



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Ceisteanna ó Cheannairí - Leaders' Questions	704
An tOrd Gnó - Order of Business	714
Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation	721
Teachtairacht ón Seanad - Message from Seanad	725
Proceeds of Crime (Gross Human Rights Abuses) Bill 2020: First Stage	725
Ministerial Rota for Parliamentary Questions: Motion	726
Report of Committee of Selection: Motion	727
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters	727
Ceisteanna - Questions	728
Cabinet Committees	728
Garda Reform	732
Cabinet Committees	735
Horse and Greyhound Racing Fund Regulations 2020: Motion	739
Ceisteanna (Atógáil) - Questions (Resumed)	749
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions	749
School Equipment	749
Schools Administration	752
Special Educational Needs	753
Covid-19 Pandemic	755
Covid-19 Pandemic	756
Ceisteanna Eile - Other Questions	759
Covid-19 Pandemic	759
Schools Building Projects	760
Special Educational Needs	762
School Transport	765
Special Educational Needs Staff	767
School Uniforms	769
School Staff	771
Special Educational Needs	772
Message from Select Committee	774
State Pension Age: Motion [Private Members]	774
Saincheisteanna Tráthúla - Topical Issue Debate	804
Social and Affordable Housing	804
Environmental Protection Agency	806
National Broadband Plan	808
Disability Support Services	812

DÁIL ÉIREANN

Dé Máirt, 1 Nollaig 2020

Tuesday, 1 December 2020

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

Paidir.

Prayer.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Mary Lou McDonald: Last night the British Government announced that it will not hold a public inquiry into the killing of Pat Finucane. This has come as a devastating blow to the Finucane family. Pat's widow, Geraldine, and his three children, Michael, Catherine and John, have fought for three long decades for truth. They had hoped that this week the British Government would finally seize the opportunity to do the right thing and grant the necessary inquiry, but yesterday's announcement shattered that hope.

The Finucane family have rightly described the decision as “astonishing, arrogant and cruel”. Instead of granting a public inquiry, the British Secretary of State proposes to leave the case in the hands of the PSNI and the Police Ombudsman. This ludicrous proposal flies in the face of the British Supreme Court ruling of 2019. That ruling made it crystal clear that none of the previous investigations, including police investigations, were capable of uncovering the truth as regards the extent and level of British state collusion in Pat Finucane's murder. The court ruled that these investigations failed to meet the standards of Article 2 of the European Convention on Human Rights.

Given the incontrovertible evidence that the British state and its agents were directly involved in the authorising and planning of the killing of Pat Finucane, it is utterly farcical that the British Secretary of State should advise the Finucane family to seek truth and justice in this way. The family knows all too well that this is not a genuine avenue to truth and justice. It is, in fact, a cul-du-sac, at the end of which is only more bluff and more delay. They see it for what it is: another confidence trick. The only reason to take this approach is to continue with the cover up and to ensure that those agents of the British state responsible are never ever held to account. In the words of Geraldine Finucane, this decision “is yet another insult added to a deep and lasting injury”.

It is clear that the British Government is determined to keep a dark cloak over the extent and depth of state collusion in the targeting and killing of nationalists in the North of Ireland. It seems that far too many powerful people have far too much to lose from the Finucane family

and so many others having justice for their loved ones and peace for themselves. The British Government has set itself against the Finucane family and against the highest court in its own jurisdiction. The British Government has also set itself against the Irish Government and this Oireachtas in its call for a full public inquiry. Speaking on radio this morning, Geraldine Finucane said:

I will never run out of road as long there's breath in my body. Today is a new day. We shall take stock and move forward.

It is vital that everybody in the Oireachtas moves forward together with the Finucane family in their fight because we are all united in our stance that the demand for a public inquiry is a just one and a necessary one. The family are counting on all of us to continue with our support for them. What, in the Taoiseach's view, can we now do together to ensure the British Government ends its resistance to the truth and grants a public inquiry?

The Taoiseach: I thank the Deputy for raising this issue this afternoon. It is deeply disappointing and very annoying that the British Government has not committed to holding a proper public inquiry into the murder of Pat Finucane. I know the disappointment is keenly and painfully felt by the Finucane family, by Geraldine, the late Pat Finucane's wife, and his sons and daughter. I utterly concur with the Deputy's remarks. The decision was arrogant and cruel. The references to a potential PSNI review or the Police Ombudsman for Northern Ireland were disingenuous. It is very clear that the Police Ombudsman for Northern Ireland is not at present reviewing the case, so the Secretary of State's position there will require further explanation.

I thought that the statement of Chief Constable of the PSNI, Simon Byrne, was particularly interesting and significant. He described the murder of Pat Finucane as "a truly horrendous crime" and referred to the work of Judge Cory, Sir Desmond de Silva and others and the apology of a former Prime Minister in relation to the murder of Pat Finucane and the State's involvement in it. He also said:

It is our view that there are currently no new lines of inquiry. We now need to decide if a further review is merited given all the previous investigations into this case.

He went on to say:

A review itself is not an investigation. Any decision to investigate would only be made following the review process. Again, it is likely that any new investigation would need to be independently led. We would also need to be satisfied that given the extensive work of Lord Stevens, Judge Cory and Sir Desmond de Silva, that a further investigation has a reasonable prospect of furthering this matter either by bringing more persons to justice or answering the unanswered questions of the Finucane family and their ongoing search for justice.

In a sense, that goes to the heart of the matter. I listened to former Taoiseach Bertie Ahern on "RTÉ News at One" just before I came in here. He spoke about his talks with then Prime Minister Tony Blair and the identification high-profile cases such as the Finucane case and others, and that the respective Governments would pursue them. The Irish Government established the Smithwick tribunal, pursued it and upheld its side of the deal reached at Weston Park. The former Taoiseach was very clear that he understood an inquiry into the murder of Pat Finucane would follow. It seems to me that there has been a consistent effort to undermine any progress towards the truth. Some dark secrets are being hidden and it is time they were revealed in the proper forum of a public inquiry. The necessity to do that is to restore confidence in the broader

objective of restoring confidence and reconciliation across the board and enabling proper truth recovery across the board. This decision only delays that. The delay corrodes public trust in the British state's capacity to deal with issues it committed to dealing with. Proper relationships between two Governments and two states must be founded on the principle that agreements that are entered into are followed through on. The Irish Government followed through on its commitments. The British Government has not followed through on its commitment to a full public inquiry into the murder of Pat Finucane. It is extremely important that it does so.

I spoke with Geraldine Finucane at midday to make it clear to her and to her family that the Irish Government will continue to work with them to keep the pressure on and ensure a public inquiry is eventually held. It is my view it is inevitable that at some stage a public inquiry will have to be held into this heinous crime. We will work with other colleagues in the Oireachtas to pursue this agenda.

Deputy Mary Lou McDonald: I thank the Taoiseach. His reiteration of the position of the Irish Government, the Irish State and the Houses of the Oireachtas that there must be a public inquiry into the killing of Pat Finucane is absolutely essential. I join the Taoiseach also in reiterating the fact that agreements entered into must be honoured and delivered on. As he rightly points out, at Weston Park and following on from it there was an acceptance that a number of cases required special investigation. As the Taoiseach rightly says, successive governments in Dublin have held up to our side of the bargain and the British Government has fallen very short - not alone that, but it has adopted a strategy that is very explicitly and obviously designed to block a public inquiry. For the Secretary of State for Northern Ireland yesterday to dangle the prospect - perhaps - of a public inquiry at a later stage more than 30 years after the killing of Pat Finucane is particularly unforgivable. Does the Taoiseach have a view as to what we can do collectively as an Oireachtas, perhaps in partnership with international figures, including President-elect Joe Biden, who has, as the Taoiseach knows, for a very long time supported the Finucane campaign for a public inquiry?

The Taoiseach: I think that, collectively, we as an Oireachtas can with one voice articulate to the British Government again the view that a full public inquiry should be held. We can continue to work at both European and international level and with international opinion. We have support in the United States from people such as Richie Neal and others, and we can of course enlist the engagement of the President-elect, Joe Biden. Fundamentally, however, it is really in terms of the relationship between Britain and Ireland that this case assumes such importance. As for the broader legacy issues, momentum needs to be injected into legacy generally. It has been stop-start for a long time now, going back to 2014 and the Stormont House Agreement. Commitments were entered into. Their progression has been very slow. The British Government is indicating that it wants to have a fresh look at legacy. My position in response was very clear: that the murder of Pat Finucane had to be dealt with as a catalyst to a broader approach to legacy. It is important, however, that the Irish and British Governments and our respective political communities resolve to get this issue dealt with, as originally committed to by previous British Governments.

Deputy Alan Kelly: Today is a good day for many businesses and people going back to work as we re-enter level 3 of the plan for living with Covid-19. I am glad our party suggested some time ago that we endeavour to have an opening up for the Christmas period. In fairness, the Government has followed that, so today is a good day. However, the critical discussion around kitchen tables at Christmas will be about vaccines. I wish to ask the Taoiseach some questions about this. In America, Food and Drug Administration, FDA, approval for the Pfizer-

approved vaccine is due on 10 December. I presume European approval will happen in a similar timeframe. We have a number of other vaccines coming on stream, with various press statements saying they have certain success rates, etc. They all need to be validated, but this is very positive and let us talk about it in a positive way because I feel there has been some negativity towards this in the past few days which has not been helpful. We need to plan for this in a fairly detailed manner. We need a comprehensive roll-out strategy that will deal with all the vaccines that will be available to us. We need to know which vaccines we are purchasing through the European model and we need to know distinctly the plan for the roll-out. I appreciate that Brian MacCraith is being brought in to co-ordinate the new team that will look after this but I feel we need to go broader than that. I am concerned. This is not something the Taoiseach or the Government can get wrong in any way, shape or form. I believe we need outside expertise. If we take on board what happened in relation to the roll-out of the flu vaccine, a repeat of that situation would leave a lot to be desired. Last year, the Labour Party made suggestions very early about purchasing flu vaccines but we were ignored. We need outside expertise. We need logistics expertise. Clearly, we need a Minister who will be accountable to this House and who will be responsible for vaccine roll-out.

I am asking the Taoiseach clearly whether he will consider putting one Minister in charge of the most important thing in our country for the next 12 months. I appreciate that the Minister for Health, Deputy Stephen Donnelly, will be very busy with other things, but we need one person who will be at Cabinet. Obviously, the Taoiseach can decide who he feels is best for that role, but we need one person who will be responsible for the roll-out of the vaccines which are going to change the lives of everyone in this country. That person should be responsible for procurement, logistics, roll-out and everything else. Will the Taoiseach please consider that? Given the change in tone in some quarters, the absolutely ludicrous commentary on social media from certain anti-vax quarters and certain polls regarding how supporters of various political parties will or will not support vaccine roll-out, I think we really need somebody who is actually going to be the person responsible for the most important thing in this country over the next 12 months. Will the Taoiseach please consider that?

The Taoiseach: I thank the Deputy for his question. The Government is absolutely and wholly committed to the timely implementation of a Covid-19 immunisation programme once the vaccines are approved for use, particularly the vaccines that are in the European Union portfolio. In this regard, I have established a cross-Government high-level task force to oversee the development and implementation of a programme for the roll-out of vaccines. As the Deputy is aware, that is being chaired by Brian MacCraith of Dublin City University.

We are involved in a European Union procurement exercise. In fact, it is the first manifestation I have seen for a long time in the public health arena of a really good, co-ordinated and European Commission-led approach to the procurement of vaccines which gives all the smaller states a good opportunity. We have opted in to six advance purchase agreements with Moderna, Janssen, Pfizer-BioNTech, Sanofi Pasteur, CureVac and AstraZeneca, which was involved in the Oxford trial. The EU is still in advanced negotiations with Novavax, another pharmaceutical company, and is also looking at other possible additions to the EU vaccines portfolio.

The European Commission is seeking to develop a portfolio of vaccines with various vaccine developers. This serves to spread the risks relating to the development and procurement of Covid-19 vaccines from vaccine developers and member states respectively. It facilitates through collective purchasing power access for all member states to safe and efficacious vaccines that they would not otherwise be in a position to procure if they were operating in an

individual capacity. It is a very significant advance for Europe to be able to behave in this way. Europe is also contributing to COVAX in terms of making sure that developing countries and others in less fortunate positions around the world can also gain access to the vaccines. Ireland will receive vaccine doses, subject to market approval being granted by the regulatory authorities, on a population *pro rata* basis of 1.11% of the total European Union delivery.

The task force has met twice so far. Complex logistical challenges have been identified, including storage and transport requirements, and it is clear that the roll-out of a vaccine will require very careful and detailed whole-of-Government planning. The high-level task force will work with the Department of Health and the HSE to develop a national Covid-19 vaccination strategy and implementation plan for consideration by the Government and the chairman has undertaken to me that it will be ready by 11 December. We still do not have a vaccine approved but it is moving quickly, as the Deputy stated. I suspect the European Medicines Agency, EMA, which is the European approval authority, will work almost in tandem with the FDA in terms of the respective timelines.

The arrival of vaccines is a moment for doubling down on vigilance and social distancing and continuing to do everything we have to do to prevent the spread of the virus, but it does present a horizon and an opportunity to move on from this era of Covid-19 eventually.

In terms of the issues the Deputy raised, communications will be key to the roll-out of the vaccine. Historically, vaccines have eliminated some of the most devastating viruses that have killed many people. In that context, the Government, working with the authorities, will be promoting strongly the take-up of the Covid-19 vaccine.

Deputy Alan Kelly: I attended the European conference on vaccinations last year. I am a 100% advocate, in every way shape and form. However, the words “task force” fill me with concern. This is nothing to do with politics. Trust me when I say that we all have to get this right. I accept what the Taoiseach is saying about EU procurement. I accept what he is saying regarding the number of vaccines. We probably will have up to ten options, from what I am hearing. That is all very positive.

However, there are a number of issues to consider. The first issue is to do with the logistics. Second, who gets the vaccine and in what order, whether they be the vulnerable, healthcare workers and so on? We need to find out about that. The third issue is one that is not being discussed. What are we talking about in terms of IT? How are we going to generate passports for people? Fourth, will people who get the vaccine be distinguished from those who do not? What will the former be allowed to do? Will those who do not get vaccinated be allowed to go into certain public events? In other words, what will the rules be? Fifth, I honestly believe that we need one person who will report to the Taoiseach and be accountable for all of this. The Minister for Health, Deputy Stephen Donnelly, has enough to be doing. Other Ministers have enough to be doing.

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

Deputy Alan Kelly: I urge the Taoiseach to consider appointing one person, even if it is somebody brought up just to take on this role and be responsible.

An Ceann Comhairle: We are way over time.

Deputy Alan Kelly: This issue is far too important to do otherwise.

The Taoiseach: I thank the Deputy and I appreciate the point he is making. I established the task force for a reason, namely, to bring a varied range of disciplines, both public sector and private sector, to the table to deal with the various work streams that will be required to deliver the vaccine. There is a work stream currently operating in regard to information technology, for example, because IT will be key to this in terms of recording and so on. There is also the issue of manpower and the administration of the vaccine. Given the volumes involved, we will have to go beyond the existing, traditional way of administering a vaccine. Martin Shanahan, chief executive of IDA Ireland, is a member of the task force, as a link into the broader pharmaceutical and multinational industry in terms of its known experience in medicine storage and so on. Derek McCormack, an expert on cold chain logistics, is on the task force. Dalton Philips, chief executive of the Dublin Airport Authority, is a member. Paul Reid is there, obviously, because the HSE will still be a key operator and implementer in operationalising a lot of this work. We have some supports as well from the Defence Forces from a logistics perspective. A good team has been put in place in terms of the various work streams that need to be developed.

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

The Taoiseach: The Government, ultimately, has to deliver this.

Deputy Catherine Murphy: Many people were looking forward to the lifting of level 5 restrictions, which takes place from today. We all hope it can be done safely. There has been a welcome reduction in Covid numbers but it is fair to say that they are not as low as many of us would have liked. Therefore, there is an even greater challenge in keeping the numbers as low as possible in the coming period. I have heard a great deal in recent days about personal responsibility and the need for people to be sensible in the precautions they take. I certainly echo that.

However, there is another side to this and it is the role of the State and State agencies. We have got to know a lot about the virus over the past year. We know it is airborne and that good ventilation plays a significant role in reducing risk. Now that the winter season is here and people are far more likely to spend time indoors, it is critically important that there is good advice and guidance, communicated by Government, in respect of ventilation. None of us wants to face a further lockdown in January. The public and business owners will heed good, practical advice but, as I said, the lead has to come from Government.

At the outset of the pandemic, the advice was: "test, test, test". Every evening we can see in the figures that when the number for Covid-19 incidence falls the number being tested also falls, so there is spare capacity. Is it intended to use that capacity and, if so, will the Taoiseach outline a strategy in terms of the numbers now involved in tracing? Is the full complement of tracers now in place? Are there new strategies relating to community transmission? There have been a number of large outbreaks in hospitals, such as in Letterkenny, Limerick and Naas. This has posed challenges for the operation of those hospitals. Indeed, many healthcare workers have become sick and have had to isolate. Routine swabbing in the nursing homes has helped to control the virus in that setting, but there is no similar routine system for staff in hospitals. Is that being considered? Are there other settings that could be considered in a preventative way?

How is it planned to manage international travel, particularly from countries where there is a high incidence of the virus? There is an EU-wide traffic light system, but each country is required to put its own system in place. Is the Taoiseach satisfied that the risks here will be addressed, given that there is likely to be a larger number travelling at Christmas than is currently the case?

We are told that a major factor in the Government making the choices it made was that there was compelling information and evidence on adverse mental health issues. Does the Taoiseach intend to make that information available? Like all Deputies, I hear from people who are in serious distress. We hear about people who are anxious and fearful. It is not just the result of isolation. People are worried about the virus itself and others are in distress because of the loss of jobs, uncertainty about the future and unpaid bills. For some there is a sense of frustration with the restrictions and not having anything to look forward to. Essentially, does the Taoiseach intend to use that information for other mental health strategies?

To recap, will the Taoiseach share the information? Is there spare capacity in testing? Will he also comment on good ventilation and international travel?

The Taoiseach: The Deputy raised a number of issues. The current epidemiological status is relatively good from a European perspective. We now have the lowest 14-day incidence rate in the 27 European Union member states at 89 per 100,000 people. That is a result of the people of Ireland working with level 5 over six weeks. The people deserve considerable credit for adhering to the guidelines. It is interesting that in the most recent survey of the Central Statistics Office, CSO, more than 73% of people felt that the level 5 restrictions were appropriate. We hear many complaints about the restrictions but the CSO study, which is released this week, suggests that the vast majority of people want to work with the guidelines and restrictions and want to be protected and stay safe. That must be said.

Obviously, we must watch it, as the virus spreads very quickly. The CSO data is also important in that it measures the high number of people who feel that they are experiencing a low quality of life at present as a result of Covid-19. The number has gone up to 30% since April, which is a worry. The number who are downhearted on a continuous basis has doubled since April from 5% to 10% or 11%. That speaks to the need to give people a lift and some quality of life. One always has this balance between severe restrictions and quality of life for people. That is why, for example, we made some modifications to level 3 by opening museums and galleries. We felt the threat is not great in those locations, so people can visit them, the public libraries and so forth. It was likewise with the restaurants, to allow people to get out for a night. That is important for mental well-being.

On the testing, we have significantly expanded the permanent capacity in the testing and tracing system. We have on-island capacity to test up to 126,000 people per week, but that can be increased to 140,000 per week by utilising available surge capacity with the HSE's German laboratory partner. We offer automatic testing of close contacts. Serial testing will continue in high-risk environments and there will be large-scale testing in outbreak situations. Serial testing has been important in nursing homes. It has been an important extra check and control over the spread of the virus in those situations. Some 92% of GP referrals are provided with a Covid-19 test appointment within 24 hours, while the median time from swab to laboratory result is 25 hours. The average time to complete the contact tracing calls is 1.1 day from when the detected result is communicated. We have carried out approximately 2 million tests in laboratories across Ireland to date. We consistently rank among the countries performing most tests.

In terms of the recruitment issues, more than 700 people currently work in contact tracing centres, of whom 530 are newly recruited. The HSE is building a contact tracing workforce of approximately 800, while more than 1,000 people work in swabbing.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: There is an issue around antigen and rapid testing. The European Commission has reported on that and the HSE is looking at that in the context of specific settings such as the healthcare settings the Deputy identified.

An Ceann Comhairle: I thank the Taoiseach. We are way over time.

The Taoiseach: The Minister is looking at that as a matter of urgency.

Deputy Catherine Murphy: The Taoiseach acknowledged that the systematic approach within nursing homes is working. When I saw the outbreak, for example, in Naas with which I am very familiar, more than 80 staff were out either due to being directly affected by Covid itself or having to self-isolate. That has a monumental impact on the ability of the hospital to operate. The same would have been the case in Letterkenny and Limerick. It struck me that it was an obvious setting to carry out routine testing in the same way that it is carried out in nursing homes. There are probably other settings where the spare capacity could be used in a preventative way as a means of keeping the numbers low. That is going to be the object of the exercise. The public have to play their role and they will pay a great deal of attention to the guidance they are given, but there is a role for the State, and it is that systematic preventative role. I am looking to see what is being done in that regard. I do think people see international travel as a big risk.

The Taoiseach: As a country, we are particularly dependent on international travel connectivity, but the numbers travelling have dropped significantly on an annual basis. I think it is down 96% or 97% annually. We know from the airports how desolate they are. That said, we are conscious coming into the Christmas period that we need to be particularly vigilant. As a Government, we decided on the framework for international travel in the context of Covid-19 in line with the European Union traffic light system, which will involve Covid-19 testing at pre-departure or on arrival. From 29 November, this will include availability for testing post-arrival from day five for passengers who have arrived from a location that is not on the green list. The testing regime will be implemented through the private supply of testing availability in Ireland. At this stage, the PCR test is still the only test type considered acceptable by the HSE. The Dublin Airport Authority will scale up capacity to meet testing demand, rising to approximately 10,000 tests per day at weekends. The Minister and the HSE are looking at the potential application of antigen testing as a complementary tool to the PCR test at airports and in other settings, especially healthcare settings.

Deputy Richard Boyd Barrett: People Before Profit has been unique, clear and consistent in arguing that to deal with Covid-19 we need a strategy to eliminate community transmission, so we can avoid a constant cycle of going in and out of one lockdown after another, which is what we believe the Government's strategy is inevitably going to result in. We think the Government is wrong to ignore critical parts of the advice given by the public health experts in their letter of 26 November. In rejecting some of their key advice, in particular around the reopening of the hospitality sector, the Government in fact is endangering Christmas itself and risking the family gatherings, which is what most people want to protect.

If we disagree on these matters, and we do, I hope we are wrong about where the Government's strategy will lead us. One thing is absolutely clear from the public health advice and the letter of 26 November, namely, that its caution about the strategy being pursued and some of the decisions being made by the Government is related to the ability and capacity of our health service to cope with further outbreaks and waves and particularly the resourcing and staffing of

our public health teams. It seems there is absolutely no dispute about that.

In this regard, the Government is singularly failing. It is not just that we believe it is wrong in the strategy being pursued but it is failing to provide the resourcing, support and staffing that is necessary for our public health teams and health services generally to be able to deal with further waves of infections and outbreaks.

The public health teams that we praised and applauded are going on strike in January. These are the people on the front line. If we are to deliver an immunisation programme, we will do so with public health teams at one third of the recommended level of staffing and where we have treated them as second class citizens in term of their status as medical specialists. We have recruited contact tracers and testers, who we need to deal with outbreaks, on the worst temporary agency contracts, where they do not even get sick pay and they are essentially in a “hire ‘em and fire ‘em” position. It is not exactly the way to implement what the public health experts are saying is the much greater capacity, integration and cohesion that is required in public health teams in order to deal with Covid-19.

Finally, there is the utterly disgraceful treatment of thousands of student nurses and midwives. NPHET has also expressed concern about the high level of infections in our hospitals but the Government has removed payment for these student nurses and midwives. They are working on the front line with no payment whatever.

At the very least, will the Taoiseach accede to the demands of public health doctors? Will the Government put contact tracers and testers on decent contracts, pay and conditions? Will the Government pay the student nurses and midwives something instead of exploiting them and paying them nothing when they are working on the front line for all of us?

The Taoiseach: The Deputy is wrong in his various assertions. In the first instance, I do not believe in the Deputy’s zero-Covid approach. It is not viable in terms of our membership of the European Union, our relationship with the United Kingdom and the seamless interaction of people. We also have the Border between North and South and the fact we are not in charge of the jurisdiction public health wise in Northern Ireland. We have seen the overlap and impact there in terms of Covid-19.

The bottom line is that in tackling the second wave, we are one of the best-performing countries in Europe. The strategy that has been pursued has worked so far. It is not a matter of being in and out of lockdown. There have been two phases of very severe restrictions since the Covid-19 outbreak. The very first, as the Deputy knows, was in spring and it was very severe. The second, which ended recently, was less severe because we kept schools open. Contrary to the Deputy’s comments, we also kept health services open unlike in the first phase. In the second phase, the non-Covid health services were kept open.

The second phase did not have anywhere near the same impact on hospitalisation, mortality or intensive care unit occupancy rates as the first phase. The evidence from a variety of sources, including the Central Statistics Office, NPHET and others confirms all of this. The second wave has been different. We have had the best performance globally in relation to mortality in the second wave through the various measures we introduced. That said, there can be no room for complacency. In respect of public health, for example, in September the Minister committed to doubling the workforce in public health. There were about 254 people working in public health pre-Covid, and the Government has provided resources to double that number, and hiring has

already started in relation to that. In terms of the consultant status, the Crowe Horwath report is there and the Government is acting on it. There are ongoing discussions between the Departments of Public Expenditure and Reform, and Health, but consultant posts will be created. The manner and framework through which all of that will happen is an important issue and there is much detail involved in that, which has to be worked out, but the resources are there. More than €4 billion has been put into the health service this year, which is a record figure - €2 billion for Covid, and €2 billion non-Covid - and quite extensive and significant.

On the issue of student nurses, again, it is not the same as the first phase. It is not the same at all. When the nursing degree programme was brought in in 2002 - I brought it in as Minister for Health - it was seen as a radical transformation of nurse education at the time, to put student nurses on the same par with other university students in terms of their degree and so forth and investment in facilities in all of our universities and institutes of technology. All of that happened. Negotiations and work are ongoing between the Minister for Health and the Irish Nurses and Midwives Organisation, INMO, on a variety of issues in terms of trying to support student nurses in the current climate within the hospitals, particularly, for example, the application of the pandemic unemployment payment, PUP, to student nurses who understandably have lost the jobs that they would have had at weekends because of Covid restrictions. That has now been made available to student nurses, but crucially their clinical placements in fourth year and their internships must also be protected from an education perspective. That is something that is upmost in terms of the HSE's objective in this situation.

Deputy Richard Boyd Barrett: There is no doubt that the intense hardships people have suffered, and the collective solidarity people have shown have helped staved off the worst disasters in respect of Covid-19. However, the Government is taking a gamble in rejecting the NPHET advice, and it is very clear about that, in respect of the potential impact of opening the hospitality sector, which could lead to the family gatherings we all know need to happen at Christmas actually being imperilled. That is a serious gamble. However, when it comes to something that should be less controversial, namely, the support of our front-line healthcare workers and the resources, etc., that they need, the Taoiseach is clearly failing, because he did not answer the obvious question. Why are 98% of public health doctors threatening industrial action? Why are we in a situation with one third of the recommended level of staffing? How are we going to deliver an immunisation programme with that level of staffing, and with the people we need to deliver it threatening strike action because of the way they are treated?

An Ceann Comhairle: Thank you, Deputy.

Deputy Richard Boyd Barrett: How can the Taoiseach explain that 71% of student nurses and midwives said, in a survey, that they are going to probably leave the country after completing their training because they feel that they are so badly treated?

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

Deputy Richard Boyd Barrett: How can he possibly justify the fact that the testers and tracers that we need to keep on top of outbreaks have no sick pay and rubbish "hire 'em and fire 'em" contracts when they should be treated with respect with decent pay and conditions?

The Taoiseach: I take issue with the Deputy. The Government has not rejected any advice, and he is wrong to assert that in respect of NPHET. We engaged with NPHET, and obviously I had discussions with the Chief Medical Officer. We took a more conservative stance on the

restriction of visitors to households. NPHET would have-----

Deputy Paul Murphy: So the pubs could be opened.

The Taoiseach: We have not opened the pubs. That is the point.

Deputy Paul Murphy: Well the pubs are being opened. That was the choice-----

The Taoiseach: I am sorry but Deputy Murphy is not even in the Chamber. What is going on is outrageous. I am not answering Deputy Murphy; I am answering Deputy Boyd Barrett. There should not be people in corridors heckling during Leader's Questions. That is not acceptable behaviour.

I want to make the point that we did not open wet pubs because of a range of advice from EY and others, tracking what happened in August and September and taking decisions based on that evidence base. In respect of the point I was about to make, we took a more conservative approach on the household visits, and then traded that off with visits to hotels and restaurants, which, by the way, has a twofold dimension to it. The first is there is the issue of mental well-being and people needing to get out of their homes. There is only so much any Government can do in a democratic society in respect of imposing severe restrictions on its citizens. Government has to take a measured and balanced approach. One cannot simply lock people up forever. Balance is required. We did not reject advice. We took a balanced, measured approach, which is difficult and challenging and which we are going to monitor. We appreciate very much the advice from NPHET but there was a trade-off. The impact of loosening restrictions on household visits would be equivalent to that of opening the hospitality sector to the degree we did. We decided to maintain household restrictions as they are until 18 December. We cannot, however, get away from the fact that it really is down to personal behaviour and personal responsibility from here until Christmas. We need to send that message through our own behaviours and otherwise and we really need to work to keep this virus at bay. There are no guarantees in this regard.

An tOrd Gnó - Order of Business

An Ceann Comhairle: The House has agreed that, for the duration of this crisis, the rapporteur's report on the Business Committee will be taken as read. Is the proposal for dealing with Tuesday's business agreed to?

Deputy Paul Murphy: It is not agreed. On the Order Paper for today is a very important motion which is fundamentally about accountability. It is a motion to begin the process of removing Seamus Woulfe from his position as a Supreme Court judge on the grounds of stated misbehaviour. The motion, which people can read, sets out the stated misbehaviour which, in a nutshell, comprises his attendance at the Oireachtas golf society dinner and his response to the crisis and scandal around that. In doing so, he undermined the public health advice.

We have discussed this with the Ceann Comhairle, with whom we have had a disagreement. In our opinion, the Standing Orders are very clear. Standing Order 77(2) states that "Where such ... [a] motion is put on the Order Paper for any day, the Dáil may either reject the said motion, or on a motion made to adjourn the debate may by motion appoint a Select Committee". Particularly when it is read together with Standing Order 77(3), where it provides that "Where

the Dáil does not appoint a Select Committee in the manner provided ... within five sitting days ... [the] motion shall lapse”, it is very clear that once such a motion is on the Order Paper, it must be taken. The Ceann Comhairle’s position is that it does not have to be taken and can sit there and, presumably, it will lapse. We think it is a basic democratic right. We have a right to bring a motion to begin a process of impeachment. The Dáil has a right to reject or accept that motion. All we need is five minutes. I ask the House to reject the Order of Business and to provide five minutes so that we can take this motion.

An Ceann Comhairle: Deputy, you have been advised on two occasions in relation to this. The interpretation of Standing Orders is not mine alone. The interpretation of Standing Orders that you have been given is that of the Houses of the Oireachtas Service, of our legal department and is the interpretation, I think, of the majority of members of the Business Committee, all of whom have made it abundantly clear to you, and I believe you very clearly understand. You are a highly intelligent Member of this House and you very clearly understand what the Standing Orders are saying. They say quite clearly there are two ways of dealing with this motion. One is to take it in Government time, should the Government give you the time. The other is in your own Private Members’ time. You-----

Deputy Bríd Smith: On a point of order-----

An Ceann Comhairle: No, you are not in order, Deputy Smith. You have Private Members’ time tomorrow evening, Deputy Murphy, and you have chosen not to take this. That is your business, Deputy; nobody else’s. I cannot hear you, Deputy Smith. I am sorry.

Deputy Bríd Smith: I will shout if the Ceann Comhairle likes but there is a point of order to be raised. I disagree with the Ceann Comhairle regarding the advice of the Office of the Parliamentary Legal Adviser, OPLA. I attended that briefing in the convention centre and the office gave contrary advice.

An Ceann Comhairle: No, you are out of order. You can have only one Member of your party speaking on the Order of Business. You have objected to the Order-----

Deputy Bríd Smith: Deputy Murphy was not there. I was.

An Ceann Comhairle: Well, excuse me-----

Deputy Bríd Smith: I have other Deputies in this Chamber who will confirm what I have said.

An Ceann Comhairle: Excuse me, Deputy. You had a formal briefing, which I organised, at which the Secretary General, senior staff and members the OPLA were present and explained the situation to you. You may not have agreed with the outcome because it did not suit the particular approach you had-----

Deputy Bríd Smith: A Cheann Comhairle, it is the explanation that I want to challenge you on.

An Ceann Comhairle: Sorry, Deputy. You are not in order.

Deputy Bríd Smith: There are other Deputies in this House who will confirm my version of events.

An Ceann Comhairle: Please, you are not in order, Deputy. You are objecting to the Order of Business; that is fine. I will put the question. Sorry, Deputy Mac Lochlainn.

Deputy Pádraig Mac Lochlainn: I have listened to this debate and to the points made by Deputies Murphy and Smith. As you know, a Cheann Comhairle, we discussed this in the Business Committee last Thursday. I believe it presents something of a challenge collectively for the Houses in the way the Standing Order is being interpreted. Deputy Paul Murphy has referred to Standing Orders 77(2) and 77(3). Right now, we have a motion on the Order Paper to remove a judge from the Superior Courts. Let us imagine we had a motion and then that motion was removed and another motion was put forward to establish a committee to look at this matter. Right now, the interpretation is that it can be taken in Private Members' time. What if we have a scenario where there is a Member who is not a member of a group?

An Ceann Comhairle: We cannot get into that.

Deputy Pádraig Mac Lochlainn: Bear with me, a Cheann Comhairle. I am actually-----

An Ceann Comhairle: We cannot get into that. Wait now, please. We have a highly reputable skilled and experienced legal team who work for us here in the Houses of the Oireachtas. They have taken on numerous cases on our behalf. We have put our faith in them. I have absolute faith in them, as I have absolute faith in the senior members of the service who are absolutely objective and impartial. They have guided us and we have reached a conclusion. We are not getting into the detail.

(Interruptions).

Deputy Bríd Smith: We are talking about taking advice. There are two versions of advice.

An Ceann Comhairle: Deputy, you are not the leader of the group. Deputy Paul Murphy has been speaking.

Deputy Bríd Smith: I asked a question on the advice. I was told doctors differ and patients die. That was the answer.

An Ceann Comhairle: Resume your seat, Deputy Smith.

Deputy Pádraig Mac Lochlainn: I wish to make this clear. It is important that I am allowed to respond. I am not questioning the judgment or advice of the service.

An Ceann Comhairle: What are you doing, Deputy?

Deputy Pádraig Mac Lochlainn: I am saying this presents a problem.

An Ceann Comhairle: It does not present any problem.

Deputy Pádraig Mac Lochlainn: It really does.

An Ceann Comhairle: We cannot drive the horse backwards and forwards at the same time. It is that we either accept the advice or we do not.

Deputy Pádraig Mac Lochlainn: It presents a problem. Let us imagine we have a scenario where, for example, we ask Solidarity-People Before Profit to put forward this motion in Private Members' time. This issue has an implication for the wider House. The point was made

at the Business Committee last Thursday. Is there an argument for us to examine this at the Committee on Standing Orders and Dáil Reform? I appreciate it is as it is now.

An Ceann Comhairle: Then bring that up at the Dáil reform committee.

Deputy Pádraig Mac Lochlainn: Is there an argument to look at the issue of what would be called Dáil time? Rather than Government time and Opposition time, can we have space where something like this - a sensitive issue with constitutional implications - is considered? I put that forward to you, a Cheann Comhairle, for consideration.

An Ceann Comhairle: That is a perfectly reasonable proposition.

Deputy Pádraig Mac Lochlainn: That is all.

