have far more projects funded. Cork county needs to be examined according to its three divisions, namely, the northern, southern and western divisions. There should be a number of projects funded per division under the CLÁR programme. Has the Department, in its wisdom, taken the populations into account? The northern division, which is predominantly the area I represent, has over 90,000 people. Some 150,000 live in the southern division. Smaller counties have similar populations. Cork County Council has three local community development companies, LCDCs. Funding should be allocated per LCDC.

Let me return to the fundamental point. Projects were prioritised by our local authority and

it was led to believe they would be funded under the CLÁR programme. Why were they not funded under the CLÁR announcement made earlier in the year, which was worth €3.8 million nationwide? I will leave those questions with the Minister of State and come back to him with more points.

Minister of State at the Department of Rural and Community Development (Deputy Seán Canney): I thank the Deputy for the question. The CLÁR programme provides funding for small infrastructural projects in rural areas that have suffered from significant population decline, based on CSO data. The programme was closed for new applications in 2010. However, the Minister, Deputy Ring, relaunched CLÁR in the second half of 2016 because he recognised the programme can make a great difference to people living in the relevant areas.

Since CLÁR was relaunched in 2016, almost €33 million has been allocated to over 1,400 projects under different CLÁR measures. The 2019 CLÁR programme invited applications under three separate measures: support for schools and community safety; play areas; and community well-being support.

There was great interest in the CLÁR programme this year, with almost 500 applications received. The funding sought in those applications far exceeded the available budget. Unfortunately, it was not possible to fund all the projects for which applications were submitted. Nonetheless, €6 million has been allocated for 179 projects under the 2019 CLÁR programme. This includes funding for eight projects in County Cork, to the value of almost €300,000.

A total of €1.89 million has been allocated to 74 projects in Cork since 2016 under CLÁR. The funding approved for any particular local authority under measures 1 and 2 of the 2019 programme, which are for schools and play areas, reflected the extent of the designated CLÁR areas in each county. It is not based on the overall geographical footprint or the population of the county. From a Galway perspective, I can understand some of the Deputy's frustration. In other words, counties that have a larger percentage of their geographic area in CLÁR received more funding than counties that had a small percentage in CLÁR. For example, Leitrim is a relatively small county but all of it is designated as a CLÁR area. The approach taken is only fair, given the specific targeted nature of the programme. Other counties perform well in regard to other programmes delivered by the Department.

Deputy Michael Moynihan: I thank the Minister of State for the reply. The entire Duhallow region of County Cork is within the CLÁR region. I refer to the classification of CLÁR. Not one project was funded in my region although there were four put forward by the local authority. West Cork is not in my constituency but it should be noted that large tracts of it are in the CLÁR region. A huge part of the landmass of County Cork is in the CLÁR region. Three projects were funded.

The Minister of State said that it is not possible, unfortunately, to fund all measures. Is there any more CLÁR funding to be announced in 2019? There is talk locally that more money is to become available under the programme. From the Minister of State's initial statement, it looks like there will be no further funding. Does the Minister of State accept my point that the Department, in its communication with the local authority, clearly indicated that if it applied in respect of 15 projects, it would be successful. The local authority worked very hard on these projects. It worked with the communities and a lot of time and effort was put in to make sure the projects would be right. Some projects were burnt in the 2018 application round. Did the Department give a commitment that if there were 15 projects submitted by the county council,

they would be funded? Is further funding to be made available under the CLÁR programme in 2019? Does the Minister of State accept that Cork county should be treated differently because of its landmass? The Minister of State referred to the size of his county, County Galway. Much of the landmass of County Cork is in the CLÁR region. I am referring in particular to the Duhallow region, where not one of the four projects in respect of which an application was made received funding in the last round.

Deputy Seán Canney: I thank the Deputy for his contribution. I appreciate his interest in ensuring Cork county is supported by the Department of Rural and Community Development. Let me give the Deputy a breakdown of the CLÁR funding for Cork in 2019. There were three measures: support for schools and community safety; play areas, including multi-use games areas; and community well-being supports comprising first response support, mobility and cancer care transport, and sensory gardens. A number of projects were funded this year to the value of €294,809. That amount was awarded to Galway County Council - *mea culpa*, but it was Cork County Council - for eight projects-----

Deputy Michael Moynihan: I think the Minister of State has just said that it is all going up the west with nothing coming down to County Cork.

Deputy Seán Canney: No, it is not all up the west. Galway suffered the same way due to the nature of the divisions. Cork received funding of €780,000 in 2018 and, in 2017, €260,000 in respect of nine projects. It received €562,000 in respect of 35 projects in 2016. The amounts have fluctuated.

The Deputy asked whether there was a further round to come. I have no knowledge of further announcements. Expenditure within the Department across our important and targeted measures in respect of rural Ireland is being taken up. The CLÁR programme is making a significant impact throughout rural Ireland and a high level of demand is a measure of its success. I will continue to prioritise projects under CLÁR, but we need to do so within the existing budgetary constraints. Since CLÁR's reintroduction, Cork has not done too badly.

Deputy Finian McGrath: Except in the hurling.

Deputy Seán Canney: Sometimes, people feel like they are getting less than they are entitled to, but that happens with every item of funding. We are committed to reviewing the CLÁR programme by reference to the most recent census of population, which was in 2016. The review will consider whether other factors should be taken into account in designating areas of eligibility under CLÁR, for example, levels of deprivation.

Deputy Michael Moynihan: A community school safety application was turned down. I cannot understand why, given that the Minister of State mentioned that public safety was a priority.

An Ceann Comhairle: Perhaps the Deputy will engage with the Minister of State on the matter.

Deputy Seán Canney: If there is a specific situation, we can look at it.

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Deputy Caoimhghín Ó Caoláin: I wish to highlight the community sector's experience of the past two years of the new national drugs strategy, Reducing Harm, Supporting Recovery - A health-led response to drug and alcohol use in Ireland 2017-2025. Key policy decisions are not being brought for discussion and agreement to the national oversight committee or the standing sub-committee, as was supposed to happen, and are instead being largely made within the confines of the Department of Health and the HSE. This centralised decision-making has the knock-on effect of the drugs and alcohol task forces not being enabled or supported to carry out the role assigned to them in implementing the strategy at local and regional levels. The fact of the matter is that communities are being excluded from a role in key decision-making, breaking a key commitment given by the Government in the new strategy.

I acknowledge the work and commitment of CityWide, the community sector voice in this field across the greater Dublin region, and will tell the Minister of State the actions that CityWide believes, based on its experience, need to be taken. First, the Department of the Taoiseach needs to take responsibility for oversight of the new strategy. Second, the Taoiseach should convene a national forum of all national drugs strategy stakeholders to set out clearly what is expected of them in their roles in implementing the strategy in line with the principles therein. Third, a community development plan should be put in place at the core of the national drugs strategy. My read of this situation is that the bottom line is that the drug and alcohol task forces must be allowed to do as the national drugs strategy promised, that is, co-ordinate an inter-agency approach to the implementation of the strategy in the context of the needs of their respective regions and areas.

The second part of my Topical Issue matter moves from the wider experience of Dublin and the rest of the country to my constituency. I recently received correspondence from the Cavan Drug and Alcohol Service, which provides a service to the Cavan-Monaghan constituency. I will read from the first paragraph to give a sense of the seriousness of the matter. It comes from a letter to the Minister of State, Deputy Catherine Byrne, for whom the Minister of State is standing in today, issued on 11 October. It reads:

After almost two decades of delivering community based support services across Cavan and Monaghan CDA Trust CLG (AKA Cavan Drug Awareness) is now making plans to wind down operations and dissolve the company by the end of 2020. Our organisation has received no increase in funding for several years in spite of rising rent, insurance and other costs. We will be unable to retain staff due to being unable to pay increments in line with cost of living increases or invest in new training opportunities for them. At present CDA Trust CLG is the only dedicated addiction support service for two counties [Cavan and Monaghan] apart from local methadone prescribing GPs and [a] valued colleague in the HSE.

The service is treating in the order of 50 individuals every week. This service is hugely important in a constituency such as Cavan-Monaghan. What will the Minister of State do to address the deficiency in resourcing?

Minister of State at the Department of Health (Deputy Finian McGrath): I thank the Deputy for raising this important issue. I will take the debate on behalf of the Minister of State, Deputy Catherine Byrne.

Government policy on drug and alcohol addiction services is set out in the national drugs strategy, Reducing Harm, Supporting Recovery - A health-led response to drug and alcohol

use in Ireland 2017-2025. The strategy commits to expanding the availability and geographical spread of relevant quality drug and alcohol services and to improving the range of services available.

Drug and alcohol task forces play a key role in assessing the extent and nature of the drug problem in local communities. They also ensure that a co-ordinated approach is taken across all sectors to address substance misuse based on the identified needs and priorities in their areas. The Department of Health provides in the region of €28 million per annum to supporting task forces through various channels of funding, including the HSE. In 2019, the Department, through the HSE, provided €927,813 to the North Eastern Regional Drug and Alcohol Task Force. From this allocation, the task force provided €212,000 to CDA Trust. CDA Trust provides a range of valuable services to individual families and the wider community affected by drug and alcohol use and misuse in Cavan and Monaghan. CDA Trust also gets funding from the Department of Employment Affairs and Social Protection to provide a drug rehabilitation community employment scheme.

The Minister of State, Deputy Catherine Byrne, recently received correspondence from CDA Trust indicating its intention to wind down operations by the end of 2020. It identified two key issues: delays in the transfer of funding from the HSE and communication difficulties between the HSE and the North Eastern Regional Drug and Alcohol Task Force. The Minister of State asked officials in the Department of Health to seek a report from the HSE and the task force on these issues.

In 2019, the Department secured additional funding of €1 million to implement key actions in the national drugs strategy. From this funding, the Department provided the task force with an additional €20,000 to support its work, 50% of which is recurring on annual basis. This funding can be used to enhance services and meet operating costs. The Department of Health is also providing an additional €190,000 over a three-year period for the young people's substance use support services in Cavan and Monaghan. This strategic health initiative will improve access to health services for young people whose lives are affected by problematic alcohol and substance use in the two counties. The initiative will develop and strengthen collaborative working across the counties to support the delivery of integrated holistic services through a continuum of care model, that is, education and prevention, and treatment and rehabilitation. This initiative was developed by the task force and the HSE following consultation with local stakeholders. The Minister of State, Deputy Catherine Byrne, would encourage the CDA Trust to engage with the task force and the HSE to see how it can participate in the new young people's substance use support services.

Deputy Caoimhghín Ó Caoláin: It is important first of all to deal with the bigger picture. In July 2017, CityWide wrote to the Taoiseach indicating its welcome for the Government's commitment to maintaining and building on the key principles of inter-agency partnership and community participation, but the experience in the intervening two years, as I have already put on the record in my opening contribution, is simply not ticking the box. It is a very serious matter. We need to ensure that the structures in place are working to ensure that communities have a real voice in the decision-making process. Any examination of the facts would demonstrate that that is not the situation that has applied over the past couple of years.

In relation to the CDA Trust in Cavan and Monaghan, it is very important to recognise that as we enter the fourth quarter of 2019, the situation is that the quarterly allocation of funding to the CDA Trust has not yet presented, with the result that it has to try to exist on an overdraft

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arrangement until such time as the fourth quarter moneys are released. I could go into it in greater depth with the Minister of State, Deputy Finian McGrath, but I am telling him what the factual position is, and it is intolerable. It is also intolerable that the trust's returns in relation to quarterly activity and expenditure reports that have been presented to the North Eastern Regional Drugs and Alcohol Task Force, NERDATF, in good time are not compatible with the HSE's own assessment of these matters, with the result that there is duplication in the work to be undertaken in terms of administration and oversight, rather than in front-line provision of real care and supports for those who need it most.

Despite the reply that has been read into the record by the Minister of State, Deputy Finian McGrath, and whatever hand the Minister of State, Deputy Catherine Byrne, has had in its construction, it is not reflective of the reality of the current crisis situation that we face in Cavan and Monaghan.

An Ceann Comhairle: The Deputy's point is made.

Deputy Caoimhghín Ó Caoláin: This is not an idle threat by the CDA Trust. I ask the Minister of State to use his influence and good offices to bring pressure to bear for a resourcing adequate to the needs of this valued service.

Deputy Finian McGrath: I agree with Deputy Ó Caoláin's point on the valuable work done by CityWide. I am aware of many great people who have worked in that organisation for many years.

Measuring the overall effectiveness of the response to the drug problem in Ireland is an important objective of drug policy. Resources should be directed towards interventions and strategies that are most likely to lead to a reduction in problem substance use and improvement of public health, safety and well-being. The level of progress achieved in delivering the national drugs strategy will be determined using performance indicators. The Minister of State, Deputy Catherine Byrne, is committed to implementing an integrated public health response to substance misuse with the twin aims of reducing harm and supporting recovery. Working in partnership with the task force and the regional health organisation, she is confident that the allocation of an additional €1 million in 2019, which will be paid in 2020 and beyond that on a recurring basis, will make a significant contribution to achieving this objective.

I agree with Deputy Ó Caoláin that nobody should be excluded and that there should be strong consultation with local communities. I also agree that there should be strong community development plans. I feel very strongly that these issues should be tackled because we have a significant problem with drugs in this country. I will use any influence I have to push this issue.

Public Services Card

Deputy Sean Sherlock: In very many cases, persons who do not currently possess or cannot obtain a driver's licence or a passport offer their public services card, PSC, by way of identification. Credit unions have been told by the Department of Employment Affairs and Social Protection and by the Department of Finance for well over three years that the cards should not be accepted as ID, much to the frustration and significant inconvenience of persons who are willingly offering the card as ID as they try to obtain financial services.

The number of gardaí in the country willing to sign an ML10 form has dramatically declined. That is understandable. Members of the Garda are being asked to verify the identification of persons they do not know, and so many decline. The credit unions and banks are not being overly prescriptive; they are merely enforcing the law for fear of prosecution and fines. Credit union personnel are terrified to accept the PSC as proof of ID, as they are aware that at least two Departments warn them against accepting this proof of identification where the individual has no other proof. In essence, we have a cohort of people wanting to use the public services card to obtain and sustain access to financial services on the one hand and, on the other hand we have two Departments refusing to allow financial institutions to facilitate their clients in the fight against criminality and white and blue-collar crime.

