



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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# DÁIL ÉIREANN

*Déardaoin, 21 Eanáir 2021*

*Thursday, 21 January 2021*

Chuaigh an Cathaoirleach Gníomhach (Deputy John Lahart) i gceannas ar 10 a.m.

***Paidir.***  
***Prayer.***

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## **Covid-19 Vaccination Programme: Statements**

**Acting Chairman (Deputy John Lahart):** I understand the Minister is sharing his time with the Deputy Devlin.

**Minister for Health (Deputy Stephen Donnelly):** I am sharing time. I will take the first ten minutes approximately.

It is now a year since the World Health Organization declared the prevalence of Covid-19 to be a public emergency of international concern. Since that day, we have found ourselves living lives very different from those we may have expected or hoped for previously. Case numbers, people hospitalised and, most regrettable of all, the number of people who have lost lives to this illness have become the backdrops to our lives. In the space of less than a year, we have seen the benefits of what has been an unprecedented collaboration between the public and private spheres and between those behind the initial spur of invention and those responsible for channelling investment to foster that invention. The result is that we now have vaccines. They are currently being administered. They are being administered for free and they will be available to everybody.

Two days ago, Ms Annie Lynch, the first person in Ireland to receive a vaccine, got her second dose. It is a great news story at the end of what has been a very tough year for the country and for every community, business, family and group. The availability of vaccines provides great hope to all of us. It is wholly understandable that everyone should wish to be vaccinated as soon as possible to protect themselves and their loved ones, colleagues and friends against illness. At present, demand exceeds supply, but that will not always be the case. The European Commission, acting on behalf of the member states, has negotiated six advance purchase agreements with a range of vaccine suppliers. Currently, two vaccines have been approved for use. These vaccines - one produced by Pfizer–BioNTech and the other by Moderna - have been reviewed and authorised by the European Medicines Agency, which concluded that both are safe and effective.

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The vaccines are currently being administered as part of Ireland's vaccination programme. Thankfully, we are doing well by comparison with other EU member states in respect of the pace of the vaccination roll-out. I fully understand, as I am sure we all do, the very human desire to get vaccinated to be protected against this awful disease. Given that a limited number of vaccines will be available initially, it will take some time for everyone to be vaccinated. This has necessitated an allocation strategy to ensure those most at risk of Covid-19 and those who care for them will receive a vaccine first.

On 8 December, I published Ireland's national Covid-19 vaccine allocation strategy. It is very clear. It prioritises, in the first instance, those over the age of 65 living in long-term care facilities, front-line healthcare workers and those over the age of 70. These are the first three cohorts. Our Covid-19 vaccine allocation strategy was based on a paper by the Department of Health and the National Immunisation Advisory Committee. It was endorsed by the National Public Health Emergency Team, NPHE, and it was approved by the Government. The allocation framework combines ethical principles as well as equitable access, with prioritisation for those most in need. The first priority is to vaccinate and protect the most vulnerable among us, directly use vaccines to save lives, and reduce serious illness.

While we want to roll out our vaccine programme as quickly as possible, speed should not trump safety and confidence in that programme. That is why I was troubled by a small number of stories that emerged recently indicating the prioritisation strategy was not used. Family members and possibly some others were prioritised. I note that the board of the Coombe hospital has decided to commission a review. I welcome the appointment of a senior clinician at the hospital to lead the next stage of the vaccination roll-out. I have asked the HSE for a report on the other reported incidents.

About 94,000 people received the first dose of the vaccine by last Sunday. Our vaccinator teams are working hard right across the country. At the end of this week, our most vulnerable citizens - those in long-term residential care - will have received the first dose of the vaccine. As a nation, we should all be really proud of this.

I am delighted to be able to share with the House that we are on course to meet our target for this Sunday, that is, 140,000 vaccines. Broadly speaking, there is a 50:50 split between front-line healthcare workers and those in the long-term residential care sector. In that sector, the focus is on residents over 65 and the staff in the nursing homes. There are 589 nursing homes. Also included are residents over 65 in residential mental health settings and residents over 65 in residential settings for those with disabilities. There are some cases in which not everyone can be vaccinated because of the prevalence of Covid-19 or infections within a particular setting but these cases are being prioritised and will be got to according to the relevant clinical advice.

The news on vaccination is very good. I thank, in particular, the task force and the HSE. Not only have we accelerated vaccination in the nursing homes and other long-term residential care settings, for reasons all in this House understand, but, even in spite of a 50% reduction in our Pfizer allocation this week, we are still on target to reach 140,000 vaccinations by the end of the week. This was a really important target for us to hit. It essentially means we are emptying the buffer down to a very small level but that is the decision we took. We wanted to make sure we got the residential care sector done by the end of the week. I acknowledge the considerable work of our vaccination teams, clinicians and staff running the programme not only in being able to hit the target but also in being able to do so when we were given about 24 hours' notice of a quite substantial reduction in the Pfizer allocation this week. Well done to

everybody involved.