An Ceann Comhairle: As a member of the Dáil reform committee, you can bring it up there.

Deputy Pádraig Mac Lochlainn: That is all I wanted to put forward.

An Ceann Comhairle: Do that. Is the proposal for dealing with today's business agreed to?

Question put: "That the proposal for dealing with Tuesday's business be agreed to."

<i>The Dáil divided: Tá, 32; Níl, 12; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Browne, James.</i>	<i>Andrews, Chris.</i>	
<i>Bruton, Richard.</i>	<i>Farrell, Mairéad.</i>	
<i>Burke, Colm.</i>	<i>Gould, Thomas.</i>	
<i>Cannon, Ciarán.</i>	<i>Kerrane, Claire.</i>	
<i>Collins, Niall.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Costello, Patrick.</i>	<i>McDonald, Mary Lou.</i>	
<i>Devlin, Cormac.</i>	<i>Mitchell, Denise.</i>	
<i>Dillon, Alan.</i>	<i>Murphy, Paul.</i>	
<i>Durkan, Bernard J.</i>	<i>O'Reilly, Louise.</i>	
<i>Farrell, Alan.</i>	<i>Pringle, Thomas.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Ryan, Patricia.</i>	
<i>Flaherty, Joe.</i>	<i>Tully, Pauline.</i>	
<i>Flanagan, Charles.</i>		
<i>Griffin, Brendan.</i>		
<i>Healy-Rae, Danny.</i>		
<i>Higgins, Emer.</i>		
<i>Hourigan, Neasa.</i>		
<i>Howlin, Brendan.</i>		
<i>Kelly, Alan.</i>		
<i>Lowry, Michael.</i>		
<i>Martin, Micheál.</i>		
<i>McAuliffe, Paul.</i>		

<i>McGrath, Mattie.</i>		
<i>Murphy, Catherine.</i>		
<i>Murphy, Verona.</i>		
<i>O'Callaghan, Cian.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		

Tellers: Tá, Deputies Brendan Griffin and Marc Ó Cathasaigh; Níl, Deputies Pádraig Mac Lochlainn and Paul Murphy.

Question declared carried.

3 o'clock

An Ceann Comhairle: Is the proposal for dealing with Wednesday's business agreed to?

Deputy Paul Murphy: Not agreed.

Deputy Bríd Smith: It is not agreed. I repeat the point made earlier that everyone should see it as in his or her own interests that the Standing Orders are not misinterpreted. I say that with all due respect to those who are interpreting them. It is not very clear at all, according to what the Ceann Comhairle is telling us, that Standing Order 77(2) still does not stand. It states:

Where such an Article 35.4.1° motion is put on the Order Paper for any day, the Dáil may either reject the said motion, or on a motion made to adjourn the debate may by motion appoint a Select Committee to take [it] ...

In all the time it has taken us to discuss this, it would have taken five minutes to take the motion on the Order Paper. It is a constitutional right of any Independent Deputy who is not part of a group, or, indeed, any Government backbencher, to put such a motion on the agenda. That constitutional right is being denied them by this specific interpretation of Standing Orders. That is why we are objecting to the Order of Business. I reiterate what I said earlier, which the Ceann Comhairle did not hear. Contradictory advice was given to us by various different elements of the OPLA. There was contradictory advice and when I questioned it, I was told that doctors differ and patients die.

What is all that about? We are interpreting Standing Orders as they are written while the Ceann Comhairle's office is interpreting them in a way that blocks the constitutional individual rights of Deputies elected to do their job.

An Ceann Comhairle: That is a very serious charge, Deputy. I did not hear any contradic-

tory advice given to anybody. I refute the idea that the parliamentary legal department gave contradictory advice to anyone. I also refute the allegation that we are trying to block something that is somebody's constitutional initiative. You have tabled, as is your right, a motion which you could take, if you wanted to, tomorrow night in the Private Members' time that you have. You have two hours in which to take it, but you have chosen, Deputy, not to take it tomorrow and to have this argument today. That is your choice, and it is your choice as well to reject the legal advice that you have been given, but they are, nonetheless, the facts.

Deputy Bríd Smith: The legal advice given to us, a Cheann Comhairle, never once said to us that we had to take it in Private Members' time. The Standing Orders do not say that. It is your interpretation of it that says it has to be taken in Private Members' time. We are not making a choice between defending these student nurses and their right to be paid properly and the constitutional right of a Deputy to put down such a motion under Article 35.4.1° of Bunreacht na hÉireann. It is the interpretation that is standing in the way, not our use of Private Members' time to defend a group of front-line workers.

An Ceann Comhairle: Okay. Thank you very much, Deputy.

Question, "That the proposal for dealing with Wednesday's business be agreed to", put and declared carried.

An Ceann Comhairle: Is the proposal for dealing with Thursday's business agreed to?

Deputy Paul Murphy: Not agreed. I will restate the essential point that the Standing Order very clearly does not envisage a situation where an Article 35 motion could be put, would simply sit on the Order Paper and would then lapse after a period. It is clear that it envisages a situation where there are two options at that first stage. Either the motion is rejected and that is the end of the process or a motion to adjourn the debate is passed and then, within five days, a select committee has to be appointed. Deputy Mac Lochlainn's point is crucial because if we did not happen to have Private Members' time within five days of putting the motion, or if a Member was not part of any grouping, as is his or her right, or if it was a back bench Government Deputy, then, according to the interpretation that you have, a Cheann Comhairle, and I accept that others are informing you but ultimately it is your decision in terms of the interpretation and it is our right to challenge it, there is no mechanism for them to seek to initiate a process to remove a judge, and that is a very problematic interpretation. We think our rights are being cut across and blocked in this case, but we also think that the rights of other Deputies in future would be cut across by such an interpretation.

An Ceann Comhairle: Again, I reiterate that you have two hours on Wednesday evening which, if you chose, you could use to deal with this particular matter, but you have chosen not to use those two hours for that particular matter. That is a simple fact.

Deputy Paul Murphy: And also put our-----

An Ceann Comhairle: Sorry, I am not finished. The point you make about Deputy Mac Lochlainn's earlier intervention is very valid. This is a matter that can be discussed in detail at the Dáil reform committee. We may not have a perfect system in existence here, but from my point of view, I accept the advice given to me by skilled legal officers and by experienced senior personnel here in the Houses of the Oireachtas, and I trust those people. You may know better than all of the rest of us, and you are down in the courts challenging decisions we have made. Maybe that will be found in your favour as well, but we can only operate on the basis of the

quality advice that we are given. I cannot ignore it. You can, and you are.

Deputy Mary Lou McDonald: On the same subject but from a slightly different vantage point, given that the motion in question is around the potential removal of a judge from the Supreme Court Bench, that is a very serious matter and I do not think it is desirable that a motion can be put down and that it lingers on the Order Paper indefinitely. Is it not in our interests that we deal with the matter either way, whatever is the outcome, and that the matter is then dispensed with, rather than, if I understand the interpretation of what the Ceann Comhairle is saying, having this matter simply rest on the Order Paper indefinitely? I would find that an extraordinary situation given the seriousness of the matter at hand and given all of the issues we have traversed around, such as the separation of powers and the importance of the judicial function. I have a concern around that. I am not gainsaying the advice that the Ceann Comhairle has been given - I do not know; I have not been at these briefings - but I am very uneasy at the idea of a motion of such gravity and consequence simply resting on the Order Paper indefinitely.

Deputy Mattie McGrath: The Rural Independent Group came to the conclusion some weeks back that there was no grounds for impeachment which is why we are opposed to any motion. This is simply grandstanding and game playing. We had a debate with the Minister last week, albeit limited. I respect the legal advice we have got and thank the Ceann Comhairle for organising it. We are only holding up the show. The Members could remove the motion and it would not come up every week because it is only grandstanding and showboating.

The Taoiseach: I do not think that we can make up the rules as we go along. We have a Dáil reform committee. It has met on quite a number of occasions. It has laid out the Standing Orders of the House. It is a long standing precedent that the Ceann Comhairle, following advice and so forth, adjudicates on issues. Sometimes that adjudication does not find favour with some in the House, but that does not mean that those some can then dictate debates and dictate the agenda because it does not suit. It is not fair to say that the motion lies on the Order Paper. It is a matter of considerable import, and one would have thought that any person tabling a motion of that kind, given the constitutional nature of it and given its profound implications, would be quite prepared to use their Private Members' time to dispose of it and deal with it one way or the other. Instead, the Opposition seems to want to change the ground rules as laid down by the Dáil and interpret them to suit its case.

Before I came to the House, I checked to see if any issues were likely to arise and was told no, quite a constructive Business Committee meeting had taken place to prepare for this week. Every week now, without fail, there are votes on the Order of Business, notwithstanding the Business Committee meeting and ordering the schedule and so on. There is a mechanism for dealing with this and it should have been availed of. It is late in the day, following the tabling of the motion, to say that we must now reform how we do Standing Orders to suit our agenda or a particular agenda. I do not think that is on, quite frankly, and if there is a ruling from the Chair, there comes a time when that ruling has to be accepted. We cannot all be rulers. We cannot all be Ceann Comhairle in this House.

Deputy Thomas Pringle: There is a bigger issue here and Deputy Mac Lochlainn alluded to it. I raised it last week at the Business Committee, and it relates to what becomes Dáil business and what becomes Private Members' business. The reality is that if I or my group wanted to put this motion forward, it would be way after Christmas before it would be heard, going by what the Ceann Comhairle said about how the Dáil takes these proceedings. I do not think that would be fair either, that it would be on the Order Paper for that length of time before it would

be dealt with. That just would not be right. There is a need to develop Dáil time as opposed to Private Members' time. That has to be done and that should be done in this situation. This is a situation that is particular to the Dáil. It is the Dáil that has this responsibility, not private Members, the Government or anyone else. That is the reality of the situation and it does need to be addressed.

An Ceann Comhairle: The reform committee can look at it.

Deputy Peadar Tóibín: I have no doubt that this is a serious issue, but every week, hundreds of serious issues are brought to this Chamber in promised legislation. For weeks, they have got no airing at all because all of promised legislation's time is being taken up by these battles. There has to be a system by which Deputies can bring questions on promised legislation to the floor of the Dáil on the weekly basis. It is not happening now. This is a farce.

Deputy Paul Murphy: I would like to make two points. The Taoiseach implies there is a problem with us disagreeing with the Ceann Comhairle's interpretation. There is no problem whatsoever. Any Deputy has a right to disagree with the Ceann Comhairle's interpretation, state the grounds for this and ask for the House to overturn it. If the House did so, it would not be a vote of no confidence in the Ceann Comhairle. There is nothing illegitimate about doing that.

Regarding the use of our time, if there is an offer to use five minutes of our two hours tomorrow morning to move this motion alongside raising the issue of the student nurses, we will absolutely jump at that chance. If we can move it within that time as well as moving the motion to deal with the very important issues facing student nurses-----

An Ceann Comhairle: The Deputy knows the rules around that as well as I do.

Deputy Paul Murphy: That is the point.

An Ceann Comhairle: The Deputy cannot make it up as he goes along.

Deputy Paul Murphy: I am not the one who is making it up as he goes along. The words of Standing Order 77(2) are extremely clear. I encourage people to read them.

Question: "That the proposal for dealing with Thursday's business be agreed to" put and declared carried.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Mary Lou McDonald: We believe people should have the right to retire with the State pension at the age of 65 if they so choose. The idea of sending someone to stand in a dole queue at the age of 65 is just wrong. When people have reached that age they have worked their shifts and paid their dues. We are putting a motion before the Dáil tonight calling for the State pension age of 65 to be reinstated. I call on all Deputies to support it.

I know the Taoiseach takes a different view. He plans to raise the State pension age to 67. He also knows that his plan has been strongly resisted by the people so he now says the pension age will remain at 66. However, for that to happen legislation will be needed. I would like the Taoiseach to tell us when we will see that legislation. Where is it? In the absence of legislation

the pension age will increase to 67 on 1 January.

Deputy Richard Bruton: On the same issue, I would like to ask the Taoiseach-----

Deputy Mary Lou McDonald: Deputy Bruton cannot do that.

Deputy Richard Bruton: Of course one can do that.

Deputy Mary Lou McDonald: It is not generally allowed.

An Ceann Comhairle: It is not normally allowed when the leaders are asking questions.

Deputy Richard Bruton: The leaders have had their questions. This is a new round.

Deputy Mary Lou McDonald: No, it is not.

Deputy Richard Bruton: That is a new Standing Order.

Deputy Mattie McGrath: Deputy Bruton has been in government for too long.

Deputy Richard Bruton: Deputies are entitled to raise questions on the same issue.

An Ceann Comhairle: The tradition is that the major party leaders are allowed to ask a question and are not second-guessed by second contributors. When it comes to the groups, different rules apply.

Deputy Richard Bruton: I must point out that 20 questions might typically be allowed here. The Ceann Comhairle has allocated 11 of those exclusively to the Opposition while all Government backbenchers have had no opportunity to participate on an equal basis. That is not a reasonable approach. Creating a Standing Order that protects these questions is in the interest of the Members of the House more broadly.

An Ceann Comhairle: I tried to change that in the Oireachtas Sub-Committee on Dáil Reform and it was resisted, including by Deputy Bruton's party.

Deputy Louise O'Reilly: Can Deputy McDonald get her answer?

The Taoiseach: I must respectfully say that Deputy McDonald is wrong. The legislation has been published. The pension age will remain at 66. I find her comments extraordinary when to a person, her members of the Northern Ireland Assembly all voted to raise the pension age there to 66. This is an area where the Assembly has devolved authority. Under the changes we are making, no one will have to queue for the dole at 65. We are changing the rules around applications for jobseeker's allowance. The pensions commission has been established to deal with the sustainability of pensions.

Deputy Alan Kelly: I wish to ask about cancer survival rates. A report issued last week by the National Cancer Control Programme stated that at least 2,000 cases have gone undiagnosed since the beginning of the Covid-19 pandemic. This is deeply concerning. We also know that the number of referrals from GPs has dropped dramatically. There are issues across the board, but I refer particularly to cancer diagnosis among men. Will the Government implement a catch-up programme to avoid a trade-off between Covid-19 and issues relating to cancer diagnosis? Cancer diagnosis is very severe. It does not have good outcomes for some people. I have met several people who have received very bad news. What are we going to do to ensure

this is addressed?

The Taoiseach: There is no doubt that a catch-up programme is required in light of what transpired during the first Covid-19 lockdown, when services were essentially mothballed and many people did not turn up for appointments. There has been a significant ramping up of efforts there. Screening programmes have been re-established and non-Covid-19 health services are being protected. There is capacity in our hospital system to deal with cases now. Obviously the required protections against Covid-19, such as social distancing, are having an impact on the volume of services delivered. Investment is the key here. That investment has been made. We must now operationalise that investment and avail of private sector capacity to ramp up activity levels.

Deputy Cian O’Callaghan: Very sadly there has recently been a spike in the number of homeless deaths. In comments to the Dáil last week, the Tánaiste gave the impression that nobody who is sleeping rough is denied access to emergency accommodation. This is not the case. Between a third and a half of the people sleeping rough in doorways and tents are being denied access to emergency accommodation. This includes people who have been sleeping rough for several weeks or months. As a matter of urgency, will the Government issue a circular instructing local authorities to provide emergency accommodation to all homeless people who request it?

The Taoiseach: Very significant resources are being put into emergency services for homeless people. That will continue. Local authorities are working with NGOs, which are experienced and have been working with the homeless for a long time, to get the best accommodation for people as they require it. The figure of a third of rough sleepers, which the Deputy cites as the number refused emergency accommodation, is a little high. I would like to interrogate it a little bit more. Perhaps the Deputy could engage with the Minister for Housing, Local Government and Heritage on that. I do not think that is his assessment.

Deputy Bríd Smith: A very welcome process, which the Taoiseach helped to initiate by intervening in the Debenhams dispute, has begun. Tomorrow the parties will be meeting for more talks, with Mr. Kevin Foley as mediator. However, a serious problem has arisen. Commitments were made whereby the workers agreed to relax the pickets on the stores and KPMG undertook not to attempt to remove stock. KPMG has now confirmed to the media that stock has been removed from branches in Newbridge, Tallaght and Mahon Point Shopping Centre in Cork. Yesterday packers from KPMG were stacking up the stock in Henry Street. This has deeply eroded the element of trust. Both sides committed to hold off until Friday so that a resolution could be attempted. Can the Taoiseach imagine how the workers feel about this lack of good faith and the way they have been disappointed yet again by the actions of KPMG? Will the Taoiseach do something to get this back on track, restore good faith and insist that KPMG desists from moving any more stock?

The Taoiseach: A mediation process was put in place. We worked on that and we thank Mr. Kevin Foley for taking responsibility. I said in the Dáil last week that space should be given by all parties, including KPMG, to facilitate the conduct of those mediation talks.

Deputy Michael Lowry: A number of credit unions across Tipperary and indeed the country have been in contact with Deputies to say that because of Covid they are unable to hold AGMs. Under regulation, the payment of a dividend to members needs to be passed in advance at an AGM and this is not allowed by virtual means, so the dividend cannot be paid to the

members. We are talking about sometimes €200 or €300 at Christmastime, when people have additional costs and expenses and the purchase of gifts, toys and extra food is required. Will the Taoiseach contact the Central Bank to ask it to give a directive to the Irish League of Credit Unions authorising credit unions to pay the dividend this year. All it has to do is make a simple amendment to allow credit unions to do this.

Deputy Mattie McGrath: I have been contacted by several credit unions, including Clonmel Credit Union, which is in a very health position. The members ensured a €3.6 million profit this year, €1.7 million of which is to be distributed back to the members. They are the people who create the credit union with the wonderful staff there as well. The Central Bank can change this overnight to allow a virtual AGM to take place. Audit accounts have been submitted since early November but they have not got a result. Will the Taoiseach ask the Minister for Finance to allow credit unions to have their AGMs virtually and to change the Act in order to allow members to spend this money in the towns, which is so badly needed, especially in these times of Covid? This is a simple matter and could be done with the stroke of a pen.

The Taoiseach: Legislation on the holding of AGMs was completed yesterday in the Seanad and will come before this House, I think, in the next two weeks. I will consult the Attorney General and the Minister for Finance, who can in turn consult the Central Bank to see if this issue can be resolved. The whole idea of the legislation was to facilitate virtual dealing or the holding of AGMs and so on because of Covid-19 and the restrictions it has imposed. I thank the Deputies for raising this.

Deputy Catherine Connolly: It is a calendar month and two days since the Taoiseach took possession of the report of the independent commission of investigation into mother and baby homes. Will he please tell us whether it has come before Cabinet? If not, why not? When will it be published? What is the cause of the delay, given that legislation was pushed through the Dáil, passed by majority vote, ostensibly for the primary reason that the Government did not want to delay publication of the report.

Deputy Donnchadh Ó Laoghaire: The Taoiseach will have received correspondence in recent days from survivors of the mother and baby homes and their relatives in Bessborough, County Cork, many of whom are very concerned, particularly in light of the fact that the report has not been published, about the fact that there are plans to proceed with, or applications for planning on, a site that has not been fully investigated. Many survivors are concerned that relatives of theirs may be buried around the site. It has not been investigated. Is the Taoiseach concerned about this? Will he make a submission himself as a constituency Teachta Dála? Will he ensure that the Minister, Deputy O’Gorman, meets with the survivors of the Bessborough home in particular?

The Taoiseach: I have met virtually with the organisation concerned regarding Bessborough. The organisation is very focused and very pragmatic. I am not sure that the land in question is right for development, to be frank, but that is another story.

On the matter Deputy Connolly raised, that legislation was not ostensibly about delaying the publication of the-----

Deputy Catherine Connolly: That was the excuse.

The Taoiseach: No, it was not the excuse, actually.

Deputy Catherine Connolly: It was the explanation.

The Taoiseach: I take exception to that. The rationale put forward by the Minister, Deputy O’Gorman, was very clear and was to preserve and protect the records in order that people could avail of them. It was not ostensibly about anything or about delaying; it was about preserving the record. That truth will emerge. The bottom line is this: the Minister is in consultation with all the groups and a memorandum is being prepared for the Government. It is quite a comprehensive memorandum, dealing with all aspects of the report and, more critically, the Government’s response to the report and the proposed response to it. We want to make sure that all the organisations that represent survivors will be communicated with and consulted with in advance of the publication and announcement.

An Ceann Comhairle: That concludes Questions on Promised Legislation. Nineteen Deputies have not been reached and will be given priority tomorrow.

Teachtaireacht ón Seanad - Message from Seanad

An Ceann Comhairle: Seanad Éireann has passed the Credit Union Restructuring Board (Dissolution) Bill 2019, without amendment.

Proceeds of Crime (Gross Human Rights Abuses) Bill 2020: First Stage

Deputy Brendan Howlin: I move:

That leave be granted to introduce a Bill entitled an Act to provide, in connection with the proceeds of crime, that certain conduct occurring outside the State is criminal conduct notwithstanding that it does not constitute an offence under the law of the state or territory concerned if the conduct constitutes or is connected with a gross human rights abuse, for that purpose to amend the Proceeds of Crime Acts 1996 to 2016, and to provide for related matters.

Many Members would recognise this legislation as Magnitsky legislation. Since 2012 a number of countries have passed laws providing for financial sanctions against the officials of other states who have committed human rights abuses or have been involved in significant corruption. These are collectively referred to as Magnitsky law, named after Sergei Magnitsky, an accountant who made serious accusations against Russian tax and law enforcement officials and was in turn accused of aiding tax evasion, was arrested and jailed in Russia and, after being allegedly beaten by police, died in prison. In 2012 the United States Congress passed the Magnitsky Act, which imposed sanctions on officials involved in that case. Laws along similar lines have subsequently been passed in the United Kingdom and in Canada.

In this State powers under the Proceeds of Crime Acts 1996 to 2016 to seize and dispose of assets may be available against corrupt foreign officials who have assets within this Jurisdiction. However, in order to apply the 1996 Act, a dual criminality test would need to be satisfied. The conduct giving rise to the acquisition of those assets must be such that it would constitute an offence both under Irish law and under the law of that foreign state. The purpose of this Bill is to make the Proceeds of Crime Acts more easily available to deal with such cases. The Bill provides that certain conduct occurring outside of our State is described as criminal conduct

for the purposes of our Proceeds of Crime Acts, notwithstanding that it does not constitute an offence under the law of the foreign state concerned if the conduct constitutes or is connected with a gross abuse of human rights. Conduct is stated to constitute a gross human rights abuse if it is carried out by, at the instigation of or with the consent or acquiescence of public officials or a public official of the national regional or local government or public administration of a named foreign state in the performance or the purported performance of official duties, or if it involves the intentional infliction of severe physical or mental pain or suffering or the cruel, inhuman or degrading treatment or punishment of a person who has sought to expose illegal activity carried out by a public official or to obtain, exercise, defend or promote human rights and fundamental freedoms.

This legislation mirrors legislation being enacted in progressive countries across the world. I have instanced that it is mirrored in a number of jurisdictions already and there is an initiative now on the part of the European Parliament to encourage all European Union states to mirror this type of legislation in order that if foreign governments and officials involved in corrupt practices or gross violation of human rights have assets in this State, we can act against them in order that they cannot stash ill-gotten gains in jurisdictions such as our own. In our Jurisdiction, where we now have very extensive inward investment in our financial services, this sort of legislation is urgently required. I ask the House to support the Bill.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Jack Chambers): No.

Question put and agreed to.

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

Deputy Brendan Howlin: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Ministerial Rota for Parliamentary Questions: Motion

Minister of State at the Department of the Taoiseach (Deputy Jack Chambers): I move:

That, notwithstanding anything in the Order of the Dáil of 30th July, 2020, setting out the rota in which Questions to members of the Government are to be asked, Questions for oral answer, following those next set down to the Minister for Children, Equality, Disability, Integration and Youth, shall be set down to Ministers in the following temporary sequence:

Minister for Agriculture, Food and the Marine

Minister for Justice

Minister for Health

Minister for Further and Higher Education, Research, Innovation and Science

whereupon the sequence established by the Order of 30th July, 2020, shall continue with

Questions to the Minister for Rural and Community Development.

Question put and agreed to.

Report of Committee of Selection: Motion

Minister of State at the Department of the Taoiseach (Deputy Jack Chambers): I move:

That Dáil Éireann approves the Sixth Report of the Standing Committee of Selection in accordance with Standing Order 34, copies of which were laid before Dáil Éireann on 1st December, 2020, and discharges and appoints members to Select Committees accordingly.

Question put and agreed to.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case: (1) Deputy Francis Noel Duffy - to discuss the exclusion of social tenants from accessing facilities in a housing development complex and its social inclusion impact; (2) Deputies Kieran O'Donnell and Maurice Quinlivan - to discuss progress on the Coonagh to Knockalisheen distributor road scheme in Limerick; (3) Deputy Chris Andrews - to discuss Government commitments that no scoliosis patient would wait more than six months for treatment, and an urgent case for scoliosis surgery; (4) Deputies Mattie McGrath, Carol Nolan, Seán Canney, Noel Grealish and Peadar Tóibín - as outlined in the recently published qualitative study from University College Cork (details supplied); (5) Deputy Alan Farrell - to discuss the serious level of pollution in Ireland's rivers, lakes, estuaries and near-coast waters, as detailed by the EPA; (6) Deputy Colm Burke - to discuss a plan to enable an efficient and effective roll-out of the Covid-19 vaccine; (7) Deputy Paul Murphy - to address the issue of measures to restrict continued Covid infection; (8) Deputy Pádraig O'Sullivan - to discuss steps to ensure the national broadband plan is fast-tracked and quarterly progress updates to specific areas; (9) Deputies Matt Carthy and Jim O'Callaghan - to discuss the failure of the British Government to establish an independent public inquiry into the murder of Pat Finucane; (10) Deputy Danny Healy-Rae - to discuss the restoration of pay to section 39 workers; (11) Deputy Dessie Ellis - to discuss concern over insurance company refusal to offer mortgage protection if applicants are deemed to have underlying conditions during the Covid pandemic; (12) Deputy Brendan Griffin - to discuss the situation in a Kerry nursing home (details supplied) where eight Covid deaths have now occurred; (13) Deputy Martin Browne - to discuss the refusal to engage with front-line paramedic ambulance personnel who demand their right to representation by the PNA union; (14) Deputy Holly Cairns - to discuss the ongoing clusters of Covid-19 in meat plants and the conditions of workers in these plants, (15) Deputy Sorca Clarke - to discuss the provision of support services in Longford-Westmeath for those with Down's syndrome (16) Deputy Verona Murphy - to discuss why the current HSE allowances for wigs and hairpieces differ depending on where in Ireland a person lives, what steps are being taken to standardise these grants and if he will make a statement on the matter; (17) Deputy Pearse Doherty - to discuss waiting times for operations for children suffering from spina bifida; (18) Deputy Donnchadh Ó Laoghaire - to discuss the mother and baby homes in Bessborough, County Cork; (19) Deputy Ruairí Ó

Murchú - to discuss Louth and Meath mental health services, particularly the provision made for all aspects of care for patients during the Covid-19 pandemic; and (20) Deputy Louise O'Reilly - to discuss the difficulties facing the Topman-Arcadia group.

The matters raised by Deputies Francis Noel Duffy, Alan Farrell, Pádraig O'Sullivan and Sorca Clarke have been selected for discussion.

Ceisteanna - Questions

Cabinet Committees

1. **Deputy Alan Kelly** asked the Taoiseach if he will report on the work of the Cabinet committee on Government co-ordination. [36605/20]

2. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the work of the Cabinet committee on Government co-ordination. [38635/20]

3. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the work of the Cabinet committee on Government co-ordination. [39895/20]

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

The Government co-ordination committee was established by the Government to review the activity of Cabinet committees, review the agenda for that week's Government meeting, discuss political priorities and review implementation of a specified element of the programme for Government. The committee meets in advance of Government meetings. I am a member of the committee, which I chair, along with the Tánaiste, Deputy Varadkar, and the leader of the Green Party, Deputy Eamon Ryan. The Secretary General to the Government, my chief of staff and the chiefs of staff for the Tánaiste and the leader of the Green Party also sit in on meetings.

Deputy Alan Kelly: On Leaders' Questions, I raised with the Taoiseach the issue of what we will do regarding vaccines. I raised it in a non-political way and I hope the Taoiseach appreciates that. I think the people the Taoiseach referenced earlier are very eminent people, all of whom will make a significant contribution. However, I have a serious concern about co-ordination. I have a serious concern about leaving it to the current structures of the agencies we have and their capacity for the most important thing facing us as a country.

When it comes to the Cabinet committee on Government co-ordination, we now have a task force and a Cabinet subcommittee. The reality is that somebody needs to be in charge of vaccine roll-out. Somebody needs to be in charge of rules by which each and every agency and organisation act. It is not a case of whether Martin Shanahan of the IDA, who is an excellent chief executive, is responsible to his parent Department or to a task force. That cannot be the issue. They cannot be second-guessed. They have to know that they are putting aside whatever they are doing or their priorities in order to deal with this issue and that accountability is linear up to the Government. I genuinely do not mean that in a political sense. The Taoiseach does not have time to do this as well dealing with all the rest of us in here. We need one person to be responsible for this and to sit at the Cabinet table. It will probably only be for a year. I really urge the Taoiseach to reconsider this. In fact, that is not right. I am just asking him to consider

it because, in fairness, he cannot reconsider it until it has been considered.

I am asking the Taoiseach to take up my suggestion because logistics will be a massive issue. The rules around who will get what and when will be a massive issue. I refer to the whole issue about mandatory versus non-mandatory. For instance, if vaccination is not mandatory, will people who do not get vaccinated be allowed into public events or public spaces as we open up the country? How would one have rules around that? I cannot even imagine it. I refer to the whole issue relating to ICT. What is going to be done about passports? I have had a number of Covid tests. I have seen passport technology and how it goes on one's phone. There will be a need for rules around how long that lasts.

The actual work of this committee is not just going to be for the roll-out and then everyone gets vaccinated and we are all happy. There are legacy issues that will have to be politically managed. We need somebody at Cabinet who will say "I am in charge. This is my job. This is my role." That person will be doing the State a serious service and will report to the Taoiseach and at Cabinet.

I know what is going on in other jurisdictions. I think the UK has been miles behind anything we have done on this issue since last February or March, but it has done this. I think it is right on this singular issue. I appreciate all the work that is going on with regard to vaccines, the number of vaccines coming through, all the work liaising with the Taoiseach's European colleagues and everything that is going to be done there. I understand all of it. I take an intense interest in detail on this.

I come from an IT background. There is a significant amount of logistics in terms of dealing with this issue. A significant amount of analysis will have to be done through a health passport. That will have to be done using PPS numbers and will have to take in a whole load of various other aspects and nominate by field with regard to people with various vulnerabilities. There is a range of other information.

This issue needs co-ordination. There is a co-ordination group in place. Its chairman is an eminent person. I have dealt with him in the past, both in government and in opposition, and he is well capable of this. However, there needs to be somebody who is politically over all this and all the agencies and groups and who will not be second-guessing in the context of their other work which obviously they have to do as well. I actually plead with the Taoiseach to do this.

Deputy Richard Boyd Barrett: To be helpful to Deputy Kelly, I think one answer to how we deal with the vaccination roll-out is to have our public health teams at a level such that they are capable-----

Deputy Alan Kelly: I agree with that.

Deputy Richard Boyd Barrett: They are the people who deliver immunisation programmes. As I mentioned to the Taoiseach on Leaders' Questions, they are taking industrial action. At a time when they have never proven their value to society more, they are being forced to take industrial action because the Government has shown them zero respect in terms of their status and giving them status as consultant specialists, but also in the fact that we have one third of the recommended public health staffing complement. How on earth are they supposed to deliver a vaccination programme as well as the contact tracing and testing that is necessary? To my mind, that is sort of indicative of the wider need for co-ordination in order that the left hand knows what the right hand is doing and they have joined-up priorities.

Last week, I raised with the Taoiseach the issue of graduate entry medical students at a time when we desperately need more doctors, such as for our public health teams. I met them last week. They are paying €15,000 in fees. They cannot manage it and are all saying they may have to drop out and so on. They are experiencing major financial difficulties at a time when the State should be assisting them to qualify so that we have more doctors.

I raised a similar issue with regard to student nurses and midwives. The Taoiseach did not really respond on this issue. When I met several hundred of them in an online meeting last week, one after another, the student nurses and midwives who we need and have been holding together the front line said they would not work for the HSE in a blue fit once they are qualified because it is treating them so badly. They said they will be leaving as soon as they are qualified.

The State is haemorrhaging the nurses, midwives and doctors it needs because it is treating them so badly. When will there be a moment of enlightenment, as we face a pandemic, when it becomes obvious we need more health professionals, including more doctors, nurses and midwives? When will there be joined-up thinking and a realisation that we should stop putting obstacles in the way of these people actually training, completing their education and then wanting to work in our public health services? That is the sort of co-ordination that I think is very sadly missing at a time when we need it most.

Deputy Mary Lou McDonald: As the Taoiseach is aware, responsibilities for domestic violence supports and services are spread across multiple Departments and State agencies. Safe Ireland has called for the urgent roll-out of a funded national service development plan as the start of a comprehensive and long-term response to the enormous everyday problem of domestic violence. Domestic and gender-based violence services are to be commended for developing a structure within which they work together to share experience and develop policy, but it is clear that the disjointed provision of these services is failing victims and their children. I previously raised with the Taoiseach the issue of the lack of refuge places. I have called for a Government strategy to deliver additional refuge places with trauma-informed wrap-around supports and services. Ireland is currently failing to meet its legal obligations under the Istanbul Convention regarding the provision of domestic violence refuge places, and no additional funding has been providing in next year's budget to remedy the situation. Worse still, the Minister has confirmed that no single Department or agency is responsible for ensuring Ireland meets its legal obligations in this regard. It is my strong view that this perennial challenge to front-line service provision will not be addressed until such time as the Government commits to a national service development plan, as called for by Safe Ireland. Implementation of this plan should be overseen by the Department of An Taoiseach, working with the coalition partners to ensure there is a cohesive and comprehensive policy and service delivery response for victims and their children.

The Taoiseach: Regarding Deputy Kelly's question, I said to him earlier that I appreciate the constructive way in which the question was put. I established a task force and asked my Department to co-ordinate its work in order to give a sense of the national priority that attaches to what will be a very significant logistical undertaking in regard to the procurement, storage and distribution of the vaccine, and IT infrastructure to back that up, and proper protocols around the administering of the vaccine, including deciding, in the first instance, who will administer it - it could very well necessitate additional personnel, over and above GPs, given the scale of the undertaking - and also the prioritisation of who receives the vaccines and the sequence of that. To be fair, there are structures already in place in the Department of Health around immunisation and we already have people with considerable experience in this area, including the

national immunisation advisory committee. The HSE will be the operational delivery arm of all of this. Already, four significant streams of work have been established, covering the areas I have identified. A key additional piece would be on communications around the vaccination programme itself and the value and importance of vaccines in dealing with viruses of this nature.

That said, I will reflect on what the Deputy said. Those on the task force are well aware that it was established by the Taoiseach, will have to report back to the Taoiseach and we want to keep it at that level in terms of making sure it gets prioritisation across Government and across the different agencies. The Department of Health and the HSE will play a key role in the health dimension of this but will draw upon expertise in other Departments and from the private sector in terms of the logistics side and ensuring we can get the vaccines rolled out as safely and efficiently as we possibly can as they come on stream, if they get authorisation from the various authorising bodies. The Deputy's suggestion is that a Minister or Minister of State be put in charge of delivery of all of that. As I have outlined, it is being co-ordinated by my Department and that will continue. However, I will give consideration to what the Deputy said.

Regarding Deputy Boyd Barrett's point, I already said that the Minister for Health, Deputy Stephen Donnelly, who is in office some five months, has secured significant resources to transform public health. That is known and the funding has been secured. The Minister announced plans in September to double the workforce in public health. It is currently at approximately 254 people and the plan is to double that. The hiring process has already begun. The Minister, the Department and the Government have been very clear in their support for the creation of consultant posts in public health medicine. I do not agree that now is the time for strike action, in the middle of a global pandemic. I believe the issue can be resolved through ongoing talks and engagement with the Irish Medical Organisation, IMO, under the public service stability agreement. That is the forum for resolving these issues.