Deputy Finian McGrath: I thank Deputy Sherlock for raising this very important issue. The PSC was provided for in legislation in 1998, when it was introduced alongside the personal public service, PPS, number to replace the previous Revenue and social insurance number, RSI, and the social services card, SSC. It acts as an identifier for access to a broad range of public services.

The public services card can only be requested or accepted as proof of identity by a body specified in Schedule 5 to the Social Welfare Consolidation Act 2005, as amended, and only where that specified body has a transaction with a person concerned. In other words, the PSC can only be used to verify a person's identity where that person is availing of a public service and the relevant public body is authorised to, and prepared to, accept the PSC as proof of identity. The provision of financial or banking services is not a public service. Banks or other financial institutions or private sector bodies are therefore not specified bodies for the purposes of the PSC. This means it is not possible for a person to offer his or her PSC as proof of identity to a bank, or any other institution such as a credit union, which is offering banking services, nor is it permitted under social welfare legislation for a bank or a credit union to accept a PSC as proof of identity, even if a person volunteers to present his or her PSC for this purpose.

When the Department is made aware of any requests being made by a non-specified body for a person to produce or provide details of their PSC, officials from the Department contact the organisation concerned and advise it of the legislative provisions in place in respect of this matter. Specified bodies are in all cases required to process and store data in accordance with the general data protection regulation and the Data Protection Act 2018, as amended. A provision is included in the Social Welfare, Pensions and Civil Registration Bill that was published and proceeded through pre-legislative scrutiny in 2017 to allow people to voluntarily present their PSC as proof of identity but only if they choose to do so. It would, under this provision, remain illegal for a body other than a public body specified in the Social Welfare Consolidation Act to ask for or require production of a PSC. This provision, if passed, will increase the utility of the PSC for people who hold one without imposing any obligation on them to make it available other than for use of public services.

The PSC delivers valuable customer service benefits. For example, more than 600,000 free travel journeys are undertaken every week by holders of the PSC. More than 600,000 payments are verified each week using the PSC and approximately 400,000 PSC holders use the MyGovID service to access online public services. Satisfaction levels among users are very high, which one does not often hear about figures in the public domain. Earlier this year, a customer survey on the PSC was published. The survey, which looked at customer satisfaction around the processes and procedures involved in applying for a PSC, was undertaken independently on

behalf of the Department by specialists in customer experience consultancy. More than 1,000 PSC holders, of varying age and gender, were interviewed. The results showed that 96% of PSC holders surveyed were either very satisfied or fairly satisfied with the process. Almost nine out of ten, 87%, agree that it is very useful that other Government service providers may be able to use the identity information already provided in obtaining the PSC to avoid the need to provide the same information. Nine out of ten of those surveyed felt that they either had access to the right level of information in respect of the SAFE-PSC process or had access to more than they needed.

Deputy Sean Sherlock: I thank the Minister of State for his response. To some degree, the Minister of State is supporting the point that I am making about the success of the card and the satisfaction that people have when they use it. The Minister of State mentioned that there are customer service benefits, that more than 600,000 free travel journeys are undertaken every week with the public services card and more than 600,000 payments are verified. I am seeking to speak for people throughout Irish society who, as may surprise the Acting Chairman, would not have a passport or driver's licence, which are the two other obvious forms of identification. They are in possession of the public services card. We are merely asking that the services could be expanded, especially for anti-money laundering purposes, such that where a person is carrying out a financial transaction where proof of identity is required, especially in a credit union with many older people who use it, the public services card would be deemed to be fit for purpose for proof of identification and to adhere to the money laundering legislation. The Minister of State tells us that there is a high degree of satisfaction with the card and that people are comfortable using it.

It really brings us back to the point of whether the Social Welfare, Pensions and Civil Registration Bill 2017, which has been sitting there for two years, could be expedited in a way that would ensure that a provision could be made that it could be used for anti-money laundering legislation, so that if somebody opens an account in a credit union, the public services card could be deemed to be a valuable or appropriate form of identification. That would probably have the effect of ensuring greater confidence in the card and probably ensuring that it could meet the anti-money laundering requirements.

Deputy Finian McGrath: I totally accept the point about the confidence and popularity issue. As I was saying before I ran out of time, 96% of PSC holders surveyed were either very satisfied or fairly satisfied with the process. Almost 88% of those surveyed felt that they had access to the right level of information in respect of the SAFE-PSC process or had access to more than they needed. Some 77% understand the requirement to retain personal information and do not mind that their documents are retained.

On the other issues, only bodies specified in legislation have access to the data. The full list of specified bodies is contained in Schedule 5 to the Social Welfare Consolidation Act 2005, as amended. It lists all Ministers, city and county councils, education and training boards, the HSE, voluntary hospitals, schools, institutes of technology, universities and a range of civil and public services bodies. The only data that are collected and verified in a SAFE 2 registration process are in the limited set of data contained in the public services identity data set, which is defined in sections 262(1) and 262(3) of the Social Welfare Consolidation Act 2005. This is a person's PPS number, surname, forename, date of birth, place of birth, all former surnames, all former surnames of his or her mother, an address, nationality, photo, and signature. Only these data and elements of it are shared with specified bodies. The legislative basis for sharing these data is set out clearly in section 262(6) of the Act, which states that where "a specified body has

a transaction with a person, the Minister may share the person's public service identity with the specified body to the extent necessary" for that transaction.

Charitable and Voluntary Organisations

Deputy Pat The Cope Gallagher: I am pleased to have the opportunity to raise this important matter. I thank the Minister for taking it herself. Knowing the type of pragmatic Minister she is, I believe she will have no entrenched views until she familiarises herself fully with the workings of ParentStop, which I believe is only available in Donegal. It provides free and confidential one-to-one telephone and group support to parents who need some help with parenting challenges, whether it is bedtime routine, managing behaviour, parenting skills, putting in place a parenting plan, setting boundaries, school concerns, communication breakdowns, worries about teens' substance misuse, or anything else of immediate concern to a person. It is there to offer support. It also helps with the challenges of separation and the strains that that causes for families. ParentStop can listen while people talk it out, provide information on their specific parenting concerns, and advise on the next steps. It was established in 2005 as a charitable organisation and registered as such in 2007. It offers a valuable service to parents and co-parents on matters of separation, legal matters and about children in a state of anxiety due to legal matters in their lives.

It is vital that this service is provided. ParentStop offers niche services that I can safely state can be obtained nowhere else in the country but in Donegal. Donegal should not be penalised for establishing it and ensuring that it has been extremely successful over the last 14 years. I raise it tonight because it has been told that the funding will be withdrawn. Not all of the funding comes from Tusla. Some of it comes from the Departments of Justice and Equality and Health, while some of it comes through the bodies that deal with drugs. I have also mentioned this to the Minister of State at the Department of Health, Deputy Catherine Byrne. We must look at all of it in the round in the context of the services Tusla provides at times when families and individuals are dealing with legal matters, teenagers are struggling and there are challenges in second level schooling. They are times of great stress, anxiety and difficulty for the individuals concerned.

The Minister should deal with ParentStop in an atmosphere that is conducive to resolving this issue, not in the atmosphere of a court. I know that the legal profession in County Donegal is extremely supportive and it does not see this as taking business from it. If we had more organisations such as ParentStop throughout the country, it would result in massive savings. Therefore, I cannot understand why the funding was withdrawn. I quote directly a practising solicitor: "The courts are unable to deal with the volume of cases in the family law court and at the moment if someone has issued family law proceedings in the Letterkenny district area, (seeking access or maintenance for example), they will have to wait until at least February 2020 to be given a hearing." ParentStop was able to bridge that gap. In the vast majority of cases a final order was made by a court without any necessity for a hearing date following the party's attendance. All legal people concur with this. I hope the Minister has some good news for me.

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I thank the Deputy for providing me with the opportunity to discuss the funding provided by Tusla for ParentStop in County Donegal and the recent decision by ParentStop to cease its services at the end of the year, as I understand it. ParentStop is one of many organisations funded by Tusla which

provides valuable supports for parents and children. Since the publication of its parenting support strategy in 2013, Tusla has developed and expanded the range of parenting supports available to families across the country.

ParentStop has performed a non-stigmatising, expert and unique function in supporting families in County Donegal in a complex range of situations and across the continuum of care, as the Deputy eloquently outlined. In 2018 ParentStop supported 602 families. Supports include one-to-one sessions for families with complex needs, intensive supports for children and brief intervention supports for children and families. ParentStop also provides supports for families dealing with a range of issues, including separation, addictions, financial worries, online safety, obesity, mental health concerns, bullying, stress and peer pressure.

As one of ParentStop's core funders, Tusla has been aware of the organisation's recent financial difficulties and supported measures to prevent its closure. The HSE is ParentStop's other main funder. Between 2016 and 2019, annual funding provided by Tusla for ParentStop increased by €31,000 to €68,625. In 2018 Tusla provided an additional €7,000 for ParentStop to address its recurring annual deficit. Tusla provided a further exceptional annual increase of €24,000 for ParentStop in 2018 following the withdrawal of funding by the north-west regional drugs and alcohol task force. In 2019 Tusla provided further once-off funding of €18,640 to assist the organisation to invest time and resources in developing a sustainable funding model. Tusla has informed me that all funding options available to support ParentStop have been exhausted and that, unfortunately, ParentStop has decided that it cannot continue to operate within the funding allocations available from its core funders.

It is important that Tusla assign its resources to the areas which it perceives to be in greatest need, ensuring the best possible outcomes for children and families. Funding of services is informed by Tusla's commissioning approach. Tusla seeks to fund services in the most beneficial, effective, efficient, proportionate and sustainable manner in order to improve the outcomes for vulnerable children and families. Under Part 8 of the Child and Family Agency Act 2013, Tusla funds a range of organisations which provide services for vulnerable children and families, including those providing parenting supports. Tusla remains committed to commissioning and developing supports for parents and deeply regrets the decision of ParentStop to cease operations at the end of 2019.

Deputy Pat The Cope Gallagher: I am extremely disappointed to say the least. The Minister and her officials have taken an entrenched position and are not even prepared to think about this issue. We must look from 2005 at the return the State gained from its investment, whether in Tusla, the health promotion grant available from the Department of Health or the north-west regional drugs and alcohol task force. I suggest to the Minister that she consider meeting a representative group from ParentStop. She is the lead Minister who could communicate with the other Departments involved and pull everything together. She says Tusla is committed to commissioning and developing supports for parents and deeply regrets this decision. It is not being taken by ParentStop; rather, it is being made for it because the various State agencies have withdrawn funding. Tusla states it must ensure its resources are assigned where they will have the most benefit and that the funding of services is informed by its commissioning approach. It also states it seeks to fund services in the most beneficial, effective, efficient, proportionate and sustainable manner. That statement is an insult to ParentStop which is stating the converse, namely, that it is not able to ensure it can operate in an efficient, proportionate and sustainable manner. It is totally insulting. As the Minister is fair, I ask her to make a start and meet as soon as possible, after the break next week, if there is to be one, with about three people from the

organisation. Perhaps she might invite somebody from the Department of Health, Tusla and the other agencies to attend to try to pull all of this together. I ask her to take the initiative. She cannot do any more than that tonight. A sum of €100,000 to €120,000 is needed, not all of which would come from Tusla. Other agencies could make contributions. It could be a pilot project that could be rolled out throughout the rest of the country. It has proved so successful and it is disheartening if we are not able to proceed with it.

Deputy Katherine Zappone: I do not accept the Deputy's judgment that we have taken an entrenched position. As I indicated, Tusla increased its contributions to ParentStop three times, in addition to the original core funding, to enable it to carry out the excellent work it was doing, as well as to support it in designing a sustainable funding model. I understand a little about the setting up of a voluntary organisation, providing excellent services and looking for ways to grow them, receiving support from different agencies and Departments and perhaps philanthropic sponsors and putting it all together in a sustainable funding model to continue to support the group, organisation, company limited by guarantee or charity, as the Deputy indicated. Tusla has tried to offer financial support in time to ParentStop to assist it in looking for a sustainable funding model. The Deputy asked who was responsible for that model. He also asked whether it was the Government or the organisation which was responsible. They are good questions. I am not saying I would not necessarily meet it, but I know a little about establishing an organisation to meet a need. ParentStop has done a brilliant job in that regard. As I understand it, there are other organisations in County Donegal that also offer parenting supports. Tusla's job is to look at all of the voluntary groups, as well as its own services, and identify that they are meeting the needs of parents and families in County Donegal. My understanding is that this is an excellent voluntary organisation with an excellent provision of services that has had a challenge in developing a sustainable funding model, with which Tusla has tried to support it.

Deputy Pat The Cope Gallagher: Sorry-----

Acting Chairman (Deputy Eugene Murphy): I cannot allow any more-----

Deputy Pat The Cope Gallagher: Will the Minister agree to meet-----

Acting Chairman (Deputy Eugene Murphy): The Leas-Cheann Comhairle knows better than anybody that I cannot allow it. The rules are the rules with four minutes each.

Deputy Pat The Cope Gallagher: Will the Minister meet them? I presume the Minister will meet them.

Deputy Katherine Zappone: I will, if Deputy Gallagher comes with me.

Acting Chairman (Deputy Eugene Murphy): I am sure both of you will go and meet them. It will be a great gathering.

Deputy Katherine Zappone: And Tusla.

Deputy Pat The Cope Gallagher: It is a deal.

Developments in Spain: Statements

Minister of State at the Department of Foreign Affairs and Trade (Deputy Helen McEntee): The Government follows closely developments in Spain, which is an important EU partner and friend of Ireland. I know some Members of this House have visited Catalonia and their perspectives contribute to our consideration here this evening. Irish people know Spain, and, indeed, Catalonia, well. After Britain, Spain is the country to which we travel most. Furthermore, cities and towns across Spain, including in Catalonia, are home for many Irish people, while, of course, many Spaniards visit and live in Ireland.