As a nation, we are on a long journey together in terms of the vaccination programme. Even with the great start the country has had, stumbling blocks have been encountered, as with any complex process. There is, for example, the issue I have spoken about of the short notice of a 50% reduction in the Pfizer supply. I am happy to report to colleagues that the supply schedule is expected to return to what was agreed from next week and we have indications we will get higher future amounts to make up for what happened this week, which is important. The AstraZeneca vaccine, which I was delighted to find out is being produced on a not-for-profit basis, can be administered more easily outside of the dedicated vaccination centres. As we know, Pfizer and Moderna have to be stored at  $-70^{\circ}$  and  $-20^{\circ}\text{C}$ . Pfizer, from when it is taken out of the freezer, has 120 hours to get into somebody's arm. That can still be done through GP practices but it is much more complex. AstraZeneca is still a two-dose regime but it can be kept at refrigeration temperature, which makes it much more amenable for use in other settings. Ireland has secured 3.3 million doses of the AstraZeneca vaccine through advance purchase. It is envisaged that its availability will provide the backbone for the next phase of vaccinations, which will include being administered by pharmacists and GPs in our communities.

Plans are being progressed to ensure vaccines can be delivered at pace as volumes increase in the coming weeks. The scale-up will be achieved through a number of partnerships, including, as I said, GPs and pharmacists, but others as well, and through the mass vaccination centres. Planning is ongoing to mobilise the mass vaccination centres soon. From early February we will see them in operation.

We expect to receive news from the European Medicines Agency, EMA, about the AstraZeneca vaccine at the end of January. The date set is 29 January. At that point we will be in a position to provide more accurate vaccination timelines for all citizens. I know people are looking for it and I hear that loud and clear and fully agree. As I said before, we are planning our programme based on a supply of vaccines that would mean every citizen can be vaccinated by September. That is what we are working to but, as colleagues are aware, the timelines are indicative. It is hoped they will provide reassurances and clarity for people but I re-emphasise that these timelines are based on assumptions for the future delivery of other vaccines, including at this point AstraZeneca, which have yet to be approved. Companies behind the other vaccines have not even applied for approval yet. These are tentative timelines, but I know people want a sense of where we are going and when people will get to be vaccinated.

In the shorter term, I have told the vaccine task force to ensure clarity is provided to pharmacists, dentists, carers and other front-line healthcare workers in the coming days regarding when they will be vaccinated. Colleagues from my party and right across the House are asking when that will have gone through for the pharmacists, dentists, hospital workers or other groups in their constituencies. I hear that loud and clear and want to get that certainty to people as quickly as possible. There is the possibility that other issues will arise over the course of such a big vaccination programme. However, I have every confidence that when these issues are identified, they will be dealt with.

I acknowledge again with thanks the commitment of all involved in the roll-out of the vaccination programme, which will deliver a safer Ireland for everybody in the coming months. I also thank the public, who have sacrificed so much to keep each other safe and who have followed the current guidelines, thus pushing the current Covid case numbers back down. Vaccines are on the way and we as a nation are on our way.

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**Acting Chairman (Deputy John Lahart):** If the Minister has a few more words to say, he can use the time.

**Deputy Stephen Donnelly:** I thought I was sharing with Deputy Devlin. Is he not here?

**Acting Chairman (Deputy John Lahart):** No. Does the Minister of State, Deputy Butler, wish to contribute?

**Deputy Mary Butler:** No.

**Deputy Stephen Donnelly:** I will leave it at that.

**Acting Chairman (Deputy John Lahart):** We move on to the second group. Deputy Cullinane has ten minutes for questions and answers.

**Deputy David Cullinane:** I will take my time for questions and answers, if that is okay. It is important that we get as much information from the Minister as possible. I will start with some of the concerns that have been put into the public domain and raised in recent times. It is important for us to learn lessons, and the Minister has acknowledged that.

We know issues were raised in relation to two hospitals with family members of senior management in those hospitals receiving the vaccine. There is also anecdotal evidence coming from other hospitals in relation to non-patient-facing staff getting priority over front-line staff. What level of complaints have been made and what number of concerns have been made to the Minister and his Department directly relating to such activity? How many hospitals is he aware of where complaints have been made about either family members of management receiving the vaccine or non-patient-facing staff getting priority over front-line healthcare workers?

**Deputy Stephen Donnelly:** I thank the Deputy. I am personally aware of three hospitals that I have had queries about: the Coombe Hospital, the Rotunda Hospital and a situation in County Kerry. On the Coombe, I spoke to the chair of the board last night who told me they are conducting a review. I believe they are hiring senior counsel. They want to establish all the facts. They have found out more since the initial statements were made. On the others, I have asked the HSE to look right across the system at any of these allegations and report back to me on the situation. I can tell the Deputy, and I am sure we are in agreement on this, that the protocol agreed by Government has to be followed.

**Deputy David Cullinane:** I thank the Minister. Those lessons have to be learned and that is the most important thing that can happen.

I wish to ask the Minister about the regularity of supply. As he said in his introduction, we are all being lobbied by different cohorts of society, whether it is dentists, pharmacists, carers or people who provide home help. There are many genuine questions these people have. None of that will probably change until we have more doses coming in weekly. At this point, how many doses are coming in per week from Pfizer and Moderna? What is the number at the moment coming from both of those companies?