The creation of consultant-level posts and roles in public health medicine is a priority for the Government and we are fully committed to delivering on it. Obviously, much detailed work goes into that, as everybody knows. The HSE has put a substantial amount of work into it and the Department of Health has developed a detailed framework for the future public health model that includes consultant-level roles. The business plan seeking consultant status was submitted last week to the Department of Public Expenditure and Reform for consideration. That will be the basis for the engagement with the IMO on the matter. People in the public health arena are aware that this kind of progress has been made. There is a process that has to be followed. We believe in a consultant role but how that all works out and how people apply for the roles and posts that will be created is the type of detail that needs to be worked out with all concerned.

Regarding Deputy McDonald's questions, we dealt with this issue last week. I agree with her on the need to provide additional resources for more refuge places and to deal with domestic violence on a co-ordinated basis. The Minister for Justice, Deputy McEntee, has been proactive, and remains proactive, in this regard. She is committed to expanding services and dealing with issues that have arisen and have been brought to her attention.

Garda Reform

4. **Deputy Alan Kelly** asked the Taoiseach if he will report on the work of the policing reform implementation programme office. [36606/20]

The Taoiseach: In September 2018, the Commission on the Future of Policing in Ireland published its report outlining a clear vision and roadmap for strengthening An Garda Síochána and the broader national framework for policing, security and community safety. In December 2018, the Government approved A Policing Service for the Future as the plan to implement the commission's report. The plan was developed in co-operation with stakeholders from across the public service, including, in particular, the then Department of Justice and Equality and An Garda Síochána.

In line with the approach recommended in the commission's report, an implementation group on policing reform was established in late 2018, with a former member of the Commission on the Future of Policing in Ireland as its independent chairman, and given collective responsibility for the delivery of the plan. The group has held 21 meetings to date. To help guide its work and act as a clearing house where particular blockages are being experienced, a high-level steering board on policing reform, chaired by the Secretary General to the Government, was also established. The policing reform implementation programme office, PRIPO, which is based in the Department of the Taoiseach, drives implementation of A Policing Service for the Future. PRIPO has been resourced with appropriate expertise in the areas of project management, policing, justice and public service reform. It monitors progress on the implementation of the plan, supports the work of the implementation group on policing reform and keeps the high-level steering board on policing reform and the Government apprised of the progress being made. The Cabinet committee on social affairs and equality provides requisite political oversight of implementation of the plan.

A Policing Service for the Future is a living document which is reviewed and updated by the programme office as required. This helps to maintain ambitious but realistic commitments, timeframes and milestones. A Policing Service for the Future is broken down into four stages of implementation, namely, the building blocks phase, which is of six months' duration; the launching phase, which is also of six months' duration; the scaling phase, which is of 18 months' duration; and the consolidation phase, which is of 12 to 18 months' duration, as currently envisaged. The building blocks and launching phases have been completed and have seen a number of achievements. They include the roll-out of a new operating model for An Garda Síochána, designed to streamline Garda administration and provide a more visible, responsive and localised policing service to communities nationwide. An Garda Síochána has established and strengthened resourcing of a human rights unit and re-established the strategic human rights advisory committee. The National Security Analysis Centre, NSAC, has been established.

In addition, the Industrial Relations (Amendment) Act 2019 has been enacted, which gives gardaí access to the Workplace Relations Commission for the first time and provides for a modern industrial relations framework within An Garda Síochána. There has also been progress on legislative reform in a number of other areas. Legislation is being drafted in the following areas: the use of recording devices, including body-worn cameras; the codification of legislation defining police powers of arrest, search and detention; and a new coherent framework for the governance and oversight of An Garda Síochána.

Progress in 2020 has been impacted by the Covid-19 pandemic. However, I have been encouraged to see the responsiveness and flexibility shown by An Garda Síochána in dealing with the demands of this unprecedented situation.

4 o'clock

The implementation group on policing reform and the programme have been actively engaged with key stakeholders to ensure continued momentum on reform insofar as possible under the current circumstances. The third phase of A Policing Service for our Future, the scaling phase, has now commenced.

Deputy Alan Kelly: I hope the Taoiseach believed all that. The Labour Party established the Policing Authority and it will do everything it can to ensure that it, or a version of it, is maintained into the future. My colleague, Deputy Howlin, drove that development. Successive reports of the authority, whose work I commend, showed that An Garda Síochána was not moving at the pace it should. One of the most important functions of the Policing Authority is the power to appoint senior gardaí, instead of the appointments being made through the Garda Commissioner and signed off, in some cases, by the Cabinet. The Commission on the Future of Policing in Ireland recommended that the Policing Authority be disbanded and replaced by a new body. Fine Gael agreed with its recommendation. Under the plan, the power to promote senior gardaí would be given to the Garda Commissioner while other Policing Authority powers would be transferred to an internal Garda board.

The Taoiseach, I and Sinn Féin opposed that. We believe An Garda Síochána needs less, not more, of an in-house policing mentality. We do not believe that all the lessons that have been learned over recent years will continue to be learned if there is a situation where the power to appoint senior gardaí is back in-house. Does the Taoiseach intend to implement the O'Toole report or does he intend to implement the minority report, which is the report we support and keeps the appointment of such senior people with a policing authority? I accept there must be rationalisation of a number of Garda organisations, but what is the Taoiseach's position on this key point? I do not see anything in the legislative programme on this issue. What is the Government's position regarding the Commission on the Future of Policing in Ireland report and particularly the role of the Policing Authority?

Deputy Mary Lou McDonald: I wish to reflect on the new operating model for An Garda Síochána, which the Taoiseach correctly said is designed to provide more visibility and a more responsive and localised policing service to communities. This is not the reality on the ground and certainly not in the constituency I represent. The reality is that there is a lack of Garda presence, especially in the evening and at night. There is no community garda available after 7 p.m. This is an operational and resource issue. There is still a lack of personnel in the system. There is also the fact that anti-social behaviour has increased over recent months. Granted, it has been a problem for some time, but in the course of the Covid emergency, reports of anti-social behaviour in some areas have skyrocketed. Call-outs can often take hours because there is a lack of Garda cars. In my home neighbourhood of Cabra, the Garda station closes at 9 p.m. and it appears there is no prospect of that decision being reversed.

What are the measurement criteria used by the implementation office in its appraisal of progress, or lack of progress, in policing reform plans?

Deputy Richard Boyd Barrett: I did not intend to speak on this issue but Deputy McDonald referred to anti-social behaviour. It is an issue we all encounter and it can be difficult to address, particularly during the pandemic. We get reports of people complaining of large groups of young people gathering and so forth. There are two ways to deal with that. We can blame the young people and take a coercive approach, which I do not believe works. On the other hand, we can recruit people directly from the community to work in community and youth outreach projects. This is an area in which we have failed spectacularly. In fact, I believe we have gone

backwards and made situations worse when we could have improved and dealt with them in a way that does not cause problems and conflicts in the community.

I can think of several such youth outreach projects in our area that were simply closed down. Often people who were from the community and knew the young people might not always have had certain formal qualifications and that was sometimes used as an excuse to get rid of them. Inevitably, the situation worsened when the projects were closed down. The people who were in the projects would say that there would be an anti-social problem in an area if a project closed down and, lo and behold, that is exactly what happened. As well as looking at the policing side of it, we need to consider seriously recruiting youth and community outreach workers from the community on a significant scale.

The Taoiseach: On Deputy Kelly's question, that issue is being examined in the context of the implementation of the commission's reports in terms of the governance-----

Deputy Alan Kelly: What about the previous Government's position?

The Taoiseach: The Deputy should look at the programme for Government, for example, on the precise nature of this in terms of balancing governance with accountability. I am not so sure that the Policing Authority worked, to be honest. I do not mean that in any way to apportion blame, but there were some issues regarding role definition-----

Deputy Alan Kelly: That is true of any organisation.

The Taoiseach: -----in terms of whether it was about governance or accountability and who was ultimately responsible for the governance of An Garda Síochána. We need to reflect on that continually.

I take the Deputy's point that one does not want an in-house culture that promotes certain people in certain areas. One wants an arm's-length, independent, objective approach to recruitment-----

Deputy Alan Kelly: Agreed.

The Taoiseach: -----and especially with senior appointments. That is accepted. That has been in place in recent times. We agree on the principles in this, but we must get a model and ensure it works. The Commission on the Future of Policing in Ireland put a great deal of work into it. I and all Deputies engaged with it, irrespective of whether we were in or out of Government.

Deputy Alan Kelly: Agreed.

The Taoiseach: The *esprit de corps* of the commission was a positive one. It was designed to transform. I believe the most important areas are recruitment and education. That is in the next phase and needs a radical change, in my view. We must broaden the experiences of people who apply to An Garda Síochána.

On the other questions, the recruitment is ongoing. A report from the future of policing implementation group was put before the Cabinet today. For example, there will be a greater emphasis on diversity in recruitment and recruitment from minority communities to serve in An Garda Síochána. That is important as well.

Regarding anti-social behaviour, I believe the operational plan is working and appears to be developing. We are recruiting continually to increase the numbers and, to be fair, the numbers working in An Garda Síochána have increased significantly over recent years. A significant allocation was made in the budget for hundreds of additional recruits for An Garda Síochána in 2021 and beyond.

I agree with Deputy Boyd Barrett's analysis regarding the community dimension to this. First, the Covid-19 pandemic has been a very difficult time for young people in this country. The report just published by the Central Statistics Office shows that the lowest levels of satisfaction with the quality of life are in the 19 to 24 year old age group. If a person was a leaving certificate student last year, his or her year was undermined and upended. On moving to college, that person's first year was not what he or she expected it to be and he or she is approaching January without having had a proper college year. No one has travelled this year because of Covid. It has been difficult for all age cohorts, but it has been particularly difficult for young people. Jobs have not been as available either because of the various lockdowns and severe restrictions, so outlets where people could get work have not materialised. If one is young, one wants to be out and about. Therefore, there has to be a very multifaceted approach to helping young people to get through this period.

To be fair to An Garda Síochána, in areas where we had anti-social behaviour or difficulties in the past we got the best results by adopting a community-led approach with community gardaí on the ground working with young people and youth workers.

I recently met Deputies McAuliffe and Lahart and the Minister for Justice, Deputy McEntee, on the issue of scramblers in certain communities in Dublin. The Deputies propose to introduce legislation. It reminded me of a period 20 years ago when we had difficulties in communities with joyriding and so on. The development of An Garda Síochána's community model helped to deal effectively with situations in communities. We must reinvest in communities and rebuild the infrastructure in certain communities to support community development. Something like a modern version of the revitalising areas by planning, investment and development, RAPID, programme is required. The Minister of State, Deputy Joe O'Brien, is keen on that. There was a meeting yesterday of the Cabinet subcommittee on social affairs and equality and we identified areas like that for further work and development. We need to build up a multidisciplinary team of supports in communities that have challenges to help those of all ages to deal with them.

Cabinet Committees

5. Deputy Alan Kelly asked the Taoiseach when the Cabinet Committee on social affairs and equality is next due to meet; and when it last met. [38078/20]

6. Deputy Mary Lou McDonald asked the Taoiseach when the Cabinet Committee on social affairs and equality will next meet. [38622/20]

7. Deputy Richard Boyd Barrett asked the Taoiseach when the Cabinet Committee on social affairs and equality is due to meet next. [40167/20]

The Taoiseach: I propose to take Questions Nos. 5 to 7, inclusive, together.

The Cabinet committee on social affairs and equality was established in July 2020 and oversees implementation of programme for Government commitments in the areas of social policy, equality and public services, including matters relating to justice, policing reform and community safety. It receives detailed reports on identified policy areas and considers the implementation of commitments and reforms. In addition to the meetings of the full Cabinet and of Cabinet committees, I meet with Ministers on an individual basis to focus on particular issues. The Cabinet committee on social affairs and equality has met twice, on 2 November and, yesterday, 30 November.

Deputy Alan Kelly: I have a few questions on the reopening of the country, which begins today. To show the public that we are not always fighting in here, I acknowledge that the Government took on board a suggestion from me last week regarding health workers who were in contact with me about covering the Christmas period. It was that those without children or with grown-up children would cover the Christmas period for people with young children and that they would have the New Year period off. The Government did listen to me and moved the date out by a few days to 6 January to allow such workers to visit loved ones and family members outside their county. I appreciate that.

I wish to raise dance classes for young people in particular. Individual or small group dance classes could have been dealt with more favourably because it is such an issue around the country. Many people do not just do sport. As we all know, young people have gone through a horrendous time. It is the younger group and the older group in society who have suffered the most around Covid. There are so many young people around the country who go to dance classes. I urge that we would consider allowing children to do even one-on-one individual classes in big halls. We need to do anything we can to give them a chance.

The Taoiseach might also just explain to publicans – I hate the term “wet pubs” – why the limit of 15 persons outside is gone.

Regarding what happens from 6 January on, is it the Government’s plan to assess that a week in advance or how long in advance will it be? People will need enough guidance. Is it the Government’s plan to proceed from here with having restrictions on county travel and on household visits again? I hope we can stick with what we have otherwise.

Deputy Mary Lou McDonald: I met this morning with Sophie Redmond. She is 11 years old. She wrote me a letter and I want to put it on the record of the Dáil. I know she has written to the Taoiseach as well. Here is what she had to say.

Dear Mary Lou,

Thank you for supporting me. My name is Sophie Redmond and I am 11 years old. I love watching your videos on Instagram. [So that is good.] I like how you help people and that is what I want to do when I am older.

You know I need scoliosis surgery. My friend, Chris Andrews, has been helping me look for this.

Please Mary Lou can you ask the Taoiseach if he can help scoliosis children like me and change waiting lists for good. When I have my surgery, I hope we can meet up and do my tik-tok dances.

Happy Christmas

Love and Hi 5's

Sophie Redmond

Age 11 Loughlinstown

Sophie got her diagnosis in 2017. She was put on a waiting list for surgery to correct the curvature in her spine last March, but her doctor has warned that she might not get a date for surgery until late next year. She also needs urgent surgery on both her knees, as they can easily dislocate. The delay in Sophie's surgery means that the double curve on her spine is twisting into her lungs and pelvis. She used to play Gaelic football and she loves hip-hop but she had to give it all up because of her condition. She is an incredible young girl and her family are wonderful as well. They are sick with worry and concern. This is an issue that has been raised, not just on the Taoiseach's watch but on the watch of previous Governments. I implore him to provide us with a roadmap so that Sophie and other children and young people awaiting this surgery can have some hope and relief and some prospect of early surgery.

Deputy Richard Boyd Barrett: One of the key areas that it is necessary to address if one is to really try and strive towards equality is education. I wish to continue to put to the Taoiseach certain points I was making earlier, but just to focus them a little bit more. Fees are increasingly becoming a major barrier to equality of access to education. That is bad, not just for the people who have financial impediments put in front of them in terms of accessing higher education, but also for society because we are not going to get the talented, qualified professionals in key areas that we need if we continue to make life very difficult for them financially because of fees. I referred earlier to the graduate entry medical students, where people, in particular from less well-off backgrounds, have the potential to access medical training and to become doctors. What they tell me is that they are paying €15,000 in fees a year, so that by the end of their training, along with their living costs, they qualify with a debt in excess of €100,000. By the way, they can only get a loan from one bank, namely, Bank of Ireland. The rest of the banks will not even lend them the money to do it. That is crazy when we need doctors but, equally, the student nurses and midwives that we have talked about quite a few times, as well as not getting paid for working during their placements, also have to pay for the privilege of being exploited by paying €3,000 in fees or €7,000 if they previously did a degree. This is madness from the point of view of equality of access to key areas of education where we need qualified people.

The Taoiseach: First, I will respond to Deputy Kelly's questions about the reopening. Dance classes are a very difficult area. The issue is where one draws the line. Individual tuition is allowed in terms of culture, arts and music, but where does one draw the line with dance classes?

Deputy Alan Kelly: We need clarity.

The Taoiseach: There are so many different types of dance. One is also drawing children from different communities and backgrounds to the one centre, so one is potentially facilitating the spread of the virus. As I stated in my address on Friday, we are prepared to go so far but no further. Unfortunately, quite a number of groups were left out in the modifications to level 3. The objective was to try to limit the spread of the virus and that was our motivation.

There is a limit of 15 people meeting outdoors, which is to prevent congregation. We have

already seen with the takeaway phenomenon that unacceptable practices were building up in the cities, to be frank, and this was becoming a scene in itself. We were seeing significant outdoor congregation, which is not good if we are looking to stop the spread of the virus. The policing of it is difficult if there are three pubs in a row on a street, for example, with potentially three blocks of 15 people. It would be very difficult for gardaí to police it. Gardai have said to us that level 3 is more difficult to police than level 5 as there are more grey areas than at the higher level, which leads to a challenge. I am not blaming the Garda for any of this and it is a decision we took but it is an important insight. When we open up, we allow more activities, creating a more difficult scenario all around, whereas level 5, because of its crude and blunt nature, can be much clearer.

On 6 January, we will assess the position, and we will assess it on an ongoing basis with respect to numbers of cases, hospitalisations, people in ICU beds and so on, which will tell us where the virus is at. As I said before, level 5 was different from the first lockdown in that we kept schools, the construction sector and non-healthcare services open. Any new restrictions that may emerge in the new year could be different as well. It does not mean all sectors will fall victim, to use the term, of a new set of restrictions.

Deputy McDonald raised her correspondence with Sophie Redmond. I pay tribute to Sophie Redmond and her courage. It is very difficult not to have a clear timeline for an urgent operation. I will certainly inquire of the Minister for Health, Deputy Stephen Donnelly, to see what we can do in Sophie's case. Covid-19 has made an impact on the capacity of our children's hospitals to do surgery. On top of that are the delays that had been improving, although they had not met four-month targets. I will engage with the hospitals to see what can be done to accelerate the surgery. Every effort must be made to facilitate children like Sophie, who need their surgery, to get it when they need it.

With scoliosis it is a matter of skilled personnel being available and the right people doing the surgery. It is an important consideration. There are other complications arising from a requirement for knee surgery. I will certainly check that out for Sophie if the Deputy sends the details to me. We will certainly do everything we possibly can to help her and her family.

Deputy Boyd Barrett spoke about education and fees in general. I take his point on postgraduate courses but that specific route was created some years back, over a decade ago, and at the time it was considered radical in itself to create new entry routes into medicine. It had been fairly difficult to access but this route has an additional cost element. I will ask the Minister for Further and Higher Education, Research, Innovation and Science to review the matter but one of the biggest matters overall with third level is access to finance. The Cassells report has been published and we have frozen fee levels at the current undergraduate level for quite some time. Postgraduate fees have gone up a little too much and we gave additional supports in the budget for postgraduates, particularly those facilitated with grants and so on.

It may be better to deal with the area by giving greater supports to students via income thresholds as those who need it most should get greater supports going through college. This is in preference to, for example, an abolition of fee structures. I would prefer to support the colleges in the first instance and try to give additional core funding to colleges, as they need it to provide quality education. We should give further supports for inclusion in third level education, especially around people with disabilities and who are disadvantaged. We provided additional funding in the budget this year for both those categories. We should also provide funding in the broader SUSI grant structure for students for whom education is too much of a

financial burden.

That said, participation rates in Irish third level education are probably the highest in Europe, particularly over the past 20 years from the late 1990s onwards. I was involved in that process as a Minister with responsibility for education. We dramatically expanded third level education and created far more places. We now need to continue to resource it as it is key to economic development in the country. I will ask the Minister for Further and Higher Education, Research, Innovation and Science to examine the medical graduate entry programme.

Sitting suspended at 4.25 p.m. and resumed at 4.45 p.m.

Horse and Greyhound Racing Fund Regulations 2020: Motion

Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue): I move:

That Dáil Éireann approves the following Regulations in draft:

Horse and Greyhound Racing Fund Regulations 2020,

copies of which were laid in draft form before Dáil Éireann on the 13th November, 2020.”

An important part of Government policy is to ensure that the horse and greyhound racing industries achieve their maximum potential and, in so doing, contribute to a balanced economic and social development across a wide geographic swathe of the country.

The horse and greyhound racing industries make a significant and valuable contribution to our economy. It is estimated that the thoroughbred industry has an annual economic impact of €1.9 billion, with direct and indirect employment of 29,000 people, while the greyhound sector provides an estimated 12,000 people with economic benefit. The thoroughbred industry, in particular, brings a high level of international blue-chip investment to Ireland.

Government funding, in addition to supporting these key industries, also presents an excellent opportunity to yield a high return for its investment, leading to a flow of income right through the economy. Support for certain strategic industries is important for future economic growth and can provide widespread benefits to our society as well as for our economy.

The Irish equine breeding and racing industry is extremely competitive at a global level. We are the third biggest producer of thoroughbred foals in the world, and estimates place Ireland only behind the USA as the biggest seller of bloodstock by public auction globally.

Successive Governments have acknowledged the importance of these industries and have supported them through legislation and policy initiatives. The support provided by public funds through investment in these industries has enabled Ireland to develop a world-class reputation for excellence in horse racing, greyhound racing and breeding.

The current Covid-19 pandemic poses particular challenges for Horse Racing Ireland, HRI, Rásaíocht Con Éireann, RCÉ, and industries as a whole. The Government plan entitled Resilience and Recovery 2020-2021: Plan for Living with COVID-19 does not provide at any of the levels for a return to full commercial operations. This impacts significantly on the finances of

HRI and RCÉ, both this year and up to the end of the time span of the plan in June 2021. It is essential, in these circumstances, that the additional Covid-related supports are made available to HRI and RCÉ, reflecting costs incurred in changes to the trading environment.

These industries received financial support from the State through the Horse and Greyhound Racing Fund, under section 12 of the Horse and Greyhound Racing Act 2001. My Department makes payments from the fund to HRI and RCÉ. In the period from 2001 to date, a total of €1.36 billion has been paid from the fund to the horse and greyhound racing industries, in accordance with the provisions of the Act. The cumulative upper limit on payments from the fund, provided for under the relevant regulations, has therefore been reached.

Exchequer funding provided from the fund is crucial to the survival and continued development of the horse and greyhound racing industries. In order to give effect to the provisions of budget 2021, this cumulative upper limit must be increased by regulation. The Estimates for my Department, passed by both Houses as part of budget 2021, include an allocation of €96 million for the Horse and Greyhound Racing Fund. In order to allow my Department to provide the moneys allocated in budget 2021, it is necessary to comply with a technical requirement to increase the cumulative limit. This is achieved by way of the regulations submitted to the House today.

The 2017 Deloitte report into the economic impact of Irish breeding and racing commissioned by Horse Racing Ireland, HRI, indicates that the total direct and stimulated expenditure of the Irish breeding and racing industry was €1.84 billion in 2016. In addition, it is estimated that there are 15,200 jobs at the core of the racing and breeding industry or in directly related industries. Horse racing generates a very significant return for the rural economy in Ireland and a positive international profile for our country. HRI's 2019 annual report indicated a successful year. The focus on ownership leads to a further increase in the number of horses in training and more horses competing.

With regard to the greyhound racing industry, according to the 2017 Power report, the greyhound industry provides and supports considerable employment both directly and indirectly. It is estimated that the industry supported 5,000 full-time and part-time jobs in the economy in 2016. In addition, there were 7,313 active greyhound owners.

There is a very valid and strong rationale for funding both industries in the way we do and for the increase this year, given the particular pressures Covid has placed on these industries. This will support them in their work.

Deputy Matt Carthy: This issue was debated at length at a meeting of the Joint Committee on Agriculture and the Marine last week. The debate was comprehensive. During that meeting I put on the record, as I will today, that Sinn Féin absolutely supports maintaining vibrant horse racing and greyhound racing sectors in Ireland. We recognise their value, in particular to many rural communities, and the great contribution they make to local economies which are, in many other respects, bereft of investment. That is not to say that we support the signing of blank cheques for any organisation. The Minister proposes that we increase funding to the horse and greyhound racing fund to €96 million. By any measure, that is a substantial investment on the part of the State. In 2014, the level of funding to these organisations was €54 million, which shows how sizeable the year-on-year increase has been.

At last week's meeting, I said that, while our support for the horse and greyhound racing

fund was absolute, we also had questions in respect of the accountability and transparency mechanisms put in place. The Minister seemed to suggest that there is a contradiction in that. I do not believe it is contradictory for elected representatives to support a sector while wanting to ensure that the money provided to it is fully accounted for.

A number of questions still have not been resolved with regard to this funding. Why is this amount of funding to be provided next year? Why is increased funding being given to these organisations when so many other organisations in a variety of sectors are also struggling as a result of Covid-19 and would very much appreciate a similar and proportionate increase in their funding? Why is this level of funding required this year? Was the 2020 funding fully expended? Is the Minister satisfied that it was spent in the way that delivers the greatest benefits for our economy and our rural economy, the cited reasons for this funding? Is this to be the new baseline figure for these organisations' funding streams or is it simply emergency funding provided in the context of Covid?

The Minister has not indicated whether he is satisfied that the maximum benefit is derived from the way in which the money is spent. Last year, approximately €67 million was allocated to Horse Racing Ireland, which paid out €68 million in prize funds. Breeders, trainers and horse lovers in my county tell me that this prize money does not trickle down. A disproportionate share goes to those who are already successful in the industry. Has the Minister carried out an appraisal as to whether this is the best use of funds by Horse Racing Ireland?

Over the last week, the Minister was asked a number of times whether it is prudent simply to divide this funding in the ratio of 80:20 between the horse racing and greyhound sectors. He essentially told the committee that this is simply how it has always been done. I note, however, that in *The Sunday Business Post*, his Department confirmed that it had sought legal advice as to whether this should be the case. Rather than the Government being fully supportive of the greyhound sector, it was actually looking for a way to reduce the level of funding, or at least the increase in funding, for that sector. It is disappointing that the Minister did not inform the committee of that fact last week. I would like him to elaborate on his intentions in that regard.

If we are going to pay close to €100 million to one particular sector at a time when even the sectors that come under the auspices of the Minister's own Department, such as beef farming, sheep farming and dairy farming, are struggling, we have to be absolutely sure that the money will be well spent. There must be absolute transparency and full accountability. A full appraisal must be carried out to ensure that the money being invested is invested in the right way to ensure proper regional balance among the beneficiaries of the fund and to ensure that the principle of animal welfare is supported. We must ensure that we can stand over everything we do and every cent of taxpayers' money we spend with regard to many people's real concerns about animal welfare, particularly in the greyhound sector.

Deputy Alan Kelly: We will be supporting this increase for this fund for both the racing and greyhound industries, although it may be slightly wrong to describe the greyhound industry in that way as it is really more of a hobby. We give this support with many qualifications. I will speak on both horse racing and greyhound racing. The first qualification is that I do not have confidence in the Irish Greyhound Board, IGB, and have not had for years. The board was before a meeting of the Committee of Public Accounts attended by the Leas-Chathaoirleach and myself and it was an absolute circus. Not much has changed. Some of the same people are still there. I will mention one thing at the very outset. We did not support the Social Democrats motion last week but neither could we support the Government's countermotion because it was

effectively written by the IGB, in which we do not have confidence. I have never implored the Minister but I implore him to look at the board of the IGB for us. It needs a complete overhaul. I know the Minister has a lot going on as regards Covid, Brexit and so on but the IGB needs a more hands-on approach from Government.

With regard to greyhound people, many of whom are working-class people, greyhounds are effectively their horses. These are some of the most decent and honourable people one will ever meet. There are some bad eggs who need to be removed. The comments made by a member of the board of the IGB regarding our colleague, Deputy Cairns, are absolutely disgraceful. They do not give the greyhound racing industry a good name. I presume the board and the Minister will deal with that matter. The Deputy can speak for herself but one cannot make comments like that no matter one's view on a given sector.

The issue of welfare is very important. The idea is that 10% of funding, which would be at least €1.5 million, goes towards welfare but that is not happening. Will the Minister show me that is happening? I do not compliment British authorities often but a greyhound trust needs to be set up. This should be separate from the IGB, although board members might sit on it to allow for crossover. The volume of greyhounds that needs to be rehoused is much larger than the volume spoken about. There is only one centre. I know where it is as it is in my county. There needs to be 15 to 20. That needs to be rolled out. When such centres are rolled out, people will be able to see that progress is being made in the area of greyhound welfare. That really needs to happen.

5 o'clock

I know many people who work with greyhounds, who are active in this sector and who have put proposals to Greyhound Racing Ireland and the previous Minister that were never acted on. These proposals need to be acted on. This is a central issue. People cannot mistreat dogs. There has to be a proper welfare system in place that is funded. It is critical. Greyhound Racing Ireland gets a significant volume of funding but this does not transpire to the ordinary man and woman working in the greyhound area. That needs to be dealt with as well.

I have a range of issues relating to GRI and how it does its accounts, historical issues relating to the Indecon report and the whole issue of liquidising assets. The Minister will know about this industry. I do not want to see several racecourses getting liquidated to ensure current funding can go on. It is not good when a body is liquidising assets to fund current activities. In fact, it is awful. This needs to be dealt with.

I will say something about the horseracing industry. It is a critically important industry throughout the country. It employs many people, especially in rural Ireland, and it has tangibility in so many other sectors where other people are working. I wish to say this clearly: issues have been raising their heads. We need a sectoral employment order for people working in this industry. Too many people are not being well-paid. In some cases, they are not being treated well. They love horses and the horseracing industry. We have a good name abroad but we need to treat workers right. I implore the Minister for Agriculture, Food and the Marine to work with his colleagues in government to bring in a sectoral employment order in that sector alone to ensure all people who work in the industry are protected, paid proper wages and treated properly.

Deputy Holly Cairns: Since our motion last week to reverse the increase in funding for the commercial greyhound racing industry I have heard little legitimate defence of the sector from

its proponents. I have seen no serious effort to address the loss-making nature of the industry or animal welfare concerns or even acknowledgement of them. Instead, I have seen attacks of a personal nature on those of us who do not want to see an increase of more than €2 million in funding for a sector whose custom and practices have been so discredited. Here is some of what was said about me: a member of Greyhound Racing Ireland, Wayne McCarthy, referred to me as an ignorant little girl.

An Leas-Cheann Comhairle: Please avoid mentioning names. It is long-standing practice in the Dáil.

Deputy Holly Cairns: He is a board member of a State organisation whose wages are paid out of the staggering €19.2 million the industry will receive in 2021. He is paid by the taxpayer, by all of us. I was not deeply hurt or offended by the man's comments - I will not say his name from now on. My initial reaction was to ignore it. I instinctively felt it did not deserve any energy or thought. Indeed, I did not want to waste my speaking time addressing it today. Yet, when a Fine Gael Deputy apologised for liking these sentiments I could not avoid the volume of calls I was getting from the media for a response.

The unfortunate reality of this situation is that I was not deeply hurt or offended because I am used to these kinds of gendered comments. Rightly, I do not take personal offence. Yet, in reality too many women are subject to too many comments which seek to demean and belittle. This offends all women. In the past week, in the context of the Social Democrats motion to reverse the increase in State funding to the industry, I have been referred to as "airy fairy", "a dangerous, dangerous woman" and "a fool". It would not be appropriate in this Chamber to recite some of the other language used. Women everywhere experience the same kind of everyday sexism in different ways every day. We are tired of it. As the only female Deputy in all of Cork city and county I feel the need to address the sexism that we are all so used to. I feel the need to put it on the Dáil record that a board member of a State organisation spoke about elected women in that way in 2020. I feel the need to say there can be no excuse for this because there is no excuse.

I have no wish to use my speaking time on this issue addressing this everyday sexism. Women all over Ireland, including myself, wish we did not need to address this at all. Yet, there is no alternative when we cannot ignore it. When we address this everyday sexism, we are often met with more of it. We hear things like "angry feminist", "you are too emotional" or "you should calm down". When we think about it, we should all be angry, emotional and uncalm about the reality that half of the population are still disregarded, patronised and condescended in so many ways. Instead, many of us are numb to it and that is even worse. The House needs to send a clear message to everyone that there needs to be zero tolerance for sexism.

The member of Greyhound Racing Ireland also claimed my remarks were "waffle". I wish to put on the Dáil record that none of my remarks were waffle. The opposite applies: they were all fact, based on research, much of which was done by Greyhound Racing Ireland. He has not challenged any of those facts; he has only challenged my personality and pointed out my gender. I wish to take this opportunity to invite this member of the Greyhound Racing Ireland to take part in a debate about the facts I have raised relating to the greyhound racing industry, the viability of the industry, the animal welfare issues associated with the industry and the public disquiet about the State funding. I imagine a broadcaster would be happy to facilitate this and I would be happy to arrange it.

One important thing to note is that although the Social Democrats motion was defeated last week, we have another opportunity to finally put an end to the State turning a blind eye to the industry's flaws and more money at its failings. It says a great deal that the industry and public representatives simply do not have a legitimate argument - I have yet to hear one from any Member.

Last week, I highlighted many concerning aspects about this industry, including the frightening levels of animal cruelty, the extraordinary cost to the taxpayer and the staggering loss-making nature of the industry. There is extraordinary public support for an end to the State propping up this highly problematic industry and shielding it from commercial realities. The industry receives extraordinary sums of money from the public purse while breeding 6,000 dogs annually to kill them. The vast majority of the general public cannot understand why Government continues to blatantly ignore common sense on this issue. Not only does our Government plan to continue funding it - to my surprise this plan was supported by all Government parties, Sinn Féin and the Labour Party - it is also increasing funding by €2.4 million. This will bring the total allocation in the 2021 budget to €19.2 million. It does not have to be this way. It is scandalous, unacceptable and indefensible.

Deputy Gino Kenny: Anyone who watched the "RTÉ Investigates" programme on the treatment of greyhounds and the greyhound industry last year would have been rather sickened at the way greyhounds were treated. I imagine there are responsible greyhound owners in Ireland who would have been completely sickened by what they saw on that programme. Many people, including myself, would not have known how the greyhound industry was funded. The amount of money allocated since 2000 is staggering. More than €200 million has been granted to this industry. Obviously, €19 million has been allocated this year with additional funding of €2.4 million.

Deputy Carthy referenced an article in *The Business Post* reporting that the Government is seeking legal advice on decoupling funding for the horse industry from funding to the greyhound industry. Will the Minister for Agriculture, Food and the Marine be investigating that? Will he seek more legal advice to try to decouple the industries? Does the Minister have personal confidence in board members of GRI, especially following the comments made about Deputy Cairns? Does the Minister have confidence in the greyhound industry as a whole in the short term or the long term? As a layperson, it seems this industry is not fit for purpose. It tolerates dire animal welfare standards that should not be tolerated, especially when the funding is given through the taxpayer via the Government. Does the Minister have confidence in GRI as it is now?

Deputy Mick Barry: I am unsure whether the member of the Greyhound Racing Ireland will take up the challenge from Deputy Cairns for a public debate, but I know one thing: if the debate has already started, I think he is losing it heavily at this stage.

I intend to focus on the greyhound side of the funding. The proposal is for €96 million to go to the Horse and Greyhound Fund. One fifth of that money goes to the greyhound industry, which is a little over €19 million. This industry cannot be separated in its format from cruelty to animals. Some 6,000 dogs are culled every year because they are not able to race at the level which the owners want them to and it is not therefore profitable. I understand that all but eight countries worldwide have banned it at this stage. We are one of those eight laggards which have not done so. What is the Government proposing to do? It is proposing to give the industry more money and increase its funding by €2.4 million. That will be €280 million since 2000 which

has been given by the taxpayer and the State to the greyhound industry.

While State funding is going up, the industry itself is going down and is greatly waning in popularity. The figures I have for 2010 to 2017 indicate that the turnover of the industry went from €32.9 million to €22.7 million. It decreased, therefore, by about one third. From 2010 to next year, however, State funding will go from €11.9 million to €19.2 million, and that is an increase of more than 50%. The industry would not be able to continue if was not being propped up by the taxpayer and the State. An industry within which cruelty to animals is inherent should no longer be propped up by the State. There are issues concerning jobs in the industry. It is an important issue and the State should intervene there to provide training, the development of skills and alternative employment for people currently employed in the industry, if it is to go by the wayside. We should not, however, be propping it up.

Deputy Matt Shanahan: The horse and greyhound industries are invaluable components of the economic, cultural, social and traditional fabric of Irish life. Those industries have served to deliver prestige to Ireland and they are recognised brand ambassadors in developing Irish tourism abroad. They have created economic ties and have allowed Irish people to forge international links which have serviced us through good times and bad. Through the generations, committed and passionate animal lovers and sports enthusiasts in the horse and greyhound industries have developed in Ireland, through years of selective trade, international centres of excellence which have become known throughout the world. State funding directed through Horse Racing Ireland and Greyhound Racing Ireland is designed to support these two sectors and provide for continued development in both industries.