The question of Catalan independence remains a deeply divisive and contentious issue in Catalonia, in the rest of Spain and beyond. We are all following developments in Spain closely, in particular in Catalonia where tensions have been particularly high in recent days. On Monday, 14 October, the Spanish Supreme Court announced its verdict on the cases of 12 Catalan pro-independence leaders. We are all very aware of subsequent reactions across the spectrum of opinion in Catalonia and elsewhere in Spain. I note the Spanish Government's statement on this matter. We welcome the Spanish Government's commitment to the defence of the rule of law and respect for the judicial process.

The Government's position remains that we respect the constitutional and territorial integrity of Spain, and that any related arrangements are matters to be determined by their own citizens through their own institutions, in keeping with the rule of law. With regard to the Spanish Supreme Court's verdict, just as we would expect any other country to respect our courts, we respect the decision taken by the Spanish courts. Differences of opinion must be contested with full respect for the law and the rights of all citizens. The rule of law is a cornerstone of all modern democracies and it underpins the functioning of the European Union just as it underpins our own democracy in Ireland. Citizens and their elected representatives should, of course, be able to disagree with laws and work to change laws but this must be through the appropriate constitutional channels. However, we cannot ignore the law as it stands or act beyond it. In the same vein, decisions of courts should be respected.

Members will have seen that, in response to the Spanish Supreme Court's decision, large-scale protests have taken place across Catalonia over several days. In some cases, violence has been reported, including clashes between protestors and the police. There is no place in politics for violence. In Catalonia, and elsewhere in Spain, as in all of our democracies, public representatives and citizens must work to advance their goals with full respect for the law. The freedom to express contesting views is essential in any democracy, but differences of opinion must be contested with full respect for the rule of law and the rights of all citizens. This is the foundation that underpins and protects modern democratic societies.

We respect, of course, people's right to gather and to express freely their opinions, as happens many times here in Ireland, but we share the calls for calm, for moderation and for respect for others so as to allow people to go about their daily lives without disruption. Those who live in Catalonia and the many who are visiting, including from Ireland, should be able to travel freely to and from airports, train stations or by car.

Our ambassador and officials working in the Irish Embassy in Madrid continue to follow these developments and, of course, are in contact with the Spanish Government. They are also closely monitoring the situation regarding any demonstration taking place and are providing suitable travel advice to Irish citizens who may be in difficulty there. Tensions are clearly very high in Catalonia at present and the question of independence is deeply divisive there and probably here in the Chamber. It is important that the voices of all Catalans are heard and

represented, including those who do not support independence. The Government will always support efforts in Spain that are aimed at reconciliation within Catalonia and within all of Spain on this sensitive issue. The Government continues to support a resolution to the current situation that is based on democracy and the rule of law.

Deputy Seán Haughey: All of us in the House are very concerned at recent developments in Catalonia. The recent decision by Spain's Supreme Court to sentence nine Catalanian politicians and activists to jail terms of between nine and 13 years and to fine three others has brought violence to the streets of Barcelona. Thousands of protesters have taken to the streets to protest against these sentences and a general strike took place last Friday. My party is very concerned about these developments in Spain. We recognise this is a very sensitive, legal and constitutional issue for the Spanish Government, its people and the Catalanian region. A new constitution was enacted in Spain in 1978 and 17 autonomous communities were established at that time. The 1978 constitution clearly states there exists a single nation and that it is indivisible.

Fianna Fáil supports the rule of law and the territorial integrity of Spain. We recognise that Spain is a country in which there is a great degree of economic, social and cultural diversity. The independence referendum held in October 2017 and deemed illegal by Spain's constitutional court resulted in the gravest crisis in the country's 42 years of democracy. This is a highly complex and sensitive matter and it is apparent that there are divergent views and divisions about Catalonia and whether it should be an independent nation. These diverging views can be found in the region itself and more widely in Spain.

While acknowledging the complexities of this situation and the diverging opinions on this issue, Fianna Fáil is of the view that the independence referendum held on 1 October 2017 lacked legal validity, as did the decision of the Catalanian Parliament to declare independence from Spain on Friday, 27 October 2017. We believe this is an internal matter for Spain and that any actions taken must be in keeping with country's legal and constitutional framework. At this stage, every effort should be made to encourage dialogue between the Spanish and Catalanian Governments and between the acting Prime Minister, Pedro Sánchez, and the Catalanian President Quim Torra, to try to resolve the crisis, bring an end to the violence and stabilise relationships. We need to see a de-escalation of tension in Catalonia and a satisfactory outcome that accords with the Spanish constitution, democratic principles and the rule of law.

The European institutions, where practical and feasible, should use their influence and considerable experience to try to de-escalate the tension in the region. Stability in the EU nation state of Spain is in all of our interests. As the Minister of State has said, Ireland has a very close relationship with Spain. For example, in 2017 there were approximately 2 million visits from Ireland to Spain. In 2018, 423,000 Spanish visitors came to Ireland. A total of 35,000 Spanish students visit Ireland every year, which all of us see, particularly during the summer months.

Many of us have visited the beautiful, historic and cultural city of Barcelona. It was heart-breaking to see the violence on the streets there in the past couple of weeks. Almost 600 people received medical treatment following the violence on the streets last week and 194 people were arrested. I hope common sense will prevail, that peace and stability can be brought to the region as soon as possible and that there will be goodwill on all sides to bring this about.

I welcome the statement from the Minister of State that our ambassador and officials based in the Irish Embassy in Madrid continue to follow developments and that our embassy is in contact with the Spanish Government. The embassy is closely monitoring the situation, accord-

ing to the Minister of State, with regard to the demonstrations. It is important that we are fully briefed on all of these matters. This is indeed a very difficult and complex situation and is one which I hope can be resolved. I note that the protestors at the weekend were calling on Spain to talk. This will certainly be resolved by dialogue and all of us should contribute to bringing about that dialogue and bringing about peace and stability in the region.

Deputy Eoin Ó Broin: In October 2017, I had the great privilege of observing the Catalan independence referendum first hand. I was one of a large group of parliamentarians from across Europe who travelled to Barcelona and the surrounding districts to witness the vote. Some of us, myself included, were clearly sympathetic to the cause of Catalan self-determination but others in that delegation were not, yet still believed that the vote was a legitimate democratic exercise. My view, having been there, was that it was an incredible expression of a peaceful civil society movement intent on giving voice to the millions of Catalans who have a desire to determine their own future. It was unofficial but to describe a well-organised, peaceful ballot as illegal, let alone seditious, is simply not credible.

My abiding memory of the day of the referendum was meeting an 83 year old by the name of Antonio in the polling station of Barceloneta on the seafront in Barcelona. When I met him, his arm was in a sling, his head and legs grazed and congealed blood still visible. Antonio had arrived at his local polling station at 7 a.m., determined to be one of the first to cast his ballot. Two hours later, the Spanish Civil Guard arrived and, unprovoked, attacked the assembled voters. Antonio was badly hurt and admitted to hospital. His arm had been fractured but, undeterred, he returned to the polling station and waited in line.

When I arrived, the polling station was packed. People had been waiting for hours while the Spanish authorities repeatedly crashed the online voter registration system. When I asked Antonio to describe his treatment at the hands of the Spanish police, he said it reminded him of the brutality of the Franco regime through which he lived his younger life.

Antonio was dignified and peaceful. Above all, he was democracy personified, refusing to be bullied by the truncheon of the Civil Guard. The treatment of thousands of Catalans that day, much of which I witnessed, cast a dark shadow over Spanish democracy but what was to follow was even worse. The decision by the Spanish Government and judicial system to jail and prosecute elected politicians and civil society leaders was unprecedented and, let us be under no doubt, these were not legal questions but were politically motivated charges intended to criminalise a peaceful social movement and curry favour with an increasingly reactionary Spanish nationalism. While those of us who had have direct experience of the Spanish political and judicial system were not surprised, the sentences meted out in October are still shocking.

Oriol Junqueras, former vice president of the Catalan Parliament was sentenced to 13 years in prison. Jordi Turull, former spokesperson for the Catalan Government, was sentenced to 12 years in prison. Raül Romeva, former foreign minister, was sentenced to 12 years in prison and Dolors Bassa, former minister for labour, was also sentenced to 12 years in prison. The former speaker of the Catalan Parliament, Carme Forcadell, the counterpart of our Ceann Comhairle, was sentenced to 11 and a half years in prison. What was her crime? She was accused of allowing a debate in the Catalan Parliament on the holding of the 1 October referendum.

Other Ministers were sentenced to ten and a half years in prison and two leading pro-independence civil society activists, Jordi Sànchez and Jordi Cuixart, were sentenced to nine years. What kind of political system jails government ministers and civil society activists for

organising a peaceful ballot? What kind of government sends in armed guards and soldiers to beat peaceful protestors off the streets? The sentencing of Catalan politicians and civil society activists casts more than a dark shadow over Spanish democracy; it calls into question that democracy itself. I have a message for the Spanish Government and the Spanish ambassador to Ireland, H.E. Ildefonso Castro: debería darnos verguena lo que estáis haciendo en Catalunya y lo que estáis haciendo a la democracia en España. Shame on that Government for what it has done.

What recent events in Catalonia and Spain show is that this is not an internal matter for Spain. This is a fundamental matter of democracy and human rights. The Spanish Government is in clear breach of the values and treaty law of the European Union and the member states that uphold it. The only way to resolve this situation is through independent international mediation. Anyone who claims anything short of that kind of intervention is complicit in the single biggest breach of basic democratic principles in Europe in decades.

I urge the Members who have spoken already not to leave this to the internal politics of the Spanish state and to support the call for dialogue and mediation. We should support the call for what worked in the conflict in our own country, which is conflict resolution, because anything short of that will see the situation deteriorate and none of us here wants that.

Deputy Jan O’Sullivan: The situation in Catalonia is complex and divisive. We, in this country, have a certain understanding of that. I welcome the opportunity to put on the record the position of the Labour Party on the situation in Catalonia.

First and foremost, when a large proportion of citizens on both sides have strong views on identity or constitutional preference in the same geographical area, that needs to be addressed respectfully while having respect for the different sides of the argument.

We have learned from our own painful history that violence and conflict only make any constitutional situation worse and all the harder to heal wounds and engage all sides in dialogue to find a way forward.

The Labour Party condemns the violence that has arisen in the Catalonia region and calls on all sides, including the police, to exercise more restraint and increase their efforts to calm the situation through dialogue, which is the only way to solve the problem. Politics is about finding solutions to problems but can only work if those involved engage lawfully. We do not believe it is acceptable for any democratic politician to lead citizens into unlawful behaviour.

During the constitutional crisis that erupted in 2017 and 2018, more than 1,000 civilians were injured, alongside up to 111 agents of the security forces. This was a serious crisis that rocked the whole of Spain and it is only a matter of luck that people were not killed in some of the incidents. We simply do not know how many people have life-changing injuries.

Whatever we may think about the case, we must respect the role of the independent Spanish court system. It is just a fact that we must respect the independent role of the courts. We also recognise that the politicians were found guilty of a range of offences by those courts and, in fact, were subject to very severe sentences. We believe that anyone who breaks the law should be held to account but I do not think that lengthy jail sentences are a constructive way to deal with pro-independence politicians. That is a comment on the courts.

The constitutional crisis grew and came to a head under the conservative government of

Mariano Rajoy who was Prime Minister until June 2018. He was inflexible and his rigid approach to the separatist movement undoubtedly inflamed the way in which events developed into a major constitutional crisis. I am conscious that the Labour Party's sister party, the Spanish Socialist Workers' Party, is now in government in Madrid under Pedro Sánchez. The Spanish Socialist Workers' Party has always had a different approach to regional autonomy and it is important to allow Sánchez's Government to renew a democratic and measured approach to the crisis that has arisen. The socialist Spanish Government naturally must accept the ruling of the independent courts in their country but they also have expressed determination to heal the fractures caused by recent events.

Society in Catalonia was, and remains, deeply divided on the issue of independence. Successive opinion polls have confirmed that, while full independence is preferred by a large minority, the majority of citizens are opposed to independence but favour regional autonomy within Spain. In fact, support for independence in opinion polls is lower now, at less than 40%, compared with its peak of 48% support in 2013.

Self-governing autonomous communities in Spain enjoy the strongest level of regional devolution in the world and that was delivered by socialist governments. Resolution of the Spanish crisis is now a matter for politics. Some kind of amnesty process, or a reduction in sentences for pro-independence politicians, can only be negotiated through the political system. Part of this must require all sides to agree to be fully bound by the rule of law and not to lead their communities into unlawful behaviour. From the Labour Party's perspective, I urge Deputies to support the efforts of Pedro Sánchez's Government to take a different approach to the issue of Catalonia, based on engaging all sides in Catalonia in dialogue about a way forward that can command a large majority of the population. Like in Northern Ireland, compromise on constitutional preferences is difficult for those with strongly held views on one side or the other. It is the only way, however, to ensure peace and stability. Our message should be one of solidarity to all the people of Catalonia, along with the genuine hope that respectful dialogue can triumph over division to reach a stable compromise that can command the support of a large majority of the population of Catalonia.

Deputy Paul Murphy: We need a reality check. Nine people have been sentenced to between nine and 13 years of prison in a European, supposedly democratic country for the crime of sedition, for organising a democratic vote for people to express their will on the question of the independence of Catalonia. For anyone to try to dress that up or to suggest there is some independent rule of courts, that everything is fine and so on misses the point. If that happened in many other parts of the world, everyone would clearly see that it is not a democratic process when political leaders can be tried in court and jailed for lengthy periods for the crime of sedition because of organising a democratic vote.

Contrary to the previous speaker, I believe we should not whitewash the role of the Spanish Socialist Workers Party and Sánchez. Their Government is sending thousands of troops to Catalonia, while Sánchez has co-ordinated a media campaign to condemn those who peacefully protest as violent, even though the troops and police officers he has sent are the ones being violent against those peaceful protesters. The Spanish establishment may, in future, be haunted by the ideas contained in James Connolly's words of 1914, when he wrote:

If you strike at, imprison, or kill us, out of our prisons or graves we will still evoke a spirit that will thwart you, and perhaps, raise a force that will destroy you! We defy you! Do your worst!