**Deputy Stephen Donnelly:** I will provide for everyone whatever schedule I can at the end of this session. Broadly, we have had so far slightly more than 40,000 per week from Pfizer and low numbers to begin with from Moderna. The schedule I have seen shows they are coming in every two weeks. The good-----

**Deputy David Cullinane:** What is the number from Moderna?

**Deputy Stephen Donnelly:** The initial shipment from Moderna was 4,000 or 6,000. I will get the Deputy a note on it. That ramps up. That good news is on Pfizer. The Deputy will be aware that the allocation was based on getting five doses from the vial. They arrive in trays and there is a certain number of vials per tray. It turns out that if it is done right with the right type of syringes and the vaccinators are sufficiently trained, six and sometimes seven doses can be got out. That means that, along with the 40,000 doses that were scheduled, we can get up to 20% extra, potentially up to 48,000. That is good news.

**Deputy David Cullinane:** So at the moment it is about 40,000 but we can get more from it. From Moderna we have so far got 2,000, which is a very low number.

The next question concerns if and when AstraZeneca gets approval, which we hope will happen towards the end of January. I have spoken to that company. It has done a great deal of advance manufacturing. First, what is the advance purchase agreement we have with AstraZeneca? Second, given that it is easier to distribute and to get into the State in terms of delivery and storage, I imagine we can get more of that stock in quickly. It can be sent to GP surgeries and pharmacies, as well. How many of the doses for which we have paid and completed an advance purchase agreement with AstraZeneca can we get into the State very quickly?

**Deputy Stephen Donnelly:** The advance purchase with AstraZeneca is for 3.3 million doses. I agree wholeheartedly with the Deputy that it is a game changer. Because of the temperatures, we can get it straight out to GPs, pharmacies and potentially others. The first quarter volume is approximately 600,000 doses. It is a two-dose regime, so that will be about 300,000 people. At present, the advance purchase agreement, APA, is for a monthly delivery. We are getting vaccine once a week from Pfizer and once a fortnight from Moderna at the moment, and the indication is that the AstraZeneca vaccine will arrive once a month in quite large quantities. The advance purchase agreement is written with us and all other EU member states such that the first batch will arrive in mid-February. We expect to have authorisation on 29 January, so we are working with AstraZeneca and the European Commission to try to bring forward the delivery. That may not be possible, however, because anything that is brought forward has to be done on a full Commission basis. A country cannot get special treatment as a single member state. My view is that having the vaccine authorised on 29 January and getting it in according to the original APA is certainly not what we want to happen. We are trying to bring that forward as much as possible.

**Deputy David Cullinane:** I have been informed that AstraZeneca has done a great deal of advance manufacturing. While the figure of 600,000 doses in the first quarter is significant, why are they coming monthly? Why not get more? Is it because that is all that have been produced? Are there logistical reasons for getting them monthly? Why not get all 600,000 at once and get them into GP surgeries and pharmacies in order that they are here? People will ask these questions. If the doses have been made and are sitting in locations in England or elsewhere in Europe, we should get them into the State as soon as possible. That was my question. Why not increase the numbers of doses coming in so that we can equip GP surgeries and pharmacies, and so that the mass vaccination centres we want to put in place and the staff to roll that out have the vaccine to roll out as quickly as possible when it is here? Why is it only monthly and why will there be only 600,000 doses?

**Deputy Stephen Donnelly:** I agree wholeheartedly with the Deputy's ambition. It is ex-

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actly in line with what we are trying to do, namely, to get in as much vaccine as possible as early as possible and get it into people's arms straight away. That was what was agreed with the EU. The EU bought as much as it could. Every member state gets a *per capita* amount, so we get 1.11% of the total amount the EU could get. It is shared equally for each delivery each month. The figure I mentioned is the maximum amount the EU could get and we get a *pro rata* portion of that.

I fully agree about the mid-February delivery. We are doing everything we can to bring in the vaccine early. I have received the same confirmation that the Deputy mentioned. The first question was whether the vaccine exists and whether it will be delivered in mid-February only because it has not yet been produced. We have confirmation that it does exist, so that is exactly what we are trying to do.

**Deputy David Cullinane:** On the detailed note the Minister mentioned, he might provide all that information to us. The more information he can provide to us, the better. As for the email address for submitting questions that was given to party health spokespersons, the response time is reasonable but could be better. I ask the Minister to take that up with his officials.

I acknowledge that the Minister cannot get loaves and fishes out of 40,000 doses coming in weekly. Nevertheless, genuine questions have been raised by different cohorts, which is healthy because it shows there is high interest in the uptake, so I take heart from that. I raise the issue of home help and carers. The response I got from the support email address that was given to us does not answer the question. Are carers in category 2 or 6? The Minister mentioned dentists. Many dentists have contacted me. Obviously, they are in patient-facing roles and interact closely with people. Where do they sit in terms of the allocation groups? I have also had inquiries from undertakers, who have a difficult job to do. They have asked about their position in the allocation.

**Deputy Stephen Donnelly:** I have raised the Deputy's concern about the email address with the officials and asked that the response time be made shorter. On the issue of carers, I asked for a clinical judgment from the HSE, which I got in the past 48 hours, and it is as follows. Carers who work in the formal sector, that is, those who work for the HSE or for one of the private caring companies, are included in cohort 2. As for dentists, I can confirm they are included in cohort 2 as healthcare workers.