The benefits of this are evident from a 2017 Deloitte report, which demonstrated that total direct and stimulated expenditure within the horse breeding and racing industry was estimated at €1.84 billion in 2016. This revenue supports more than 15,000 jobs in racing, breeding and related industries. Horse racing, in particular, generates significant returns to the rural economy. Many farmers are also owners of broodmares. I will introduce anyone who comes to my county of Waterford to the farrier, the vet, the fence builder, the tillage farmer, the tractor mechanic, the stable lads and ladies and the jockeys who depend greatly on this industry for their occupation and, for many, their sole income.

The greyhound industry also provides considerable economic benefits, along with direct and indirect employment. A 2016 survey reported more than 5,000 full-time and part-time jobs in the sector, with more than 7,300 active greyhound owners in Ireland. Greyhound ownership and racing, although most active in the rural heartlands of Ireland, also has urban-based breeders and supporters. I am sure most people in this House have at some time in their lives enjoyed a night at the dogs.

Both industries have been concentrating on furthering activities to improve and maintain the highest levels of animal welfare and care. There are always some people for whom profit is the only objective, even to the detriment of animal welfare. In greyhound racing, however, where this can be a more significant problem due to the lower cost of ownership, the sector is fighting back. Provisions in the new Greyhound Racing Act 2019 seek to improve standards on traceability and transportation and to provide financial support for injured animals, as well as promoting a new scheme to look at rehoming greyhounds after their racing careers are finished. The sector has been tasked with providing demonstrable change in respect of animal welfare and has appointed a new director of greyhound care and welfare to oversee these industry improvements.

New technologies are also creating new audiences for Irish horse racing and greyhound racing. Some parts of Asia have discovered Irish greyhound racing via satellite TV, following the success of Irish horse racing in developing a global following. This increased interest is delivering direct income to the Irish Exchequer through online betting tax receipts. This is, in turn, supporting the development of regional economic diversification in Ireland through beneficial income, enterprise and tax measures. The financial supports being announced to support these industries are entirely appropriate, given the decimation of income and gate receipts caused by the ravages of Covid-19. These industries provide long-term income to the State and the Government, in turn, will be a long-term beneficiary through the recovery of increased tax revenues from these sectors in the future.

The cultural implications in respect of supporting these sectors must also be kept at the forefront of our minds. Ireland is a world leader in these sectors, and as well as world-class standards in animal welfare and husbandry, we must also consider the welfare of the people who depend on these industries for their livelihoods, in addition to their amenity value. Too often in this country we speak about the cost of everything and we fail to recognise the value of anything, at times. The global leading position which these industries have developed for this country must be maintained and supported so that once Covid-19 has been consigned to the past, these industries may again flourish and contribute to the advancement of rural and regional Ireland.

Deputy Mattie McGrath: I support this motion and compliment the Minister for putting forward this fund. We are global leaders in horse racing. We are very proud of that in Tipperary, and where Tipperary leads, Ireland follows.

Deputy Cairns has just left the Chamber. I have no truck with what somebody in the greyhound board remarked about the Deputy. It was horrible. Such comments are not needed in this time. We need support and regulations, however, and we must root out any semblance of cruelty to animals which exists. If Deputy Cairns is protesting again, I ask her to bring a greyhound, if she is talking about greyhounds, and not a lurcher.

I salute the men and women, and many women are involved, as well as families, involved in the greyhound racing industry in Tipperary. It is the vital lifeblood of the community. I refer also to the enjoyment given to others and the amount of funding raised at such events as nights at the dogs and race meetings, etc. We are going to cut off our nose to spite our face. As I said last week, are we going to be a utopian country? Will we be a wasteland, with no industry in rural Ireland? Will we all be smoking marijuana? Is that what we are aiming for? It is a silly, childish and pedantic way to look at an industry that is so vital to our economy. We must support it. *Ní neart go cur le chéile i gcónaí.* We must support the men and women in the industry. By all means, we must have proper regulations and we must reform the greyhound board, because that is badly needed.

Deputy Michael Collins: I am delighted to show my support here today and discuss this important issue concerning the funding of the greyhound industry. Many people are running scared after last week's debate, where the opening statement and motion from the Social Democrats was very clear. That party did not want to see the increase in the budget for the greyhound industry by the Government this year and also wanted to phase out all funding by 2025, all based on a TV programme in 2019. In that opening statement, the Social Democrats ordered those of us who spoke in favour of our greyhounds to declare who lobbied us or what connections we had with the greyhound industry. I have none, but I was greatly insulted at the percep-

tion that a Deputy who would show support for thousands of caring greyhound owners would only do so for some ulterior motive. For God's sake, I ask the Social Democrats to show some respect to their colleagues here. I do not know what kind of politics they are used to, but it is not my type of politics.

To the Social Democrats, the Labour Party and Sinn Féin, all parties which voted against funding for greyhounds last week, where a percentage of those funds was going towards animal care, I ask them to sit into their cars and come down to Kilcoe and to Collins's farm in west Cork - no relation, I add - where those people have had many greyhounds for a long number of years. I visited that farm yesterday and, to be honest, the best way to sum up the way they treat and care for their greyhounds is to say that it is truly awesome. Those people, along with other greyhound owners, are furious at the way they have been tarred with the one brush by the Social Democrats. I ask the Social Democrats to sit up and acknowledge the thousands of greyhound owners who care for and love their animals.

Deputy Richard O'Donoghue: I would like to dispel some of the fiction that has been bandied about regarding greyhound racing. The Greyhound Racing Act 2019 is the first major upgrade since 1958, and it is welcomed. The general public who own greyhounds mind their dogs like children and would not tolerate any abuse of their dogs' welfare. A minority of people in all societies and sports abuse the system. The Act will bring about traceability backed up by enforcement. The Irish Greyhound Board has an excellent relationship with the ISPCA and wants to continue that relationship.

The betting tax was raised from 1% to 2%, which now yields €95 million in taxes. The greyhound industry delivers an economic impact of €302 million to the national economy. The past two years - 2018 and 2019 - have generated €6 million and the Irish Greyhound Board qualifies for 20% of the greyhound fund.

I put it to the Minister that this is a sport for females and for males.

Deputy Danny Healy-Rae: I am left on the hind teat all the time and have only a small amount of time.

I thank the Minister, Deputy McConalogue, for standing his ground and for giving the money to the greyhound industry. Like many other sports, the sector is in trouble because of the loss in gate receipts and other fundraising events it would have had.

I am sorry many lies were told by the Social Democrats around the funding and about the care owners take of their dogs. I did not meet one person in all of Kerry last weekend who was against giving the money to the greyhound sector. They had high praise for it and thanked us for ensuring the funding. For the life of me, I cannot understand why the Labour Party and Sinn Féin are lining up here together and questioning the money that has been given to this very worthwhile industry. The people in the industry are more than repaying the money with the jobs they provide, the betting taxes and other aspects they repay to the economy. We must support them further and ensure they are funded further in the coming years.

Deputy Barry Cowen: I note from the report of last week's meeting of the Joint Committee on Agriculture and the Marine that all bar one supported and approved the funding, having raised various queries and sought some assurances conducive to accountability measures and assurances from the Minister relating to horse and greyhound racing. The one objection, of course, was around the greyhound element of the funding, which is the democratic right of the

person involved.

Like many others, these industries have been further supplemented this year owing to the pressures caused by Covid-19. Notwithstanding the figures of more than 15,000 jobs in the horseracing and breeding industry, and the 5,000 jobs associated with the greyhound racing and breeding industry, this fund underpins world-class and world-leading industries, as alluded to by many speakers here, which are the envy of many competing countries. It underpins economic activity across the State, bringing great joy and happiness, whether it is a business or a pastime, and whether it is viewed by supporters or benefiting the many charities and clubs by virtue of race nights and so on, as referred to by other Members.

I accept the issues raised around greyhound welfare at the joint committee and during last week's defeated motion cannot be ignored. They are not being ignored, however, with 10% of the €19.2 million budget, which is almost €2 million in funding, going towards improvements around greyhound care, improved traceability, and adoption programmes. The commitments remain conditional on improvements.

Nobody in opposition in this House or anywhere else has a monopoly on the right to raise issues associated with the welfare of animals. It was acknowledged by all parties during the course of negotiations for the programme for Government. This conditionality associated with the awarding of funds has been mentioned and is the case with this Government and the Minister with responsibility associated with it.

Of course, there are rogues in this industry. There are rogues in all industries. There are rogues in here too. The reporting of it has to be very careful also. As an owner, I was subject to ridicule for something that could not be substantiated but which made good press and good coverage, especially when it was associated with me and the role I was given initially in this Dáil.

The other issue raised at the joint committee last week was the financial strain associated with the greyhound racing industry. This cannot and should not be ignored either. It is and will be difficult to sustain the industry in its present form into the future. To protect the industry's long-term future and viability, industry participants, including the IGB, the stakeholders and the Department of Agriculture and Marine, should engage in a process to investigate and analyse the means and methods by which the industry can be sustained. This need not necessarily be in its current form of 16 tracks, which many in the industry realise and appreciate is not sustainable.

We, and the majority in this Dáil, are committed to the industry and to ensuring the Government plays its part in ensuring that it has a future. I want to ensure it has a long-term future too.

Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue): I thank everyone who contributed to the debate from different perspectives. I want to touch on the points made by Deputy Cairns on the comments she had to put up with, which were simply unacceptable. The Rásaíocht Con Éireann member who made those comments has apologised and withdrawn those comments. They were sexist and offensive. Deputy Cairns should not have had to experience them. I certainly will be writing to the chair of the board to express my repugnance at those comments, to remind all board members of their responsibilities for high standards, and to ensure there is no repeat of such instances in the future.

There has been a healthy debate. In my opening comments I outlined the fact the horse and greyhound racing industries support significant employment. The thoroughbred industry is

worth €1.9 billion to the economy, with some 29,000 direct and indirect jobs benefiting from it. Nearly 12,500 people derive economic benefit from the greyhound industry. This is the fourth time in the course of one week that I have debated this particular fund and issues raised in both Houses of the Oireachtas and at the Joint Committee on Agriculture and the Marine. It has received thorough interrogation, and rightly so. I am aware Members have varying views on the matter. Due to the time today, I cannot address all the comments, but the issues received a very thorough airing in the committee.

Members on different sides of the House have different views House, and I come back on Deputy Carthy's view. There is a well-known saying, "To run with the hare and to hunt with the hound". That certainly represents Sinn Féin's view on the matter. After he voted against last year's level of funding, Deputy Brian Stanley said, shame on Fine Gael, Fianna Fáil and the Labour Party which were successful in having the motion passed. He said Sinn Féin would not support such obscene levels of funding and yet this year Sinn Féin has no problem with funding it called obscene last year. Now it says it simply does not want the increase in funding. If the phrase, "To run with the hare and hunt with the hound" was ever apt, it is certainly so in this particular instance.

Deputy Matt Carthy: It would have been more appropriate if the Minister had answered a single question put to him.

Question put and declared carried.

Ceisteanna (Atógáil) - Questions (Resumed)

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

School Equipment

25. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if specific, revised guidance will be provided on ventilation in the winter months; and if she will be providing additional funding to schools for the purchase of air monitoring systems and to make up for additional heating costs. [39970/20]

Deputy Donnchadh Ó Laoghaire: It has become very clear from the science in recent months that ventilation is one of the key factors in tackling Covid-19. At this time of year, with the Irish winter, the cold is becoming very significant. That is not as much of an issue for some modern schools and school buildings as it is for schools with older buildings. Principals are having to make difficult choices with limited or in some instances no guidance on how to manage this matter. It puts pressure on heating bills and leads to tough decisions about how to communicate to parents the guidance to give their children.

Minister for Education (Deputy Norma Foley): Practical steps for the deployment of good ventilation practices were provided to the school system in August, in the context of reopening for September 2020. Contrary to what the Deputy said, this guidance has recently been reviewed and was circulated to the education partners. The updated guidance has now

been published.

As regards good ventilation practices in schools, it is important, particularly as we get further into winter, that we achieve an appropriate balance between good ventilation and comfort. The overall approach for schools should be to have windows open as fully as possible when classrooms are not in use, for example, during break times, lunchtime and at the end of each school day, and partially open when classrooms are in use to achieve appropriate airflow. It is worth noting that windows do not need to be open as wide in windy or colder weather in order to achieve the same level of airflow into the classroom. This will assist in managing comfort levels in classrooms, including those in prefabricated accommodation, during periods of colder weather.

As part of managing comfort levels in classrooms, schools should check that their heating systems are set at the recommended manufacturer's guidance levels to maximise the heat available to the school. In addition, heating should operate for extended periods during colder weather to counteract, as best as possible, the impact of windows being open in order to maintain an appropriate balance between ventilation and comfort levels.

My Department has reviewed the Health Protection Surveillance Centre, HPSC, guidance recommending that consideration be given to installing indoor air quality monitors in classrooms. The purpose of a monitor in this context is to assist in determining when windows should be opened. It should be noted that an air monitor would not increase the air temperature in a classroom. As reflected in the updated guidance, my Department has concluded that it will likely be necessary for windows to be open at the frequency I outlined earlier to ensure appropriate levels of ventilation in classrooms, irrespective of whether the opening of windows is prompted by an indoor air quality monitor, which is a reactive approach, or through the proactive approach outlined in the guidance. While this matter, as well as supporting data, will be kept under review, the Department does not consider it necessary for schools to install such monitors in classrooms where the practical steps outlined in the updated guidance are applied. However, it is a matter for individual schools to consider whether they wish to put in place mechanisms of this nature.

Deputy Donnchadh Ó Laoghaire: That is an interesting reply and there is much in it to consider. I would make one point, of which I am sure the Minister is very aware as principals certainly raise it with me. I am aware of the updated guidance but it is still the case that windows must be open, although the guidance states the times and extent to which that should be done. Older buildings, examples of which the Minister can think herself, such as those in Christian Brothers schools, were built in the 1950s and 1960s and were not designed for these situations, even if they were renovated. Children sit next to the window in coats and with hot water bottles and so on. It is a real dilemma for principals, even in the current context. Air monitoring is essential. It would assist in keeping budgets down by ensuring schools strike the right balance between windows being open and heating. It would ensure windows were not open unnecessarily and that schools get that balance right based on the information available. It sounds like the Minister is not ruling air monitors out. I welcome that but will she state if that is the case? If I am right about that I welcome it, but it is a pity given that the ideal opportunity to install such monitors is over the Christmas break, when schools will be closed in any event. If this is something the Department is going to do, the ideal avenue and space in which to do it is coming up.

Deputy Norma Foley: I appreciate the Deputy's point. In the interest of balance and proper

context, no building has been built for a Covid-19 environment. This issue is not unique to what is happening in the school environment. It is happening in every building of which we are aware. I again emphasise that air monitors do not increase the air temperature in a room. They merely monitor when one should open or close a window. Significant practical guidance has been given to schools around measures of that nature, such as opening windows before classes commence, during break times, lunchtimes, in the evenings, and so on. I appreciate that such measures are reliant on an abundance of practical common sense and practicality but, in my experience, there is an abundance of that in schools as is. Schools have the freedom to use the minor works grant to address this issue but as I have said to the Deputy, I will keep everything under review. I will do that constantly for anything as regards education.

Deputy Donnchadh Ó Laoghaire: The Minister said that an air monitor does not increase the temperature of a room but only shows when the windows need to be open. By extension, it also shows when the windows do not need to be open, which would be very useful to many schools that are trying to manage the situation and ensure the welfare of the children in their care, by protecting them from Covid and other types of illness. I will take it from her answer that the Minister is not ruling such measures out but I ask her to go back to the HPSC and to continue to examine this. Air monitors would be of value and the perfect opportunity is there over the Christmas break for people to go into the schools and install them.

I have raised my final point with the Minister previously. It seems inevitable that additional money will be required for the ordinary school budget and the capitation grant early in the new year. Heating costs are going up and so are refuse costs, due to PPE, wipes, sanitiser and so on. Fundraising has inevitably fallen, and there is also the cost of room hire to consider. Will additional funding and capitation be provided to schools within this school year and if so, when?

Deputy Norma Foley: To go back to the air monitors, I am very confident of the practicality that exists in every classroom and I am confident about how ventilation is being operated by the school community. I reiterate that this issue is being dealt with by many bodies and many buildings have to cope with similar situations at present.

As the Deputy will be aware, the capitation grant increased by 2.5% in the budget for 2020-21, which is on top of a 5% increase in the previous year. I intend, if at all possible, to continue the trajectory of that increase going forward. That is important. Equally, substantial funding has gone into schools to address measures of a Covid-19 nature. That has helped schools considerably to do what needs to be done.

Schools Administration

26. **Deputy Matt Shanahan** asked the Minister for Education if the administration day currently allowed per week to teaching principals will be maintained into 2021; if there is a provision within the education service plan to support same going forward; and if she will make a statement on the matter. [40021/20]

Deputy Matt Shanahan: Will the administration day that is currently allowed to teaching principals be maintained into 2021 and, ideally, beyond that? All school principals are facing a very significant workload and Covid has only highlighted how difficult that is. There is a huge body of administration work to be done. Does the Minister have any thoughts on that?

Deputy Norma Foley: I acknowledge the huge contribution made by all school leaders, particularly during this academic year as they continue to work to ensure schools can operate safely. The Roadmap for the Full Return to School provides for comprehensive supports across a range of areas to allow for the safe and sustainable operation of schools. This package of supports totals some €557 million for the 2020-2021 school year and includes funding for additional staffing, management supports, enhanced cleaning, hand hygiene, personal protective equipment costs and increased capital works funding for schools under the Covid-19 response plans. As part of this additional funding, specific funding was provided, as the Deputy pointed out, to support principals and deputy principals who undertake teaching duties in primary schools. This funding provides each teaching principal with a minimum of one release day per week and release days for deputy principals in those schools that have an existing administrative principal for this school year. More than 1,700 primary schools with teaching principals have benefitted from the increase in release days.

These supports will remain in place for the remainder of this school year and the continuation of these supports will be considered as part of the ongoing measures required to support schools to operate in a Covid-19 context and to implement the control measure required to limit the spread of Covid-19 in our schools in line with public health advice and the annual estimates process for the next academic year.

Deputy Matt Shanahan: As the Minister notes, a great deal of work has been done by principals, deputy principals and boards of management. Looking at any school with 200 or 300 pupils, one can see the additional workload around procurement for Covid. I also wish to highlight the problem of recruiting people from assistant principal to take on the principals' workloads. Many assistant principals regard it as an onerous task. The administration of the role and how it is done needs to be examined.

I suggest the Department considers ongoing training, say in procurement or business consulting, for principals. It is very unfair that people can be elevated into a position that they might not have wanted to take but they felt responsible and now they find themselves in the middle of all these other governance issues which they have probably not been exposed to before.

Deputy Norma Foley: I appreciate the huge workload placed on the shoulders of school leaders and school communities. I recognise the importance of these additional days and how beneficial they have been. Now they have been given, we can see the excellent use to which they were put and how necessary a provision they were. The Department showed considerable foresight in putting them in place. I in no way underestimate their benefit or value. We will review the Covid-19 measures required for next year in the context of the budget but I am very conscious of the benefit of that measure.

There are various supports for principals and deputy principals, recognising the leadership roles that they play in schools. I do not underestimate their value or importance in schools.

Deputy Matt Shanahan: I appreciate that. Regardless of the days, which are ongoing, and the administrative supports, some continuous training in governance would be a great help to teachers. Hopefully these release days will continue into 2022 to help with the onerous burden borne by principals.

Deputy Norma Foley: I appreciate the Deputy's points. In the context of Covid-19, a series of webinars was put on on the specific demands placed on principals and school leaders.

Webinars were also available to the school community, including parents with children returning to school. They will continue in the context of Covid-19.

Special Educational Needs

27. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education her views on whether special educational units in mainstream schools are not suitable for all children with additional needs; and her plans to increase special educational places and to open new special schools. [39971/20]

Deputy Donnchadh Ó Laoghaire: It is very positive that additional ASD units are being opened in schools across the State. Undoubtedly, we need many more. The demand for units is constantly growing. However, my question focuses on the fact that while those units fulfil a very important role, they are not suitable for everyone. I am concerned that we are not building enough special schools and that there may be some resistance to these schools, not from the Minister of State but from others. What are the Minister of State's plans in this area?

Minister of State at the Department of Education (Deputy Josepha Madigan): It is my belief that children with special educational needs should receive their education in placements which are appropriate to their needs alongside their peers wherever possible unless such an approach would be inconsistent with the best interests of the individual child or other children in the school.

This approach is consistent with the provisions of the Education for Persons with Special Educational Needs, EPSEN, Act 2004.

My Department's policy is therefore to provide for the inclusive education of children with special educational needs in mainstream schools. The majority of children with special needs attend mainstream education with additional supports. This policy is supported by significant investment by Government which amounts to €2 billion or 20% of the total education spend. This funds the provision of additional teachers, special needs assistants and other supports required to enable children with special needs to access education.

Only where it has been assessed that the child is unable to be supported in mainstream education are special class placements or special school placements or ASD units, recommended and provided for. Therefore it is not the case that special educational placements are required to support all children with special educational needs, nor is it intended that this should be the case.

My Department will continue to provide for a continuum of provision, which includes ASD units, special class and special school places for children who have been assessed as needing such placements.

The Department's school building programme is focused on providing the additional school places to ensure that every child, including children with special needs, has a school place. This includes opening new schools and extending existing schools in areas where more school places are needed to meet the growing number of children living in these areas.

Funding is also available to schools to establish special classes within existing accommodation. Schools may apply for capital funding to re-configure existing spaces in their building to

accommodate the class or to construct additional accommodation.

Deputy Donnchadh Ó Laoghaire: I agree with every word of that response but the key part that we need to drill into is the part that says where it is assessed that it is not possible or suitable for a child to be educated in such a unit and that they have a greater or different need. Generally, that relates to special schools. There is concern among those involved in special schools and in units that there is resistance to the opening of additional special schools. My experience from a number of areas, but I speak particularly of my own constituency in Cork, is that there is a need for probably at least two additional special schools in Cork city and perhaps another in the county. People involved in existing special schools have waiting lists of five years. Naturally, that has a knock-on effect. If a child who needs a place in a special school, which would be the optimum place for them, cannot obtain that place, and they are in a unit, then that place in a unit is potentially denied to a student who does not have any special educational placement. Will the Minister of State confirm that there is a need to build additional special schools?

Deputy Josepha Madigan: The policy of the Department and the National Council for Special Education, NCSE, is to explore, find out and discover how many special needs places are needed whether it is in special classes, special schools or a child with special needs being integrated into a mainstream class. The Deputy mentioned Cork. St Mary's Special School in Rochestown accommodated an additional six or seven children this year. There are 311 special educational needs classes in total in Cork. There are about 260 ASD classes specifically, including early intervention. The Department has been in discussions with the NCSE, school management and the Cope Foundation through Scoil Aislinn about a possible expansion of places. The Department always looks at short term options and will explore Cork city centre for availability, as well as medium term options including greenfield sites for modular buildings and there are also long-term options.

Deputy Donnchadh Ó Laoghaire: I am aware of much of that. Some positive things are happening in the special education sphere in Cork albeit that it is coming from one of the lowest bases. It is in a very challenging place even compared with other parts of the country. The Minister of State mentioned greenfield sites. Some special schools are in buildings that are just not fit for purpose. They need a greenfield site just to accommodate the children in the schools now.

There has been a lot of talk about the New Brunswick model and the full integration of all children into the mainstream education system. We can talk about these things in the abstract, but in the context of the education system we have with the school buildings and resources that are in place, we are a very long way from being able to deliver that. We need to look at the needs that currently exist. That includes additional primary and post-primary capacity, but it also has to include special schools. Whatever about specific areas, does the Minister agree that there is scope for additional special schools and that they may be needed?

Deputy Josepha Madigan: At this point we cannot rule anything in or out. The National Council For Special Education, NCSE, is due to come back to me with its conclusive policy advice on an inclusion model for the Irish system. I like to talk about the Irish model as distinct from any other model. The Deputy will be aware that in this budget we secured funding for the expansion of the school inclusion model into two additional community healthcare organisation areas. That will start in September 2021. This is a multidisciplinary approach which will revolutionise the experiences of children with special needs in this country. There will be speech and language therapists, occupational therapists and behavioural crisis practitioners. All of that is already underway. It is important to bear in mind that in keeping with children's needs,

special schools and special classes have different criteria to mainstream schools. This is always about the best interests of the child.

Covid-19 Pandemic

28. **Deputy Richard O'Donoghue** asked the Minister for Education the provisions in place by her Department to police and address occurrences (details supplied); if students can be refused entry to school grounds; and if An Garda Síochána can be contacted to verify if the student in question has been overseas and take the necessary action with the child's parents. [40260/20]

Deputy Richard O'Donoghue: According to Government guidelines, students must not present themselves at schools if they have travelled internationally. Several reports have indicated that a small minority of parents are disregarding these guidelines. What measures has the Department of Education taken to counter these occurrences? Can students be refused entry to schools? Can An Garda be contacted to verify whether students have been overseas and can gardaí take action against parents?

Deputy Norma Foley: From Monday, 9 November, Ireland has implemented the EU co-ordinated traffic lights approach for those travelling into Ireland. In general this requires those returning to or entering Ireland from orange or red list countries to restrict their movements for 14 days. This includes school staff, parents and students, including students coming from abroad to attend school in Ireland. Restricting movements means staying indoors in one location and avoiding contact with other people and social situations as much as possible.

Schools have a duty of care to all their students and staff members. If a school has reasonable grounds for believing that its duty of care toward its staff and students is being undermined, it can refuse access to the student or staff member concerned during this period.

The whole school community is working together to create a positive and safe environment for teaching and learning in the particular and often challenging context of Covid-19. Ensuring that all students and their parents are made aware of the public health requirements as they relate to schools is very important. My Department, working with the education partners, has developed a range of information and resources for parents and students to reinforce the importance of the safety control measures in place in schools to minimise the risk of spread of infection. These measures are observed by all students. Contacting An Garda Síochána to establish the travel arrangements of students and staff is not considered appropriate.

Deputy Richard O'Donoghue: Can the Minister tell me who is responsible? Is it the principal, the teacher, the board of management or the chairperson? Does a teacher have to make these decisions? Ideally these children should be at school, but they are allowed to roam the streets without supervision during the day. Nobody wants that. I understand that a person must fill out a Covid-19 passenger locator form before entering the country. I am aware of a case where more than 50 passengers returned to the country from a wedding in Spain, taking a flight to the UK and a ferry from there. Members of many of these families were attending schools. How are the regulations enforced? Are schools issued instructions for such cases? Who makes the decisions? I need answers to these questions. We should issue guidelines to let schools know who should make these decisions.

Deputy Norma Foley: I cannot speak to the specific case the Deputy has raised because I am not familiar with it. In general, schools have a duty of care to their students and staff, as I have outlined. If there is a view that this duty of care is being impeded by the return of a student who has travelled abroad and is not observing whatever restrictions have been deemed necessary at that time, the school can act. Schools have every right to refuse access to anyone who has not fulfilled his or her obligation to restrict his or her movements. That has operated well throughout the school system. There are 4,000 schools with 100,000 staff and 1 million students. This issue has not been raised with the Department on an ongoing basis. As in all contexts, schools have sufficient practicality, wisdom and know-how to deal with these incidents. Parents have also exercised very good judgment. They have been highly responsible in how they have operated within the Covid-19 guidelines pertaining to travel and to any other areas.

Deputy Richard O'Donoghue: I acknowledge that we are talking about a minority, but this minority is holding communities and their businesses to ransom. The resilience shown by communities and businesses must be commended. I encourage the residents of towns and the surrounding areas to support the businesses which have shown courage and strength in keeping their doors open while making a loss. An Garda Síochána continues to work against this minority in our communities. A special mention goes to newly appointed Superintendent Aileen Magner and her team.

We have spoken about parents and children who have abided by all the guidelines. I am talking about the minority who have no regard for their lives or those of the people around them. I am concerned with how they are policed and how they affect the communities around them when they are not policed.

Deputy Norma Foley: I thank the Deputy. I appreciate the sincerity with which he makes this point. I reiterate that if a school has any suspicion that its duty of care is impeded by the actions of anyone within the school community it has an absolute right to refuse access. I have every confidence that those measures will be implemented appropriately by schools.

Covid-19 Pandemic

29. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education the criteria which the school-specific contact tracing teams will work off, including a clear outline of who will be identified as a close contact in the school setting; and if she will make a statement on the matter. [39972/20]

Deputy Donnchadh Ó Laoghaire: As the Minister knows, Sinn Féin supports keeping the virus out of schools and safely keeping them open. This necessarily means swiftly dealing with Covid-19 cases as soon as they arise within schools. It is good to know that there are school-specific contact teams, but we need more clarity on the criteria by which they will work. A lot of school staff and students have been in touch with me. They are concerned that they were not deemed close contacts though it seemed self-evident that they were. These people need peace of mind. What are the criteria for determining who is a close contact? Will these criteria be published? Are they being revised as part of the roll-out of school-specific tracing teams?

Deputy Norma Foley: I thank the Deputy. As he is aware, the management of confirmed cases of Covid-19 in schools is led by the HSE's departments of public health. The Department of Education and Skills does not provide guidance of a clinical or medical nature. The contact

tracing teams are led by public health professionals. The HSE Health Protection Surveillance Centre, HPSC, has published a definition of a close contact in an educational setting, which was communicated to all schools and their partners in education. I will outline that definition.

In accordance with current Health Protection Surveillance Centre guidelines, a clinical public health risk assessment will be undertaken for all educational settings where a confirmed case has attended whilst infectious. A public health risk assessment defines a close contact as any person who has had face-to-face contact within less than 1 m of a confirmed case of Covid-19 for more than 15 minutes in a school day, or any person who has been in contact between 1 m and 2 m of a confirmed case of Covid-19 for more than 15 minutes in a school day. Other mitigating measures including face coverings, pods, ventilation, infection prevention and control measures or uncertain compliance with other mitigating measures are also considered. Contacts are assessed from contact with a confirmed case of Covid-19 during the infectious period, 48 hours before the onset of symptoms if symptomatic or 24 hours before the test for Covid-19 was taken for those who are asymptomatic.

This definition is based on international public health guidance. It is the view of the HSE's departments of public health that the evidence available to date shows that schools are proving to be safe spaces for children and their staff.

6 o'clock

The department of public health has also facilitated webinars for school leaders on this and other public health messages. Furthermore, dedicated school teams have been enhanced to provide specific and dedicated supports to schools where there is a confirmed case of Covid-19.

The Department will continue to work closely with all the education partners and the public health system in order that schools can continue to be supported during this very challenging time.

Deputy Donnchadh Ó Laoghaire: I am glad to see the Minister engage with this - other Ministers would have taken the attitude that it was nothing to do with them - but I would like to see her engage with it more. She will be very aware that one of the key trade unions in the sector has made this a point on which it is engaging with the Department and the HSE on potential industrial action, which is a very serious thing we all want to avoid, I am sure. The issue of criteria is one of the key points, so if we accept that that is static and is not being reconsidered, that potentially creates a problem. There are also some contradictions, or at least difficulties, that have been created on the ground - for example, where more than one child in a school or a household contracts the disease. What is the date on which a child returns if another child at home has the disease?

Deputy Norma Foley: I should point out that I appreciate and understand absolutely why this is an area of huge concern. It is an area of huge concern not only within education facilities but in wider society as well. I acknowledge the very close working relationship and the excellent work undertaken by public health on care of our schools and incidents in our schools. We have enhanced the school teams. Obviously, they are still led by public health because it is public health's determination that qualifies everything within the school, but we have added to the supports of the public health teams for the benefit of schools. There are phone lines in place operating on a seven-day basis.

As for the issues the Deputy raised that the partners in education might have, again, there

are weekly meetings with the partners in education and public health. That is a very positive move and, I think, one that has been very positively embraced by the partners in education also.

As for the updating or changing of guidelines, public health has the freedom to constantly review and update guidelines as needs be. When they do that, we act accordingly.

Deputy Donnchadh Ó Laoghaire: Weekly meetings are valuable but there needs to be progress as well. One of the issues is communication. Part of this is the communication at a local level between the HSE and the schools. There are schools the Minister will know that have expressed frustration about that. In some instances it has worked perfectly and in other instances it has not worked so well, and I am sure she will be aware of some of those instances. There is a balance to be struck here, but there is scope under regulation 11 of the Infectious Diseases Regulations 1981 and Article 9 of the GDPR. In light of the overarching objective of public health, I think there is discretion for better communication between the HSE and the school. I think this would help in certain cases. However, there is also to some extent on a global level, in the overall picture, not enough communication, and the Minister has a bit more to contribute here. It was welcome to see her on the After School Hub, but I wrote to her a few months ago about some of the weekly briefings. We need more communication from the centre on the overall picture because when that is not there, there is a vacuum, and in that vacuum there exists speculation. I am sure the Minister will be aware of much of this. We need to nip this in the bud.

Deputy Norma Foley: As I said, and I will reiterate it, there has been huge engagement between public health and schools. The school teams process is working particularly well and to general acceptance all round, including partners in education and schools on the ground. The school teams are doing a very good job, and that has improved and added to communication levels between schools and public health. Equally, the provision of webinars for school leaders and information being made available have also been very positively embraced. Officials from my Department meet with the partners in education and public health on an ongoing basis to address any individual and general queries they might have.

Ceisteanna Eile - Other Questions

Covid-19 Pandemic

30. **Deputy Francis Noel Duffy** asked the Minister for Education the measures in place to ensure adequate heating and ventilation in view of Covid-19 guidelines in schools temporarily accommodated in prefabs. [39982/20]

Deputy Francis Noel Duffy: I thank the Minister for taking my question. What measures are in place to ensure adequate heating and ventilation in schools temporarily accommodated in prefabs in view of Covid-19 guidelines? Schools are doing their best to ensure students are in the safest environment possible. As advised by the Department, teachers are encouraged to keep windows and doors open to allow for ventilation. However, without adequate heating infrastructure, this often means teachers and schoolchildren are left extremely cold.

Deputy Norma Foley: Practical steps for the deployment of good ventilation practices

were provided to schools in August in the context of reopening for September 2020. This guidance has recently been reviewed and was circulated to the education partners for their feedback. The updated guidance has now been published.

As for good ventilation practices in schools, it is important, particularly as we get further into winter, that we achieve an appropriate balance between good ventilation and comfort in schools. The overall approach for schools should be to have windows open as fully as possible when classrooms are not in use - for example, during break times, lunchtimes and at the end of each school day - and partially open when classrooms are in use to achieve appropriate airflow. It is worth noting that windows do not need to be open as wide in windy or cold weather in order to achieve the same level of airflow into the classroom. This will assist in managing comfort levels in classrooms, including in prefabricated accommodation, during periods of colder weather.

As part of managing comfort levels in classrooms, schools should check that their heating systems are set according to the recommended manufacturer's guidance levels to maximise the available heat to the school. In addition, heating should operate for extended periods during colder weather to counteract as best as possible the impact of windows being open - partially when classrooms are in use and fully when not in use - in order to maintain an appropriate balance between ventilation and comfort levels.

Deputy Francis Noel Duffy: The issue of capacity and availability of resources to accommodate students comfortably brings me to my next point about the broader challenges schools have faced adapting to Covid-19 guidelines. Some schools have had to undertake significant remedial works in a short amount of time using the limited minor works funding and are still struggling to accommodate students in appropriate teaching environments. Can the Department advise whether minor works grants will be available next summer to conduct works outside of Covid-19, whereby the minor works grant can be used for typical summer projects that normally use this funding? The minor works funding is primarily there to allow schools to maintain their buildings. Covid-19 will mean that schools have effectively lost this funding for two years.

Deputy Norma Foley: The minor works grant has been paid twice this year into schools. It was paid in August and will be paid again in December. It gives schools the autonomy to do what needs to be done or whatever they might specifically identify within the school that requires work. This can be a very wide capacity of work. It can be limited to one area or can be finance that is disbursed into a variety of projects within the school. That is a very positive movement for schools, and the uptake of it has been exceptional and has been greeted very positively by schools. Of course, if there are other works to be done, there is also the emergency works scheme and the summer works scheme, but to date there has been no question of funding not being made available to schools for work that needs to be done.