The response to such incredible repression by the Spanish state has been the redoubling of the movement, becoming arguably larger than it was in 2017 or 2018. Hundreds of thousands of people have taken to the streets, there was a very successful general strike on 18 October, while there have been demonstrations towards and into the airport, and on the squares and the streets. The response to that has been the campaign of terror I have described and mass violence against protestors, blinding at least four and injuring and arresting hundreds. Anyone who doubts this and believes that everything is peaceful, democratic and fine within the borders of the Spanish state should go online and watch the incredible brutality by the police. One video shows a bunch of police officers snorting cocaine, and then going out to beat protestors in a very brutal way and arresting members of the media for covering their crimes and brutality. It is clear that Francoism is alive and well in the Spanish state, raising its ugly head to put down the boot on the Catalan people, just as it did in 2017. The Spanish legal system and the police are riddled with elements of the old fascist dictatorship of Franco, yet it is the same system the EU leaders claim we must respect. It reflects the contempt for democracy of those at the top of the European Union in their support for a campaign of terror and revenge.

The international arrest warrant for Puigdemont needs to be rescinded immediately, the convictions of the nine political prisoners must be overturned immediately, the repression must be ended and Catalonia's right to self-determination should be respected. The general strike on 18 October shows a way forward for the movement. To paraphrase Connolly, the working class are the incorruptible inheritors of the struggle against national oppression. The working class and the left leadership, not seeking a path of compromise with Francoism or an independent Catalonia to pursue a neoliberal race to the bottom but rather a drive for an independent socialist republic of Catalonia, is the way forward and can appeal to working class people across national and cultural lines, having an impact on the working class throughout the Spanish state. An important part of that is supporting the right to self-determination of other national minorities within the Spanish state opposing repression and oppression, not least the Basque people, and standing for a future socialist federation of the Spanish state and the Iberian peninsula.

Deputy Thomas Pringle: Two years after democratically elected Catalan ministers, politicians and civil activists held a peaceful referendum on the question of self-determination for Catalonia, severe penalties were handed down by the Spanish Supreme Court to former Catalan leaders. Penalties ranged between nine and 13 years for the leaders, under trumped up charges, including sedition, disobedience and the misuse of public funds. Catalonia's question on the self-determination of its 7.5 million people has been quashed by a so-called democratic nation belonging to the European Union. What has happened throughout the course of Catalonia's self-determination process has raised questions as to the true nature of the European Union, primarily as to how it can allow one of its nation states to hold political prisoners while not explicitly recognising Catalonia's right to self-determination and claiming it is an internal political matter.

As many commentators have pointed out, the European project finds itself threatened by terrorism and an upsurge in xenophobic nationalism, and as a result simply cannot adopt a passive stance on the question of Catalonia. Catalan citizens are also EU citizens and deserve equal recognition under the EU. If Europe has any democratic mettle, it must defend and advocate for the rights of Catalan citizens against the Spanish police state. The European Commission must also open a space for mediation between the Spanish and Catalan Governments to find a negotiated and democratic solution to the conflict once and for all, but we know that it will not do that. Spain's response to Catalonia's self-determination raises questions over what has been

termed the judicialisation of politics, where a nation state excessively outsources its political decision making and public policy to the courts on matters of great political importance, rather than allowing the people through democratically elected representatives to follow the course for themselves. In the case of Spain, the Supreme Court has been given an all-too bloated role in determining the course of events pursued by Catalonia. The overreliance on the supreme judiciary to determine the course of events has doubtless led to an overreliance on the use of force to attack the civilian population through the use of the security forces and the threat of imprisonment.

As part of its efforts to stop the referendum, the Spanish Government has blocked Catalan websites, seized pro-secession material, detained officials involved in the referendum, threatened to arrest 700 mayors, held a crackdown on information, and seized 1.3 million posters, flyers, and pamphlets at the time of the referendum. Meanwhile, the Spanish Prime Minister stated, “The state will always guarantee the rights of those who wish to protest their ideas peacefully.” What the Spanish Government is doing would be a joke if it were not so serious. Much attention has been paid to the violence and unrest surrounding the most recent march when, in fact, it had been preceded by an overwhelmingly peaceful march of more than 500,000 people. Approximately 525,000 people had congregated in the city, many of them having marched there from around Catalonia to display their discontent with Spain’s Supreme Court ruling on the penalties to be given to the former Catalan leaders for carrying out the referendum on Catalonia’s independence.

Europe continues to ignore the developments. Most recently the Commission stated it fully respects the Spanish constitutional order, including decisions of the Spanish judiciary, and that it remains an internal matter for Spain. It probably had a similar stance in respect of the British occupation of the North for years and years. It supports us now in that regard but that is only because it suits it to give the Brits a kicking. Perhaps if the Commission wants to give the Spanish a kicking, it will support the Catalan people as well. Meanwhile Europe fails to realise that by ignoring the situation in Catalonia, it is eroding democracy in a profound way. This is a dangerous situation if the European Union’s self-conception as a supposedly democratic institution is to have any hope of surviving the challenges of the 21st century.

Acting Chairman (Deputy Eugene Murphy): Deputy Peadar Tóibín will now share time with Deputy Mattie McGrath.

Deputy Peadar Tóibín: Gabhaim buíochas don Teachta Mattie McGrath.

Self-determination is a human right. It is the foundation of democracy. People have a right to self-determination up to the point where they infringe upon the rights of others. We in Ireland know how important self-determination is. We know too well that the lack of self-determination can be a disaster for a country. We know that when a country’s peaceful pathway to achieving self-determination is blocked, it is a recipe for political unrest and chaos. Tragically, Ireland has been in that situation for hundreds of years.

In 1919, the First Dáil issued a message to the free nations of the world seeking recognition of our independence. Most of the countries of that time refused this recognition. Catalonia is Ireland 100 years later. Today, this Dáil business is entitled Statements on Developments in Spain. It is the equivalent of holding a debate on the Black and Tans’ burning of Balbriggan and Cork and calling it Statements on the United Kingdom. That shows the Government’s mindset and its approach to this issue.

In March 2014, Spain's Constitutional Court ruled that a referendum on Catalonia's independence planned for November was unconstitutional. A simple democratic expression of the people's wishes was unconstitutional. More than 80% of the people who took part in that informal vote for separation from Spain voted for independence. As a result of that expression of self-determination, the Supreme Court of Spain sentenced Catalan leaders to long jail terms for sedition. In one fell swoop, the Spanish Government criminalised democracy.

This is a grave injustice not only against individual democratic leaders but also against the people of Catalonia. It is shocking that this would happen anywhere in 2019. That it happened in the EU in 2019, on our watch, makes a silent Ireland culpable and complicit. It is incredible that the Government is not seeking to do the right thing. Most of the world stood idly by while Britain violently denied Irish democratic aspirations. Are we going to do the same for Catalonia?

Deputy Mattie McGrath: I wish to discuss the situation in Spain and the civil unrest and protests following the decision of the Supreme Court of Spain in the case of some of the people responsible for the Catalan independence process. As we know, the Spanish court sentenced these people to between nine and 13 years in prison. It has been said that this was not just a conviction of the members of the Catalan Government, but of the 2.3 million Catalans who made the self-determination referendum on 1 October 2017 possible. It reflects our own history and it seems we have a very short memory.

I have been following this matter closely. In April, at the request of then Deputy Clare Daly, I signed a cross-party support measure calling for an end to the detention of Spanish civil leaders, Jordi Cuixart and Jordi Sànchez, and a recognition of fundamental human rights and freedoms in Catalonia. That statement did not express any opinion on Catalan independence. It was simply a defence of the basic human rights of freedom of expression and peaceful assembly. By God, we in Ireland, including the Government, should know how important and sacred that is.

As I understand it, the two civic and cultural leaders have been held on an order for pre-trial detention on charges of sedition since last October. Sànchez and Cuixart are the presidents, respectively, of the Catalan National Assembly, ANC, and Òmnium Cultural. They were charged in connection with pro-independence protests organised to coincide with the Catalan independence referendum in 2017 and faced a prison sentence of 17 years. Along with Deputies Mick Wallace and Maureen O'Sullivan, Deputy Daly had met with the legal team representing the men. These representatives outlined the circumstances of their clients' detention. It was felt that the detention of these two civic leaders was a disproportionate restriction of their rights to free speech and peaceful assembly.

As for the more immediate situation in Spain, I can only say that as a citizen of a small island nation which struggled for its independence, I am very sympathetic to the Catalan cause. However, it is disturbing to see the violence that has taken place in recent weeks. That I cannot support, as violence gets us nowhere. Hopefully a sense of proportion and respect for the right of people to determine their own destiny will be seen in Spain. It is a wonderful country with a rich heritage and a fantastic people. That is something we all want to see protected.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Helen McEntee): I thank all the Deputies for their contributions this evening. As I said in my opening remarks, the question of Catalan independence remains a deeply divisive and contentious

issue, not just in Catalonia but in all of Spain. It is very clear from the contributions that what is happening in Spain and Catalonia matters to each and every one of us in this Chamber and beyond, for reasons I have already outlined. Spain is a close ally, partner and friend of ours in the European Union. Many of our people call Spain their home for much of the year and *vice versa*. As many speakers outlined, as a country we have seen what conflict can do and how important it is to find a resolution to that conflict. However, while tensions are running high, we cannot forget that Spain is an established democracy that is committed to the rule of law. It is only through the democratic process with full respect for the law that differences of opinion should be contested. We should not lose sight of the fact that the case presented to the Supreme Court of Spain was presented on a legal and constitutional issue. We know how complex constitutions can be. Let us not simplify a very complex issue. Furthermore, just as we would expect other countries to respect our legal system, we must respect the independence and integrity of the Spanish courts.

The Government remains of the view that it is for all Catalans and all Spaniards to arrive at a shared view of the steps to be taken within their laws and democratic institutions to support a process of reconciliation. Internal divisions, contesting aspirations and robust debates are all to be expected within a democracy. As I said, however, these must be resolved in keeping with the rule of law. They cannot be resolved through violence. We have all seen the images of protests in recent days, including scenes of confrontations. Most of those who have been demonstrating have been doing so peacefully. Reports of incidents of violence are of huge concern, and I share the dismay felt by my colleagues and many people in Ireland and elsewhere at the scenes of violent disturbances in Catalonia. I am concerned by the impact this has on people's lives and the political uncertainty to which it has given rise. I reiterate, however, that there is no place for violence in politics. We must always find a solution through peaceful means.

In Catalonia and elsewhere in Spain, as in our democracy, public representatives and citizens must always work together to advance goals democratically. Establishing the validity and legitimacy of political efforts through the institutions requires the broadest possible consensus within the law. That is why I remain very clearly of the view that it is for all parties in Spain to arrive at a shared view of what steps within Spain's laws and democratic institutions might best support a process of resolution. Radical violent actions cannot be acceptable. Any difference of opinion must be contested peacefully with full respect for the law and the rights of all citizens.

9 o'clock

Finally, the balance between the freedom to demonstrate and the need for law and order must be protected so that people can go about their normal lives without fear. Citizens also deserve clarity that the rule of law extends to and protects them. That is why we continue to support a resolution of the current situation in Spain that is based on democracy and the rule of law. We will continue to remain engaged with the ambassador and our colleagues in the Irish Embassy in Spain. We will continue to update colleagues on any further developments.

Acting Chairman (Deputy Eugene Murphy): Gabhaim buíochas don Aire Stáit agus do na Teachtaí. Sin deireadh leis na ráitis maidir leis na forbairtí sa Spáinn. Leanaimid ar aghaidh anois leis an tairiscint maidir le cothabháil linbh.

Child Maintenance: Motion

Deputy John Brady: I move:

That Dáil Éireann:

notes that:

— there are 218,817 lone parent families living in the State (Census 2016);

— Ireland's level of lone parent families is amongst the highest in the European Union and growing;

— lone parent families have suffered disproportionately during the economic recession and in the subsequent period of economic growth;

— according to the Vincentian Partnership for Social Justice, in terms of the impact of social welfare supports, lone parent families are in deep income inadequacy;

— lone parent families experience consistent poverty at a rate five times that of households headed by two parents; and

— according to the latest Survey on Income and Living Conditions (SILC) undertaken by the Central Statistics Office, 39.9 per cent of lone parent families live at risk of poverty (up from 39.4 per cent the previous year) and 44.5 per cent experience deprivation;

further notes that:

— lone parents are obliged to seek maintenance payments from the non-custodial parent as a condition of receiving the One-Parent Family Payment (OFP) and Job-seeker's Transitional Payment;

— there is no State body or agency in place in Ireland to support or assist lone parents in seeking child maintenance for their child(ren);

— many lone parents have to go to court in order to seek child maintenance;

— the use of courts increases stress and conflict within families;

— an order to pay maintenance as determined by a judge does not guarantee the payment of said maintenance;

— child maintenance payments are included as household means in the assessment of social welfare supports for lone parents regardless of whether it is actually paid or not;

— a recent survey by the One Family organisation found that of the 1,068 respondents, 42 per cent of lone parents receive no child maintenance at all; and

— figures from the Maintenance Recovery Unit of the Department of Employment Affairs and Social Protection, which pursues non-custodial parents to cover the costs of the OFP, shows that this Unit is ineffective;

acknowledges that:

22 October 2019

— the 2017 Indecon report entitled ‘Independent Review of the Amendments to the One-Parent Family Payment since January 2012’, concluded that changes to this payment led to an increase in the percentage of lone parents who could not afford basic items such as a warm waterproof coat, two pairs of strong shoes, or turning on the heating at home;

— lone parent organisations, One Family and SPARK-Ireland (Single Parents Acting For Rights of Kids) have highlighted major concerns with the current arrangements in place for lone parents seeking maintenance;

— the 2017 report by the United Nations Committee on the Elimination of Discrimination against Women recommended that Ireland ‘Consider establishing a statutory maintenance authority and prescribing amounts for child maintenance in order to reduce the burden on women of having to litigate to seek child maintenance orders.’;

— research has also concluded that in countries where maintenance is paid, it plays a role in reducing poverty; and

— research also shows that where maintenance payments are seen as a private family matter alone, without guaranteed maintenance support systems in place, the number of lone parents receiving child maintenance is low;

regrets that:

— Ireland has failed to meet its targets to date on reducing child poverty; and

— citizens can be imprisoned for not paying their television licence, yet parents who neglect their responsibility for maintaining their dependent child(ren) do so without repercussions;

and calls on the Government to:

— fund research into examining best international practice when it comes to determining, collecting, transferring and pursuing child maintenance payments;

— engage and include all stakeholders in this funded project from point of design and establishing terms of reference, to implementation; and

— establish, based on that research, a statutory child maintenance service with sufficient enforcement powers and links to Revenue.