**Deputy Duncan Smith:** I will ask questions back and forth of the Minister, if he will allow me. As of 13 January, 69,700 front-line healthcare workers had received a vaccine, according to the HSE's figures. The Minister stated, however, that as of Sunday next, 24 January, a target of 140,000 will have been reached, split more or less evenly between healthcare workers and people in nursing homes and their staff. If 70,000 - half of 140,000 - are to be vaccinated in the space of two weeks, how will those figures match up? Are we making any progress? Is it the case that those people will get a second jab and that is being counted twice in the figure? The Minister might answer that and allow me to come back in.

**Deputy Stephen Donnelly:** This week, the main focus is on long-term residential care settings. I think we are covering 367 or 369 individual nursing homes in this seven-day period. As of Sunday next, 69,000 front-line healthcare workers will have been vaccinated, as the Deputy noted. This week, 3,900 of them, or thereabouts, will get their second dose, while others will get their first dose. When we get to Sunday and the numbers are tallied up, it will not be exactly 70,000 and 70,000, but it will be broadly 50:50.

**Deputy Duncan Smith:** I raise that issue because we are at an important juncture in the vaccine roll-out. It is early, but confidence has been shaken by the incidents spoken about earlier. The first guiding principle of the sequencing document is transparency and practicality. Transparency is really important. The Minister and the HSE need to get this right now, to fix the mistakes and get confidence going. Resentment is breeding within the healthcare sector, as we are hearing through our constituency offices. There is one group of healthcare workers, but within that, as the Minister will be aware, eight subsets in the sequencing document are listed in order of priority. I ask him, in the interests of transparency, which is the number one guiding principle, to include in his reporting the numbers within each subset of healthcare workers who have been vaccinated. Within the acute hospitals and the healthcare settings, there are workers who are front-facing with people infected with Covid-19, and who are looking either down the corridor or up the stairs and asking why and how others have been vaccinated when they have not yet got it despite their position.

There is no doubt that the national roll-out of a vaccine is difficult, but the first guiding principle is transparency, so we should have figures for those subsets. Last week in the Chamber, I requested figures compiled by the Health Protection Surveillance Centre, HPSC, that showed the number of workers who were sick with Covid-19. The Minister provided them and that helped. It did not bring down the ceiling. It helped with transparency and allowed people to understand. The CEO of the Galway hospital group has talked about the challenges he is facing with workers being out sick. The more transparency and data there are, the better we can all respond. Will the Minister please consider that?

I would appreciate if I could follow up with another question.

**Deputy Stephen Donnelly:** Absolutely. From my perspective, the more transparency, the better. We have made a real effort and I hope that has helped in some way. Members of the Oireachtas should be getting a daily briefing and there will be a biweekly one from me. We set up the email address to receive queries from party health spokespersons such as the Deputy and many others who are in the Chamber. We are trying and if there is more we can do, we will absolutely do it. I will seek to get as close as possible to what the Deputy has just requested. That is no problem.

**Deputy Duncan Smith:** That would be most helpful. The indicative dates for everyone else in all those groups - October, November or whenever it may be - such as meat plant workers, other healthcare workers, dentists and retail workers, may shift and change based on supply but, again, transparency and communication will help. My worry is that if the Government goes wrong here, resentment will breed and we will end up with some kind of *The Hunger Games* feeling in the country in respect of the vaccine. We must avoid that at all costs. Therefore, it would be helpful if the Minister could work on providing indicative dates.

The language used by the Minister was that we will have gone into a buffer on the vaccination by the end of this week. What implications will that have? Are we going to enter a period where we may have a hiatus in the vaccination roll-out or is the Minister confident we will be getting enough vaccines to keep going at the rate planned?

**Acting Chairman (Deputy John Lahart):** The next speakers are Deputies Christopher O'Sullivan and Cathal Crowe. Is Deputy O'Sullivan making a statement or asking questions, or both?

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**Deputy Christopher O’Sullivan:** I will do questions and answers, if that is okay. I thank the Minister. At the outset, I want to say one of the simpler requests I received before the new year and Christmas was that Ireland should not be behind the curve in terms of vaccine roll-out within the EU. Thankfully, it is the case that we are not and that must be acknowledged. We are ahead of the curve. We have all had queries, however, and we are all receiving multiple representations from members of our constituencies. I have a few who are looking for a bit of clarity. The Minister touched on some points already. I came in towards the end of his answer to Deputy Cullinane so I want to get further clarity on that.

Pharmacists, pharmacy workers, GPs, carers and dentists are the people who are getting in touch with us in terms of when they will be vaccinated. Of course, we must welcome the deal that has been done with GPs and pharmacists in terms of the roll-out of the vaccine. With that, however, come questions as to clarity and certainty on when these cohorts will be vaccinated. In his answer, the Minister might focus particularly on pharmacy workers and pharmacy staff. Unfortunately, what is happening in the community is that people with Covid-19 symptoms are walking into pharmacists and chemists. They should not be but it is happening and staff are obviously concerned. Could the Minister please give further clarity on those cohorts?