Deputy Francis Noel Duffy: Unfortunately, for many schools the minor works grant does not allow them to adequately accommodate schoolchildren in adherence to Covid-19 guidelines. Many schools have had to undertake significant structural changes to ensure that students arrive to a safe environment. I have witnessed this. Will the Department support schools, particularly DEIS schools, in undertaking significant remedial works necessary to accommodate students safely in cases in which the minor works grant is not enough? This is having an impact on Sacred Heart Senior National School in Killinarden, as I am sure it is in other DEIS schools across the country.

Deputy Norma Foley: Regarding the minor works grants, we are talking about an allocation of €75 million in August and €15 million now in December. A school with 1,000 pupils, for example, would have received €110,000 in the first tranche last August. There is substantial funding going into schools. As I stated, more funding is to come in December. However, I will take the details of the specific case raised by the Deputy. Obviously, where there are other extraordinary measures we ask schools to revert to the Department in order that we can consider individual cases. I wish to be clear that there has been a general acceptance without contradiction that the amount of money - now in excess of €500 million - that has been provided to schools for a variety of works, such as minor works, provision of payment for PPE or whatever else is required in the schools, has been quite remarkable.

Schools Building Projects

31. **Deputy Brendan Smith** asked the Minister for Education when approval will issue in respect of a building project for a school (details supplied); and if she will make a statement on the matter. [40010/20]

Deputy Brendan Smith: My question relates to Coláiste Dún an Rí in Kingscourt, County Cavan. The school opened in August 2016 and has already exceeded its capacity. The projected attendance at the school was 450 but, after five years, the current enrolment is 530. The indications are that the enrolment numbers will continue to grow. It is a highly regarded school that has been very successful. Cavan and Monaghan ETB, the school, the board of management and the wider school community are very anxious that the application for additional permanent accommodation should be progressed by the Department as soon as possible. I appreciate the opportunity I had to discuss the matter with the Minister some months ago.

Deputy Norma Foley: I wish to acknowledge the Deputy's personal interest in moving this issue forward and his engagement with me on the matter on several occasions. I can confirm that the Department is in receipt of an application for additional school accommodation from the school authority referred to by the Deputy. The application is currently being assessed and, once it is completed, the school authority will be informed of the outcome.

When capacity issues arise, they may not be as a result of a lack of accommodation. They may be driven by certain other factors, such as a duplication of applications if pupils have applied for a place in several schools in the area. Another factor may be that pupils are unable to get a place in their preferred school but there are places in other schools in the town or area. Some towns or areas have single-sex schools and although places may be available in such schools, they may not be available to all pupils. There is also the issue of external draw, that is, pupils coming from outside the local area. The true extent of any capacity issue will only become known once these issues are discussed with the relevant school authorities.

Similar to the process adopted in advance of the current academic year, my Department is engaging with patron bodies, including the patron in question, to identify particular capacity requirements for the forthcoming year which may necessitate action.

Deputy Brendan Smith: I was closely involved with former Deputy Batt O'Keeffe, a predecessor of the Minister's, in getting the school approved for Kingscourt. There was much cynicism that there was no need for a school in the area. The projection at the time by the Department and the vocational education committee was that an enrolment of 450 would be adequate

capacity. Thankfully, the current enrolment is 530 and the projected enrolment for 2024 is 815. Thankfully, there is substantial employment in the area. There has been significant growth in population and each of the feeder primary schools has recorded a growth in enrolment in recent years. With the continuation in movement of population to the area and in light of the number of houses being built there, it is evident that the feeder primary schools will continue to grow, which will provide more and more students for Coláiste Dún an Rí. I had the opportunity to visit the school some months ago after classes had finished for the day and I saw at first hand the pride that the principal and all the staff take in ensuring that the best possible educational services are delivered to all students attending the school.

Deputy Norma Foley: I am aware that when the school opened in 2016 it was to cater for 400 pupils and its current enrolment is 530. There has been significant growth there. I know the application has been with the Department since April 2019. For the information of the Deputy, discussions are ongoing with the ETB to agree the long-term projected enrolment for the school. I am informed that this process is very close to completion. I am aware that the application the school has made is for 11 general classrooms and eight additional specialist rooms. On the positive side, the discussions with the ETB to finalise the projected enrolment so that we do not find ourselves in a similar position further down the line in terms of capacity and enrolment are nearing completion.

Deputy Brendan Smith: I thank the Minister. At the request of Councillor Clifford Kelly, the chairman of the board of management of Coláiste Dún an Rí, I met the parents association and some of the school staff. The pride they take in their school was clear, as were the precautions they put in place. Every safety guideline they have been given by public health and the Department regarding the provision of education at the present time has been implemented very strictly.

Councillor Kelly has been a powerful advocate for the school for many years. I have worked closely with him and other public representatives and the local community. John Kearney, the CEO of Cavan and Monaghan ETB, and his colleagues, along with Fergal Boyle, the principal of the school, and his staff colleagues all work together as a team. They are determined to get this application over the line to have that additional accommodation provided.

I am aware of the long-term projections the ETB provided in its application. I did some homework on the matter and I have to say the projected enrolment of 815 by 2024 is relatively conservative. I have no doubt that the people who provided the Department with the application are absolutely solid and that additional accommodation is needed. I would appreciate it if the matter could be advanced as soon as possible.

Deputy Norma Foley: I appreciate the work that has been done to date. The Deputy referenced many individuals who have contributed to the development of the school. The fact that its enrolment went from 400 to 530 and is now projected to rise further is testament to the hard work, determination and generosity of so many who were willing to work on a common agenda, namely, the betterment of education provision in an area. I wish to acknowledge that. The Department is currently finalising with the ETB the projected figures. They will be adjudicated on as quickly as possible. I thank the Deputy for his determination and focus in moving this issue forward.

Special Educational Needs

32. **Deputy Pauline Tully** asked the Minister for Education the position regarding the Education of Persons with Special Educational Needs Act 2004 which, despite being a central pillar of the national disability strategy, has never been fully commenced, meaning that children with disabilities cannot access assessments with a right of appeal or individual education plans on a statutory basis; if she is satisfied with the lack of progress in respect of the Act; the action she will take to fully commence the Act; the timeframe for this action; and if she will make a statement on the matter. [40164/20]

Deputy Pauline Tully: I ask the Minister of State to outline the position in respect of the Education for Persons with Special Educational Needs Act 2004, more commonly referred to as the EPSEN Act. It has never been fully commenced despite it being a central strand of the national disability strategy. Children with disabilities and learning needs cannot access assessments with a right of appeal or individual education plans on a statutory basis. Do the Minister of State and the Department have any plans to fully commence that Act?

Deputy Josepha Madigan: Several sections of the Education for Persons with Special Educational Needs Act 2004 have been commenced. The commenced provisions include those establishing the National Council for Special Education, NCSE, and those providing for an inclusive approach to the education of children with special educational needs. As the Deputy stated, the remaining sections of the Act have not yet been commenced. However, the Government has continued to invest in the area of special education support.

Next year, the Department will invest approximately €2 billion in the area of special educational needs. That is one fifth of the Department's budget and an increase of more than 50% since 2011. Since the EPSEN Act was enacted, the Department's policy on supporting children with special educational needs has changed and evolved on foot of evidence-based policy advice from the NCSE which takes account of international perspectives. Significantly, the focus of special needs education provision has changed from a model that is diagnosis-led to one which is driven by the needs of the child. This is a substantially different view from the one underlying the EPSEN Act. The levels of investment by the Government in special education have increased to facilitate the underlying reforms required to implement and embed the needs-based approach. This change is evidenced by the introduction of new allocation models for special education teachers and special needs assistants.

The Deputy may recall that I recently published my action priorities for the coming years. One of those key objectives as Minister of State with responsibility for special education is to carry out a review of the EPSEN Act. This review will take into account the extent of additional investment made in special education services since 2004 and the move towards a needs-based approach. I will also work with colleagues in the Government to ensure there is a joined-up approach and a continuum of support for all children with special educational needs.

Deputy Pauline Tully: As the Minister of State mentioned, some aspects of the Act were commenced, such as that providing for the establishment of the NCSE. I understand the NCSE prepared an implementation report back in 2006 that set out the sequence in which the remaining provisions of the Act should be commenced and estimated a level of investment, at that time, for their implementation. It was planned to implement the remaining provisions by 2010 but a decision was taken in 2008 to suspend that implementation. I am not sure exactly why that was done. It may have been to do with the level of investment that was required. An indepen-

dent appeals element was established in the form of the Special Education Appeals Board, but when the term of the inaugural board was up, no new board was formed. It just seemed to end at that point and there were elements that were supposed to commence which did not.

The Minister of State outlined the level of investment that is in place and pointed to changes that have been made. There has been much speculation around when the Act will be fully implemented and calls by a number of representative groups, on behalf of children with special needs, for a full commencement. Will the Minister of State undertake to publish a plan indicating whether the remainder of the Act is to be implemented or if something will be put in place? We need to know exactly what is intended to be done.

Deputy Josepha Madigan: The Deputy will appreciate that I only recently published my action priorities. As I said, one of those priorities is to conduct a review of the EPSEN Act in its entirety. The premise of the review is that in the 16 years since the enactment of the Act, we have moved substantially away from the diagnosis-led model to a needs-based model. One of the reasons that some provisions of the Act were not commenced was a cost consideration. The NCSE and the Department estimated that, over a period of years, it would have cost some €235 million per annum to implement and commence all Parts of the Act that have not yet been commenced. My review will involve an assessment of the areas where special education needs policy has evolved since the introduction of the Act and a consideration of how best to progress aspects of the Act on a non-statutory basis. I will also be looking at new challenges in the area of special educational needs that have arisen since 2004.

Deputy Pauline Tully: The failure to implement the Act fully or put something similar in its place runs contrary to the UN Convention on the Rights of Persons with Disabilities. Under Article 4 of the convention, the Government is obliged to ensure that children with a disability are not excluded from the general education system on the basis of their disability. We need to provide a more inclusive society in all aspects of life and that includes education.

The new Oireachtas Joint Committee on Disability Matters, which was established last month, has a very important role of overseeing the full implementation of the convention. At a recent meeting of the committee, I asked a question about the future of the EPSEN Act. The representative of the Irish Human Rights and Equality Commission replied that it was the view of the commission that the Act was outdated and not fit for purpose. The representative of the National Disability Authority, however, said that the Act needs to be fully implemented in order to fulfil our role under the UN convention. Which view is correct? I accept that the provisions of the Act will need to be updated to reflect, as the Minister noted, that 16 years have passed since its introduction. However, it remains the case that, where it is practical, we need to integrate children with disabilities into mainstream education. We know mainstream provision does not suit all children with special needs but, where it does and where children choose to avail of it, we must ensure they have the support to allow them to access mainstream education.

Deputy Donnchadh Ó Laoghaire: I have two questions concerning certain things that are happening at this time. The first relates to the new model for the allocation of special needs assistants. My experience is that where schools experience a sudden relative increase in the number of children with identified special needs in a classroom, the model is not responsive enough. It was previously the case that if a child with autism joined a class, he or she would be guaranteed to be assigned an SNA. That does not seem to be the case at the moment. In addition, there is still a bias against girls in the allocation of SNAs and special education teachers. I have never understood the basis for that bias and I still do not understand it. Will the Minister

of State comment on that issue?

Second, the Minister of State mentioned some of the changes that may be coming under the progressing disability services programmes, including the establishment of disability teams. A significant concern of special schools is that they will lose their multidisciplinary teams under these changes. Can the Minister of State give a commitment that this will not happen as the progressing disability services initiative is expanded throughout the country?

Deputy Josepha Madigan: Taking Deputy Tully's questions first, the review I intend to conduct of the EPSSEN Act will be a review of the legislation in its entirety, including the Parts that have been commenced. It is my view that section 2, which relates to inclusive education, still stands. It states:

A child with special educational needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with-

(a) the best interests of the child as determined in accordance with any assessment carried out under this Act, or

(b) the effective provision of education for children with whom the child is to be educated.

That sums up the approach in regard to special education in general in a nutshell. I will be using it as the premise on which I conduct my review.

I understand Deputy Ó Laoghaire has tabled a later question specifically relating to the provision of SNAs. I will check out the bias to which he referred in regard to special needs provision for girls. On the allocation of SNAs, it is always open to schools to engage with the exceptional review process if they feel they have not received a sufficient allocation of SNAs. The numbers were frozen for this year and there was no impact because of Covid. I secured an allocation of €14.7 million in the budget to allow for the immediate replacement of an SNA who is absent for any reason.

School Transport

33. **Deputy Michael Moynihan** asked the Minister for Education if she is satisfied that her Department is working with parents to address the transportation needs of pupils with disabilities; and if she will make a statement on the matter. [40092/20]

Deputy Michael Moynihan: My question relates to the Department's arrangements for working with parents to address the transportation needs of pupils with disabilities.

Deputy Norma Foley: School transport is a significant operation managed by Bus Éireann on behalf of my Department. In the 2019-20 school year, more than 120,000 children were transported in over 5,000 vehicles on a daily basis to primary and post-primary schools throughout the country, covering more than 100 million km at a cost in excess of €219 million in 2019.

The Department is very conscious of the specialised nature of transport provision for chil-

dren with special educational needs and this is reflected in the approach that is taken. In the current school year, there are more than 14,500 children availing of special needs school transport, which is an increase of 5,300 children since 2013. The Department funded the school transport scheme in 2019 in the amount of just over €219 million, with 53% of that allocated to the transport scheme for children with special needs.

The purpose of the special needs transport scheme is, having regard to available resources, to support the transport to and from school of children with special educational needs. Under the terms of the scheme, children are eligible for transport where they have special educational needs arising from a diagnosed disability and are attending the nearest recognised mainstream school, special class, special school or unit that is, or can be, resourced to meet their needs. Where practicable, my Department will consider the provision of specific or individual transport arrangements in circumstances where travel in the company of other children is not deemed feasible. In addition, there is a facility within the special needs transport scheme for the appointment of a school bus escort where a child's care and safety needs while on school transport are such as to require that support.

All eligible children are exempt from school transport charges. A special transport grant towards the cost of private transport arrangements may be provided at the discretion of the Department in certain situations where, for example, the child's care or medical needs are such as to make the provision of a transport service impracticable. While the closing date for receipt of applications for school transport in general is the last Friday in April of any given year for the following school year, my Department accepts applications all year round for the special needs transport scheme. As the Deputy may be aware, public health advice issued to my Department in late August recommended that all post-primary transport services operate at 50% capacity. That recommendation is being implemented across all special education services on which post-primary children travel. The special education transport scheme is providing for the transportation needs of pupils with disabilities.

Deputy Michael Moynihan: I thank the Minister for her reply. I have in mind two cases that have been brought to my attention which are probably a reflection of general issues with the scheme. In one of those cases, a pupil who was travelling to post-primary school for the first time applied for special transport and was accommodated on the taxi service that was being run to and from the school in question. Unfortunately, due to the child's needs, the arrangement did not work out and the parents have been doing the school run themselves. They have tried to switch from the taxi service to the special grant that is available for children with special needs but are finding it hugely difficult to get their application processed and obtain clear guidance on the matter from the Department. There should be some mechanism within the Department to deal with such applications. The Minister outlined the funding figures and the changes that have happened. However, it is a specialised type of transport for children who cannot travel with other children, for whatever reason.

Deputy Norma Foley: With regard to the case the Deputy referred to in respect of a special transport grant, I will outline exactly how that works. The special transport grant towards the cost of private transport arrangements may be provided at the discretion of the Department in situations where: Bus Éireann is not in a position to provide a transport service; where a child's age, behavioural difficulties or medical needs are such as to make the provision of a transport service impractical; an escort is considered necessary and the provision of such support is not feasible; or the cost of establishing or maintaining a service is considered prohibitive. Obviously, I am not familiar with the individual case, but if it meets any of the criteria, and perhaps

it does,-----

Deputy Michael Moynihan: It does.

Deputy Norma Foley: -----the Deputy might give me the details and I will ask my officials to investigate and expedite the matter. There is a clear acknowledgement in the Department that in some instances it is necessary for the special transport grant to be paid.

Deputy Michael Moynihan: I thank the Minister and appreciate her offer. I will take it up immediately.

The other issue relates to children who have attended a special school which is the nearest special school to them. However, their needs would be better met in a special school that is further away from them. The decision of the parents to transfer their child to the other special school is supported by documentation from consultants, professionals and people who assisted the parents in making the decision. It is also supported by numerous reports. The parents have sent all that to the Department of Education, but the Department has been reluctant to go outside the terms of the scheme or outside the nearest school issue.

I put it to the Minister that there should be flexibility in the Department when a decision that is outside the norm or not within the criteria of the scheme is supported by expert psychologists' reports and other information. There should be a mechanism there, as there is in other Departments with regard to *force majeure* and so forth.

Deputy Norma Foley: Again, to refer to the previous case the Deputy raised, there is considerable flexibility and an acknowledgement in the Department that one size does not necessarily fit all. For that reason, as I pointed out with regard to the special transport grant and the various criteria, the criteria are quite wide in terms of eligibility and making provision for personally providing transport for children based on their specific needs or Bus Éireann's capacity. With regard to the nearest school and issues that might arise there, a review of the entire transport scheme is pending.

On the case referred to by the Deputy, I would be pleased if he would give me specific details about the individual concerned and the needs required. I will give a commitment that we will examine the individual case.

Special Educational Needs Staff

34. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if a high-risk SNA can work from home during the lockdown restrictions if the management team of a school agrees to same. [39977/20]

Deputy Donnchadh Ó Laoghaire: I am not sure whether the Minister or the Minister of State will reply to this question. I have a specific case in mind, but it applies to the broad issue of school staff and high risk versus very high risk. As I have pointed out previously, very high risk is a very high threshold and many people who are severely immunocompromised with conditions such as leukemia and others are deemed high risk. They are concerned. In some instances, schools want to offer them more flexibility, but they are not permitted to do so at present.

Deputy Josepha Madigan: I can take the question if it relates specifically to SNAs. My understanding is that it does.

Deputy Donnchadh Ó Laoghaire: The same principles apply, so I will take whatever reply the Minister of State has.

Deputy Josepha Madigan: There is an occupational health service provision specifically for teachers, and that would include SNAs, as essential workers. Those who are at very high risk can take Covid leave, but those who are at high risk should be at work. That is the position. Every school has a lead worker representative whose role is to represent staff. Somebody should not miss work for Covid reasons if he or she is high risk. It is only if the person is at very high risk that he or she should not work.

The person could ask the occupational health service providers, Medmark Occupational Healthcare, to review his or her status if he or she has concerns. Medmark Occupational Healthcare has a process in place for staff who have health concerns, which the Deputy enunciated. There has been comprehensive and intensive engagement with education stakeholders, including school management bodies and staff representatives, to ensure that schools open safely. Each school has a Covid-19 response plan and included in that are practical steps to minimise and prevent the risk of infection. That is the status in that respect.

It is important to stress, as I have stressed to the Deputy on a few occasions, that when we reopened the schools we put aside €14.7 million specifically for SNAs, caretakers and school secretaries so there would be an immediate replacement of those SNAs. Obviously, their role is essential. I thank them for all the work they have done to date in keeping the schools open and, in particular, looking after children with special needs because those children simply cannot function in a school environment without an SNA present. Their work is vital.

Deputy Donnchadh Ó Laoghaire: I will speak first about the case I have in mind, although anonymously with regard to the brass tacks. This SNA is high risk. I would deem the person to be very high risk in the ordinary meaning of the words, but the person has not met that threshold with Medmark Occupational Healthcare. The person's doctor, principal and the board of management agree that it is not safe for the person to return to school. However, due to the process in place, the person must go in every day and potentially risk the person's health in doing so or the person would have to take the decision to take a leave of absence. The principal was more than happy for the person to be paired with a medically vulnerable student - it would have suited everybody in the equation - to learn from home and for the learning to continue online in the instance of high infection in the community. I believe there is a rigidity in that regard. The overall philosophy regarding where one can attend and where it is safe for one to attend is right, but there is a rigidity in terms of the harder cases. I will return to that in my final contribution, but we need to consider it.

Deputy Josepha Madigan: I appreciate the sentiment of what the Deputy said. That is one of the reasons we provided €30 million in the school reopening plan for personal protective equipment, PPE. PPE is critical for the role of the SNA and for the SNA to carry out his or her functions not just adequately but safely. Often the SNA moves from room to room and he or she needs a medical-grade mask when he or she is within 2 m of a child with special needs.

I understand what the Deputy is saying about the rigidity of the process, but, as I said in my initial contribution, the person can ask Medmark Occupational Healthcare to review the

person's status. I imagine that Medmark Occupational Healthcare should take into account the views of the board of management and the principal of the school to sustain that status. It may well be the person is very high risk as opposed to high risk and, therefore, is not in a position to work in the normal course of events.

Deputy Donnchadh Ó Laoghaire: I am glad the Minister of State referred to PPE. It is still my view that all SNAs should be provided with the medical-grade masks mentioned by the Minister of State. For the vast majority of SNAs, the instances in which they will be moving to within 2 m of children or outside it occur very frequently throughout the day. It is the easiest and most sensible thing to do.

The problem with the Medmark Occupational Healthcare process and the appeal, and I understand that very few have been successful on appeal, is that they are related to the same criteria and the same categorisation. Very high risk is a very high threshold. High risk is a broad category ranging from mild asthma to leukemia, liver failure and other similar conditions. The fact that somebody gets a review does not necessarily mean that it takes an overall view of this individual member of staff and says it would probably be better, in the circumstances, if the person was at home. It only refers to whether the person has one of the conditions that qualifies the person as very high risk. Ultimately, it does not change matters.

When Dr. Ronan Glynn was before the Covid committee he told me that regardless of the categorisation by Medmark Occupational Healthcare, each person must be treated as an individual with his or her own specific set of circumstances. We need a bespoke approach in the minority of cases where the Medmark process proves to be too blunt and people are at the higher end of high risk but do not qualify for very high risk.

Deputy Josepha Madigan: I appreciate the sentiment expressed by the Deputy and the fact that he has a particular person in mind in this regard. I stress the fact that, in addition to the Covid-19 response plan, which each school has, schools also have at least one lead worker representative whose role is to represent staff and people in the predicament the Deputy outlines. The role of an SNA in particular is crucial. We have grown the amount of SNAs by 78% since 2011 and one of the things we want to ensure is that every SNA is in a position to look after children with special needs, so it is of particular importance to me that they are adequately protected. Deputy Ó Laoghaire mentioned medical grade masks. Obviously, SNAs should be wearing those or surgical masks where they are within 2 m or a proper visor of suitable quality for a healthcare setting, if it is not practical to wear a mask for any reason. That should protect them from getting infection or infecting somebody else.

Question No. 35 replied to with Written Answers.

School Uniforms

36. **Deputy Mick Barry** asked the Minister for Education if she will consider initiating an investigation into allegations that females in a school (details supplied) were asked not to wear certain items of clothing due to them allegedly being revealing; if she will report on measures taken to counter sexist attitudes in schools; and if she will make a statement on the matter. [40068/20]

Deputy Mick Barry: The question is to ask the Minister if she will consider initiating an

investigation into allegations that females in a school were asked not to wear certain items of clothing due to them allegedly being revealing; if she will report on measures taken to counter sexism in schools, and if she will make a statement on the matter.

Deputy Norma Foley: In the case referred to by the Deputy, the Department of Education has made initial contact with the school and is engaging further to establish the facts in this case in order to provide a report for my attention.

It is important to note that decisions on school uniform policies are a matter for the school's board of management at local level. Schools are advised to consult with parents and students when drafting a policy on uniforms. My Department provides funding and policy direction for schools. It has legal powers to investigate individual complaints where the complaint involves a refused enrolment, expulsion or suspension, in accordance with section 29 of the Education Act 1998. The Department's role is also to clarify for parents and students how their grievances and complaints against schools can be progressed.

With regard to the broader question posed by the Deputy, I agree that there is no place for sexist attitudes in Irish society, including in our schools. The Department has been working along with other Departments and agencies to support the full implementation of the National Women and Girls Strategy 2017-2020. The vision of the strategy is "an Ireland where all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life". The overall goal of the strategy is "to change attitudes and practices preventing women's and girls' full participation in education, employment and public life at all levels, and to improve services for women and girls, with priority given to the needs of those experiencing, or at risk of experiencing, the poorest outcomes."

It is the aim of the Department that every child has access to equitable education and that each learner feels safe and happy in the school environment, at every stage. The curriculum at both primary and post-primary levels aims to foster inclusivity where equality and diversity are promoted. Attitudes towards gender are primarily explored in the social, personal and health education, SPHE, curriculum. This is addressed in an age-appropriate manner from primary level through to senior cycle. At each level, multiple strands of the SPHE curriculum examines gender roles and stereotyping and their adverse effect, in particular regarding gender effects. As a part of the curriculum, students explore and deepen their awareness of stereotyping and its influence on attitudes and behaviour.

Deputy Mick Barry: The school in question is being asked for a report. Are the school authorities alone being asked to supply the report or is contact being made with the student body to get a report and information back from it? Something happened in that school. Would a petition come forward to be signed with thousands of names for no reason? It appears that protest took place in the school, including boys coming into school wearing leggings and skirts in solidarity with the girl students. People would not do this for no reason. It is not credible to say that nothing happened or that it was a misunderstanding. I am raising a question about that. I think questions need to be asked and information needs to be got, not just from the school authorities but from the student body itself. As part of the report, I would also like to know if any of the boys who took part in the protest were suspended, how long they were suspended for and why.

Deputy Norma Foley: It is important that in any incident that pertains to a school that each school is given the time and space to address the situation as it arises and to make a determina-

tion. My Department has already engaged with the school and it will continue to engage with it. A report will be furnished to me once that engagement is concluded. The engagement is in the first instance with the board of management, which has responsibility for the day-to-day running of the school. Deputy Barry will be aware that the board has autonomy in the running of the school. As I outlined to the Deputy, the Department primarily has control over the policy and funding of a school, and in particular instances where an individual complaint involves refused enrolment and expulsion or suspension. In terms of the current report, the initial engagement with the school involves a determination of what occurred, how it occurred, who was involved and who was impacted. When the report is available to me, I will study it in due course.

Deputy Mick Barry: On the broader issue of sexism in schools, I think it is fair to say that young people in general, including teenagers, have been ahead of the curve in Irish society on social issues. They were ahead of the curve on LGBT rights, including gay marriage. They were ahead of the curve on abortion rights. I think they are ahead of the curve on sexism in schools as well. They ask many legitimate questions about policies in school, including policies on uniforms, sport in schools, subject choice, the rights of trans students in schools and how seriously some school authorities take the question of sexist name calling. Overwhelmingly, the victims of sexism in schools are girls and non-binary people, although boys can be affected by sexist stereotyping as well, for example, school bans on long hair and the wearing of earrings, among other issues. What measures have been taken and what measures does the Minister intend to take to address this issue, which I believe is a feature within the school system?

Deputy Norma Foley: I concur with Deputy Barry on the importance of the student voice, which is immeasurable in the school community. Testament to that is the manner in which the student voice is very much integrated into all actions within the Department in terms of consultation with the education partners. Deputy Barry will be aware that the student voice was a critical one in the calculated grades process. The student voice was represented at every step of the way. In the first instance, the proposal on calculated grades came from students themselves. That is equally the case in curriculum reform. The student voice is embedded in the consultation process that is undertaken by the National Council for Curriculum and Assessment, NCCA, and in other initiatives of that nature.

The entire curriculum that is provided in schools is considered to be for all learners, regardless of race, religion, ethnicity, socioeconomic background, gender or orientation. It is the aim of the Department that every child has access to equitable education and that every learner feels safe and happy in the school environment at every stage of their experience of the school environment. The curriculum at both primary and post-primary levels aims to foster inclusivity where equality and diversity are promoted.

An Ceann Comhairle: I am sorry, but we must move to Question No. 37.

School Staff

37. **Deputy Rose Conway-Walsh** asked the Minister for Education her views on whether cleaners are critical staff in the running of schools; her plans to provide pension rights to long-service cleaners; and if she will make a statement on the matter. [40006/20]

Deputy Rose Conway-Walsh: I wish to ask the Minister whether, in her view, cleaners are

critical staff in the running of schools, and if that view will be reflected in how she approaches pension reform for long-service cleaners. Cleaners have always played a central and vital role in schools but, with Covid, their importance has increased. Does the Department have any plans to move cleaners into the public service pension scheme to reflect their critical role in the health and safety of children?

Deputy Norma Foley: I recognise the important role cleaners play in the successful operation of schools in every year, but particularly so in the Covid-19 context. I am very conscious of the superb work done on an ongoing basis by the cleaners in our schools.

Currently each school is required to have a Covid-19 response plan for safe operation through prevention, early detection and control of Covid-19 in line with public health advice. Cleaning is an important aspect of infection prevention and control measures in schools to minimise the risk of transmission of infection. Significant additional funding has been provided to all schools for putting in place additional cleaning, and funding is provided on a *per capita* basis.

As the Deputy may be aware, cleaners are employed directly by schools using the ancillary grant mechanism to schools. In education and training board, ETB, schools, cleaners are employed directly by that board. The provision of a pension is therefore a matter for the respective individual school or education and training board. Schools and ETBs, as employers, are obliged to provide access to a personal retirement savings account.

In line with the Government Roadmap for Pensions Reform 2018-2023, the Government has committed to developing and implementing a State-sponsored, automatic enrolment, supplementary retirement savings system by 2022. Under automatic enrolment, employees without personal retirement savings who meet certain age and earnings criteria will be automatically enrolled into a State-sponsored, quality-assured, supplementary retirement savings system, with freedom of choice, as always, to opt out.

Deputy Rose Conway-Walsh: To say we give schools the money and they are responsible for this is an abdication of responsibility. Whereas they are not legally defined as such, these people are certainly public servants. It is argued that they are not employees of the State, despite the fact that the body that employs them on a long-term basis is funded by the State. The third reason put forward is these people have not made public sector pension contributions throughout their working lives but they have not been given the right to do so. Like many others, these are undervalued workers inside our public services. I call on the Minister to review the position.

Deputy Norma Foley: I reiterate that I do not for one minute underestimate the value and importance of the work of support staff, and particularly the cleaners that the Deputy mentions. Cleaners are nonetheless employed directly by schools using the ancillary grant. It is the current operation. In ETB schools the cleaners are employed directly by the board. The provision of a pension is therefore a matter for the individual school, if these people are employed through the school and a capitation grant, or the individual ETB if the people are employees of the ETB.

I also reiterate that schools and ETBs, as employers, are obliged to provide access to the personal retirement savings account. Equally, as I have outlined, there is the roadmap for pensions reform, with a mechanism anticipated to be in place for 2022 for the automatic enrolment of people into a scheme. That should come on stream with an option to opt out.

Deputy Rose Conway-Walsh: We have heard all those arguments before. We heard them

in the cases of school secretaries and caretakers. Recently the Government finally agreed to sit down for talks to regularise the pay, conditions of employment and pension provision of school secretaries and caretakers, which is a welcome development. I look forward to an outcome that they have waited on for a long time.

These people are critical components of the educational system and they deserve to have this rightly reflected in work and pay conditions. The position for long-term service cleaners in schools is very similar. They are long-term employees of the public system and they do not currently have access to a public service pension. We have many cleaners in schools who have been there for decades. There is an unfairness within the system because they are not entitled to pension rights in the way other workers are. I ask the Minister to look at this position to see if it can be reviewed.

Deputy Norma Foley: As the Deputy mentions, many workers of long standing are contributing very positively and in a vital way to the school environment, especially in the Covid-19 pandemic. I know from personal experience that these people work on a very generous basis in a willing and positive way. They often go above and beyond the call of duty. I recognise this work, which I have seen for many years.

As it stands, cleaners are employed by schools through a grant mechanism or directly by an ETB. We will see how the automatic enrolment supplementary savings process works in 2022. As I mentioned earlier to Deputy Ó Laoghaire, everything is under review, but there is an acknowledgement that this is how it operates currently.

Special Educational Needs

38. **Deputy Patrick Costello** asked the Minister for Education her plans for autism-specific schools and autism-specific services within mainstream schools; and the preference of her Department going forward. [39666/20]

Deputy Patrick Costello: I am curious to know the plans of the Department for autism-specific schools and the unique services they can provide for the children who need them. My concerns are of course with the dedicated campaigners for an autism-specific school and inclusion in the Dublin 12 area. Deputy Bríd Smith has been very supportive of them and would love to hear the reply to this question.

Deputy Josepha Madigan: I thank the Deputy. My Department's policy is to provide for the inclusive education of autistic students in mainstream schools to the greatest extent possible.

As we know, autism is a spectrum condition, so some autistic students require relatively little support in school and are largely independent in their learning, while others require significant levels of support. There is therefore not one preferred educational approach for autistic students and rather there is a range of provision, sometimes described as a continuum, which takes into account the assessed educational needs of individual students. All students with special education needs are served by this continuum of provision, ranging from full-time enrolment in classes in mainstream schools with or without additional supports to a special class in a mainstream school to full-time enrolment in special schools.

This continuum is supported by significant investment by the Government at €2 billion or

20% of the total education spend. This funds the provision of additional teachers, special needs assistants and other supports required to enable children with special needs to access education. My Department's policy is that new special schools are to be designated as "community special schools" and resourced to serve those children within the community who require special school placement rather than be limited to any specific category of disability.

The National Council for Special Education, NCSE, has been asked to provide policy advice on the future of special schools and classes and the advice is expected before the end of the year, as I mentioned earlier to Deputy Ó Laoghaire. The evidence-based advice will take account of local and international perspectives, including the views of stakeholders. In the meantime, my Department will continue to support the current continuum of provision, which includes special class and special school places.

There is specialised provision for children in autism and there are now 1,836 special classes in place compared with only 548 in 2011, so there has already been significant progress.

Deputy Patrick Costello: I thank both the Minister and Minister of State as they have met representatives of the campaign group and made time to do that. It would be beneficial to meet the group again and see the site it proposes for use. There is an empty school building and the group has engaged with the owners. These people have found a patron. They are putting all the pieces together and it would be a really positive move for the Minister and Minister of State to meet the group.

There are several schools in the area and two health centres that could provide speech and language and occupational therapy. These are the multidisciplinary supports that the children who would ultimately use the school would need. The NCSE report indicates a lack of provision in the area already.

There is an opportunity to create that community of which the Minister of State speaks. It would be a community and education hub where all the children and parents could be together across the road from each other and the other services they need. There is an amazing opportunity here. I encourage the Minister and Minister of State to meet the campaigners on the site and see the proposed school if at all possible.

Deputy Bríd Smith: I thank Deputy Costello for allowing me to speak on the matter. We had a virtual meeting that involved the Minister of State and it was made clear that she would visit the proposed school and the community.

7 o'clock

That is imperative now, because as the Minister of State herself said, a report expected before the end of the year. We are almost at the end of the year as it is 1 December today. There is not much time left to do this and for the Minister of State to get some idea and, we hope, to make some promise in respect of what she has said previously, which is that the future of special needs education should be in community designated special needs schools. This unit is a model for a community-based special needs facility, as was stated by Deputy Costello, and this is because of the engagement of the community, the parents and the families of the children. It is absolutely outstanding. The Minister of State has witnessed this at the meetings, and it would be a big plus and an absolute necessity for her to try before the end of the year to go down and meet the parents, the kids and the community in respect of the autism spectrum disorder, ASD, unit in Crumlin.

Deputy Josepha Madigan: I thank the Deputies for their contributions, and they are correct in saying that I have met with a number of different groups in respect of the issue of ASD units and special classes. Indeed, in Dublin 6W there are four special educational needs, SEN, classes and four ASD classes, in Dublin 8 there are eight SEN classes and eight ASD classes, and in Dublin 12 there are 17 SEN classes and 17 ASD classes. The Deputies will also be aware that I have triggered the section 37A mechanism of the Education Act 1998, and on 2 November we issued the second section 37A notices to schools, compelling them to open special classes where they have the capacity to do so, and it is the view of the Department that there are at least 25 schools that would be in a position to do so. The NCSE, in fairness, has already opened 197 new special classes this year alone without having to use the relevant legislation, so it always tries to work with schools collaboratively.