I will be sharing time with my colleagues.

Three weeks ago, I met domestic abuse survivor and campaigner, Jessica Bowes, a lone parent to three children. Jessica, like many lone parents, took her former partner to court to pursue maintenance payments, having been directed to do so by the Department of Employment Affairs and Social Protection. One week later, Jessica was violently assaulted by her former partner. The assault was nearly fatal. That was the price she paid for taking her former partner to court to seek maintenance. That was her experience of seeking maintenance.

For Jessica and many other lone parents, I am delighted to bring this motion before the House this evening. I hope we will have a healthy debate leading to consensus on the need

for a child maintenance service. I move this motion with the support of both lead lone-parent organisations, One Family and SPARK, which have consistently highlighted major difficulties with the current process which requires lone parents to take their former partner to court in order to seek maintenance payments, something no parent should ever have to do. I commend both organisations on the excellent work they do every day for lone mothers and fathers, and their children. I am delighted that some of them are in the Gallery this evening.

There are many reasons for the urgent establishment of a child maintenance service. The main reason is that courtrooms are no place for child maintenance payments to be determined. That is the bottom line. More important, the current process involving the Courts Service does not work. I will set out the current process to the House. A lone parent who applies for the one-parent family payment must prove that he or she has sought maintenance from the other parent in order to receive and retain this social welfare support. In essence, in order to receive a payment specifically for lone parents, lone parents are not entitled to this payment unless they can show that they have sought maintenance. This leaves lone parents with no option other than to take their former partner to court to seek that maintenance.

A court summons for maintenance cannot be issued by the court unless the lone parent can provide an address for the other parent, which is not always known. There are no statutory guidelines on how the rate of payment for maintenance should be set and instead it is left to the discretion of the judge of the day. Naturally, different judges make different determinations. If a maintenance order is put in place by the courts and the non-custodial parent does not comply, the lone parent is back to square one and left to issue enforcement proceedings.

If the non-custodial parent fails to appear at court proceedings, a bench warrant is issued. This typically sits on a desk in a Garda station gathering dust, adding further delay. At the end of it all, the lone parent is no better off. In many cases, lone parents are worse off because once a maintenance order is granted, it is taken as household means, reducing other social welfare supports regardless of whether the maintenance is paid.

In every country in the world where statutory maintenance arrangements are in place, child maintenance plays a role in reducing poverty, something the Government has failed to do. The rate of consistent poverty among lone-parent families is five times higher than in families headed by two parents. Some 39.9% of lone-parent families live at risk of poverty. By its own admission, the Government will not come anywhere close to reaching its target of lifting 95,000 children out of poverty by 2020. Establishing a child maintenance service would help to lift children out of poverty. More than that, a statutory child maintenance service would protect women who have to seek maintenance. It would support them and provide them with advice and assistance. It would put children first at long last.

I commend the motion to the House and I hope that we can work together to make it happen because lone-parent families deserve nothing less.

Deputy Louise O'Reilly: I welcome the people in the Gallery and I know many others are watching this debate at home. I thank the many women - they were mainly women - who contacted me to encourage us to push for this and to let me know that it means an enormous amount to them and that they want to see action.

For some time, Sinn Féin, in particular my colleague Deputy Brady, has been pushing the need for the State to establish a child maintenance agency. The current process requires lone

parents to take their former partners to court to seek child maintenance payments. I know of countless lone parents, most often mothers, who have attended my clinics to get advice about how to get child maintenance payments from partners who have refused to contribute. When I tell them that their only recourse is through the courts I can see the fear in the faces.

It is not lost on them or me and, I am sure, it will not be lost on the Minister of State, that earlier today an apology was issued to women over how they were treated by the State. In the statements that followed, numerous contributors mentioned that women were dragged through the courts and how adversarial that process is. Collectively, we have agreed that the courts are not always the most appropriate place to go. Nobody wants to go through an adversarial process. Even when people are in the right, that prospect is very daunting.

In budget 2020, the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, announced funding to establish a judge-led group to determine, based on best international practice, maintenance guidelines and regulations which can hopefully be put on a statutory footing and which will achieve better outcomes for families. Guidelines are not good enough, not even guidelines that will, hopefully, be placed on a statutory footing. That does not give much hope, even though the word “hopefully” is used.

The motion calls on the Government to research best practice to find the best statutory child maintenance service model that we can establish here in consultation with key stakeholders. We need sensible workable proposals. Sinn Féin published these proposals in January 2018 and published a revised version this month showing Government exactly how a child maintenance service can be achieved.

We bring forward this motion with the full support of both lead lone-parent organisations in the State, One Family and SPARK. They have been very clear that they do not want guidelines; they want a statutory child maintenance service. It is time for the State to step up to the plate at long last and support lone parents.

Deputy Maurice Quinlivan: Yesterday in my constituency office, and not for the first time, I met a lady who spoke to me about child maintenance payments. As Deputy O'Reilly said, when I explained to her that she would have to go to the courts or get in contact with her partner again, a look of absolute terror fell over her face. Unfortunately, I have seen that occur many times. It is an issue that needs to be addressed.

I commend Deputy Brady on tabling the motion. The current system for lone parents seeking child maintenance is totally unacceptable. Forcing lone parents to ask former partners for child maintenance before they can receive social welfare supports puts many people in a terrible situation. It often places them in danger if they have left violent partners. The same occurs when a person is forced to bring a former partner to court to try to get child maintenance. The court process results in an immediate escalation of the situation and often causes hostility between the two partners. Going to court is a very stressful experience and the cost alone can be a barrier to many. Waiting for support to go to court can take ages too. In addition, the reality of facing a former partner in court is something many individuals do not wish to do for many personal and private reasons. This blocks many parents from seeking child maintenance. I have heard people say they would prefer not to go to court and I have met people who chose to forgo child maintenance even though they are desperately in need of it just to ensure they do not have to face their former partner in court. This is a terrible situation and it has been raised on several occasions in the Dail. We brought people to the audiovisual room three years ago

when we were first elected in order that we might discuss it. The matter needs to be addressed as soon as possible.

Should a lone parent eventually get over all the hurdles put in front of him or her, a judge then has no guidelines on how the rate of child maintenance should be set. This affords no certainty to a lone parent and results in varying types of orders for child maintenance. This system is not fit for purpose and needs to be changed urgently. Our motion sets out solutions to do just that.

The Department has a liable relatives unit. This is used to contact the absent parent not to collect maintenance but to get him or her to contribute towards the cost of the one-parent family payment. In simple terms, it results in the recoupment of money for the State but not for the lone parent or their children. However, the Department cannot even manage to do that effectively. From the beginning of 2018 up to August of this year, this unit examined 18,078 cases. In 2,174 of these, a liable relative started making contributions. However, in the majority of cases, 15,904 to be exact, nothing happened. Nothing was done, despite the Department insisting that it has enforcement powers. This is a ridiculous situation. According to data received via reply to a parliamentary question, the Department has submitted just 19 cases to the Chief State Solicitor's office since 2016 for the purposes of obtaining orders directing that the liable relative comply with the determination. This is truly pathetic. The Government is not dealing with this issue.

I am not sure which is worse, that the Department does not see fit to assist and support lone parents in seeking maintenance for their children or that it choose to pursue the non-custodial parent, not to benefit the children involved, but simply to cover its own costs. This system needs to be done away with, and replaced with a proper, robust system that ensures the needs of children are to the fore. Sinn Féin has put forward such a solution. I hope the Government gives proper consideration to our proposals. I told the woman I spoke to yesterday that I would raise this matter in the Dáil today. There are others like her. All of our colleagues have met them and I am sure the Minister of State has met them. This needs to be addressed.

Deputy David Cullinane: It is worth reminding the House that it has been four years since the then Minister for Social Protection, Deputy Burton, cut payments to lone parents. Of all the attacks on people during the austerity years that one ranked as one of the most vicious and worst cuts. At the time, I described it as slash and burn politics but I was not on my own. The Minister of State, Deputy Finian McGrath, described it in similar terms. He very robustly opposed the Government policy at the time. He was very vociferous in this Chamber at that time but, as with many other issues, he seems to have lost his voice now.

Deputy Finian McGrath: No, I have not.

Deputy David Cullinane: I do not see him, as a Minister of State supporting Fine Gael, showing the same level of urgency or robustness as he did when he was in opposition. We warned then, as did the Minister of State and campaigning groups, that the measure would impoverish lone-parent families. However, our efforts were to no avail. The Minister was not for turning and the cuts are still in place. The Minister of State is facilitating and allowing them to remain in place by supporting a Government that simply does not care.

We are debating a measure that should have been brought in instead of those cuts. Campaigning groups, in particular One Family and SPARK-Ireland - and I welcome those who are

in the Gallery – called for this measure at the time but they were ignored. Instead, the Government attacked lone parents. Sinn Féin is calling on all Deputies to support the motion it has tabled. The motion is part of our campaign to see the establishment of child maintenance services. Lone parents in this State need this service to be put on a statutory footing. Guidelines are not enough. This was one of the Minister of State's policies when he was in opposition.

For far too long, lone parents have been left to seek child maintenance payments from an ex-partner with no support or guidance from the State. This issue has been ignored for too long by successive Governments, which have been happy to leave it to parents to battle it out in courts. The court system is a direct barrier to abused parents and their children accessing child maintenance. I know that and the Minister of State and officials in the Department know it, which is why we need change. The Courts Service received almost 9,000 applications for maintenance orders during 2018. More than a quarter of these cases remained unresolved by the end of the court term. Delays are an inherent part of the proceedings. In cases of coercive control, domestic violence and abuse, child maintenance court cases can heighten hostilities. The outcome, unfortunately, for many women in particular is fear, intimidation and sometimes outright physical attack. It is time to end this out-of-date system and to use child maintenance as one means of lifting children and lone parents out of poverty. A legally enforceable child maintenance service would be a life-changing development in the way lone parents are treated by this State.

I appeal to the Minister of State to do in government what he said he would do when he was in opposition, namely, support the women who need support.

Deputy Finian McGrath: I always do. There have been no cuts on my watch.

Deputy Caoimhghín Ó Caoláin: There can be no doubt that in debating policy relating to children we are shaping and affecting the future. I am disappointed that the Government has indicated its opposition to tonight's motion, as it is a clear opportunity for a step change in the Government's outlook on providing for the most vulnerable in society. Much like the motion on home care that Sinn Féin brought to this Chamber in June, the value of providing adequate supports early on can lead to savings in the future if they are available to all those in need of them. People provided for at home incur less cost to the State and are more likely to remain out of hospital beds longer. More importantly, these patients and their families experience a much better quality of life.

The motion sets out how statutory provision for the payment of a considered and stable amount to lone parents can lead to far better outcomes for children and their parents. Children who are properly supported are far less likely to be in need of State intervention in the future. They are less likely to present with illnesses associated with poor nutrition or inadequate living conditions. Lone-parent families were hit particularly hard in the austerity years of Fianna Fáil, Fine Gael and Labour. While many sectors of society suffered during that period, some groups have not seen any measurable recovery at all. It is no surprise that lone parents remain among the groups yet to see any benefit from our supposed recovery. According to the Vincentian Partnership for Social Justice, which examines the adequacy of social welfare supports and reports annually, lone parents are one of three groups in deep income inadequacy right now. Latest figures from the survey on income and living conditions show that one-parent families are now five times as likely to live in consistent poverty as two-parent households. The same report also shows that lone parents have the lowest disposable income. Lone parents have the highest levels of deprivation and are most at risk of poverty of all households with children in the State.

We know that Government policy has worked to make life more difficult for lone-parent families. A 2017 Indecon report concluded that the changes made by Fine Gael and Labour to the one-parent family payment eligibility, reducing the cut-off age to seven years, led to increased deprivation. The reality of experiencing deprivation means not being able to turn the heating on, not being able to afford a warm coat or to provide a strong pair of shoes for children. Research shows that, when paid, child maintenance plays a role in reducing poverty. It also shows that in the neighbouring island there was a 30% reduction in the poverty gap as a result of child maintenance payments. A child maintenance service will reduce poverty and, therefore, make growing up in Ireland a better, happier experience for so many children than it is today.

Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath): I thank the Deputies for raising this important issue. I am pleased to have this opportunity to respond to this Private Members' motion on issue of child maintenance. The issues regarding maintenance are generally a matter for the Minister for Justice and Equality, who has responsibility for the family law Acts, which govern maintenance requirements. Existing family law Acts place a legal obligation on parents to maintain their children. In cases where the family unit has broken down, these obligations continue to apply. Relevant maintenance payments can be arranged either directly between the parties or with the assistance of supports from the Department of Justice and Equality, such as the family mediation service and the Legal Aid Board or, ultimately, through the courts. The enforcement of the obligation on parents to maintain their children is a matter for the Department of Justice and Equality.

The social welfare Acts provide that where certain welfare payments are in place, specifically one-parent family payment, OFP, an assessment may be made against a liable relative requiring him or her to make a contribution towards the cost of the one-parent family payment. In every case where one-parent family payment is awarded, the Department of Employment Affairs and Social Protection seeks to trace the other parent or liable relative to ascertain whether he or she is in a financial position to contribute towards the cost of the payment. All liable relatives who are assessed for the maintenance liability are issued with a maintenance contribution assessment setting out the amount assessed. The amount assessed can be reviewed where new information comes to light regarding the financial or household circumstances of the liable relative. The liable relative can either commence or increase the current payment to a one-parent family payment recipient or can make the contribution directly to the Department. Decisions on the amount assessed can be appealed to the social welfare appeals office. The liable relative provisions cease once the youngest child reaches seven years of age and the one-parent family payment claim ceases. However, the legal obligation under the family law Acts to maintain children does not cease.