**Deputy Stephen Donnelly:** I am receiving many of the same understandable questions. I have asked the HSE to produce a detailed note in the coming days on exactly this issue. At a high level, however, cohort 2 includes pharmacists and dentists. As I said earlier, the HSE has made a clinical position on carers, which is that carers in the formal sector, that is, carers who are employed as such, are also included in cohort 2. By Sunday, we will have hit a little under half of that group of front-line healthcare workers. There are 150,000 people, or thereabouts, in that group. We will have hit, perhaps, a touch above 70,000 people and then we will keep going. From Sunday, notwithstanding some outliers, the residential care facilities and nursing homes will have been done. The vaccination path for those two groups is set because it is 28 days after a person gets his or her first vaccination. The vaccination path for the 70,000 who are done is set for the same reason and the other group we will do straight away is the other half, that is, the pharmacists, dentist, carers and many others who are moving into that between now and mid-February.

**Deputy Christopher O’Sullivan:** That is important. I also take it that pharmacy staff are included in cohort 2. In my second question I am looking for a definition. Many people are contacting my office asking what a key worker is. Will the Minister point me to somewhere, perhaps on the HSE website or some documentation, that will show what exactly defines a key worker?

**Deputy Stephen Donnelly:** The first place to look is the *gov.ie* website. The Deputy will see the vaccination protocol is there and the report from the national immunisation advisory committee, NIAC, was published as well. That is all there.

The first level of key workers in the prioritisation are those who were involved in the vaccination programme. Many of them are covered in cohort 2, which are the front-line healthcare workers and, for example, people involved in supply chain logistics in moving the vaccines around. A lot of administration is involved behind the vaccinators, so they are key workers specifically for the vaccination programme. Another cohort is education essential workers, and another group is wider essential workers. A good place to look for that information is in the lists that were used for the Covid-19 measures.

**Deputy Christopher O’Sullivan:** I want to speak out on behalf of people who suffer with cystic fibrosis and chronic lung disease. They are among the most vulnerable in our country now in terms of succumbing to this virus. At the moment, I believe they come in at point 7. I am talking about people between the ages of 18 and 64. I must speak up for them because they are vulnerable. Is there any way that could be reviewed?

**Deputy Cathal Crowe:** I wish to use my time in a question and answer format with the Minister. First, it is good to see that Ireland was top of the league table in terms of the roll-out of Covid-19 vaccines in recent days. We may be at the lowest ebb of Covid-19 at the moment. We were in a huge battle. We have seen ICUs and the pressure our whole country is under, but there is also huge cause for hope. I thank the Minister, Deputy Donnelly, and his staff, who are helping to keep that supply chain of vaccines open to us.

I have a few questions. I mention mental health staff in the mid-west, particularly in County Clare. The mental health staff and mental health nurses who leave their base hub each morning and go around the community and into people’s homes have not yet had Covid-19 vaccines. The vaccine seems to have bypassed them in some ways and administrative staff, who have the benefit of a Perspex screen giving them protection, have had the vaccine. Those who are on the front line going into people’s homes have not, however. I have also been corresponding with Professor Colette Cowan of the UL Hospitals Group on this. I know it has autonomy on how it disperses the vaccine but this step of the ladder cannot be missed. It is front line and it is essential.

The next issue I wish to raise is that of GPs in County Clare. Again, many of them are being told it could be mid- to late February by the time they receive a vaccination. They are absolutely front and centre on the front line. They are meeting patients every day and putting themselves at high Covid-19 risk. There was an error with the online registration system. Many of them tried to get online and book in for vaccination. That system was not working, however, and there were some problems with HSE IT unit. It has left them floundering and now waiting a couple of weeks behind where they would like to be. I hope the Minister and his Department can intervene in some way. There were write-ups in the newspaper last week about Deputies fighting for constituents. I will be unapologetic in this Chamber in ensuring those who are on the front line in my constituency get their vaccine, that all-important gold dust jab into their arm, to protect them from Covid-19.

The last thing I wish to say is about the community, both in Clare and nationwide, who suffer profoundly from cystic fibrosis. It is such a debilitating disease at the best of times each winter in Ireland because our climate is extremely tough for them. Now, on top of this they must grapple with Covid-19. They are extremely high risk. As I understand, at the moment they are in category 7 of the 15 categories of prioritisation. I hope that can be looked at in terms of bumping them up a bit. I would appreciate if the Minister could respond to some of those queries I put to him.

**Deputy Stephen Donnelly:** I acknowledge that the Deputy raised the issue of the mental health nurses with me previously. It is one I will be raising with the task force and the HSE. The short answer is they are front-line healthcare workers. There is no question about that. It is just a question of when in the next few weeks they will receive the first dose, as it is for the GPs.

I would like to make a point, which is there is no political involvement in how this wave is allocated between different front-line healthcare workers or from one nursing home to another.

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An allegation was made, which was beyond the pale, suggesting there was political involvement in diverting vaccinations away from front-line healthcare workers. It was made by a member of the Opposition and it was very disappointing. There is no political involvement in this. These are operational decisions. The political involvement from all of us is the setting of the prioritisation, and that is by NIAC.