Written Answers are published on the Oireachtas website.

Message from Select Committee

Acting Chairman (Deputy John Lahart): The Select Committee on Justice has completed its consideration of the Harassment, Harmful Communications and Related Offences Bill 2017 and has made amendments thereto.

Sitting suspended at 7.02 p.m. and resumed at 7.22 p.m.

State Pension Age: Motion [Private Members]

Deputy Louise O'Reilly: I move:

“That Dáil Éireann:

notes that:

— in five weeks’ time the pension age is due to increase to 67 years of age on 1st January, 2021;

— legislation needed to stop the pension age increasing to 67 in January has not been published or introduced to the House;

— every worker in the State makes a considerable tax contribution throughout their working life and should have the right to retire at 65;

— some workers want to retire at 65, while others want to remain at work, where they are able and willing to do so;

— numerous employment contracts stipulate an end of employment date in line with when an employee turns 65;

— since the abolition of the State Pension Transition payment, thousands of 65-year olds have had to sign on for a Jobseeker’s payment;

— there are now over 4,000 65-year olds in receipt of either Jobseeker’s Allowance or Jobseeker’s Benefit;

1 December 2020

— there is a difference of €45.30 between the Jobseeker payments and the State Pension leading to an annual loss of €2,355.60; and

— the pension age is scheduled in legislation to increase to 67 years in 2021, and 68 years in 2028; and

calls on the Government to:

— restore the State Pension Transition payment for those retiring at 65 years of age;

— abolish mandatory retirement (with exceptions for security-related employment) to give workers the choice to work or retire so long as they are fit to do so;

— make provision for those who remain at work beyond 65 to have their Pay Related Social Insurance (PRSI) contributions counted towards their State Pension; and

— immediately introduce legislation to remove the pension age increase to 67 years and the further increases.”

I will make the Sinn Féin position very clear for the avoidance of any doubt. We want to see workers have the right to retire at 65 with their State pension, the pension for which they have worked all of their lives. It is not good enough to defer or postpone the rise in the pension age. I am glad the Minister has repealed this measure and that she has listened to an Teachta Kerrane and the Stop67 campaign. Workers deserve better than to be told that they must go on the dole, although they do not have to seek work, which is what the Minister has tried to tell them. That is the dole queue by another name and the Minister knows it. Sending people who have worked hard for all of their lives to the dole queue is not right. It is unfair and it is wrong.

If I were a Minister, I would ensure that workers would have the right to retire with their State pension at the age of 65. I have spent the vast majority of my working life defending workers and their rights. I came to the Dáil to continue that work. I sometimes wonder how connected to the real world this Government actually is. It does not seem to understand what it is like to have to work all day on one's feet or in a manual job before coming home from work physically exhausted. It does not seem to understand the dignity the old age pension gives people who have worked all their lives. These people can now say, that is it, their shift is done, they are going to get the pension they have earned and enjoy the time they have left because they are finished working and finished with any prospect of being unemployed. They have retired. That is why this motion is so important.

The pension age was one of the biggest issues in the last election in February. Voters across the State expressed their opposition to the increase in the pension age throughout the election campaign, so much so that they forced Fine Gael into a U-turn. I welcome the publication of the legislation, which was clearly a response to this motion. I welcome the repeal of the rise in the pension age to 67 and I commend the work of an Teachta Kerrane and the Stop67 campaign.

Workers make a considerable tax and PRSI contribution throughout their working lives. They should have the right to retire at 65. Some workers will not take that opportunity to retire. Some will want to remain at work because they are able and willing to do so. These workers should be allowed to keep working. The mandatory retirement age should be abolished so that workers would have the choice to work or retire as they wish.

Take, for example, plasterers, carpenters, cleaners, waitresses or barmen who have worked their whole lives. Their bodies are ready to retire at 65. They have been on their feet for all of their working lives. Their bodies have been through enough. This is the fundamental point of this debate. It is about the right to finish working after a lifetime of work.

At 65, one is finished working. One is not unemployed. In February, I spoke to workers on the doors in Fingal. They did not feel able to continue working but did not want to be sent to the dole queue or any queue like it. I spoke to a builder in Balbriggan. The conversation I had with him has stayed with me. I was thinking about him tonight while writing down a few notes before this debate. He was 64 and said that he was tired. He did not feel able to work to 66, much less 67. He should not have to draw on the dole or anything like it. This man has since turned 65 and has finished working. He has had to sign on. He paid every shilling, penny and cent he was supposed to. As my mother always says, workers of her generation paid tax when tax was tax. The Government is now saying thanks to them for everything they have done but telling them that, although they helped the State and worked hard all their lives, the State is not going to help them now. It is asking them to sign on for the next two years.

If people like this man want to retire at 65, they should be entitled to their pensions. They have earned that right. Sending people who have worked hard all of their lives to a dole queue at 65 is wrong and unfair. Unfortunately, due to pension changes over recent years, there are now more than 4,000 65-year-olds in receipt of jobseeker's allowance or benefit. These workers are retired, not unemployed. Telling them that it is okay because they will be given the dole, although it will not be called that, is not right. There is a difference of €45.30 per week between these payments. That is a hell of a lot of money. The Minister knows what the right thing to do is. Workers will not be fooled. They want the pension they have earned and the right to retire at 65. Giving it to them is the right thing to do.

Deputy Claire Kerrane: The Minister will know well that there is not a country in the world that moves retiring workers onto a jobseeker's payment and which treats them as someone who is unemployed. Since 2014, more than 35,000 65-year-olds have been forced onto a jobseeker's payment at retirement. Not only did Fine Gael and the Labour Party abolish the State pension transition payment provided to 65-year-olds at retirement, but they also announced increases to the pension age. These increases go further and faster than equivalent increases in any other country of the EU, despite Ireland having the youngest population in Europe. Let us not pretend that these pension age increases were about ensuring the State pension remained sustainable or ensuring that we were protected against demographic changes. They were part of a deal done with the troika to save a few pounds. This deal told workers approaching retirement age that they could not continue at work because their contracts did not allow them to while access to the State pension into which they had paid for decades was cut. It was taken away and they were told that they should instead join the dole queue and seek new employment at 65 years of age.

A number of commitments on pensions were made in the programme for Government. I have read them many times. They might make it look as though the Government is actually doing something, but it is not. An example of this is its commitment to replace the jobseeker's payment for 65-year-olds with what it refers to as an early retirement allowance. This makes it sound almost as if the Government is doing people a favour when, in fact, it is nothing more than a name change. This allowance will be paid at the same rate as jobseeker's allowance.

This same commitment refers to the removal of the requirement for people to partake in job

activation measures, a requirement that simply does not exist. Once a person turns 62, they are no longer required to partake in job activation schemes. In recent months, Fianna Fáil Deputies have been submitting questions asking where the State pension transition payment is. It is not coming. Despite being a commitment in Fianna Fáil's election manifesto just a few months ago, it has fallen by the wayside to be replaced by the promise of a name change.

In preparing for this debate earlier I was reminded of my parent's generation, including those who are seven or eight years off pension age. My father began working at 15 years of age for a local butcher. His parents thought he was in school until his father spotted him at the butcher counter one day. When he reaches 65 years of age he will have worked for 50 years. There are thousands more like him. Yet, in not one part of the Minister's long-winded amendment to the motion does she acknowledge that contribution of a lifetime of work. Some of those affected went out to work when they were only teenagers. They paid their taxes with the promise of a pension at 65 years only to have the rug pulled from under them. People from that generation do not now have the security or certainty they had once of a pension at 65 years, or of knowing that they would get the pension at 65. In fact, after a lifetime of work that certainty no longer exists. The pension age might be 66, 67 or 68 years.

Restoring the State pension transition at 65 years is the right thing to do. Failing to support the motion is to say to 65 year olds that their place is on jobseeker's support after retirement. My party and I believe that 65 year olds who have made such a contribution to our society and communities deserve far better when they hit retirement at 65 years of age.

Deputy Patricia Ryan: I thank my colleagues, Teachtaí O'Reilly and Kerrane, for bringing this motion to the House. In 2011 in their first year in coalition Government, Fine Gael and the Labour Party legislated for the phased increase in the age at which people could access the State pension. The age was increased to 66 years from 2014. It was planned to rise to 67 years from 1 January 2021 and to 68 years from 1 January 2028. This cannot be allowed to happen. We now have a Pauline conversion by the Labour Party, which seems to be opposed to the Government policy that it was happy to implement in 2011.

The 30,000 people who have reached 65 years of age this year must now apply for jobseeker's benefit before they can access the State pension. This is a payment available to people who are unemployed but have a consistent PRSI record. I have been assisting many people in recent months whose work record pre-1979 is incomplete through no fault of their own. This needs to be addressed urgently. To qualify for jobseeker's benefit, a person must be capable of work, available for work and genuinely seeking work. This is now what most people retiring are expected to have to do. If people wish to work, even part-time, while in receipt of the pension, they are allowed. With jobseeker's benefit, this is not an option. The maximum weekly payment under jobseeker's benefit is €203. That only lasts for nine months. After that, the payment is means-tested and with the State pension a person can receive up to €248 per week. The difference between jobseeker's benefit and the State pension is €45 per week or more than €2,300 per year. By not being able to access the State pension, a retiree is losing almost one fifth of the income he or she could expect to get. This is a great deal of money when a person is 65 years and struggling to make ends meet.

If a person retiring has an adult dependant, it gets worse. The maximum allowed for a dependant under jobseeker's benefit is €134. With the State pension it is €165. That rises to €222 if the dependant is 66 years of age or over.

Many people have worked all their lives without needing to rely on welfare. They do not see why they should be forced onto the dole and, frankly, I do not either since they have paid PRSI all their lives. I appeal to all Deputies to support this motion so that our older people can get what they deserve when they retire.

Deputy Pauline Tully: I commend my party colleagues, Deputies Louise O'Reilly and Claire Kerrane, on submitting this important motion which I am delighted to support.

The issue of increasing the pension age energised people during the election campaign in February and that energy is still evident. Raising the pension age affects thousands every year. This number will continue to increase if it is not rectified. First, mandatory retirement at 65 years, except perhaps in some security-related employment, should be abolished. Everyone should be allowed to choose to continue working, if willing and able, past 65 years of age or, alternatively, people should be allowed to retire at 65 but with a pension. I am calling for the restoration of the State pension transition payment. No one should be forced to claim jobseeker's benefit after years of hard work. Older people in our society who have given so much over the years deserve better. They have worked hard and paid their taxes. They have had a particularly hard year this year. Older people were hardest hit by Covid-19. They were also discriminated against since employees and the self-employed over the age of 66 were not allowed claim the pandemic unemployment payment.

The plan to increase the pension age to 67 years may have been deferred but the Commission on Pensions that has been established to look at this issue does not have the confidence of the people affected by this since they are not represented on the commission. The commission should include people with the lived experience of being forced to retire without the security of a pension.

I want to refer specifically to carers and the need to find a pension solution that recognises their valuable work. Many carers, the majority of whom are women, most often fall into a pension gap. They do not qualify for the contributory State pension as most gave up work to care for a loved one and do not have the necessary credits. They do not qualify for a non-contributory State pension as they will be means tested and often, due to a partner's income or land, if living on a family farm, they will not receive it. After years of caring they are then told at pension age they do not qualify for a pension. This is an insult and is most hurtful.

The total contributions approach due to come into effect next year is welcome and will see the introduction of up to 20 years of credits for caregiving, but it is only granted to those who have accumulated 520 paid contributions. A person who has perhaps given up a job to care for a child with a disability or an illness may not have 520 paid contributions. I am calling for the issues around carers and access to a State pension be examined and rectified. I am calling for the pension age not to be increased to 67 years and the State pension transition payment to be restored.

Deputy Thomas Gould: This year, during the election, I met a man who told me that he had his first job when he was 14 years old. After working for 51 years, the Government put him on the dole, or the exchange as he called it. After 51 years of work, that was what the Government did to him. He was angry. He said the lack of respect shown to him demonstrated that all his years of service, his work and his contribution to his family and the State were not appreciated.

When people reach the age of 65, they want the choice to be able to retire if they wish. After

working all their lives, people should have the right to retire at 65. They should be shown the respect they deserve. It really goes to show how out-of-touch the last Government was and this Government is. The Government does not understand what it means to ordinary people to have that right to retire at 65. How dare the Government take that away from people after all their years. These people have contributed. They have worked hard, many of them in hard manual jobs. This shows the broken promises of Fianna Fáil, Fine Gael and the Green Party after the election. It shows how, at the first opportunity, they turned their backs on the promises made. They are selling out workers' rights. There is no problem finding money for their pay increases, but when it comes to other people, workers and those who want to retire at 65 years, the money cannot be found.

I do not believe it is right for a person to have to join the dole queue at 65 years and I hope the Minister and the Government feel the same way. What they have created is an us-versus-them situation where cronyism and politics do not respect ordinary people and families. People came out and voted for change this year. They wanted change because they were sick and tired of watching out-of-touch politicians make decisions that hurt ordinary people and families. I wish to support my colleagues. We are asking that everyone should have the right to retire at 65.

Deputy Mairéad Farrell: I commend my colleagues, Deputies Louise O'Reilly and Claire Keranne, on bringing forward this important motion. Throughout people's working lives, they knew the pension age always to be 65 years. More than that, people were mentally geared up to retire at 65. The social contract which the State had with its citizens was broken by the Fine Gael and Labour Party Government when it brought into law increases in the pension age to 66 in 2014, to 67 in 2021 and 68 in 2028. It was a cruel twist of the knife in the backs of those who had worked all their lives, paid their taxes and followed the rules, only to be shafted in their autumn years. We see now that this law crafted by a Labour Party Minister is being stopped in its tracks, but only temporarily. We must now restore the broken social contract and remove the cruel unfairness from the future of our senior citizens.

When the pension age was first moved from 65 years old to 66, it was claimed that this was for budgetary reasons and financial hard times. Public service sector pay was also impacted at this time. Despite improvements in the economy, however, there was no talk of changing the pension age back to 65. Not only that, but it happened at the time when the Government also raided the private pension fund, which brought about a double whammy against older people who had worked all their lives trying to save for retirement. The Government put its hands in people's savings. One constituent wrote to me to say a massive lack of respect had been shown to people who had stayed at home and helped to build the economy through the bad economic times. It must be remembered that during the 1980s there were high incomes taxes and that during the crash of 2008 people like me were requested to take pay cuts, the universal social charge, USC, was introduced and part of our private pension fund was raided.

The reality is that our pension age of 66 is two years above the EU average of 64, despite us having nearly 30% fewer older people than other EU countries. In 2016, we spent 8% of our national income on public pensions, and this is to rise by less than 3% over the next 50 years, with us spending less on public pensions than most eurozone countries. Several months ago, an older man in my estate in Mervue in Galway city told me he had been working since he was 16 years old. He told me was in his 60s now, having worked all his life and he was being told, as he put it, by politicians in comfortable seats that he would have to continue to work for a few more years or go on to jobseeker's allowance. That man told me that had been running up

and down ladders and doing hard physical labour. He had enjoyed it, made great friends and achieved a comfortable life for his family, but he said that he could not keep doing that now, because that level of physical labour takes its toll. The Minister is now asking that man to go on the jobseeker's allowance.

Minister for Social Protection (Deputy Heather Humphreys): I move amendment No. 1:

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

“notes that:

— the Programme for Government ‘Our Shared Future’ has committed to maintaining the State Pension as the bedrock of the Irish pension system;

— this includes a commitment to establish a Commission on Pensions and pending the report of that Commission to maintain the State Pension age at 66;

— the Government has already established this Commission on Pensions;

— the Commission on Pensions has already conducted its first meeting, its second is scheduled for tomorrow the 2nd December, its third is scheduled for later this month and it will meet approximately every fortnight in the new year until it concludes its work;

— the Government has approved the Social Welfare Bill 2020, which in addition to giving legislative effect to a range of social welfare measures announced in Budget 2021 on 13th October, 2020, includes specific provisions to repeal increases in the State Pension age ensuring that it will remain at 66 pending the report of the Commission on Pensions and consideration of that report by Government;

— the Social Welfare Bill 2020 was published on 24th November, 2020;

— as set out in that Bill the Government is also repealing the planned increase from 67 to 68 which is scheduled to happen on 1st January, 2028, thus ensuring that the Commission on Pensions can consider matters in relation to the State Pension age unfettered by any prospective changes;

— the Government has noted the Minister for Social Protection's proposal to sign regulations to formally remove the requirement for 65-year olds to be actively seeking work and to ‘sign on’, formalising an administrative arrangement which has already been in place for some time;

— persons aged 65 or over who retire and qualify for a Jobseeker's Benefit payment may retain that payment in full until they reach the State Pension age of 66 assuming they don't return to work;

— the payment rate of €203 is in fact higher than the rate available for the full State Pension in other jurisdictions such as Northern Ireland where the state pension age has been increased from 65 to 66;

— the Terms of Reference of the Commission on Pensions includes consideration of a range of pensions matters including sustainability, eligibility and cross generational equity issues, and consideration of options for the Government to address issues including qualifying age, contribution rates, total contributions and eligibility requirements;

— in addition, the Commission on Pensions will consider the issue of retirement ages specified in employment contracts that are below the State Pension age, including where contracts stipulate a retirement age of 65;

— section 34(4) of the Employment Equality Act 1998 (as amended) already provides that an employer has to prove a contractual retirement age that is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary, with recourse for employees to the Workplace Relations Commission in the event of breaches;

— to assist employers and employees in this regard and in respect of retirement ages, the Workplace Relations Commission has produced a Code of Practice on Longer Working, and the Irish Human Rights and Equality Commission has published guidance material for employers on the use of fixed-term contracts beyond normal retirement age; and

— the rate for the State Pension (Contributory) in Ireland compares very favourably with neighbouring jurisdictions where pension rates are significantly lower.”

I welcome the opportunity to discuss the State pension age. I am proposing this amendment, because the simple fact is that Sinn Féin has put down a motion calling for legislation to stop the increase in the State pension age to 67 when the Government has already approved and published legislation to do just that. It was done last week. As part of the Social Welfare Bill, which will come before the Houses next week, the pension age will be kept at 66 and the planned increases in the age, to 67 in January 2021 and to 68 in January 2028, will both be repealed. This will allow the Commission on Pensions, recently established by Government, to do its work and produce its recommendations independently.

From an adequacy point of view, the Irish State pension is excellent at protecting pensioners from poverty. Pension rates in Ireland compare favourably with other jurisdictions. For example, the contributory State pension here is more than €248. In Northern Ireland, it is considerably less, at £175 or about €195. In any discussion on pensions, we must look at one simple, inescapable fact - people are living longer. In 1971, the average life expectancy was 71, but by 2016 that had risen to 81. A person who reached 65 years of age in 1971 could expect to live to age 77, but in 2016 that has, thankfully, increased to about 84. It is hugely welcome of course that people are living longer, healthier lives, but it presents its own challenges. In 1997, spending on pensions was €1.7 billion. By 2010, this had increased to €5.8 billion, and by 2019, the cost had increased to more than €8.2 billion.

This expenditure increase is due in no small part to the ongoing increase in the number of pensioners. Approximately 743,000 people over 66 are expected to benefit from State pension payments next year. This is an increase of more than 150,000 people in ten years. As a result, spending on pensions accounts for about 26% of all income tax and PRSI receipts. About 40% of the total social welfare budget is spent on pensions, up from 28% in 2010. Whether we like it or not, this has obvious implications for the ability of the State to not only fund pensions but also to allocate resources to other priorities. It also has implications for inter-generational equity and fairness.

The Social Insurance Fund, SIF, operates on a pay-as-you-go basis, with today's pensions being funded not by past contributions but by the current contributions of today's workers.

What this means, and what is often overlooked, is that the group in society which will be most impacted by the decisions which must be taken regarding the future structure of the State pension are not, in fact, current pensioners, or those approaching pension age, but the younger workers and students of today. For the sake of future pensioners and workers, we must strive to ensure the long-term sustainability of the pension system so that today's workers will be able to avail of an adequate pension when their time comes to retire. I was also a PAYE worker all my life before I entered politics and Dáil Éireann. As a working woman and a member of a trade union, I also understand the difficulties workers face. No party has a monopoly on the understanding of workers and the issues they face today.

The Commission on Pensions has been asked to examine a range of issues, including the State pension age, eligibility conditions and payment and contribution rates. The commission will also consider the issue of retirement ages, specified in employment contracts, which are below the State pension age and how the pension system can provide adequate cover for carers. It has been tasked with producing its report by June of 2021. The membership of the commission has been carefully chosen so that it can address these questions with an open mind and with the expertise and experience necessary to meet this deadline. Its members are drawn from trade union and employer bodies, civil society, academia and those with technical and policy expertise.

The Government was also keen to ensure that the commission had strong female representation in its membership, and I am pleased that the majority of members - six out of 11 - are women, including a female chairperson. I am confident, therefore, that the commission is well equipped to grasp the potential impacts of any pension reform options on affected groups, such as women, workers, and older people. In addition, and in order to give other interested parties an opportunity to contribute to the process, I have asked the commission to seek submissions from stakeholders and representative groups.

In addition to repealing the increase in the pension age, I will also shortly be introducing regulations which will formally remove the current requirements for people aged 65 and over to sign-on, participate in activation programmes or give an undertaking that they are genuinely seeking work. The idea, therefore, that any 65 year old will have to stand in a dole queue is absolute nonsense. I am formalising an administrative practice which has already been in place for some time. While the payment rate of €203 for 65 year olds is less than the full contributory pension rate, it is worth bearing in mind that a 65 year old receiving €203 per week here is still better off than any pensioner in Northern Ireland.

I assure the Deputies that the fundamental objective of Government pension policy is to ensure that pensions remain affordable, sustainable and retain their value into the future. We want to maintain a fair balance between those who are contributing to the system and those who are drawing from it. The need to protect current as well as future pensioners, while at the same time protecting the most vulnerable pensioners, will remain at the forefront of any reforms in this area.

Rather than allow the Commission on Pensions the time and space in which to do its work, Sinn Féin has sought to politicise the pensions issue. The pension age was never 65. There is no mandatory retirement age. Retirement is a matter for individual contracts between employers and employees. This motion is another example of Sinn Féin saying one thing in this House while doing the exact opposite in Northern Ireland. I have asked the Deputies who spoke so passionately earlier if they had relayed those same comments and concerns to their colleagues

in Northern Ireland. I do not believe their colleagues are listening in Northern Ireland where Sinn Féin is in government and where the state pension age has recently been increased from 65 to 66. Maybe before coming in here, the Sinn Féin Deputies should speak to Michelle O'Neill or Conor Murphy. While they are at it they can ask them if they have any plans to increase the pension in the North. The fact is that the maximum rate of pension available in Northern Ireland equates to about €195. As I have said, that compares with a contributory pension in the State of more than €268.

I am pleased to say that the Social Welfare Bill, which we will debate next week, also provides for an increase in the living alone allowance by €5 per week at a cost of more than €57 million per year, and in the fuel allowance by €3.50 per week at a cost of €36.8 million annually. These are all measures that will improve the welfare of pensioners and, in particular, those who live alone.

I am a firm believer that actions speak louder than words. This Government is supporting our older people and our actions clearly demonstrate that. I ask Sinn Féin to reflect on the adequacy of the supports they are providing for older people in Northern Ireland. I hear it regularly from people in Fermanagh, Armagh and Tyrone when they say to me that pensioners are far better off south of the Border and I have to say to them that I agree with them.

Deputy Thomas Gould: We look forward to-----

Deputy Heather Humphreys: Sinn Féin would be better served working constructively to improve the conditions of those people rather than tabling motions on issues that this Government is already dealing with comprehensively.

Deputy John Brady: I am not going to engage in some of the Minister's shenanigans here this evening. Maybe if her party was to start to run candidates in the North and maybe if she talked to her friends in her sister party, the British Tory Party, that is where the Minister will find some of the answers to the questions she has posed here this evening.

Deputy Thomas Gould: That is right.

Deputy John Brady: There are now more than 4,000 people aged 65 in receipt of a jobseeker's payment. Many of those people were obliged by contract to retire at the age of 65. They are forced onto a jobseeker's payment for one year before their State pension is assessed at the age of 66. If the Minister's planned hike proceeds in January, retirees will be forced onto a jobseeker's payment for two years. This is a ridiculous and totally unacceptable situation for people who have worked hard and paid taxes for their entire lives. Retirement should be about choices. People should be entitled to the full State pension at the age of 65. People should also have the choice to continue to work if they wish to do so.

In 2016 I brought forward legislation to abolish the mandatory retirement age but the Minister's Government blocked that legislation. The pension age was one of the biggest issues in the election in February. Voters expressed their opposition to the pension age increase through their support for Sinn Féin and other parties who had opposed these increases in the previous years. We did not politicise the issue of pensions. That issue has long been politicised.

The facts are that the Fianna Fáil and Green Party Government of 2007 and the Government in 2011 made a decision with their friends in the troika to increase the pension age to 67 in 2021 and to 68 in 2028. The subsequent Fine Gael and Labour Party coalition put this into

law in 2011. Fianna Fáil and Fine Gael supported the increase in the State pension age and the parties were left scrambling on the issue during the election. As a result of how big an issue it has become, they have tried to kick it down the road with the establishment of the Commission on Pensions. For its part, the commission omits including any representative from civil society, thereby excluding the very people who will be most impacted by any decision made by the commission.

Ireland's current pension age of 66 years is above the EU average of 64. We have 30% fewer older people in Ireland than in other EU countries. In 50 years' time, Ireland will still have the lowest number of older people at nearly 20% fewer than in other EU countries.

I agree with the Minister on one point, that actions speak louder than words. It is time to take action, to stop forcing people to work for longer and to give them the right to retire at the age of 65.

Deputy Imelda Munster: The Minister expressed mild concern about how hard done by the people in the North are. If her expressions of concern are genuine she might join us and support our call for a referendum on Irish unity to bring about the unification of our country. Then we can have an all-island approach to the pension age and pension rates.

As we all know, this was a major issue in the election last February. People made it very clear how they felt about their right to retire at 65. My constituency office was inundated with calls and emails on the issue. There was significant union support for our proposals. Our position remains the same. People who have worked and paid taxes all their lives deserve the option of drawing down their pension at the age of 65. Some people will choose to remain in work, but we want to ensure that those who wish to retire at the age of 65 can do so. This is so important for those who have worked in hard, physical jobs for decades. It is also important for the worker who wants to retire and enjoy time with his or her family and friends while he or she is still in good health.

The Government's policy of having people sign on the dole for a year when they reach the age of 65 is, frankly, insulting and demeaning. It has to stop. Deputies can retire and draw down their pensions at the age of 50, so it is quite unbelievable that people in the Minister's Government, with those terms and conditions, seek to ensure that others cannot receive a pension until they are 66, 67 or perhaps even 68. Government Deputies and Ministers are happy to have one rule for themselves and another rule for everybody else. They have no respect for working people who look forward to their retirement at the age of 65, in particular those in physical jobs. The Minister wants to make their working lives even longer without giving them any options around their own lives and their own pensions. This is nothing other than a political decision. The Minister's Government and the parties involved need to stop flip-flopping and changing their minds. The Minister needs to stop referring the issue on to commissions and kicking this down the road.

Rather than keeping the retirement age at 66, I ask that the Minister brings it back down to 65 by way of the transition pension. We know what people want as does the Minister. We choose to act on what people want while the Minister chooses to ignore it. People made it crystal clear during and after the election that they want to be able to choose when they retire. That choice includes drawing down a State pension at the age of 65. Sinn Féin in government would do precisely that. If the Minister, Deputy Humphreys, will not listen to the people, we certainly will.

Deputy Chris Andrews: The vast majority of people at the age of 64 and 65 are not going to get another job. Earlier today I talked to Tommy Nolan from Pearse Street who said his heart was broken from applying for jobs. It is demoralising for him. He knows he is being rejected for jobs because he is 64 years of age. At a time when citizens should be able to take the foot off the gas, this Government wants them to sign on the dole.

8 o'clock

It is a charade and the Government is forcing older people to take part in it. To make matters worse, the Government wants them to take part in it for less money than they would get in their pensions. Talk about rubbing salt in their wounds. If people want to retire at 65 or 66 then that should be their choice and they should be allowed take into consideration their physical and mental health and family circumstances. They must also have the choice to work on if they wish.

Dr. Tony Fahey, professor of social policy at UCD, raised the issue of home ownership and pension poverty in November 2018. He wrote:

Householders aged 25-34 had a high level of home ownership for their age in 1991 (69%), but today that proportion has fallen to just 30% ... [Among] those aged 35-44, home ownership has fallen from 82% in 1991 to 62% today. If this growth in private rentals continues in its current form [which it has since Dr. Fahey wrote this], it is likely to cause many young adults to be worse off than their parents as far as housing is concerned.

He also made the point that the social welfare system in Ireland is based on the assumption that pensioners do not have to pay rent and do not have significant mortgage repayments. Bearing in mind Dr. Fahey's comments two years ago and the current generation not being able to purchase houses or purchasing them later in life, these people will have to pay rent or mortgages out of their pensions, something the current crop of pensioners does not have to do.

Deputy Sorca Clarke: At the very core of this issue is choice. The Government had the choice to listen to the people in February when they made the retirement age an election issue. The Government chose to ignore them and chose to bulldoze ahead with a proposal to raise the pension age, right up to the eleventh hour. It chose to try to placate the public by kicking this issue down the road, a move that is swiftly becoming a recurring theme with this Government. The people who need and deserve choice are the workers, who have not only survived three recessions but worked damn hard to do so. These are the same people who sacrificed and lost the most when errors were made in this House, who rebuilt this country and were repeatedly critical to our social and economic recovery. Some of them are tired and they have earned the right to rest. However, the Minister and her partners in government are saying that they have not. They are saying that 47 years on a building site, 47 years of setting an alarm for ridiculous o'clock to work for ten hours a day in harsh conditions, is simply not enough. I mean no disrespect to the Minister personally, or to anybody in this House, but the only people who could have made this decision are ones who earn their money by sitting at a desk, because they certainly have never worked on a building site. As legislators, we need to be very careful of the rhetoric and terminology we use. Anybody listening here tonight would be forgiven for thinking that the Government, and the Department of Social Protection in particular, is burdened with looking after these workers. It is not. They have paid into their pensions and they are simply demanding they are given to them.

Deputy Sean Sherlock: I welcome the Sinn Féin motion before us tonight and the fact that we are debating this issue. It is probably the first time we have been able to hear from the Minister formally on the establishment of the pensions commission, outside of the normal parliamentary questions process. I welcome her clarification on the income supports for people retiring at age 65 and I welcome her statement that she will be introducing regulations to formally remove the current requirements for people aged 65 and over to sign on.

Everybody involved in the Stop67 campaign made a strong impression on all of us during the election campaign through their own stories. I would go so far as to say that that campaign has been quite influential in bringing about an outcome that ensures people do not have to face the ignominy of appearing before a social protection office when they have 35, 40, or 50 years of labour under their belts. That will be finally and formally be done away with now. I put great store in the fact that the Stop67 campaign had a big influence or impact on that decision.

I stand before the House as someone who was a member of the Government when the decision was made on the State pension transition payment. I am deeply regretful about that decision. I heard from people after that, the very people about whom we are talking tonight, who had put such time and effort into their life's labour and had to suffer indignity at the end of their working lives. That is something I will always regret. The decision was made at a time when there was economic retrenchment but it now has to be reversed. As Deputies, we deal with social protection issues every day of the week and have an intimate knowledge of the workings of the social protection architecture. We must ensure that the State pension transition is restored because the certainty it gives would mean much to people at the end of their working lives. I do not say that seeking to score political points. I say it because we hear from people about this, day in, day out, and we all bought into the Stop67 campaign and heard what those people had to say. The system worked very well for people, by and large. I do not see why it could not be restored or at least looked at.

I welcome the establishment of the pensions commission. I do not necessarily see it as kicking the can down the line. I welcome it primarily because of how it is constituted. There are members on that committee from the trade union movement, as well as former civil servants and so on, who are robust people. I do not want to speak to gender *per se*, but they are all decent people, men and women. I have no doubt that they will be cognisant of the issue of gender as it relates to low-paid working women in this country, about whom we all know. I could give chapter and verse of examples of low-paid workers but I am not going to do that tonight. We all deal with this issue. Sometimes people come into this House and articulate examples but we all deal with this across the House, no matter who we are. We must be conscious, through the pensions commission, of the issue of gender and set up a system whereby women, particularly those in labour-intensive jobs or precarious employment, who come to the end of their working lives do not have to go through another firewall or have to knock down another door to get to that restful period, to which everybody expects to get when they retire from their years or decades of labour.

The pensions commission will hopefully come up with a set of recommendations that speak to flexibility and the issue of people who work in labour-intensive or extremely stressful jobs. I think of front-line workers, nurses and doctors in the current climate. If these people have done so many years' work and are retiring well in advance of 65, a framework should be set up to protect them in order that they do not lose their entitlements. We need a system that reflects the new paradigm in Irish society. There is a pensions time bomb but we also need to allow for flexibility, in order to reflect the new realities of people's working lives. If the pensions com-

mission deals with that it will have done a good day's work, but only if the Minister of the day does not put its recommendations up on a shelf to gather dust. Nobody wants that and that is not what anybody is suggesting. The composition of the commission itself is of robust, august people who will not be found wanting when it comes to exploring all of these issues. I note that the terms of reference make specific mention of gender and to demographics.

I support the motion. It is important that we discuss this issue because of the differential that exists between jobseeker's allowance or benefit and the pension. As a society, we want to ensure that the very people who contacted Deputies through the Stop67 campaign and outside of that campaign, such as the citizens who come through our constituency office doors with their own testimony on this issue, as well as the people one meets on the street, men and women, have available to them a mechanism that allows that transition to take place as seamlessly as possible, that recognises the dignity of their labour and toil and sets up a pensions architecture that is realistic, that speaks to the cost and the demographic fact that Irish people are getting older but also to the need to ensure we look after these people when they come to the end of their working lives. While I say "these people"; ultimately, we are all these people across professions.

I will say one thing on the composition of the pensions commission. I do not want to strike a discordant note about it. We are all very mindful of the Stop67 campaign and its constituent parts, as well as the role of the National Women's Council of Ireland in advocating for women and I was hopeful that they would be part of this because of their advocacy. We must recognise their role, as well as that of organisations like Age Action, Active Retirement Ireland and SIPTU, that were all under the umbrella of Stop67. The decision is made and I accept it but its mandate under that umbrella should be recognised through the work of the commission. I think it will be but we should not lose sight of that campaign's work because it was vital.

I stand before the House and acknowledge the decisions that were made in the past that led to the scenarios that left people with a loss of dignity after their years of labour. I was part of that Government and speaking personally, I am deeply regretful. Perhaps we should have revised that. The beauty of politics and policy is that policy can be reversed to reflect new realities. If one devises a policy one should not sit on it until kingdom come. If it needs to be changed and circumstances dictate, then one can always change that policy.

Deputy Denis Naughten: Particularly when one is on the Opposition benches.

Deputy Sean Sherlock: There is the great Denis Naughten, who was a Minister for two years and is now on the Opposition benches. I wish him well.

Deputy David Cullinane: Do not be sore.

Deputy Denis Naughten: I actually made decisions when I was there.

Deputy Louise O'Reilly: The Deputy did and he just apologised for them.

Acting Chairman (Deputy John Lahart): Deputy Naughten is welcome; he has made his voice heard.

Deputy Gary Gannon: I thank Sinn Féin for bringing forward the motion, which we in the Social Democrats will support. Ireland's State pension age was 65 years from the 1970s until 2014. Reforms motivated by pressure from the troika led to legislation which increased this to

66 years in 2014, 67 in 2021, and 68 in 2028. If these increases come to pass, it will leave us with the highest State pension age in the EU 27 by 2028, despite having one of the youngest populations in the European Union.

Changes to the State pension age are happening faster in Ireland than anywhere else in Europe. The changes here have been blunt, brought in quickly with no consultation with unions or civil society and with little consideration for the knock-on effects, most obviously the current situation where normal retirement ages for workplace pension schemes are out of sync with the State pension age, and it could get worse.

Increases to the State pension age have a disproportionately negative impact on the least well-off. Poorer people usually depend entirely, or almost entirely, on the State pension as their main income source in retirement. They are less likely to have the resources to retire early and tend to have shorter life expectancies, so each one-year increase to the State pension age disproportionately affects them compared to people who are better off.