Lone parents have consistently been one of the most vulnerable groups in Ireland, a point made earlier, which I accept. Even during the period of high economic growth and employment, the rate of consistent poverty for lone parents remained very high in comparison with two-parent families. The 2013 survey of income and living conditions, SILC, data show that the consistent poverty rate for lone-parent households was 20.7% compared with 3.9% for two-parent households. The current policy approach for supporting lone parents through the one-parent family payment and jobseeker's transitional scheme is to provide tapered income supports as children get older while at the same time increasing the employment and educational supports that the Department offers.

A recent analysis by the Central Statistics Office, CSO, of differing household types shows that the employment rate of lone parents is increasing steadily as the economy grows, but it also

shows that the gap between coupled and lone mothers' employment rates remains relatively large. The employment rate of female lone parents increased from 48.5% in quarter 2 of 2012 to 60% in quarter 2 of 2018. This is a positive development but there is evidence that the rate of in-work poverty among lone-parent households is high in comparison with coupled families.

The Department of Employment Affairs and Social Protection operates three schemes to support lone parents, namely, the one-parent family payment scheme, the jobseeker's transitional scheme, and the jobseeker's allowance. The appropriate scheme that a lone parent can avail of is generally determined by the age of the youngest child claimed for, subject to eligibility requirements. One-parent family payment is available where the youngest child is aged under seven, while jobseeker's transitional payment may be claimed where the youngest child is aged between seven and 13 years of age, inclusive. Once the youngest child reaches 14, standard jobseeker's allowance applies.

This progression from one-parent family payment to jobseeker's transitional payment to jobseeker's allowance was a fundamental element of the reforms of the one-parent family payment scheme undertaken since 2011, as until then income support for lone parents was passive in nature and involved limited engagement by the State with lone parents. One-parent family payment was originally available until the youngest child was 18. The non-conditional nature of the one-parent family payment coupled with its very long duration had over time engendered long-term social welfare dependency and associated poverty among many lone parents and their children. Research has shown that being at work reduces the at-risk of poverty rate for lone parents by more than half.

The purpose of the one-parent family payment scheme reforms is to maximise the opportunities for lone parents to enter into and increase employment by providing them with enhanced access to a wide range of education, training and employment supports that make up the Department's Intreo services. In 2004, at the height of the economic boom, lone parents were over four-and-a-half times more at risk of poverty than the rest of the population. In 2017, the latest available SILC data show a significant improvement, although lone parents are still almost two-and-a-half times more at risk of poverty than the rest of the population.

It is important to take this opportunity to set out the range of measures put in place by the Government to support children and their families, including lone parents, in budget 2020. There are no cuts in social welfare payments. These supports include payment of a 100% Christmas bonus in December 2019 to recipients of long-term social welfare payments, including one-parent family payment; extension of the hot school meals scheme from September 2020 to 35,000 additional schoolchildren; a €3 increase for qualified child dependants aged 12 and over in all weekly payments; a €2 increase for qualified child dependants up to the age of 12 in all weekly payments; an increase in the working family payment threshold by €10 per week for families with one, two or three children, benefiting 55,000 families at a cost of €19 million from January 2020; and increases in the earnings disregard for working lone parents in receipt of the one-parent family payment or jobseeker's transitional payment by €15 to €165 per week from January 2020, benefiting 16,900 families.

There are a wide range of supports for children and families, including lone-parent families, across other Departments and beyond the social welfare system. Extra funding of €54 million has been allocated to childcare services for the introduction of the national childcare scheme to meet the continuing cost of the early childhood care and education, ECCE, programme, to fund the access and inclusion model, and to support the introduction of a sectoral employment

order setting the statutory minimum pay and conditions in the childcare sector. The maximum hours under the national childcare scheme for preschool children will increase from 40 to 45 hours per week for working parents and from 15 to 20 hours per week for low-income parents not working or studying. The maximum hours for school-aged childcare for low-income parents who return to work will increase from 17 to 22 hours per week with effect from September 2020. Additional funding of €29 million is allocated to Tusla to continue its work to reduce the number of children awaiting the allocation of a social worker and to address costs pressures in residential and foster care.

The Government also plans to extend free GP care to children under the age of eight and to provide free dental care for children under six with effect from September 2020. Stakeholders have highlighted that child maintenance poses serious personal and administrative blocks within the social protection and legal systems. Delays in legal proceedings due to cycles of agreement, default and pursuits clog up the Courts Service and cause unnecessary delays and hardships for the parents and their children. I accept that argument. Requirements for seeking maintenance and liable relative provisions may also cause issues between the parents over and above the difficulties and hardships they already face. The Minister for Employment Affairs and Social Protection shares some of the concerns, as do I, expressed by stakeholder groups about how the maintenance system currently operates and she believes that it is timely to review these arrangements to see what can be learned from international best practice. The Minister has already held meetings with some of the stakeholder groups and will continue to engage with them on this matter in the future.

As part of budget 2020, €150,000 has been allocated to the Department of Employment Affairs and Social Protection to examine international best practice in respect of maintenance payments by liable relatives and how Ireland can achieve better outcomes in a proactive manner for families. The Minister is currently making arrangements to establish a judge-led group to progress that work as a priority. The Government is taking on board the concerns of the stakeholder groups regarding child maintenance and the wider issues for lone parents. The motion before the House does not give sufficient recognition to the substantial work already done to support lone parents and the significant commitments set out as part of budget 2020, nor does it recognise that the Minister is already consulting with stakeholder groups and has secured funding to undertake research in this area as part of a judge-led group.

No one party has a monopoly on caring about remedying the challenges regarding maintenance and my colleague, the Minister for Employment Affairs and Social Protection, has already moved to find effective solutions. On that basis we will not be opposing the motion, we will be abstaining.

Deputy David Cullinane: The Government will be sitting on its hands.

Deputy Caoimhghín Ó Caoláin: That is not supporting it. As I said, they are not supporting it.

Deputy Finian McGrath: It is standing, it is not rolling over. The Deputy is wrong.

Deputy Willie O’Dea: I am sharing time with Deputies Butler and Rabbitte. The Minister of State recognised in his speech that poverty among this cohort is endemic. All the statistics point to that. Research done by the Society of St. Vincent de Paul and the figures in the survey on income and living conditions in Ireland, SILC, illustrate that a lone-parent family is five

times more likely to be living in consistent poverty than a family headed by two parents. The levels of deprivation for lone parents are now running at over 45%. Almost one in two lone parents cannot afford the basic necessities for the very minimum standard of living. That is a disgraceful statistic.

There are a number of reasons this has turned out to be the case. On the so-called reforms of 2012 to which the Minister of State referred, introduced by the former Minister, Deputy Burton, we warned the Minister at the time and subsequent Ministers that they would have a devastating effect on the income of lone parents and this has proved to be the case. This effect manifests itself right to this very day. I refer to a number of reports, such as the 2016 report by Millar and Crosse, which was extremely critical of the impact of those so-called reforms. The Indecon report of 2017 was a damning indictment. The Society of St. Vincent de Paul study published last March showed that the level of in-work poverty among lone parents had doubled since the introduction of the so-called reforms of 2012. The response of the Minister and subsequent Ministers has been to try to alleviate the impact of those changes by adding little provisions here and there, adding extra pieces of a patchwork onto what is already a gigantic patchwork, thereby making the social welfare system even more complicated. This is their approach rather than simply reversing what was done in 2012 because it was so clearly wrong. The result of all this is that the whole system of social welfare law concerning lone parents is now riddled with anomalies.

Another reason for the increase in poverty and the pitiable status of lone parents lies in the fact that a relatively small percentage of Irish lone parents, compared with those in other countries, actually get maintenance. The reason for that, as has already been outlined, is that it is a condition that someone who is married or in civil partnership will not get lone-parent allowance until he or she seeks maintenance from the other party. If people are living in a non-marital, non-civil partnership relationship, they can get lone-parent allowance but in order to hold on to it they have to apply for maintenance subsequently. The only way a single parent can apply for maintenance in this country is through the courts system. In most of these cases when the relationship has broken up, it is usually the woman who is living in abject poverty. She has to face the adversarial system of the courts. The vast majority of lone parents I deal with do not have the resources to employ private solicitors so they have to depend on the free legal aid system, which is not completely free. The Minister herself has acknowledged on a number of occasions that this places an enormous emotional and financial burden on people who are already suffering enough and already have enough on their plate. That is the simple reality.

There should never be a system in which lone parent's allowance depends on chasing a partner for maintenance through the Irish courts system. I know single mothers who have been in and out of the District Court ten, 12 or 15 times because some of those people against whom orders are made are very adept at avoiding payment. There is this constant carousel of people in and out of court, all at the expense of the legal aid system. From that point of view, something along the lines of what is proposed here would be self-financing. In fact, the State would finish up better off, judging by the impact and the burden on the civil legal aid system of the present arrangements. I have also come across cases where a woman has had to flee the family home because of violence. The last thing that individual wants to do is bring herself to the attention of her violent partner and give him her address by lodging a summons for maintenance. It is insupportable. There is also a daft provision in the social welfare legislation that if the court orders maintenance for a person, whether he or she gets it or not, it is counted as part of his or her means. That is insupportable.

I would not agree with many of the things that have been done in Northern Ireland but one thing they have done right is establishing a statutory agency to which lone parents can present themselves and the agency will seek the maintenance on their behalf. That relieves the emotional and financial burden on the lone parent enormously. It has been proved to be very effective. In any jurisdiction where there is a similar arrangement, we will find that the level of maintenance paid rises dramatically. Surely that should be our aim to combat poverty among one of the poorest groups in society. There is also a very interesting report done by the Gingerbread group in the United Kingdom. It was a very extensive study which found that if people are involved in paying maintenance for their child, however that comes about, whether by direct court case or through an agency, they tend to take a greater interest in the upbringing of the child and that is to the child's benefit.

I know the Minister of State is not opposing the motion and he has mentioned various figures for research and so on. However, this is very urgently needed. If the Minister, Deputy Regina Doherty, was to establish such an agency here it would be a very significant legacy of her period as Minister for Employment Affairs and Social Protection. She would want to get on with it because we have been speaking about this for the last four or five years and time is running out rapidly for the Minister and the Minister of State. I call on the Minister of State when responding to be clearer rather than making vague assertions about thousands of euro being allocated to research here and there and saying we are talking to somebody else. How far are we from establishing something like this? I take from the fact the Government is not opposing this motion that it is in favour of creating such an agency. Let us have a little more concrete information as to when it will happen.

Deputy Mary Butler: I thank Deputy Brady for bringing forward this motion, which is calling on the Government to establish a statutory child maintenance service with enough powers and to link it to Revenue. The current mechanisms available to parents to seek maintenance orders, and their subsequent enforcement, rest with those who are seeking the payment, namely, the single parent in many cases, which places a considerable burden on them.

There is a legal responsibility on parents, whether married or unmarried, to maintain dependent children. As we all know, this is not always the case. A recent study by One Family found that while 42% of primary carers are raising children without a financial contribution from the other parent, no support at all from the other parent makes life extremely difficult for the primary carer. According to census 2016, 25% of all families with children are lone parent families, so one in every four families in Ireland is a single-parent family who may be separated, widowed or divorced. That is the reality of the Ireland we live in.

There are more than 350,000 children living in lone-parent families, where 86.4% of the parents are female and 13.6% male. As we can see from the statistics, the mother is generally the carer of the family. Some 58%, or three fifths, of parents are resorting to a court order to agree on child maintenance. Establishing a statutory child maintenance agency would ease the financial and emotional burden on lone parents; improve outcomes for lone parents and their children; and provide financial stability and go some way towards reducing the appalling poverty rates experienced by lone-parent families.

Some couples with children break up and it can be amicable. Maintenance can be sorted voluntarily and this can work well when both parties are reasonable and fair. However, it is difficult to assess informally the correct amount of maintenance that should be paid and when it should increase, whether at different times of financial strains during the year, whether it be

Christmas or back to school time.

If the parents cannot agree on maintenance, either party can apply to the courts for a maintenance order. As my colleague said, however, this can prove very difficult, because some women, mothers, are afraid of allowing their partner to know what their address is. When a parent refuses to pay it becomes very messy.

I recently spoke to a mother of two who receives maintenance and she explained how her ex-partner is very difficult to deal with, questions every euro spent on the children and a row results whenever there is an extra request, maybe for swimming lessons in school, sports gear and school trips, at Christmas time, etc. It can be very traumatic for the lone parent, 86% of whom, as we know, are women.

A report published by the Society of St. Vincent de Paul in March 2019, entitled Working, Parenting and Struggling, found that lone parents as a group are at risk of poverty in Ireland. Lone parents represent the largest group seeking assistance from the Society of St. Vincent de Paul. It is this society's members' experience that one-parent families have been hit hardest by the recession and the austerity measures that followed and have been unable to take advantage of the recent economic improvements.

Almost 60% of lone parents reported that they could not access childcare services due to cost which is the second highest rate in the EU15 countries, just after Spain. Employment rates are three times higher among lone parents with third level education but one in five lone parents reported that he or she could not access formal education for financial reasons.

One in every five lone parents was in consistent poverty in 2017. Two in every five lone-parent households were at risk of poverty in 2017. These are shocking statistics but I am not surprised. During the last Government, Fine Gael and the Labour Party targeted lone parents and their children by introducing punitive reforms to the one-parent family payment. These reforms had a detrimental effect on lone parent households. Even though changes have since been made, significant issues remain and the effects of their punitive changes to the one-parent family payment are still being felt.

Fianna Fáil supports the establishment of a statutory child maintenance agency which could create a more transparent and simplified process for lone parents seeking maintenance; help provide more financial stability for lone-parent households and reduce the high rates of poverty, deprivation and social exclusion experienced by lone parents and their children. That is why I am delighted to support the motion.

Deputy Anne Rabbitte: Fianna Fáil will be supporting this motion. I thank Deputy Brady for bringing it forward and for giving us the opportunity to speak on it. It is one of those issues that sometimes does not get enough attention and is not highlighted enough. I thank Deputy O'Dea for sharing his time with me.