I hear the Deputy loudly and clearly on all three issues, that is, the mental health nurses, GPs and people with cystic fibrosis. Indeed, many other people have many other conditions which also make them vulnerable. We are obviously using the NIAC prioritisation. As we have said, however, that is a living document and we must always be up to reviewing it based on new information, new science and new information about the vaccine and how it is progressing.

**Acting Chairman (Deputy John Lahart):** I call Deputy Seán Crowe. How does the Deputy wish to make his contribution?

**Deputy Seán Crowe:** I want to make a few points and then, perhaps, ask a couple of questions if we have time at the end. The vaccination programme will only work with successful engagement and buy-in from the public. The vaccine programme needs to be as fair, open, transparent and honest as possible. Some people have genuine concerns at the speed, safety and effectiveness of many of the vaccines that have appeared and they have worries about the possible side effects. We need to respond to those concerns with responsible, accurate and up-to-date information.

We see media reports of non-front-line healthcare staff and family members receiving vaccines outside of the priority scheduling. No one wants to see the vaccine go to waste but there has to be accountability and transparency in the process. If there is an extra dose per vial, all hospitals and vaccination centres must be made accountable for those extra doses and be prepared to stand over what they do with them. This information will be vital in order to be able to give people their second doses if required.

This is an incredibly complex programme with many moving parts. My worry is that we see the hallmarks of an attitude that everything will be grand, it will settle down and somehow it will sort itself out. We cannot adopt a Mickey Mouse amateur approach. It has to be logical and precise. There can be no oiling of the hinges and taking of shortcuts. I have great concern at the concerted efforts of a few who would sow doubt and fear of the vaccine in the minds of the public. We have to up our games and explain exactly what is in the vaccine, why it is safe and why it is necessary. I have heard anecdotal evidence of some healthcare professionals expressing doubts about the vaccine and even about the virus. Covid-19 is not a flu-like virus. One should ask the families of those who are fighting for their lives in ICU wards across the country about the virus, or ask Martin Ward, a nurse in University Hospital Galway who was on “Morning Ireland” this morning, whose mother and father died of the virus.

Are proper records being kept of the excess doses of the vaccine that are being given to those outside the normal schedule? These should not be pen and paper records that could be shoved into a drawer. Will the full IT recording system be available to all vaccination teams ahead of the progression to the larger category groups? What is the HSE doing to combat the disinformation campaign we are seeing springing up online and on the streets? Is the HSE willing to step up its public information campaign to help allay some people’s legitimate concerns around the virus?

**Deputy Stephen Donnelly:** All vaccinations are being recorded. There will be an electronic record for all vaccinations. Critically, when we have the wider roll-out, including to those over 70, for example, that will be electronic.

On disinformation, I agree wholeheartedly with the Deputy and it is something we are taking seriously. In some good news, we got in new research on the public's view of the vaccines. I put the results of same out online yesterday or the day before. It is showing that we were starting from a pretty good position. A majority of people were definitely going to take the vaccine and a lot more people were open to it and were probably going to take it. Those numbers have shifted markedly in the right direction. It has been fantastic for the public to see, right across the healthcare world, such a high demand for the vaccines because ultimately, it is our healthcare professionals and scientists who really know what they are talking about on this stuff.

**Deputy Róisín Shortall:** The Minister said earlier that it is his intention that every citizen would be vaccinated by September. Maybe he will clarify that. He presumably meant every resident as opposed to every citizen.

On the target date for completing vaccinations in nursing homes, the Minister had set a target for the first jab and then the second jab. It is unlikely that those target dates will be met so have new target dates for the completion of both rounds been set?

I refer to the unfortunate incidents we saw in which the order of priority was not observed in three hospitals. That is such an Irish thing and it undermines confidence hugely if there is a perception that there is pull or political influence of any kind and that it is a matter of who one knows. Now that the Minister has put the protocol in place, and it is important to bear in mind that this was announced on 12 January and those incidents were mainly before that, does the Minister intend to introduce sanctions if that protocol is breached?

On registration, when will the system go live? What about people who do not have access to a computer or to the Internet? How will that be addressed? What about people who do not come forward to register, namely those hard to reach people who we always have difficulty with for other public health programmes? They need vaccination so what is the plan for reaching those people?

I have a concern about governance. I strongly felt there should be a separate governance framework for the vaccine programme. My understanding is it is being led by the chief clinical officer, who is more than busy with all of the other work he is doing. It concerns me that there is no dedicated lead on the vaccine programme. I am also concerned that there is confusion about the task force, the national immunisation advisory committee, NIAC, and the HSE and who calls the shots here, except that ultimately the buck stops with the Minister. It would be better if there was a dedicated lead for this, rather than somebody who is already exceptionally busy.

On the order of priority, there is much concern among patient groups, including among people who have had transplants and people who have serious conditions such as cystic fibrosis or Down's syndrome. There is a great deal of concern that the number of front-line workers will be growing all of the time and that they will be pushed further down the list. While there are many people with loud voices speaking on behalf of different front-line and other workers, it is important that we ensure that people who have serious medical conditions are treated or get access in time.

**Deputy Stephen Donnelly:** Residents will be vaccinated. One does not have to be a citi-

zen. The vaccine is for anybody who is here.