I welcome the motion because it provides an opportunity to reflect on just how important the State pension is to ordinary people. Older people in Ireland have the lowest rates of poverty of any age group. The State pension is solely responsible for this. Poverty among those over 65 years fell from 27.1% in 2004 to 10.5% in 2019. This was driven by sustained and substantial increases in the amount of the State pension during the mid-2000s and underlines the importance of a robust state pension system in keeping older people out of poverty. At any one time, approximately 85% of older people in Ireland would live below the poverty line were it not for the State pension. Instead, that number is generally between 9% and 11% and has been for the past decade. That is not to say that these are acceptable numbers, and the Social Democrats wish to see the gaps in coverage closed, especially for carers and other vulnerable groups that fall between the cracks. However, it is important to emphasise that the State pension is the main source of income in retirement for all but the most well-off retirees. Even for people with decent levels of pension from their previous employers, the State pension still provides the majority of income. The Vincentian Partnership for Social Justice calculates the minimum essential standard of living, MESL, amount for a pensioner living alone was €250 and €312 in urban and rural settings, respectively, in 2019, and €315 and €386, respectively, for a couple. I mention this because the core social welfare payment for older people is in most cases much closer to, or greater than, the MESL for older people, which helps explain why older people experience a far lower rate of poverty than adults of working age and children.

Maintaining the State pension close to the MESL is vital to maintain a decent living standard for senior citizens. The Social Democrats would like to see the politics taken out of the State pension, by having the amount linked to 35% of the average wage.

More must also be done to improve pension outcomes for women. Women are more likely to have to rely on the lower means-tested social welfare pension. When they do qualify for a pension from the State based on their social insurance contributions, they are more likely to qualify for lower amounts than their male counterparts. As a society we systematically undervalue what has traditionally been considered women's work and the role that this vital work plays in our economy and society. Workers in low-income jobs and precarious employment are most likely to be women. While I welcome the gender balance of the newly established Commission on Pensions, gender balance does not equate to gender expertise. Once again we see an unwillingness to engage with civil and social organisations and their knowledge. It will be important that the commission consults as widely as possible, both with pensioners and their

representative groups. Any data that are gathered and all submissions should be made public for transparency.

The pension system must allow for great flexibility for those who may not wish to retire, either fully or partially, at the State pension age, in order that they may keep working, defer their pension benefits, continue to make social insurance contributions and build up pension benefits if they wish. The adequacy and sustainability of the State pension must be prioritised over all else. All statistics point to its primacy in keeping our elderly out of poverty. Research by the Irish Longitudinal Study on Ageing, TILDA, indicates that it is actual income in retirement, rather than the percentage of pre-retirement income that most dictates quality of life after retirement. It found that all aspects of quality of life, including control, autonomy, self-realisation and pleasure increase consistently with household income. This suggests that policies aimed at achieving a certain rate of replacement to pre-retirement income should not be given as much priority as providing a minimum income floor for retirees, something that the State pension is best positioned to provide.

I acknowledge the incredible work by the Stop67 coalition of SIPTU, the National Women's Council of Ireland, Age Action Ireland and Active Retirement Ireland, which made this such an important issue during the general election in February.

Deputy Bríd Smith: There is a danger in the Government's policy of setting up a commission to review the pension age. This commission, chaired by a senior civil servant at the Revenue, will examine the sustainability and eligibility issues and outline options for the Government to address issues, including qualifying age, contribution rates, total contributions and eligibility requirements. One would have to be naive in the extreme to believe that this commission is not going to offer a fig leaf to Fianna Fáil and Fine Gael, who intend to do what they were going to do before they realised during the previous general election that raising the pension age to 67 was an issue for their voters.

I want to make a more general point about the way the pensions issue is often framed. We continually hear that there is a pensions time bomb, that pensions are unsustainable and the Social Insurance Fund will run out if we keep paying at the present levels. To many economists and experts, the fact that people live longer seems to be a disaster. Longevity seems to be a problem. I find that amazing. We in People Before Profit start from the position that the fact that people live longer is a huge plus and should be celebrated. Commentary often forgets or conveniently ignores the fact that although people in this generation are living longer than their forbears, almost all of them were much more productive during their working lives. Any sane society would see longevity and increased productivity during working life as balancing out, but that is not the case here.

The second scare story around pensions relates to the Social Insurance Fund. Supposedly, if we do not extend the working life of ordinary workers beyond 66 years, the fund will not meet its obligations to pay the State pension contributory. It is hinted that unless we massively increase workers' pay-related social insurance, PRSI, contributions, we will have to extend their working lives. There is a second option, which is rarely mentioned by any Government Minister or economist. We could increase the employers' contributions to the Social Insurance Fund. Our fund has one of the lowest employer contribution rates in Europe. Anything seen as a cost to employers is frowned upon, regardless of the level of profits in the country. Ireland's social wage is still the poor man of Europe. Moreover, the National Pensions Reserve Fund was raided in 2009 and 2010 to the tune of €20.7 billion. The Government raided it to bail out

private banks. It is now saying it cannot afford to maintain this fund and so people will have to work longer.

I would like to address the idea that this crisis is happening because pensions are expensive and paying pensioners is a burden, whether in the private or the public sector. It is often presented as a straightforward question of maths. It is not. The never-ending pension scheme crises in the private and semi-State sectors are not natural events caused by longevity or the underfunding of the schemes concerned. A large part of the crisis is caused by the fact that the returns on private investments made by the schemes have been declining over the decades. They have been declining because of the fall in yields on the bonds, equities and even property in which many of these funds are invested. This is not a natural occurrence, nor is it the fault of the workers who suffer as a result. The fall in yields is a deeper sign of the malaise in the system of capitalism.

Workers see pensions as deferred wages, and they are right. It is ironic that the early struggles of the labour movement in this country were fought over the right to a pension and some security on retirement. The attack on pensioners today is part of a war on workers and ordinary decent people. In the past few months, Covid-19 has exposed the many deficits in our system of income supports. It has simultaneously revealed what can be achieved when civil society makes a collective effort to ensure those social supports. We support this Bill wholeheartedly. We reject the idea that any commission observing the pretence of independence will come back with anything other than a fig leaf for what the Government intended to do in the first place.

Deputy Paul Murphy: The Minister stated that there is one inescapable fact; people are living longer. In 1971, we had an average life expectancy of 71. That figure has now reached 81. It is great news that people are living longer. People should be able to enjoy a longer retirement as a result. I want to introduce the Minister to another inescapable fact which she chose not to mention. Productivity tripled between 1971 and now. Workers today produce 300% of the wealth they produced in 1971, while their real wages have only increased by about 50%. The difference went into massive and bloated profits. The attempt to increase the pension age is purely and simply an attempt to rob workers of their deferred wages by refusing to make corporations pay for them through taxation.

The Government was prevented from increasing the pension age to 67 and then 68, as written down in law, by the outrage felt during the election campaign and the results of that election. Now it is attempting to sneak that increase in through the back door. That is the purpose of the pensions commission, which is headed by the person responsible for ramming through the hated local property tax. We do not need another commission or another report. We need the Government to respect the workers who helped to build this society and their right to retire in dignity at 65. Rather than increasing, the retirement age should be brought down to 65 at the highest, so that the wealth created by workers can be used to improve their lives.

As a result of the decision of Fine Gael and the Labour Party to raise the age to 66, 4,000 65-year-olds in this State are out of work and unable to get the State pension. They have to sign on for jobseeker's allowance and are losing out on more than €2,000. People who have worked all their lives and left their jobs at 65 have been left to twist in the wind. They are unable to get a job but are not allowed to get the State pension. Ireland is a wealthy country. We are the fifth richest country in the world *per capita*. One would not think it from how workers, particularly older workers, are treated. We can afford a decent retirement for all workers. The problem is that we have a Government of millionaires who are more concerned with protecting billionaires

from taxes than supporting the workers who created the wealth.

Deputy Mick Barry: I was not here for the event but I learned on the way over that at the start of his speech, Deputy Sherlock apologised for having supported the increase in the pension age. Someone told me he repeated the apology at the end of his speech. I do not know whether the Labour Party as a whole intends to follow the example of Deputy Sherlock on this issue and apologise to the people of this country in the next day or two. I do not expect any mass celebrations on the street. People will not be overjoyed that the Labour Party has changed its position. They will not rush out to thank its members for the change of mind. The people listening to this debate on the radio or watching it on television will be thinking about the fact that they will be forced to work until they are 67 or 68 years of age. The Labour Party had a major hand in that move back in 2014. The apology has been given but I do not think there will be much forgiveness, and that is completely understandable.

The Labour Party are not the only ones whose fingerprints are all over the plan to increase the pension age beyond 66 to 67 and 68. It was a Fianna Fáil-Green Party Government which signed up to it in the first place in 2010. This move was backed by Fine Gael and the Labour Party in 2014. Apologies from the Labour Party or any of those parties will not sort this issue out. We saw how it will be sorted out in the general election, when it bubbled up from below and people on the doorsteps angrily raised it with political canvassers. We have seen it in France and Belgium, where trade unionists have taken to the streets in their hundreds of thousands and millions against what is called pension reform but is really pension counter-reform. That shows how this will be sorted out in this country - through people power, not apologies from Deputy Sherlock, the Labour Party or any of those parties whose fingerprints are all over this disgraceful policy.

Deputy Denis Naughten: I am sharing time with Deputy Tóibín.

If people pay into pensions in good faith, they have a legitimate expectation as to when they will receive their State pensions. No one should be forced against his or her wishes to retire at the age of 65 or, alternatively, forced to work on until the age of 68 in order to receive a pension to which he or she has made the contributions. Such people are legitimately entitled to their pensions, having completed those contributions. There are, however, also people who want to work until the age of 68 and to pay additional pension contributions, and they should be facilitated in doing that. One cohort of people who traditionally fell into that position were the women who left employment to rear their families or to care for a sick person. They ended up with reduced contributions.

In fairness to the Minister's predecessor, Senator Regina Doherty, she was the first Minister in nine Ministers with whom I took up this specific issue who actually addressed it. I worked very closely with Senator Doherty when she was Minister in addressing this anomaly, something her predecessors had very neatly brushed under the carpet. I can understand Deputy Sherlock being sensitive earlier about the issue of pensions because a former Minister of his party, Joan Burton, when she was in the Department actually magnified the problem with the changes she made at the time and compounded an already difficult situation for those women.

I wish to take up a couple of issues with the Minister. The first is the pension entitlements of community employment scheme supervisors. This issue has been ongoing for a considerable period, and we have all received representations on foot of a Labour Court ruling on it back in 2009, 11 years ago. I know the Minister for Public Expenditure and Reform, Deputy Michael

McGrath, has been engaging with the supervisors and their representatives on this, but it is a long-running and contentious issue and I hope the Minister for Social Protection, Deputy Humphreys, will provide us with an update on progress on the matter. I know from our discussions in Cabinet that this is not an easy issue to resolve but it is one that we all are determined to see resolved once and for all.

The other issue I wish to take up with the Minister - it is a perennial one that I have raised previously in the House - concerns people who have already reached pension age but have not made enough contributions to acquire a State pension. As a result, they have continued working beyond their 66th birthday. It is Government policy to encourage people to work later in life, but this cohort has been penalised as a result of that. These people, most of whom are self-employed, have been denied access to the pandemic unemployment payment. They are being told they are being denied access to the payment because they are eligible for a State pension, but they are not eligible for a State pension. They have commitments in respect of mortgages and repayments they are making and rent they are paying for their businesses, yet they are being denied access to financial support. It is not good enough to tell them they can go to the community welfare officer and access supplementary welfare allowance because the Minister and I know they will not do that. We are talking about a small cohort, and there is provision under social welfare legislation that one cannot receive two social welfare payments. Surely that should be invoked to allow this small group of people who are not entitled to a State contributory pension, who are over the age of 66 and who have been forced out of employment due to Covid-19 to access the pandemic unemployment payment.

Deputy Peadar Tóibín: Fair play to the Minister for staying this long into the debate. Often we see Ministers run before parties such as ours get to contribute, in fairness to her.

The prospect of the pension age being raised to 67 was widely touted before the election and hammered the appeal of Fianna Fáil and Fine Gael among the bracket of voters who were affected. Before the election, Fianna Fáil and Fine Gael decided to put the pin back in the grenade and oppose in that election the pension age being raised. However, like so many of the commitments of the Fianna Fáil and Fine Gael Government before the election, that commitment has disappeared like snow off a ditch. When the immediate fear of losing votes dissipated, Fianna Fáil and Fine Gael reneged on their commitment once again.

The Minister, Deputy Michael McGrath, has announced that a can-kicking commission will be created to consider the issue of pensions and whether the age should be raised to 67. Why can Governments not make decisions? Why can they not fulfil commitments they make in election cycles? The idea that this decision cannot be made by the Government on logical, ideological and policy grounds is a nonsense. The fact that it is being kicked to a commission is as per the age-old tradition, as old as this House itself, that when a decision gets hard to make the Government kicks it down the road to a committee of some sort. If both parties were truly committed to the pension age staying at 66, it would have been in the programme for Government and that detail would have been in the budget. When politicians talk about this being a time bomb, do they mean the ratio of workers to pensioners is a time bomb or that this is a time bomb in political terms that will blow up in their faces yet again? I fear the latter is the Government's biggest concern.

Let us be open and honest here. Fine Gael is seeking to raise the pension age to 68. That is incredible. Fine Gael is seeking that Irish men and Irish women be forced to work an additional three years before they are able to retire. This makes Ireland an outlier in European terms.

Even in Britain they are not seeking to raise the pension age to 68 until 2046. That is 18 years later than in this State. The truth of the matter is that when establishment parties are in a fiscal squeeze, they often see that they should go down the path of least resistance to raise funds or to save money. I think many in the political class see pensioners as a path of least resistance, but I assure the Minister they are not. If there is one group of people in this country who will fight for their income and their standard of living, it is pensioners. They have led the way in showing my generation what is important and how to fight for it.

The Fine Gael and Labour Party Government raised the pension age from 65 to 66 to pay for its austerity economics, and the squeeze is still on. Those obliged by contracts to retire at 65 have to go on jobseeker payments for one year before they can access the State pension. The new total contributions approach has been brought in to replace the old averaging system and means that people now need 2,080 contributions, the equivalent of 40 years of PRSI contributions, to qualify for the full State pension. What are the ramifications of this Fine Gael policy? The truth of the matter is that many of the people in this age cohort do heavy physical work, and many of those people will be forced to do that physical work in the future until old age, literally. As a result of the housing crisis, many people now either have mortgages with super long terms or are renting accommodation because they cannot afford to buy any more. These individuals will be hard-pressed to pay for either pensions or rents in later life. Let us compare this to what happens to Teachtaí Dála. Deputies leave this House - through resignation, retirement or whatever else - and get a golden handshake first of all and then an extremely high pension for the rest of their lives, while working men and women are left in fear and anxiety, wondering how and at what age they will be able to retire.

All this time, one of the biggest sins in the Irish political system is the over-concentration of wealth in the hands of fewer and fewer people. In international terms, 62 people have as much wealth as half the population of this planet, and similar trends are happening in this country because of tax injustice. The Minister should look elsewhere in trying to find the path of least resistance.

Deputy Mattie McGrath: I am sharing time with my colleagues. I too am delighted that the Minister has stayed in the Chamber to listen to Deputies. My delight was premature. Tá sí ag dul amach anois. Cén fáth? I will tell all of my in-laws in Monaghan and Cavan that she ran away when I stood up to speak. I am glad she stayed for most of the debate anyway. It is a pity when Ministers do not do so.

I fully support the motion. We need certainty around this issue. The Taoiseach can mutter in the Dáil that Fianna Fáil and the Government is doing this or that but we need certainty because people are worried about this issue. The current pension age has to stay. We cannot have people working until they are unfit to work and unable to work.

During the pandemic, the pandemic unemployment payment, PUP, has been denied to pensioners. Pensioners in that gap between the ages of 66 and 70 may drive taxis or buses, do school runs for their grandchildren, run pubs, play in showbands, work as bookmakers such as mobile bookmakers who go to shows, drive a truck or do a plethora of other things, but they cannot get a shilling. All they wanted was parity of esteem and to get the difference between their pension and what everybody else was getting. Even people who only worked seven or eight hours a week were getting it. It was totally unfair and discriminatory to pensioners. I wish to mention community employment, CE, scheme supervisors. They run every operation in every community council. They are the go-to people for everything in parishes, the sports

scene and communities. They are entitled to a pension. Some of them worked for 20 or 30 years but have gone off without a pension. They have no certainty. That must be sorted out for those people.

One cannot expect local authority employees, other public servants or anyone else who is forced to retire at 65 to have to go and sign on for 15 months. I heard a Deputy stating earlier that they do not have to do so. They do have to go and sign on. It is humiliating and degrading to send those people into that kind of situation when they wanted to work all their lives, did work all their lives and would continue to work if they were allowed to do so, rather than having to sign on at the labour exchange like the unfortunate people who cannot get work. These people are proud and they want to keep their pride and dignity. Fine Gael does not have a good record of looking after people like that.

Deputy Michael Collins: I too fully support the motion. The attempts by the previous Government, made up of Fine Gael backed by Fianna Fáil - the same crowd - to increase the pension age of 66 to 67 and maybe on to 68 really backfired prior to the general election. There was palpable anger on the doorsteps in my constituency and, I presume, those of other Deputies. People were rightly angered. They may have spent 50 years working and felt that their little time of relaxation after giving so much to their country was slipping out of their hands due to an unscrupulous Government.

It is sad to see that after years of work people have to go on the dole for 12 months before they can get their pension. Good God, do we have any respect for people of pensionable age?

The new Government has continued that approach with the Covid-19 payment. Those over 66 have been excluded. They have been out working all their lives and continue to work and pay their taxes. I acknowledge they were getting their pension but surely they were entitled to the difference between the pension and the Covid payment. However, the Government refused to give them anything. It gave them absolutely nothing. I spoke to publicans today who are over 66 and have a pension. They got no Covid payment. The doors of their pubs are shut. The Government has ruined their businesses. It is quite happy; it thinks we do not have a problem in the world. The longer those pubs are shut, the happier the Government is.

I refer to the apology offered by Deputy Sherlock this evening. It was a Labour Party Minister who destroyed women's pensions. The hurt the Labour Party - my father used to call it the party of the workers but that is not the case now - caused to women will never be forgotten in this State. Those women had their pension rights destroyed. It was an absolute catastrophe. More than one apology from one Deputy is needed from the Labour Party for those actions.

Deputy Richard O'Donoghue: Not everyone went to college. The people who left school at 18, or even earlier, like myself, would have to work for 50 years to get a pension, yet I am here today speaking for the self-employed. I am self-employed. There are people who, under the guidance of the Government, will have to work for 50 years to get a pension. These are people who will build houses, people in all types of trades, whether it be hauliers or whatever, who would have to work for 50 years under the Government's regime to get a pension. The Government was looking for the pension age to go to 67 in January and to 68 by 2028. That is an absolute disgrace.

There are many people who are still working at 66, 67 or 68 in the pub industry or other jobs and whose livelihoods were put on hold as a result of Covid. The Government would not

increase their pension to match the PUP. They are still paying their taxes into this House but the Government would not increase their payments up to the level of the PUP. The Government has no clue what it is like to be self-employed or to live without something. It has no clue how to look after the vulnerable in this country and it has no clue how to subsidise people to give everyone a level playing field. That has been clearly shown here today.

Deputy Carol Nolan: I fully support the principle of the Private Members' motion and, in particular, those workers who have been looking forward to being able to retire in peace and security at a time of their choosing. The motion notes that "every worker in the State makes a considerable tax contribution throughout their working life and should have the right to retire at 65" and that while some workers want to retire at 65, we also need to acknowledge that others wish to remain on at work when they are able and willing to do so. Unfortunately, a policy is creeping in whereby some companies are not allowing workers to remain on. That is something that needs to be addressed. We should be able to find a means of facilitating a happy medium whereby workers who have given long service are not compelled to keep working, but those who wish to remain on are allowed to do so.

Last year, the then Minister for Social Protection and Employment Affairs stated that the rationale for the increase in the pension age is twofold. First, to recognise that due to improvements in health and working conditions, people have the capacity and desire to work beyond what was traditionally seen as retirement age and, second, as life expectancy increases, to help maintain the sustainability of our pension system. However, that statement is open to wide interpretation. One could just as easily read it as meaning that workers are being penalised for being able to grow old in good health. Surely if a worker has reached 65, is in good health and wishes to retire with a reasonable expectation of being able to access contributions built up over a lifetime, he or she should be able to do so.

I wish to conclude by making the point that the issue of CE scheme supervisors' pensions has dragged on and on. It needs to be resolved. These people need to be respected.

Deputy Danny Healy-Rae: I too was very disappointed to see the senior Minister running out the door the minute-----

Acting Chairman (Deputy John Lahart): In fairness, the Minister did not run. She had to leave.

Deputy Danny Healy-Rae: She is gone anyway. I am not belittling the junior Minister who is present in any way but this is a serious issue. Fianna Fáil knows well what happened on the doorsteps before the general election, as do all the other parties and candidates. Commitments were given by certain parties that if they got into power, they would rectify the situation and ensure the pension age remained at 65. There are many public servants who have to retire at 65. It is absolutely ridiculous that they have to go on the dole for a year. There was talk about increasing the pension age to 67 or 68. I will not be supporting that at any time while I am a Member of Dáil Éireann. I refer to people who have done hard physical work all their lives and who are strangled and torn from it. I am thinking of farmers, plasterers and all the others who do physical work. Without a shadow of a doubt, they are entitled to get the pension at 65 years of age.

Very little has been said about the people who create employment. It is very difficult and onerous to ensure one has workers' pay ready and on the table for them on a Friday evening.

I want to mention the community employment scheme supervisors. I remember a particularly emotional night in this Chamber when Fianna Fáil Deputies promised that if their party got into power, they would look after the supervisors. Those supervisors are in the very same place tonight as they were on that night.

The women in 2012-----

Acting Chairman (Deputy John Lahart): Deputy, please-----

Deputy Danny Healy-Rae: I am very sorry, A Chathaoirligh, I was left short of time, but I am finishing.

Acting Chairman (Deputy John Lahart): No-----

Deputy Danny Healy-Rae: The women in 2012 were actually assaulted by the then leader of the Labour Party. I cannot think of her name-----

Acting Chairman (Deputy John Lahart): Deputy-----

Deputy Danny Healy-Rae: -----but she ensured that the women of Ireland-----

Acting Chairman (Deputy John Lahart): Deputy, please-----

Deputy Danny Healy-Rae: -----are still without their proper pension. I am sorry, a Chathaoirligh, for going over time.

Acting Chairman (Deputy John Lahart): We are all very fond of the Deputy but that does not entitle him to any more time than any other speaker.

Deputy Catherine Connolly: I am sharing time with Deputies Joan Collins and Fitzmaurice.

I thank Sinn Féin for bringing forward this motion. I welcome the opportunity to speak on it and I have no problem supporting it. I welcome that the Minister has responded by saying that legislation will be introduced to abolish the pension age increase. However, her speech was somewhat contradictory and reflected some of the problems there are with how we look at pensions. As previous speakers noted, we have been looking at our ageing population as a challenge and a problem rather than a joy and an asset. There is no recognition in the Minister's speech of the amount of work done by my father and all the other fathers and mothers. They paid their taxes, for 50 or even 60 years in some cases, only to be faced with an increase in the age of pension eligibility.

There is a division built into the Minister's speech in the statement, "We want to maintain a fair balance between those who are contributing to the system and those who are drawing from it." If anything, that sentence captures the completely mistaken approach by this Government and every previous Government to pension provision. Pensions are a necessity and are based on solidarity within a civilised society and taking people out of poverty. For a very long time, we have benefited those who are richer by facilitating them in availing of tax reliefs and credits. The Green Party should be a major leader in moving to introduce a universal pension. Perhaps I am a little naive in asking for that, but I aspire to seeing a Green Party that is capable of leading and insisting that we treasure everyone including, in particular, our older people, because of their contribution to this State and what they did for us. I am standing here today because of my

father and mother and the background from which I came. I am sure it is the same for all my colleagues. We should treasure our older people and stop this idiotic division that is reflected in the Minister's speech.

I welcome the establishment of a Commission on Pensions and the Minister's confirmation that at least six of its 11 members will be women. However, this does not mean that the commission's terms of reference will capture the problems with gender inequality in the area of pensions. In fact, gender equality comes in only as an afterthought. In the two-page document issued by the Department, I see seven terms of reference. The first one states that, where relevant, account will be taken of "socio-demographic characteristics". The sentence ends with the inclusion, in brackets, of the words "for example, gender". Nowhere in the terms of reference does it say that this commission will look at pension inequality on the basis of gender. That is very worrying.

In the short time remaining to me, I will provide a little background information. According to EUROSTAT, 9.9% of Ireland's population aged 65 and over are living in a dwelling with a leaking roof. That is 69,000 older people. Research by the Irish Longitudinal Study on Ageing, TILDA, shows that 57.8% of people aged over 50 are living in substandard accommodation, with the most prevalent housing condition issues being those relating to damp, mould or moisture. It makes sense to have a universal pension payment and I wish it was included in the commission's terms of reference. As other speakers mentioned, people aged over 65 are a finite group. The ESRI tells us there are 65,000 people who have been completely excluded from any assistance. On the one hand, we are telling people to work until they drop at 68 and, on the other hand, when they do keep working, we make no provision for them.

Deputy Joan Collins: I thank Sinn Féin for bringing this motion to the House. It is important that it did so because there seems to be a dragging of feet by the Government in introducing the legislation that is needed. I welcome the statements by the Taoiseach and the Minister that the promised legislation to defer the increase to 67 years of age for State pension eligibility is to be introduced next week. It is better late than never. With only four weeks to go, people due to retire next year have been put through an unnecessary period of extreme anxiety. I have had many people contacting me to ask what is going on and whether they can retire next year. That uncertainty was absolutely unnecessary and the matter could have been dealt with well before now.

The difference between the full State contributory pension and a jobseeker's payment is more than €45 per week, or €2,300 per year. It is a considerable difference. While I welcome the deferral in the increase in the pension age, what is really needed is to scrap the proposal altogether and return the pension age to 65. The deferral is for six months to allow for a report by the commission on pensions. It is extremely disappointing that the Minister did not see fit to include any representation for the Stop67 campaign on the commission. That campaign is made up of the National Women's Council of Ireland, Age Action Ireland and Active Retirement Ireland. Those organisations, representing pensioners, had called for a stakeholders' forum made up not of people appointed by the Minister but those who depend solely on the State pension for their income. As Age Action Ireland put it, the proposed commission on pensions is a commission "about us but without us".

The roadmap for pension reform introduced by the previous Government included a commitment to benchmarking the contributory State pension at 34% of the average weekly wage by the end of 2018. That commitment has not been implemented and the current value of the

pension is 32% of the average wage. The proposal by Age Action Ireland for a €5 increase each year for three years was ignored in the budget. I support the proposal in the motion, first raised in the national pensions framework, to reduce tax relief on private pensions to 33%, thereby freeing up funds for the State pension and helping to reduce the high levels of income inequality among older people. I also support the motion's call for the abolition of mandatory retirement and for those who continue working after 65 to have their PRSI contributions taken into account in assessing their pension entitlements.

The increase in the age of eligibility for the State pension was a huge issue during the election campaign. We all know that from knocking on doors. Fine Gael and the Labour Party felt the brunt of it because it was they who introduced the increase. I warn the Green Party Members to think about that. People are still watching and waiting and they will take them on at the next election if they do not bring the pension age back to 65.

Deputy Michael Fitzmaurice: I welcome and support the motion. A radical review of the whole system of pension provision is needed. One sees people who have worked and grafted hard for 50 years and who come out with €248 a week. In other sectors, workers are entitled to a pension after 30 years. We need to ensure we look after all our people and all sections of our communities. It is well known that the changes introduced in 2011 had a huge impact. Some of that was subsequently addressed by the previous Minister of Employment Affairs and Social Protection, Senator Regina Doherty. What the former Minister, Joan Burton, did in 2011 was scandalous. A lot of people, including a lot of mothers, throughout the country were left with small pensions as a result. Some of that has been rectified but there are still problems in this regard.

My view is that people who want to keep working beyond 65 years of age should be allowed to do so. Nobody should ever be stopped from working. However, we need to look at the situation of workers in different sectors. In the case of plasterers and pipelayers, for example, their shoulders or hands are usually gone by the time they are 57 or 58, whereas people who are at lighter work would not be as battered coming out of it. These are the facts of the matter. For blocklayers and tilers, their knees are gone and many of them are not fit to keep going until they are 70 years of age.

9 o'clock

It is great if somebody can keep going. That person should be let continue. I have no problem with that.

It is absolutely scandalous, however, that over the last few months people who have borrowed money and kept businesses going, especially in the pub sector, were not given the PUP because they were of pension age. Some of these people were employing others in their communities. The Government should re-examine that for people in the private sector. People who have been working in the private sector all their lives have quite average pensions. We must examine that side of the issue to try to ensure there is balance and that people are treated well, regardless of whether they are in the private or public sector.

Deputy Jennifer Carroll MacNeill: I am pleased to speak on this motion. It is important that we debate pensions as it is one of the fundamental structural issues of our time. It would be a better debate if it was based only on facts because otherwise it does a massive disservice to people on pensions, people expecting to get pensions soon and those working to fund the

pensions of today in the hope of receiving a pension later. I am particularly concerned about women who have taken time out of work to raise children and who have been penalised for having done so. The Commission on Pensions is due to examine that as a matter of priority.

The motion tabled by Sinn Féin is purely political. It would have people believe that if Sinn Féin was in government it would reduce the pension age and reinstate a right to retire at 65 years, a right that never existed. It is not a vision about how pensions are to be funded over time or how workers of today are to pay for them or to get one. Of course, what Sinn Féin does in Northern Ireland is completely different.

In Ireland, the pension age is 66 years and the contributory State pension is over €248 per week. In Northern Ireland, the pension age is 66 years, but the pension is considerably lower at only €195 per week. In Ireland, we must consider the pension age increasing over time to ensure today's workers will get a pension in the future. It is dishonest to suggest otherwise. In Northern Ireland, the same change is being made. Presumably, Sinn Féin in Northern Ireland recognises the same risk of the pension age remaining at 66 years for the young people today. It is not a risk to those in receipt of the pension today or about to get the pension, but it is to the younger workers who are funding pensions and hope and expect to have a pension of their own.

The new law agreed by Sinn Féin in 2012 explicitly states it is a change to increase the pensionable age for men and women progressively. Age Northern Ireland and the Age Action NGO comment on the state pension in the same way:

There are more changes planned. From 2019, the age will increase for both men and women to reach 66 by October 2020.

The Government is planning further increases, which will raise the State Pension age from 66 to 67 between 2026 and 2028.

The State Pension age is going to be kept under review, which means that it could change again in the future, depending on different factors, such as changes in life expectancy.

Indeed, we know it is planned to go up to 68 years in the years beyond that. The next increase in the pension entitlement age in Northern Ireland is scheduled to come into effect in 2026. It will go up again, and I can go through it all, month by excruciating month. That is the law in Northern Ireland as agreed by Sinn Féin there.

In the Republic, Deputy O'Reilly and her colleagues argue it should be 65 years even though in Northern Ireland, where Sinn Féin is in government, it is 66 years. The party will put out videos, press releases and so forth stating that if the Deputy is a Minister in the next Government, she will restore the right to retire on a pension at 65 years, notwithstanding that this is not the case where Sinn Féin is in government and that no such right ever existed in this State. The pension age was never 65 years. There is no mandatory retirement age. It was always a function of employment contracts, and the Minister, Deputy Humphreys, has asked the Commission on Pensions to examine it.

Given the difference of €53 per week between the pension in Northern Ireland and here, I would prefer to be under the arrangements of this House. There are other benefits here that, again, are unmatched by Sinn Féin in Northern Ireland. There are significant differences in the supplementary benefits for pensioners in Ireland and Northern Ireland related to energy costs. The household benefits package here is completely different from that in Northern Ireland.

There is a different arrangement in respect of important supports such as television licences and a different structure for fuel allowances and cold weather payments.

In Northern Ireland, one can get a cold weather payment of £25 per week from when there is very cold weather. It is payable when the temperature is or is forecast to be 00 C or below for seven consecutive days, as defined by the Met Office. Since the start of the 2020 to 2021 season, no cold weather payments have been made. It has not been a very cold year so far, although I saw a worrying forecast on the news this evening. Regardless, I would not like to be planning my winter heating on that basis and I expect that pensioners in Northern Ireland who depend on it do not like it either. Where would one prefer to be? Would one prefer to be on a higher pension here or with milk and honey in Northern Ireland where one can get a cold weather payment after seven days of freezing weather?

Minister of State at the Department of Rural and Community Development(Deputy Joe O'Brien): I thank the Deputies for an engaging discussion on this important issue. As already said by the Minister, Deputy Humphreys, the fundamental objective of the Government's policy on State pensions is to ensure that pensions remain affordable, sustainable and retain their value into the future. We want to maintain a fair balance in the system. We must protect current as well as future pensioners, while at the same time protecting the most vulnerable pensioners who will remain at the forefront of any reforms in this area.

Discussions on State pension policy issues can be complex. It is important not to lose sight of the fact that our system provides a broad series of supports for older people, beyond the State contributory pension. These include other primary payments such as the non-contributory State pension and the widow's, widower's and surviving civil partner's pension. Additionally, we have targeted allowances such as the fuel allowance, over 80 allowance, living alone allowance and the living on a specified island allowance. Finally, we have service supports such as free travel.

As outlined by the Minister, Deputy Humphreys, the State pension age will not increase to 67 years next year. It will remain at 66 years, pending the report of the Commission on Pensions. The necessary legislative amendment is contained in the Social Welfare Bill 2020 which was published on 24 November 2020. This Bill will give legislative effect to a range of social welfare measures set out in budget 2021 and is scheduled to be debated in the House next week. I hope there will be cross-party support for the legislation. The Bill had to compete for Oireachtas time with the Brexit Bill. However, sufficient time has been scheduled in the Dáil and Seanad for debate on the Bill before the Christmas recess. It must be enacted by the end of the year so important payments can be made to social welfare recipients, such as the living alone allowance. The subject of this debate is also contained in the Bill.

Its members are drawn from trade union and employer bodies, civil society, academia and those with technical and policy expertise. To address a point made earlier that there was no civil society representation, that is not the case. The Irish Hospice Foundation, the CEO of SpunOut and ICTU are on the commission. The Government was also keen to ensure that the commission had strong female representation in its membership, and I am pleased that the majority of members, six of the 11, are women. The commission is well equipped to grasp the potential impacts of any pension reform options on affected groups, such as women, workers and older people. In addition, and to give other interested parties an opportunity to contribute to the process, the commission will seek submissions from stakeholders and representative groups.

In addition to repealing the increase in the pension age, the Minister has also committed to change the requirement for those who retire from work at the age of 65 years to sign on to a jobseeker payment in order to receive a State income support. She will shortly introduce regulations which will formally remove the current requirements for people of this age to sign on, participate in activation programmes or give an undertaking that they are genuinely seeking work. This will formalise an administrative practice which has been in place for some time.

It is clear that the Irish pension system faces demographic and sustainability challenges. While Ireland currently has a more favourable demographic position than many of our European peers, all EU member states, including Ireland, face many fiscal challenges relating to long-term ageing and its associated risks. Due to demographic pressures, the number of pensioners in Ireland will continue to rise. Population projections indicate that Ireland will undergo considerable demographic changes between 2020 and 2050. This has significant implications for the future costs of State pension provision.

Today, the Irish Fiscal Advisory Council published its latest fiscal advisory report, *Sustaining the Economy through Covid-19*. In the report it welcomes the establishment of the Commission on Pensions. It also, however, cautions that significant demographic-related pressures are projected over the medium term in respect of pensions expenditure. Assuming that service levels remain constant and social payments such as pensions rise in line with wages, the council estimates an annual increase in State pension payments of €370 million, on average, over the years 2021 to 2025 based on increased numbers alone.