I would have liked to hear the Minister of State's response had it not been scripted by the Department. His clinic can be no different from mine. Surely single parents come into him on a regular basis telling him how difficult it is, how a maintenance order has not gone through, how a standing order was missed the previous Friday or where someone cannot get their partner into court, where there is a backlog, and that they need to go through the clerical system and to fill out the standing order form once again.

I worked in a bank for 25 years. People came in on a weekly basis to check to see if the standing order had gone in, and they were the lucky ones who had a maintenance agreement in place. They waited for it and then had to wait another six weeks for it to catch up. It was a vicious circle for these women who I met in my professional career as a banker. Since I have become a politician, I meet them regularly. They are totally and utterly frustrated at how they are tied up in the system.

I will correct the Minister of State on a number of points, which I do not like doing, and I will refer to his contribution as Fianna Fáil spokesperson for children and youth affairs. Of course, there is a wide range of supports for children and families, including lone-parent families, across Government and beyond social welfare. Some €54 million was allocated to childcare. The Minister of State talked about the access and inclusion models, AIMS, and the sectoral employment order. We have only 5,000 registered members in childcare. We are a long way from having what is required to have that sectoral employment order. Believe it or not, many of those women working in childcare are on the basic minimum wage. We are struggling very hard to keep them in employment.

The Minister of State talked about the new affordable childcare scheme. The Minister for Children and Youth Affairs was in the House earlier and myself and Deputy Funchion asked how lone parents would fare under the new affordable childcare scheme. The new affordable childcare scheme has changed for this cohort of women. Currently, they can have 40 hours of childcare. When the new arrangement comes in, they will be brought back to 15 hours. This is what those women who want to return to employment or into education face. The change in the budget was from 15 to 20 hours. That is the extension that has been granted.

It will really hit the lone parent in respect of the after-school sector. Until now, it was €15 per week but now it will be €45. However, the cost for most after-school schemes is between €120 and €150. These lone parents feel they will be forced out of that sector completely and will be trapped in a social welfare existence because of all the wonderful things the Minister of State said in respect of supports for the lone parent. These are the facts as to what the affordable childcare model is about and the sectoral employment order for the childcare worker.

The One Family study earlier this year found that 58% of parents are forced to go to court to secure child maintenance. The same study also found that in 91% of cases a child's need was required to determine the amount paid. It is important to remember the child is at the centre of this motion. Regardless of the family structure in place, it is unfair to children to be robbed of their childhood due to conflict between parents. Such a service would help provide families with stability. These families are often the most vulnerable, as all speakers said.

Last year One Family noted that children living in one-parent families are living in the most socially and financially deprived homes in Ireland. Lone parents have the highest rate of consistent poverty, the lowest disposable income and the highest rate of deprivation. The 2017 UN Committee on the Elimination of Discrimination against Women found that Ireland should consider establishing a statutory authority and prescribing amounts for child maintenance in order to reduce the burden on women of having to litigate to seek child maintenance orders.

Our court system is already overburdened, yet we force parents through what can be costly exercises to ensure they can get by and are not forced into poverty and homelessness. Without any statutory footing, it is at the court's discretion what shape the payments take. This leaves parents in a very precarious position. This is all avoidable. Having an agency on a statutory

footing would prevent additional strain on courts in addition to ensuring lone parents receive payments they deserve.

Following the introduction of the compliance-related child maintenance payment in the UK, there was a 30% reduction in the poverty gap. We could have similar results here if our Government were serious about establishing a child maintenance service. Cuts introduced by Fine Gael and the Labour Party in budget 2012 saw lone parents hit. This was when the parties reformed the one-parent family payment. This has fed into an already dire situation for lone parents and it is creating more instability.

If the Government supported this proposal rather than abstaining, it would show real intent to support lone parents. While the Minister of State gave a rehash of the budget speech, which is welcome, what we really want to see is the establishment of the agency and serious intent from the other side of the House.

Deputy Joan Collins: I welcome to the Visitors Gallery the representatives of One Family and SPARK-Ireland and commend them on their excellent work with their communities. A woman who contacted me said she is just living on her nerves from day to day. She has been divorced for nine years and has been in and out of court with her ex-partner trying to sort maintenance. He has a court order. When the two leave the court, he will not pay until the next court date. The woman has sought help from Deputies. We cannot give her any because there is nothing legally requiring the partner to pay the maintenance, even with a court order. The woman lives in Donegal and has contacted me and other Deputies to look for assistance.

The figures are all in the Private Members' motion. There are 218,817 lone-parent families living in the State. The proportion is among the highest in Europe. The most recent figures from the CSO's Survey on Income and Living Conditions shows the at-risk-of-poverty rate among lone parents is 39.9% and that there is a deprivation rate of 44.5%. Lone-parent families are five times more likely to be living in consistent poverty by comparison with two-parent families. Poverty among lone parents with a job doubled between 2012 and 2017. So much for being in a job. While work might pay, it has not paid for lone parents.

In March 2017, the United Nations published its report on the Convention on the Elimination of all Forms of Discrimination against Women, making a number of recommendations for Ireland. One such recommendation was to consider establishing a statutory maintenance authority and prescribing amounts for child maintenance to reduce the burden on women of having to litigate to seek child maintenance orders. The Joint Committee on Social Protection produced a report on the position of parents in Ireland in 2017. Chapter 4, which covers maintenance, states:

- (4.2) Ireland has no state agency with responsibility for child maintenance payments
- (4.3) Parents are forced to seek payments through an adversarial and costly court system.
- (4.4) Maintenance, when obtained, is deducted at a rate of 100% from rent supplement and 50% from other social welfare payments
- (4.5) Lone parents in receipt of OFP are required to seek maintenance from the second parent

- (4.6) In Ireland, 35% of lone parents are in receipt of child maintenance payments
- (4.7) In other jurisdictions such as Sweden, New Zealand and Canada, the state is involved in facilitating the transfer of maintenance to parents
- (4.8) In Sweden, if the parent fails to or cannot pay maintenance, the state provides the payment and recoups the money from the liable parent subject to their ability to pay

The report recommends:

- (7.18) No lone parent should ever have their Social Protection payment threatened or reduced due to non-receipt of maintenance from a third party e.g. a former spouse. The obligation to pursue the liable adult should be removed from the lone parent.
- (7.19) A state body, similar to that in other countries, should be put in place to appropriately seek and pursue maintenance payments.

The Minister recommended the development of the child maintenance agency on 15 February 2018. It is now a year and a half later. I am supporting this motion because there is a need for urgency. I understand from SPARK-Ireland that the budgetary funding for research has been allocated. The motion calls on the Government to fund research and establish, based on the research and including the stakeholders, a statutory child maintenance service with sufficient enforcement powers and links to the Revenue Commissioners.

Deputy Thomas Pringle: I always wonder why the Government continues to target lone parents as if they had wronged the State in some way. Why are there no support services or State agencies to intervene when child maintenance is not paid, even when it is one of the strongest determinants of child poverty and even when child poverty persists despite the so-called economic upturn? The only conclusion I can come to is that the State has not come to terms with its shame in respect of lone parents, shame that lingers from the time of the Magdalen laundries, from when divorce was illegal and from when children outside marriage were shunned. We should now address our sense of shame about nearly 250,000 people in this country once and for all. Not only would lone parents be worthy of this but so too would the children in their families. Responding to the calls in the motion would be a good starting point.

I refer to a One Family survey carried out this summer. It found that more than half of parents must pursue child maintenance payments through an adversarial court system while 42% of primary carers are raising children without a financial contribution from the other parent. A resulting 58% of parents end up resorting to a court order to agree to child maintenance. The Department puts them under pressure and threatens to reduce their payments, which is an absolute disgrace. What struck me most about the survey's findings was that a child's needs do not determine the amount paid in 91% of cases included in the study. That is an incredible figure considering that child poverty remains persistent, with over 230,000 children at risk of poverty today. Many of those come from lone-parent families. According to a report of the Society of St. Vincent de Paul, entitled *Working, Parenting and Struggling*, the rate of in-work poverty among lone parents more than doubled between 2012 and 2017. In fact, in 2012, one in 11 working lone parents was living below the poverty line. By 2017, this increased to one in five. That working lone parents are living below the poverty line is a sad indictment of the Government.

Let us not forget how targeted lone parents were when the Labour Party was in government

and introduced the so-called reforms to the one-parent family payment. These were subject to much criticism, particularly as they were introduced during a period of recession and high unemployment. What has occurred has been in the absence of good-quality, affordable childcare and without recognising the additional practical and financial challenges of parenting alone, not to mention the fact that lone parents are obliged to seek maintenance from a non-custodial parent as a condition of receiving the one-parent family payment and jobseeker's conditional payment. The effects of the cuts during the recession will now affect an entire generation of children. It is a shameful history we must face up to. Addressing the high rate of non-payment of child maintenance would be a good start, as would proceeding from a children's rights perspective and establishing an agency to adjudicate on child maintenance cases, especially adjudicating on the child's behalf.

We also need what One Family has called for, namely, a future-proofed, independent, child-maintenance service reflecting the fact that families and work patterns are changing rapidly. According to One Family, the independent agency would integrate all the requirements of families and children accessing family law courts and social services.

The statutory child maintenance agency needs to form part of a wider comprehensive court welfare service that could determine the appropriate levels to be paid in a child-centred way. We need to move away from an adversarial court system towards one that would still ensure children and families actually receive the maintenance. I agree profoundly with One Family that child maintenance should be seen as an independent, ring-fenced form of security directly for children.

Just as with the Government's approach to child benefit, child maintenance should not be taxed or means tested, as is the case in the UK.

Having the State adjudicate on child maintenance payments is not about so-called interference with the private domain of families. Rather, it is about protecting and advocating for a child's right to an income that supports and protects him or her while offering equal opportunities in his or her life ahead. It is time to act to end this child poverty.

Deputy Mattie McGrath: I am sharing time with Teachtaí Michael Collins and Danny Healy-Rae.

An Leas-Cheann Comhairle: The Deputies have a total of eight minutes.

Deputy Mattie McGrath: I am happy to speak on this important motion and I salute Deputy Brady for moving it. However, I am surprised. Cá bhfuil Páirtí an Lucht Oibre? Tá sé imithe. It is supposed to be the party of the working people and ordinary people, but it is missing more time in the Chamber. This beggars belief. That has a knock-on effect on us because we are watching what time we are due to be on and could easily miss it if people are not interested. Are the famous heroes of People Before Profit not interested in this issue either? It beggars belief.

The motion reads as an excellent proposal. Anything that moves the struggle for maintenance out of the courts system and into a more relaxed and constructive mediation environment is a good idea and should have been done long ago. The motion reads: "fund research into examining best international practice when it comes to determining, collecting, transferring and pursuing child maintenance payments". It is not rocket science, only very positive. It also reads:

— engage and include all stakeholders in this funded project from point of design and establishing terms of reference, to implementation; and

— establish, based on that research, a statutory child maintenance service with sufficient enforcement powers and links to Revenue.

These are vital components, given that there have been scams in which people have got away with evasion. I am not referring to ordinary people. Often, this is being done by clever white-collar people. I see no reason for each of these proposals and requests not to be acted upon. If problems emerge, the research will reflect them and suggest strengths and weaknesses. This is important.

The current arrangements are not working. The Leas-Cheann Comhairle, na Teachtaí from Fianna Fáil, an tAire Stáit and everyone else knows it. What people are getting away with is a joke. It is not a joke for the people who are suffering because they are not getting payments. Every Deputy will have dealt with cases where people, usually but not always mothers, have struggled to get their agreed maintenance payments. This can lead to lasting adverse effects and drive young children into poverty. If a parent is due maintenance and is in receipt of a social welfare payment, he or she will be assessed as having a certain level of income even if the maintenance is not received. This means that a single parent loses out on the double. That situation should be rectified.

We need to research what is best practice. We need alternatives. That is why I will support the motion, and I hope the Government will accept and act on it.

Deputy Michael Collins: I welcome the opportunity to speak on this motion. For far too long, the Government has been content to let parents battle it out through the courts to enforce child maintenance payments. The Courts Service received almost 9,000 applications for maintenance in 2018. With no State agency in place to support one-parent families, the Government is forcing lone parents who are already in financial hardship to fork out even more money in order to pursue child maintenance. This is unacceptable.

Of the more than 200,000 one-parent families living in the State, 39.9% are at risk of poverty. Some 40% of primary carers are raising children without any financial contribution from another parent. Almost 60% of parents are having to resort to court orders to agree child maintenance payments. A national survey found that a child's needs do not determine the amount paid in 91% of cases. Surely a child's needs should be considered in all cases. Once maintenance payments are made, the Department of Employment Affairs and Social Protection can cut people's social welfare payments according to how much maintenance they are awarded through the courts. This is outrageous. Lone parents must endure the financial and mental burden of going through the court system only for the Department to then turn around and cut their social welfare payments. This is very much in line with robbing Peter to pay Paul.

I acknowledge that the budget has provided funding for research on this topic, but I want to see progress by the Government to show that it is not just another box-ticking exercise. The Government can do this by committing to the establishment of a State agency. According to SPARK-Ireland, international research has shown that removing child maintenance cases from the courts has resulted in greater child-parent relationships with the non-custodial parents. SPARK-Ireland has called on the Government to examine the Swedish model closely. Under that model, child maintenance payments are taken directly from the non-custodial par-

ent's source of income. This would avoid a situation where the lone parent has to take the non-custodial parent to court to get the payments only for them to stop again after a few weeks, with the lone parent then needing to return to court. This causes a merry-go-round of suffering and stress for parents and children, and it cannot continue.

Deputy Danny Healy-Rae: I welcome the opportunity to contribute on this important matter. I thank Sinn Féin, and specifically Deputy Brady, for moving this motion.

As we all know, what starts out as a loving relationship between a young couple can often turn sour even before the birth of a baby. A young person can find himself or herself in a predicament very quickly, with a happy-go-lucky life turned into something onerous and tough as he or she tries to raise a child on his or her own. We need to do whatever we can for lone parents, who do Trojan work raising their children and are so protective. We know that, in the early years especially, the mother cannot go out to work because she has to mind the baby. She needs every support. That is what the motion is concerned with, namely, ensuring that lone parents get the support to which they are entitled.