We are on target to have the nursing home residents and staff vaccinated. We set an ambitious target for this Sunday to have them all done or to have all of them done except for the outliers where there will be residents who, because they have Covid-19, cannot be vaccinated.

**Deputy Róisín Shortall:** Is that a significant number at this stage?

**Deputy Stephen Donnelly:** It is unfortunately a significant number but the target was always to do all the nursing homes, with an understanding that one cannot vaccinate those who have Covid-19. I am pretty comfortable saying that we are on target. There has been a great amount of work done to meet that.

On family members, I disagree that it is an Irish thing. We are seeing reports from all around the place that this kind of incident is going on but it should not have happened.

**Deputy Róisín Shortall:** Will there be sanctions if it happens again in the future?

**Deputy Stephen Donnelly:** The protocol was not put in place on 12 January. That was a secondary protocol. The protocol that was in place was the one that was agreed by the Government many weeks ago. A secondary nuanced protocol was not needed to know that one's family members are not front-line healthcare workers. That was clearly in place.

**Deputy Róisín Shortall:** Will there be any sanctions?

**Deputy Stephen Donnelly:** On sanctions, I am awaiting the report from the HSE on the settings other than the Coombe Women's Hospital. The board in the Coombe Women's Hospital is doing a thorough investigation and we need to give that space and see what happens.

I fully agree with the Deputy on registration. There will be online registration but there will be many people who do not have online access. One of the ways we will be dealing with that in the first group, those over 70, is with direct GP contact. All of those over 70 have a GP visit card and the GPs know their patients well.

**Deputy Marc MacSharry:** To use my time efficiently, I just want to make a statement and a few points. The Minister can use other time to respond to me or he can write to me. I do not want him to eat into Deputy Lawless's time by answering me.

As I said last week, it is crystal clear to me that we did not prepare adequately. This is borne out by the fact that senior consultants in the Coombe Women's Hospital were bringing in the family and friends to use the additional doses, even though they could have been put in a taxi or an ambulance and have been down in St. James's Hospital in a matter of minutes or have been over at the Mater Misericordiae University Hospital in a few extra minutes, where there seems to have been some delay in many front-line workers being vaccinated. In terms of supply, I reiterate my call that, as opposed to the appropriate people talking to the companies as the Minister stated last week, he should get on the phone to AstraZeneca, Pfizer, Johnson & Johnson and Moderna and secure additional supplies. There are no gold medals for being good Europeans on this one. I might quote the German Chancellor, Dr. Angela Merkel. It was reported in *The Irish Times* on 6 January that Dr. Merkel stated, "We don't want national solo runs and think the most effective protection for us can be reached with a European approach." That was fine. Dr. Merkel already had her additional supplies in the bag at that stage and she just wanted to make sure nobody was following suit. I want us to take the old fashioned lift-the-phone approach,

secure supplies and if they want €70 a dose, give it to them. Otherwise, the Minister is looking forward to a fourth wave and an indefinite lockdown, and that is no good to any of us. We did not prepare - 20 lashes. We are where we are now. It is time we got with the programme, up our game, secure adequate supplies and have the target ultimately of a 24-7 365-day vaccination to bring all of this to an end for all of us.

Like Deputy Shortall and, I am sure, other colleagues, I have a concern about how we are selecting who is prioritised and why. An email from the national immunisation advisory committee, NIAC, to a kidney transplantee states that the Department of Health, based on assessment of risk and disease and balance of risk of exposure through work or daily living, is what determines who is on the list. The email goes on to say that determination of the make-up of specific groups is beyond the scope of this committee. If NIAC is not deciding with its expertise who should be getting vaccinated, who is doing it? Is this not more of our ridiculous approach? Why is NIAC not saying it? Why are transplantees, who, because of their medication, are immunosuppressed, well down the field? A personal friend of mine is a kidney transplantee from Clontarf. Her husband has had to work from home since last March. Her children are being home-schooled since last March. She is well down the field to September-October. It seems we will get to her but others are more important; they must come first. It gives me no pleasure but I am bound to say there is a continuing headless chicken approach here. I do not doubt the Minister's personal commitment to want to get this right, but who is he defending? Is it National Public Health Emergency Team, NPHE? Is it NIAC? Is it the Department of Health? Is it the HSE? Where is our ineptitude coming from on this?

Of course, I have to put on record today - indeed, it is in the media today and the subject of parliamentary questions to the Taoiseach - the idea that, without it coming before the Dáil for approval or, it would seem, according to the Minister, Deputy Harris, a memorandum to Cabinet for approval, we will up the price of the Secretary General of the Department of Health by €81,000. I am sorry but we need to address these issues.

**Deputy James Lawless:** I intend to ask a few questions of the Minister, if he has time to respond. If he cannot respond to them all, perhaps he can do so in writing.