This Government is acutely conscious of the need to consider the sustainability of the State's finances. However, this is not the only consideration when thinking of the State pension age. The State pension is the bedrock of the pension system in Ireland. As the Minister, Deputy Humphreys, highlighted, it is extremely effective in ensuring that pensioners do not experience poverty. This Government is committed to ensuring that this remains the case. That is why it established the Commission on Pensions and is determined to give it the space and time it needs to evaluate and recommend an appropriate approach to sustain the system over the decades to come.

I thank all Members for their time and engagement this evening. I emphasise how important it is to ensure the State pension system provides adequate support to people in retirement and continues to do that over the long term. Accordingly, I strongly commend the Government's amendment to the House.

Deputy Pearse Doherty: Tá áthas orm a bheith ag caint ar an rún seo ó thaobh pinsean de atá curtha chun tosaigh ag mo chomhghleacaí i Sinn Féin anocht. Tabharfaidh mé glór do chuid de na daoine ó Thír Chonaill a bhí i dteagmháil liom agus a thuig tábhacht an rúin seo

The motion before us has two principles, the principle of equality and the principle of fairness. It calls for the restoration of the right to retire at the age of 65. It also calls for the abolition of mandatory retirement so that workers have the right to continue to work beyond the age of 65, if that is their wish. It further calls for immediate legislation to stop the pension age increasing to 67 in January and to ensure that it is not subject to any review or scrutiny later.

The motion calls for the restoration of the right to retire at the age of 65, a right that is earned by those who have worked their entire lives. They have paid their taxes. They have earned their pension. In 2012, Fine Gael and the Labour Party, with the support of Fianna Fáil,

pushed changes in the State pension through the Dáil without any consideration of the impact they would have on those who rely on the State pension. In 2014, the pension age effectively rose to 66 when the State pension transition payment was abolished by Fine Gael. At the same time, many employment contracts stipulate the end of employment when the worker turns 65. Thousands of 65-year-olds have been forced to sign on for jobseeker's allowance or jobseeker's benefit since Fine Gael abolished the State pension transition payment. That is fact.

I was talking today to one of those workers affected by Fine Gael's policies. She has worked for a well-known bank since 2001. She was told by her employer that she would be laid off on her 65th birthday on 15 October, a nice birthday present from the Fine Gael Government. She told me that she had no choice but to sign on the dole for jobseeker's payment, another nice present from the Fine Gael Government. More than 4,000 65-year-olds are denied their State pension and are currently in receipt of jobseeker's allowance or jobseeker's benefit. The difference is €45. That is more than €2,300 per year. It is unacceptable. It is unfair and it must stop. Those people are not unemployed; they are retired.

Some workers want to retire at the age of 65. Others want to work beyond the age of 65. They deserve a choice and they have earned it. I commend the motion. Sinn Féin is very clear. We believe that the increase to 67 should not happen ever. We believe that the right to retire at the age of 65 with a pension should be granted. That is what we would do and what we are committed to doing.

Deputy David Cullinane: The Minister for Social Protection, Deputy Humphreys, said earlier that she understands the difficulties workers face. She also said that politicians and political parties should be judged on their actions and not their words. So, let us judge this Minister and this Government and Fine Gael on their actions when it comes to workers. What about the Debenhams workers who are striking at the moment in the cold and rain and who have been abandoned by the same Minister and by Fianna Fáil, Fine Gael and the Green Party. What have they done for the Debenhams workers? Precious little.

Let us judge this Government on what it did for those on the minimum wage. It gave them a lousy 10 cent an hour increase, yet there were three pay increases in two years for politicians and Members of this House. That is what people outside this House will judge Fine Gael and Fianna Fáil and the Green Party on. There is only one reason the Government climbed down on the pensions issue. I debated it with Fine Gael Ministers months before the general election. They were enthusiastic supporters of increasing the pension age to 67. Fianna Fáil was a bit more sheepish, but it supported it nonetheless. The closer we got to the election, the more its position started to soften and then after the election, the party did a somersault and a U-turn. It did it because of the way people voted and because it saw the writing on the wall. The party got a proverbial kick up the backside from the electorate, rightly so, because it was betraying them. It was saying to construction workers, those who work on the front line and those who work in really difficult jobs that they must work until they are 67, but politicians can retire on a big, fat pension at the age of 65. People saw the hypocrisy for what it is.

This will come down to an issue of trust. The Minister has set up a commission and, in so far as it goes, we commend it, but I do not trust Fianna Fáil or Fine Gael. I know the same enthusiastic Fine Gael members that debated with me and other members of my party and wanted to enthusiastically support increasing the pension age to 67 have not gone away. They will be back, but we will ensure that does not happen. If people really want to ensure the pension age does not increase, they should continue to vote for my party, Sinn Féin, and others.

Deputy Louise O'Reilly: I have heard a lot of talk in here and, to be honest, a lot of guff as well. The Deputies on the Government benches should be entirely ashamed of themselves. Workers watch what goes on in here. They see the pathetic attempts by the Minister and her pal on the backbenches to deflect and avoid talking about the fact that this means €45.40 a week to workers. That might not mean an awful lot to the Minister. It probably does not. It is probably just pin money to her, but not to people who have worked all their lives in low-income jobs, for whom she has precious little understanding. The Minister said she was a working woman, but as my colleague, Deputy Clarke, pointed out, the decision to increase the pension age and tell people to go on the dole at the age of 65 comes from people who sit at a desk. Builders, plasterers, waitresses, barmen and anyone else who has worked hard doing manual, physical labour deserve the right to retire at 65. They have damn well earned it. They have worked harder probably than any person in here. Sometimes there is a little bit of a gap in the Government's understanding of what is going on in real life.

I spoke to a builder in Balbriggan who is 64 years of age. He told me he had worked all his life and he was tired. The man could not face the thought of working to 67. He is retired now. I say he is retired but the Minister says he is on the dole. She can call it anything she likes, including an administrative arrangement or whatever the hell else she wants to call it, but that man is on the dole. This year, he will get €2,355.50 less than he would have got if he had the pension that he has earned. That is the disconnect. That is why the voice of the working people is missing at the Cabinet table. That is why we have to come in here and listen to the people on the Government benches deflect, try to change the subject and talk about something else. They talk about a place that until recently they thought was overseas. That is what is going on here. Workers see what is going on and they know who is on their side. They know who will stand up for them. Workers know that they deserve the right to retire at 65 and they know that the only party that is committed to delivering that is Sinn Féin and that only Sinn Féin in government will deliver for those workers who have worked tirelessly all of their lives.

When I worked in a trade union I presented a man with a 50-year pin. It is very rare for someone to have 50 years continuous union membership. He had started work at the age of 15 and at the age of 65 I presented him with his pin. He was told he had to go down to the labour exchange and sign on for the dole. He had never been there before. He had worked and paid tax and PRSI all of this life, and at the end of his working life, having worked hard, he was told to go on the dole.

The Minister stated that these people would not be made to look for work. They are still only getting the dole, which is what the Government does not understand. It is the dole by another name and only a Government that is massively out of touch with what goes on in the lives of working people would suggest something as ridiculous as that. This is the dole. It is 50 years of work and then there is the dole queue. These people have earned the right to retire at 65. They have worked hard and paid their tax and PRSI. I can give this commitment because if I had the opportunity to sit on the Government benches or if I were a Minister in the next Government, I would damn well ensure that people have the right to retire at 65 and access the State pension they have worked hard for and in respect of which they have paid contributions. That is no less than those people deserve.

Amendment put.

An Leas-Cheann Comhairle: In accordance with Standing Order 80(2), the division is postponed until the weekly division time on Wednesday, 2 December 2020.

Saincheisteanna Tráthúla - Topical Issue Debate

Social and Affordable Housing

Deputy Francis Noel Duffy: I thank the Minister of State for taking this matter. I am sure he is aware of what has happened in the Marianella luxury housing development in the Dublin suburb of Rathgar. The social housing residents living there under Part V of the Planning and Development Act 2005 have complained publicly about not being able to access many of the apartment complex facilities or to keep pets, despite this not being the case for any of the development's other private residents. Neither of us can say with any certainty that what is happening at this development is an isolated incident or an example of similar inequalities existing across the country. During the programme for Government negotiations, it was agreed to establish a commission on housing to examine such matters in detail. This story proves there is an urgent need for the Government to have much more information, facts and figures on housing, especially with respect to rights, tenure, standards, sustainability and quality of life matters so they can be addressed before they have a negative impact on people's lives.

What action can the Department take to ensure that this injustice and others like it that may exist can be rectified so that cases like this are not repeated? Will the Minister of State provide an update on the programme for Government commitment to establish the housing commission please?

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke): The use of the Part V mechanism to allow local authorities to acquire units in a private development, which are then allocated to social housing tenants, is important for a number of reasons. It makes a crucial contribution to supply of the overall stock available for social housing purposes and it supports the objective of social integration. As a matter of policy, it has been directed that the priority option that should be pursued by local authorities for Part V obligations is the acquisition of social housing on the development site by means of transfer of ownership to the local authority or to an approved housing body, AHB.

It is recognised that there may be specific cases where none of the units on a development site may be suited to the needs of the local authority. In those cases, sometimes the local authority will elect to require the provision of units off site. In some areas, although the need for social integration in the area may tip the balance towards acquisition, this is assessed on a case-by-case basis as no two situations are exactly the same. In each case, value for money has to be considered as one of the factors in the decision-making process.

Where an AHB acquires units for social housing under Part V, the tenancy relationship is between the tenant and the AHB that manages the properties. The local authority has responsibility for ensuring the AHB is providing social housing to the appropriate standards set out in the Housing (Standards for Rented Houses) Regulations 2019. The AHB has responsibility for ensuring that all such tenancies are registered with the Residential Tenancies Board and that the protections provided for in the Residential Tenancies Acts are provided as appropriate. Tenants have recourse to the dispute resolution processes provided for in the Residential Tenancies Acts.

Where it is proposed that a social housing applicant will be allocated a unit with an AHB,

a tenancy interview takes place where the applicant is advised of all relevant information for the proposed tenancy and pre-tenancy training taking place before the tenancy commences. Tenants are typically made aware of all facilities available to them, as well as their rights and obligations, and matters such as the keeping of pets are covered. Access to ancillary facilities located on the same campus are not generally covered by a social housing tenancy. Access to services and facilities outside the social housing tenancy is not a matter for my Department.

I note the comments of the Deputy on the commission for housing and I will raise them with the Minister, Deputy Darragh O'Brien, in the context of the commitment contained in the programme for Government.

Deputy Francis Noel Duffy: I hear what the Minister of State is saying but there is still a sense of segregation within developments and there is the matter of welfare. I will come back to the Minister of State.

During the negotiations to form the Government, all parties agreed to the Green Party's policy to legislate for tenancies of indefinite duration. This was in response not only to Covid-19 but the changing nature of the Irish rental market. There is now a need for the Government to support renters by improving housing standards, security and affordability of renting in the State. Will the Minister of State outline the status of the proposed legislation agreed in the context of the programme for Government. When will the Bill outlining support for tenancies of indefinite duration come before the House?

Deputy Peter Burke: I thank the Deputy. AHB tenancies are registered with the Residential Tenancies Board and governed by residential tenancies legislation. AHBs are currently subject to a voluntary regulation code and they will shortly come under the remit of the new approved housing bodies regulatory authority, which is in the process of being established. The Housing (Regulation of Approved Housing Bodies) Act 2019 addresses AHB governance, financial management, financial reporting, property and asset management and tenancy management, as well as the need for standards in these areas. The new regulatory authority for AHBs will, as part of its remit, prepare standards relating to each case in these areas. AHB accommodation must meet the standards of the service level agreement between the AHB and the local authority. Access to additional services which may be provided on a campus but which are not covered by the service charge is a matter for individual negotiation by a tenant. It is not a matter for the Department.

The Part V process makes a valuable contribution to social housing delivery and the core and critical nature of such delivery of social housing units in a manner that is sustainable, efficient and consistent with social housing policy and objectives. I am satisfied that the approach adopted by the AHB concerned in the development referenced by the Deputy is consistent in trying to achieve these objectives.

I will raise the rental legislation with the Minister, who is expecting to publish the affordability measures legislation before the end of this year, with a ring-fenced fee of approximately €80 million and €15 million contained in the budget for both cost rental and affordability measures. I will raise the other points directly with the Minister and revert to the Deputy.

Environmental Protection Agency

Deputy Alan Farrell: I thank the Ceann Comhairle for selecting this matter, which I submitted last week on publication of the Environmental Protection Agency report. I appreciate having the opportunity to address it today. I thank the Minister of State for coming before us today. However, I must express my disappointment that the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, is not available.

That said, I will start by referring to the report of the Environmental Protection Agency, EPA, which has generated a number of headlines such as "EPA says decade of action needed on environment" or one from today - I thank the newspapers for covering this issue - "Bad air day: pollution in Dublin reaches levels of smoky coal era 30 years ago". According to the EPA, up to 1,300 premature deaths are caused by pollution in the Republic of Ireland each year.

I wish to focus on the aspects of Irish Water and our local authorities, which explains why this issue is being put to the Department for Housing, Local Government and Heritage. The outlook for Ireland's environment is not optimistic unless the implementation of solutions across all sectors of society is accelerated, as stated by EPA director general, Laura Burke, who, in a recent contribution to RTÉ's "Morning Ireland" programme, stated that national vision and a decade of action was needed to put things right. She went on to state that there is an issue with compliance and although Ireland is good at signing up to directives, the aspiration does not really meet the reality. She stated "We need to speed up, we need to scale up, and we actually need to deliver."

Our watercourses and seas are polluted to our collective detriment and, indeed, to the detriment of our health. Fifty years or more of the failure of this State to invest appropriately in water supply and waste management treatment has resulted in overflows in dozens of locations, including at the country's largest plant at Ringsend. Back in 2019, the Minister of State will probably recall the scenes of booms being placed around certain places in Dublin Harbour, and subsequent to that, beaches like the one at Sandymount were black-flagged, and swimming is now prohibited there as a result. The event generated headlines like "Ringsend treatment plant will continue to fail treatment standards" or that the EPA warns plume will continue near Ringsend wastewater plant until upgrade works are completed. A constituent of mine commented online:

Plans to build another wastewater plant around Dublin have been mired in the usual nimbism. Until politicians grow up and are responsible to all citizens, it will remain the same.

I completely agree with those sentiments.

The comprehensive EPA report, which was published last week, examines a wide range of impacts on the environment and highlights that there are severe issues in respect of the quality of water in Irish rivers, lakes, estuaries and near-coastal waters. In short, water quality in Ireland has declined and this is being driven by three factors, namely, agricultural and physical changes led by development and how we treat our waste water. Nearly half of all of Ireland's surface water bodies are not meeting quality goals set by EU directives and climate change is driving temperature change and is increasing the amount of water flowing through these bodies of water, which is exacerbating pollution in our water and is critically endangering our biodiversity. Raw sewage is being discharged to waters from 35 towns and villages up and down the country and we only have 20 pristine river waters left, compared with more than 500 in the

1980s, which is not too long ago.

I think this underscores the importance of developing modern and effective drainage and wastewater treatment systems that will address these issues. The plan for a plant, for instance, in Clonshaugh, not too far from my constituency, has been delayed due to the failure to consult with the EPA. This is an example of the problems that exist within our system that the Minister of State should address.

Deputy Peter Burke: I thank the Deputy for raising this issue and providing an opportunity to comment on the EPA's latest report, "Ireland's Environment 2020". This important statement on the condition of our national environment brings together key data and assessment from right across the spectrum of the EPA's work.

This report includes an assessment of the water quality of our rivers, lakes, canals, groundwaters, estuaries and coastal waters. The EPA sets out in stark terms the present and future challenges we face as a country and as a society. Yet, it also points the way forward with practical and positive, albeit not painless, actions that must now be taken to address these issues. The EPA report is especially significant now and will give practical orientation to the opportunities presented by major new policy initiatives and a new programme for Government with strong commitments on climate, water and biodiversity.

The Government, like the EPA, is eager to see faster progress and consequently has put a priority on funding Irish Water's capital investment programme. In budget 2021, a significant sum of €1.4 billion was announced for investment in water services. In response to the EPA's call for action, we will continue to build new and upgraded services including urban waste water treatment plants and collection systems, which will eliminate raw sewage discharges and improve treatment. This will be achieved by funding Irish Water's water services capital investment plan to deliver the full €8.5 billion funding package committed to in Project Ireland 2040. We will expand environmental programmes, including the agricultural sustainability support and advisory programme, ASSAP, to work locally with communities, farmers, farm advisers and the food industry, to improve nutrient management on farms to reduce nutrients lost to water. We will continue to improve the protection of our pristine waters learning from initiatives such as the Blue Dots programme and the EU LIFE Waters of Life project, and we will launch a new revised and strengthened river basin management plan in 2022, drawing on a collaborative approach between all stakeholders. With these actions, I look forward to co-operating across the Government, with key stakeholders and with the public on these complex and interrelated issues.

Deputy Alan Farrell: I thank the Minister of State for his response. Previous EPA reports have drawn attention to this issue and while I appreciate the statement the Minister of State has made to the House, I point out there are plans that predate Irish Water in respect of treating and catering for the expansion of our cities, particularly here in Dublin, that are pushing up daisies. For example, the greater Dublin strategic drainage study, GDSDS, report has been around for over a decade and yet it has not been implemented because of politicians and communities standing in the way of critical environmental infrastructure, and I really do mean that, because some of it is happening in my own constituency. I am certainly not raising this issue to garner votes; I am raising it because I believe that it is right to do so and because there are beaches and rivers in this city that cannot be used because of the presence of effluent in our watercourses. It is essential that urgent action is taken - indeed, a decade's worth of action needs to be taken, as the EPA has highlighted.

Irish Water needs certainty regarding its funding and while I appreciate the comments the Minister of State has made in respect of the budget, our citizens also require certainty regarding the political nerve to deliver on this critical infrastructure. We need to end political chicanery around questions of what infrastructure goes where and the reasons behind those campaigns, which invariably are due to a lack of information in the public domain or worse, misinformation, that is sometimes perpetuated by politicians. We have a responsibility to ensure that when these projects are launched, put up on websites, discussed in our communities or mentioned by our local media, that we are informed as to what they are, what they will result in and most importantly, what they will not result in.

In conclusion, it is critical that we ensure that Irish Water is actually able to meet the targets that we set for it, not just in respect of the capital plan but in respect of the environmental impact that it has. As the EPA has said, any post-Covid-19 stimulus package should include development that has that climate action focus at the core of what it hopes to achieve.

Deputy Peter Burke: I thank Deputy Alan Farrell again for his comments and for his genuine interest in the issue of improving our water quality, which is a huge issue facing us all as citizens. The report marks a concerning change in direction in our water quality trends and it identifies the need to amplify and co-ordinate efforts across all sectors. In particular we must increase efforts to address both diffuse pollution sources, such as nutrient losses from agriculture, and point sources, such as wastewater run-off. These are both, by their nature, challenging issues for us to address. I emphasise the Government's commitment to continuing to implement the actions in the River Basin Management Plan for Ireland 2018-2021. The new river basin management plan will build on this work and will put in place further measures to protect and improve water quality in rivers, lakes, groundwater, estuaries and coastal waters. Our wastewater system requires substantial and sustained investment of money to bring it up to the standards expected of a modern service, to provide for population growth and to build resilience in the face of climate change. Through the funding decisions it has already made since coming into office, this Government has shown that it is determined to provide investment to enable Irish Water to meet this huge task over the coming years.

National Broadband Plan

Deputy Pádraig O'Sullivan: I welcome the Minister of State, Deputy Peter Burke, who is speaking in place of the Minister, Deputy Eamon Ryan. He is somewhat of a jack of all trades tonight and has spoken on social housing, Irish Water and, now, broadband. It is not an enviable task. I welcome him to the House. I have discussed this issue in the Dáil in recent weeks. We are all aware of how critical high-speed broadband is to our daily lives. This need has been exacerbated by the Covid-19 pandemic and the recent lockdowns.

I will highlight the failure of Eir and National Broadband Ireland, NBI, to deliver in parts of my constituency. The people I represent are extremely disappointed with the customer service Eir is providing and with its approach to the roll-out of the national broadband plan. Stories of people being left in a queue or on hold for hours on end are the norm rather than the exception. Eir appeared before the Joint Committee on Transport and Communications Networks last week to explain and excuse its poor customer care performance. It did not cover itself in glory on that occasion.

I will not provide local examples because I know the Minister of State will be well aware

of this great crisis. We expect people to work from home, study from home and run businesses from home. They simply cannot do this with the service being provided. Is Eir willing to fill the gaps in intervention areas to which it was providing fibre broadband before discontinuing such provision? I know many people who are not connected but whose neighbours across the road are connected. This causes much frustration.

My office is regularly contacted with regard to Eir and NBI. People often seek updates in respect of postcodes in the intervention area. People are requesting updates and wondering when they will be connected. They come to my office because they have been disregarded by Eir and other providers or because they cannot get through to Eir. This, in itself, is a problem. Such people receive generic responses stating the number of areas that have been surveyed. What people really want is a timeline as to when they will be connected. Would it be possible for people to receive quarterly updates in respect of their areas? There is surely a more effective way to communicate with people.

I know the Minister of State will say that this is a matter for the provider and for Eir but, on behalf of my constituents, I plead with him to put pressure on Eir to provide a better service. Two weeks ago, Peter Hendrick, CEO of National Broadband Ireland, said that, while Covid-19 has presented many challenges, the roll-out of the broadband plan was on schedule. This is very welcome. When the full roll-out is completed over the next three years or so, that will also be very welcome. The crux of the matter, however, is not whether a customer will be connected, because ultimately everyone will be. The issue is when that will happen. Clarity on the timing is key.

Deputy Peter Burke: I thank Deputy Pádraig O’Sullivan for consistently raising issues in respect of the national broadband plan on behalf of his constituents. The national broadband plan contract was signed with National Broadband Ireland in November 2019 to roll out a high-speed and future-proofed broadband network within the intervention area, which covers 1.1 million people living and working in the over 544,000 premises, including almost 100,000 businesses and farms along with 695 schools.

The national broadband plan will ensure that citizens throughout the entire country have access to high-speed broadband services and that nobody is left without this vital service. The national broadband plan network will offer users a high-speed broadband service with a minimum download speed of 500 Mbps from the outset.

The current deployment plan forecasts premises passed in all counties within the first two years and over 90% of premises in the State having access to high-speed broadband within the next four years. The high-speed broadband map, which is available at www.broadband.gov.ie shows the areas which will be included in the national broadband plan State-led intervention, as well as areas targeted by commercial operators.

Design work is complete or ongoing in target townlands in every county in Ireland, with over 136,000 premises surveyed as of 23 November. This survey work is feeding into detailed designs for each deployment area, and build work has started in rural parts of Cork, Limerick, Cavan and Galway. The first connections are expected shortly in Carrigaline, County Cork. These will be subject to technical testing and validation prior to a wider release in the area.

While substantial progress has been made to date, the Covid-19 pandemic has had an impact on the delivery of the fibre network as a result of restrictions imposed on travel and social

distancing. The Minister's Department is monitoring the situation closely and National Broadband Ireland has committed to putting in place measures to mitigate these impacts as much as possible. The extent of the impact is currently being assessed.

The Covid-19 pandemic has also highlighted the importance of reliable broadband to ensure that citizens in rural Ireland can have the high-speed connectivity required to facilitate remote working, education, social interaction and online shopping. This is reflected in the programme for Government, as delivery of the national broadband plan will be a key enabler of many of the policies envisaged, particularly those around increased levels of remote working.

The programme for Government specifically commits to seek to accelerate the roll-out of the national broadband plan. In this regard, the Minister's Department continues to engage with National Broadband Ireland to explore the feasibility of accelerating aspects of this roll-out to establish the possibility of bringing forward premises which are currently scheduled for the sixth and seventh years of the current plan to an earlier date. As part of that work, National Broadband Ireland is engaging with the ESB to assess the potential to utilise the ESB network for certain areas. The potential to accelerate the network roll-out is being explored in parallel with the measures required to mitigate delays arising as a result of Covid-19.

Broadband connection points are a key element of the national broadband plan. These provide high-speed broadband in every county in advance of the roll-out of the fibre-to-the-home network. As at 20 November, some 201 broadband connection point sites have been installed by National Broadband Ireland, 59 of which are now connected to high-speed broadband services through a service provider contract with Vodafone which is managed by the Department of Rural and Community Development for publicly available sites. In addition, primary schools are also being provided with high-speed broadband, for educational use only, through service provider contracts managed by the Department of Education. To date, 22 schools have been connected with high-speed broadband for educational purposes.

I am aware that concerns have been raised by the Oireachtas Joint Committee on Transport and Communications Networks regarding the level of information available on the deployment of the NBI network. The Minister, Deputy Eamon Ryan, has advised me that National Broadband Ireland is working to provide more detail on the deployment programme on its website, with rolling updates on the network build.

Deputy Pádraig O'Sullivan: I welcome the fact that the national broadband plan is being accelerated. I acknowledge that but it is ironic that the Minister of State's four or five pages of a response uses the same kind of language as Eir and other providers use when our constituency offices contact them. I welcome the roll-out of the broadband connection points. My own constituency is benefiting in that regard as Whitechurch will be getting one. The real issue I need to hammer home is that people require access to information. I welcome the last part of the Minister of State's speech in which he mentions that the Minister, Deputy Eamon Ryan, has advised him that NBI is working to provide more detail on the deployment programme on its website. I ask the Minister of State to emphasise to the Minister how important that is and to tell him that the sooner that can be done in the new year, the better it will be as regards giving people comfort as they may then have some indication of when broadband is to come to their town or village.

As public representatives, we are all aware of how many of these large semi-State and private companies operate. When I was on Cork County Council, the various departments, such as

those for roads, engineering and water services, operated under a programme of works. It is the same in many other local authorities across the country. A programme of works can be deviated from, changed or revised. There is nothing wrong with that, but at least the programme is there. In the case of the organisations of which I am speaking there is a total absence of information. The responses to public representatives have been appalling and the responses to customers the length and breadth of the country are infuriating.

I call on the Minister of State to relay my sentiments to the Minister for the Environment, Climate and Communications, Deputy Ryan. Most important, I appeal to the Minister of State to place a requirement on Eir and all providers involved in the roll-out to supply proper coherent information to all of us, customers and public representatives alike. They should leave out the jargon and provide even indicative timelines for the provision of broadband services in the different areas.

Deputy Peter Burke: I thank Deputy O’Sullivan again for raising this issue and for the points he clearly makes regarding it. I share his frustration in respect of the providers and the issue of access to information as well as genuine customer service, which is a major frustration with people. I do not want to put a tooth in it: that is fully reflective of the situation on the ground. I believe the joint Oireachtas committee shone a light into this recently. We have a great deal of work to do to respond to that issue. It is something I get representations on every day in my constituency.

Covid-19 has highlighted the importance of good reliable broadband to ensure citizens throughout Ireland can avail of remote working, education and other essential online facilities. This is reflected in the commitments in the programme for Government. The delivery of the national broadband plan will be key to enable many of the policies envisaged, especially around increased levels of remote working. The national broadband plan will ensure citizens throughout the entire country will have access to high-speed broadband services. It will ensure no one is left without this vital service.

Despite the impacts of the Covid-19 pandemic, National Broadband Ireland continues to make steady progress on its deployment activities. As I mentioned before, over 136,000 premises across all counties have been surveyed to date. A total of 201 broadband connection points and schools have had connections installed by National Broadband Ireland. That is genuine progress.

The Government has committed to seek to accelerate the roll-out of the national broadband plan. In this regard, the Department of the Environment, Climate and Communications continues to engage with National Broadband Ireland to explore the feasibility of accelerating aspects of the roll-out.

I will raise the issues put forward by Deputy O’Sullivan in respect of broadband and access to information with the Minister, Deputy Ryan, and reaffirm the views on the urgency of this for everyone in the House, including Deputy O’Sullivan, in terms of accelerating the roll-out of broadband. I fully appreciate that it is a key issue.

Disability Support Services

Deputy Sorca Clarke: I thank the Minister of State for taking the time to speak about this serious issue. “What’s seldom is wonderful.” That is how one parent described the level of services his child with Down’s syndrome has received. The tone in which he said it would break a stone heart.

In my constituency of Longford-Westmeath the Springfield Centre in Mullingar plays a critical role in the provision of these services. It is vital that the centre reopens for face-to-face therapy sessions. The families concerned have waited patiently for their turn for services to reopen since the pandemic arrived. From Friday, the reality is that they can bring their children to the cinema across the road from where they want to bring them and need to bring them, which is to the centre to get those vital services.

A little boy born in April with Down’s syndrome has had one physiotherapy session. He has had no more, nothing else and no contact. Another child has had two sessions. More were promised but none were delivered. This feedback is common. It is not the exception to the rule; it is the rule. Parents are doing everything they can but they desperately need help now, and that help is difficult to get. They are no longer begging and pleading for services to reopen; they are shouting and roaring. That is the urgent nature of the need for their children to receive these services. Let us be honest. This is a damning indictment.

Covid-19 is not an excuse. The fact is that the level of these services pre-Covid was never fit for purpose. Any intention to return to that level of service provision will miss the needs of these children by a country mile. The parents want the services to reopen urgently and their children need the services to reopen urgently.

Schools can be open. In schools it is deemed safe for adults and children to be together for extended periods of time. Cinemas are open. We can now go shopping for our Christmas gifts. However, these parents still cannot have the essential services that their children need. It simply does not make sense.

What is more concerning is that it does not stop there. I received a call earlier this week regarding adults with Down’s syndrome. They are part of a wider group of people requiring extra needs who are close to the same centre geographically. Every morning they used to be picked up by a bus. They learned new skills for independent living and in how to take care of themselves. Their interaction was social but also psychologically beneficial. The routine and structure for participants and the respite they afforded the carers were invaluable. However, the HSE has moved the Covid-19 testing site to where they were situated. They now have no home. They are operating out of two places in industrial estates on either side of the town. They have no access to materials, resources or their peers on a regular basis. The bus that picked them up has also stopped. Gone is the routine and the structure. It is sad and concerning that their families are reporting that the skills they learned while they were there are gone.

Everyone understands that the pandemic and Covid-19 take precedence. No one is disputing or arguing that fact. However, what could be, and is being, disputed is that the demands on these people have been disproportionate. Some members of society have sacrificed so much more and have lost access to so much more. These children and babies fall into that category. We are still asking the most vulnerable group in our society to make sacrifices.

It does not have to be like this. We are not in the early stages of Covid. We are almost a year into Covid. It should not be a choice between testing centres, provision of services, provision of therapies or support services for adults. Packaging things in that way is unconscionable.

The reality is that what has led us here is poor planning and decision-making. When will the Springfield Centre reopen to provide these vital therapies for children? Why were more suitable premises not found for the adult group?

Minister of State at the Department of Health (Deputy Anne Rabbitte): I thank Deputy Clarke for raising this valuable issue and giving me the opportunity to speak on it.

Several weeks ago, I spoke about Offaly with Deputy Nolan. She raised the matter that evening. Deputy Clarke talks about the constituency of Longford-Westmeath. I talk about the community healthcare organisation area that covers Longford, Laois, Offaly, Westmeath, Louth and Meath. That is the size and magnitude of the area. I am putting it in context.

I thank the Deputy for raising this important issue. I understand the Deputy is referring to both occupational therapy services as well as speech and language therapy. It is not in my note but I assume Deputy Clarke is also referring to the Mullingar Resource Centre, MRC. Is that what she is talking about? I am abreast and across that in recent weeks.

I am glad to say that in the context of the Government's resilience and recovery framework, the provision of disability services is deemed essential. That only happened last September when they were planning to do it. Prior to that, disability services were not deemed an essential service, especially the first time we were locked down last March, unfortunately.

It goes without saying that all disability services must follow the public health guidelines in the area to ensure service users and staff are protected as much as possible. It is important to note that most children's disability services maintained a level of service and support for children and their families throughout the Covid-19 pandemic. This was based on prioritised need, available staff, family consent and was in line with the HSE guidelines. These services and supports were provided by way of phone or telehealth as a first option, advancing to direct face-to-face contact where telephone or online supports did not meet the child's needs.

Deputy Clarke has outlined some clear comprehensive examples where people could not do face-to-face interaction, including the case of a baby who was several weeks old. I am not here to defend the HSE and I will not defend the HSE, but I cannot quantify the wording in my script as a level of service. Clearly, we cannot quantify what Deputy Clarke was speaking about as any level of service.

To address the challenges of the Covid-19 pandemic, the HSE has redeployed staff across the five different counties to testing and contact tracing throughout the pandemic.

10 o'clock

I have been raising this issue consistently with Paul Reid since 5 October. I have asked repeatedly for these therapists to be returned to their substantive work. This work is ongoing, but the HSE has committed to returning all these staff as its recruitment of community swabbers continues.

In the case of the Longford-Westmeath region specifically, the most important thing is that the local HSE services have advised me that the Springfield Centre in Westmeath is due to re-

open next Monday and therapy services will resume on that date. I apologise that cinemas will be open before it, but at least we will have it opened. It has taken us until 8 December to get to this stage, but at least we have it opened and I thank Deputy Clarke for raising this question. I hope I am not getting a response because a Topical Issue matter was tabled regarding this issue. I would hate to think that we are reactionary to children's needs, as opposed to, as Deputy Clarke clearly stated earlier, being proactive and planning ahead. I will address the MRC in the next part of my answer.

Deputy Sorca Clarke: There is no doubt that what the Minister of State said will come as welcome news to the families that use the Springfield Centre. From personal experience, I can state no parent brings his or her child to that centre for the craic. People go because of established and proven needs. The Minister of State mentioned face-to-face or online meetings. One issue which has cropped up is that of parents being fobbed off with Zoom meetings. If the Minister of State will accept it, I will send her a copy of an email I got from one parent. This parent was fobbed off with a Zoom meeting in respect of sensory processing because he or she had kicked and screamed in frustration to highlight the needs of his or her son. That is insulting to the parents and highly disrespectful to the child, because that child does not have a sensory processing disorder and never did. This was well known and has been flagged.

Another issue which concerns me more in this regard is that the parents involved felt compelled to accept that Zoom meeting for fear of repercussions regarding the provision of further services down the line. The parents had that Zoom meeting, knowing full well it was going to be of zero benefit to their child. That is concerning considering that probably umpteen parents would probably have given their right arms to have that Zoom meeting. When we talk about the provision of services, particularly in this regard, meeting low standards is not something to be proud of.

These children, families and groups are our neighbours. They are in our communities and they deserve a hell of a lot more than what has been provided to date. Time is not something that is on the side of these children. We know the value and importance of early intervention, but that relies on delivery. Otherwise, it is wholly ineffective, just words on pages and sound bites, which have never delivered so much as half an hour of physiotherapy or occupational therapy. It is absolutely meaningless for them. The reality is that while there will be a vaccine for Covid-19, there is not, as one parent remarked, a vaccine for Down syndrome.

Deputy Anne Rabbitte: I thank Deputy Clarke again. I am not one for sound bites at all. I am more a person of action in respect of understanding exactly what is going wrong behind the system. The Deputy is right in everything she said. I will not contradict one bit of it. I will talk about the MRC for one moment, however. I went to the MRC with the Ministers of State, Deputies Burke and Troy, in August and September. I met with parents, families and friends of the MRC. I was at the Bridge House and the Millennium House, I think, and I was out to the MRC building itself. On the day of my visit, I queried the fact that it was going to be used as a testing centre. That was contrary to what many parents had requested for the service users. I was told it was an essential service and led to believe that the building was not up to standard.

I met with officials from HSE CHO 8 three times regarding the MRC and I am due another update next week. I requested that meeting for the simple reason that if the building was good enough for service users prior to Covid-19, I am at a loss to understand why it is not good enough during Covid-19 when we have a shortage of capacity for service users and we are looking for space. I appreciate we are trying to move in new directions, but we have a shortage

1 December 2020

of space. The Minister of State, Deputy Troy, sourced the band hall to try to help with accommodation while works were going on in Bridge House.

To bring Deputy Clarke up to speed regarding the MRC, I have already organised another meeting which will take place next week. The head of CHO 8 is meeting me, along with different people in the Department and the HSE. That will be a complete and comprehensive meeting, and not a taking of the box exercise as carried out last May. I refer to the deeming of the building as unfit. That was a different meaning of the word “unfit” when compared with a description based on a proper score chart.

The Dáil adjourned at 10.06 p.m. until 10 a.m. on Wednesday, 2 December 2020.