Children are valuable. They are our future and we need to protect them. They are defenceless and cannot fend for themselves. In the cases in question, they are depending on a single parent. In many instances, there are not other family members to help. The grandparents are not around, for example, because they are too far away. A lone parent should not have thrown on him or her the requirement to prove legally the question of whether the other parent has the ability to pay. Proving that costs time and money, but lone parents do not have time when they are trying to mind their little babies and small children. The Department of Children and Youth Affairs and the Department of Employment Affairs and Social Protection should ensure that these lone parents are properly seen after. The one-parent family payment was cut a few years ago and has not been restored since. Many lone parents are struggling. I appeal to the Minister of State, Deputy McEntee, not to oppose the motion. We must look after vulnerable young people, as they are our future.

Deputy Pat Buckley: I welcome the opportunity to speak on Sinn Féin's motion on a child maintenance service. I thank my colleague, Deputy Brady, for moving it. I am glad that many Members have spoken in support of it.

I will start at the end of the speech by the Minister of State, Deputy Finian McGrath, and work backwards. It was ironic that he stated: "No one party has a monopoly on caring". No one said that anyone had a monopoly on caring, but everyone should be part of the monopoly on doing the right thing. This motion is about doing the right thing and assisting people. It does not matter what colour, class, creed or religion people are. When they are in dire straits, with poverty being one of the main factors, we must do the right thing. It is not about who wins the battle on the floor tonight. It is about who wins outside the Chamber, those being, the people who need our help. Fine Gael Members are a bit disingenuous in saying that they do not oppose the motion but they will not support it. I do not know what colour they want. Is it black, white, blue or red?

I wish to focus on the importance of the motion and how effective it could be in helping everybody. Given my background in the mental health area, many lone parent families come to my office week in and week out. There is a perception outside the House that lone parents are all female, but there are as many males coming in with two or three young children and they are absolutely broken. Their jobs are being affected because they cannot afford childcare. They

do not know how the system works. Nothing seems to be right. Many speakers referred to the Courts Service. That is another thing that is going to break down the family unit. Children can tap into what is happening. They know when their mother is hurting or their father is frustrated. They wonder why they are in their nanny's all the time. It is a minuscule move to do the right thing and I cannot understand why Fine Gael is not supporting it because it is about doing the right thing to assist people.

Another tsunami is coming down the road. Given the current crisis and the fact that people are living in hotels and other such places, children who have been born into such environments are now two or three years of age. They cannot eat properly because parents do not have the ability to cook in their accommodation. Those children are not on solids. They are on soft foods all their lives. One, two or three years on, they are not developing properly. We want to do the right thing to improve people's quality of life. Taking as much stress as we can out of people's lives will improve the situation. The benefit is that the future generations, although they are currently being damaged, will at least have a chance of having some quality of life.

Reference was made to the courts. I am very worried about the system because it is broken. A judge can make an order for maintenance in the court but that does not mean an individual will make the payments. Maintenance can be taken as means, which impairs people. The Government is taking money off people twofold if maintenance is not being paid and a lone parent does not get the full social welfare entitlement. That breaks down society. I appeal to Fine Gael tonight to think about that. It is not about scoring political points. It is about doing the right thing. That is what we came into this House to do. We have spoken many times in this House about the most vulnerable people. The Minister of State, Deputy McEntee, can correct me if I am wrong but the motion is a practical solution to improve people's lives, and if Members cannot support a measure to help the quality of people's lives when they are struggling, they should not be in the Chamber because they are not representing the people they should be representing.

Deputy Dessie Ellis: The system for determining and paying child maintenance needs urgent reform. The Sinn Féin motion tabled tonight outlines a pathway and a means towards putting child maintenance payments on a statutory basis. That is something that is supported by several child maintenance advocacy groups. If the Government were to implement the proposals outlined in the motion, we would have in place a system that no longer would lead to anomalies in how child maintenance payments are determined or the *ad hoc*, unstructured way such payments are currently made.

Last July, One Family, a child maintenance advocacy group, published the results of an online survey it conducted on child maintenance payments. The results of the survey show starkly all that is wrong with the way child maintenance payments currently operate. It is a terrible indictment of the current system that just under 60% of separated primary carers of children said they received any form of maintenance payment. Of the parents who receive payments, 58% of those pursuing child maintenance payments had to resort to court orders, while 42% of primary carers are raising children without a financial contribution from the other parent. Of those receiving a child maintenance payment, approximately three quarters of primary carers said that they receive payments on time, leaving a quarter of primary carers getting their child maintenance payments late.

Advocates for statutory child maintenance are firmly of the view that many parents and children are more often financially worse off under existing arrangements. Additionally, the courts are being inundated with maintenance orders that the courts often cannot enforce. For

example, in 2018, the Courts Service received almost 9,000 applications for maintenance orders and more than a quarter of those applications remained unresolved by the end of the court term. The Government is allowing that chaotic and unjust system to continue. It is clear that the system for determining child maintenance needs urgent reform. The break-up of a relationship that involves children is a very distressing and stressful time for all involved. We do not need to make it more stressful for the parents or the children. Our focus must be on the children and the implementation of a system that removes the entire issue from the courts. We need to put in place a system that is fair, balanced, consistent and child focused.

Minister of State at the Department of the Taoiseach (Deputy Helen McEntee): A range of important issues have been raised throughout the course of this debate, including the social welfare system for supporting families, the legal system and the Courts Service, and how they impact on family lives. We have heard about the people whom we are all here to help and to support.

The issue has been raised of creating some type of maintenance agency, but many countries have functioning maintenance systems without such an agency. It is the belief of the Minister and the Department that research is needed to see what form of maintenance provision would work best in our society.

The Private Members' motion fails to acknowledge the significant efforts made in recent years to enhance the position of families and children, including lone parents, across a range of Government initiatives, including social protection, childcare, health and education. The Minister has also outlined a broad range of measures provided for in budget 2020 to support families and children, including lone parents. These important changes have not been acknowledged in the motion, but I will refer to them now.

There will be a payment of a 100% Christmas bonus in December 2019 to recipients of a long-term social welfare payment, including the one-parent family payment. The Department will extend the hot school meals scheme from September 2020 to 35,000 additional schoolchildren. There is a €3 increase for qualified child dependants aged 12 and over and a €2 increase for qualified child dependants up to the age of 12 in all weekly payments. There will be an increase in the working family payment threshold by €10 per week for families with one, two or three children, benefiting 55,000 families, at a cost of €19 million from January 2020. There will be increases in the earnings disregard for working lone parents receiving the one-parent family payment or jobseeker's transition payment by €15 to €165 per week from January 2020, which will benefit almost 17,000 families.

Following the success of the roll-out of free GP care to children under six, from September it will expand to children under eight and to the provision of free dental care to children under six. There was an increase of €54 million in funding for early learning and childcare to support the continued provision of two years of the early childhood care and education, ECCE, scheme for all children. It is incorrect to say that nothing has been provided or there was no acknowledgement of the situation of lone parents, because that is simply not the case.

The motion also fails to acknowledge that the Government has put in place funding of €150,000 to undertake important research on child maintenance. The Minister is making arrangements to establish a judge-led group to progress that work, which is a priority for her. Finally, the motion fails to recognise that the Minister for Employment Affairs and Social Protection has had close engagement with stakeholder groups on child maintenance and on the

approach to the research being undertaken. This engagement will continue into the future to ensure that whatever system is implemented will be fit for purpose and based on the best available international practice.

On that basis, as stated, we will be abstaining from the vote on the motion although I assure the House that the Government will continue the work that has been undertaken in recent years to support lone parents. That work has been recognised and welcomed by stakeholder groups representing children and families. Society needs to move away from an adversarial, confrontational approach to one based on family law, mediation and alternative dispute resolution, parenting co-ordination, co-operation and collaboration for the benefit of all parties involved. The Government is already doing this. I stress that the Minister is already consulting stakeholder groups. She has secured funding in this area for research. For these reasons, we will abstain on the motion.

Deputy Imelda Munster: I had hoped that this motion would encourage the Minister for Employment Affairs and Social Protection to take action on child maintenance. It is unbelievable that the State is yet to establish a dedicated agency for child maintenance. The Government has made a big deal out of saying it will not oppose the motion. Is that not shockingly decent of it? It will be looking for a round of applause next. However, the fact that the Government is not supporting the motion speaks volumes. That we still do not have an agency is clear evidence of the Government's continued neglect and abandonment of people living in poverty, especially single women and their children. The system is inappropriate, ineffective and not fit for purpose. My colleague, Deputy John Brady, has a position paper on this matter and has made some excellent suggestions about how such an agency might operate. I respectfully suggest that the Minister take some time to read it.

There are more than 200,000 lone parent families in this State. Most of them are headed by women, as we know. The Minister, Deputy Doherty, spoke about the austerity cuts inflicted by Fine Gael and the Labour Party on lone parents in the previous Government. She should put her money where her mouth is and establish this agency. It would help many families who are living in poverty solely because a parent is shirking his or her responsibilities. Instead, she has announced research and guidelines on child maintenance in the budget. Only now, in 2019, has she said that she is starting to look into research on this. That speaks volumes. It is not anywhere near enough. We need a dedicated agency and this is the Minister's responsibility at the end of the day. Thousands of single-parent families live in poverty. They depend on her and this Government to take action.

Lone parents are obliged to seek maintenance to receive the one-parent family payment or jobseeker's transitional payment. The current system in the courts is completely inappropriate. The Minister knows this but has continued to turn a blind eye to it. It is expensive, time-consuming and can be very difficult for families, especially in cases where separations were acrimonious or there have been issues with domestic abuse, but why should the Minister worry about that? It also does not guarantee that maintenance payments will actually be made. Many parents do not pay court-ordered maintenance and the liable relatives unit in the Department is totally ineffective. This is a really important issue and it is a pity that the Minister does not see the importance and urgency of it. I hope she will listen to our proposals and the solutions we are putting forward. I also hope she will take action to reform the child maintenance system in the immediate future, rather than continuing to put it on the long finger and turn a blind eye while so many families live in abject poverty.

Deputy Denise Mitchell: Lone parents make up a substantial demographic in society. There are almost 220,000 lone-parent families in the State. Child maintenance contributions are a vital financial support that is necessary to provide children with the best developmental opportunities. The current child maintenance system is not working for lone parents or for children in need of critical financial support. It is responsible for lone-parent families being five times more at risk of experiencing poverty than a two-parent household. The absence of a State body or agency to provide assistance to these families and ensure that child maintenance is being paid is hurting vulnerable children and lone parents. Lone parents have effectively been abandoned by the State. Forcing them into court to have maintenance paid is increasing stress and causes conflict between custodial and non-custodial parents. Even after court cases are heard, maintenance is still not being paid in too many cases. This damages all parties, especially the children involved, and proves that the current system is not working.

We need a child maintenance service. The Department of Employment Affairs and Social Protection recognises the importance of child maintenance payments, which can determine whether welfare supports are paid or not and at what level. Some 220,000 families need a child maintenance service that will support them. This is one of a few western states that do not have this service in place. The United Nations has called on Ireland to establish such a service. Guidelines from a Minister are not good enough. This is a sensible, workable solution and those who need it, vulnerable lone parents and their children, as well as advocacy groups, are demanding that we introduce it.

Deputy John Brady: I thank the Deputies who spoke in support of Sinn Féin's motion. It is really welcome. It is unfortunate that the Government has indicated it will abstain. That is a disappointment not just for Sinn Féin but, more importantly, for the lone-parent families who are looking on and hoping that some of the Minister's positive words recently would translate into positive actions. While the Minister of State, Deputy McGrath, rattled off a range of benefits in his contribution, these are available to many parents in the State and are not limited to lone parents. The Minister of State failed to touch on the Thatcherite cuts to the one-parent family payment that the Fine Gael Government introduced with a Labour Party Minister for Social Protection, Deputy Joan Burton, and the impact those cuts have had on one-parent families. These measures are irrelevant to the motion because we are talking about the non-payment of maintenance.

The Minister, Deputy Regina Doherty, always opens any response when it relates to child maintenance by detailing the legal obligation under the family law Acts. I am disappointed the Minister is not in the Chamber to respond personally to the motion and the questions asked. This legal obligation clearly means nothing. We know that because the majority of lone parents are not receiving maintenance for their children. Instead, lone parents are left to struggle and to live in poverty. The Minister has a tendency to dismiss the issue of child maintenance as a matter for the Minister for Justice and Equality, yet it is the policies of her Department, not the Department of Justice and Equality, that have condemned many lone-parent families to poverty. The Department of Employment Affairs and Social Protection is able to pursue the non-custodial parent to cover its own costs for the one-parent family payment but has no interest in collecting maintenance for the children involved. What about the cost of a lone parent raising children alone? The Minister of State, Deputy Finian McGrath, also spoke about the liable relatives unit, but I note he did not share the figures outlined by my colleague, Deputy Quinlivan, because those figures are embarrassing. The liable relatives unit is wholly dysfunctional. It does not work. The Minister of State, Deputy Finian McGrath, spoke about the ac-

tions of the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, on the issue of child maintenance as if she has been tackling the issue for years. Until September 2019, not once did the Minister agree to examine the process currently in place in order to seek child maintenance. I spent more than two years asking her about it over and over again in this Chamber. Let us not pretend the Minister has been working hard to tackle this issue. She spent those two years trying to pawn the issue off on the Department of Justice and Equality. It has to be said the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, has done nothing to date to tackle the issues faced by lone parents with maintenance. That is a fact.

It is really disappointing that the Government has chosen to abstain on this critical motion. The Minister says money has been set aside in the budget and that is welcome, but we do not need guidelines. Lone-parent families need a statutory child maintenance service that has been shown will cost a very small amount of money to establish, about €7 million. That cost would be so important to the many families out there that are driven into poverty because of the failure of this Government and of successive Governments to put in place a maintenance service that would help to ensure those children are lifted out of poverty, using child maintenance as a means to do so. I ask and urge the Government again not to abstain on this, but to support it and work together collectively, because no one has a monopoly on this issue and no one wants to turn it into a political football. We can all work together on this, but abstaining sends out the wrong message to lone-parent families that desperately need this.

Question put and declared carried.

The Dáil adjourned at 10.32 p.m. until 9.30 a.m. on Wednesday, 23 October 2019.