At the outset, I acknowledge this is certainly not a political issue. In fact, it is not even really a medical issue or a health issue as such. It is a supply chain management issue. It is a logistical issue. That is the challenge that we face in shipping this, gathering this and packing this around the country with the attendant storage requirements, etc. In that vein, there are sectors of industry and society, such as the hauliers, shipping companies, big pharma, distribution networks, and all sorts of private and public sector knowledge bases on this. My first question is: have they been consulted, are they on the advisory boards and are they in the room? Even within the State, I had a contact from a former Teagasc colleague last week who stated that at the time he worked there, it was the pre-eminent distribution network for agricultural supplies and samples around the country and he stated that could be tapped into again to ship vaccines and provide storage, etc., with refrigeration. There is much knowledge out there. Perhaps the Minister could confirm whether that is being accessed. I hope it is.

I wrote to the Minister on this second matter last week and I tabled some parliamentary questions. I note the Minister has taken up some of the suggestions. I suggested that the AstraZeneca vaccine could be shipped pre-approval to be ready to go because the approval is only about dosage. It is not about the formula. It is about what dosage to give to the patient. Another Minister has run with that since. A follow-up question is whether people can be trained in it.

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If there are any differences with how the Pfizer and AstraZeneca vaccines are administered, people should not only have it ready to go in the fridge but have the trained staff ready to start injecting it. That would be really helpful. Similarly, on the Pfizer vaccine, I asked in a parliamentary question last week whether we can get six rather than five doses out of the Pfizer vaccine. That would be helpful also, if that is confirmed as a working protocol.

My next question has been raised elsewhere, but I will ask again. There are certain sectors that are a bit of a grey area. Dentistry is one that has been raised with me this morning. Dental nurses, dental hygienists and dentists themselves are in a healthcare setting. They are performing emergency work in many cases but they are not currently on any list. Family carers are another. Professional carers have been mentioned, but where do family carers, where somebody is looking after an elderly relative, a person with special needs or somebody who requires significant assistance and who perhaps could not provide that assistance were he or she to get sick, sit on the list?

My next point is information. We have debated this a great deal. My office, and I am sure every Member's office, is being inundated with queries, such as how one gets it, whether one presents to one's GP, whether one goes down to the hospital, whether they call the person, or whether the person calls them. Is it do not call us, we will call you? How does that work? Will it be preselection based upon age and certain criteria or do they need to make themselves known? Do they need to go online? How will that work? I appreciate it may not be quite there yet but the sooner we can get that information out there, the better. If we can tell people what to do, do they wait for the call? Do they make the call? We really need to get answers to all those questions out there as soon as possible.

I had many exchanges with the Minister over the summer on getting the Covid statistics on the app and out there in terms of caseload and I would make the same point about the vaccines. If we can get the statistics out there with daily publication, ideally, on the app, that would help to generate confidence.

This is my last question before the Minister responds. There is some suggestion within the EU that some countries are getting the vaccine more quickly than others based upon their propensity to administer it. Denmark is said to be an exemplar and it is getting more of it more quickly because it can use it. Is that holding us back to an extent? Is there any of that at play? If there is, can we address that? If there is not, the Minister might reassure the House. I thank the Minister.

**Acting Chairman (Deputy John Lahart):** The Minister gets to answer one of those. He has 30 seconds.

**Deputy Stephen Donnelly:** In terms of the supply chain, there is much expertise involved in the national cold chain storage and the drug distribution network is being used.

On whether we can get AstraZeneca ahead of the scheduled delivery, we are doing everything we can. The scheduled delivery is mid-February. We are looking for authorisation on 29 January and we are doing everything we can to see what we can do there.

On Pfizer and the sixth dose, we had really good news. Apologies, I will get back to the other Deputies in writing.

Can I ask a quick question of the Acting Chairman?

**Acting Chairman (Deputy John Lahart):** Yes.

**Deputy Stephen Donnelly:** In my efforts to counter misinformation from Deputy MacSharry last week, I asked permission of the Leas-Cheann Comhairle in what was without a doubt an unacceptable and inappropriate way. It is certainly something that I sincerely regret. Given what I believe to be misinformation from Deputy MacSharry on something that is so important, I wonder would it be in order for me to give a brief response.

**Acting Chairman (Deputy John Lahart):** The Minister will have a period at the end where he can do that.

Deputy Daly has three and a half minutes. Has the Deputy questions or a statement?

**Deputy Pa Daly:** A statement.

In order for the vaccine roll-out to succeed - we all want it to succeed - it needs a plan to deliver buy-in and trust from participants. Buy-in should be very high. The Covid-19 vaccine is likely to be the most desired vaccine the world has seen in decades. The plan should set out goals and timelines and performance indicators and all of this will build trust. If the plan is good, it will work.

Unfortunately, the last couple of weeks have shaken the implicit trust that many people had. Educators and teaching staff, early years, special needs assistants, SNAs, special education teachers, all teachers, facilities and office staff want to be sure that they and their students are safe in the workplace. They have worked exceptionally hard since June to plan for reopening with very little direction from the Department with minimal resources. The rate of spread in schools has been well-contained for the most part, thanks to staff. However, the new virus strains have completely changed circumstances for them. We are not dealing with the same situation we had from August to December. Not only are teaching staff wary of the Department of Education's reopening plan, they have been largely abandoned in the vaccine plan. The mantra that schools are safe is not good enough. It is the educators in the State that the Minister is talking to. The Minister is not trying to sell the monorail to residents of Springfield.

*11 o'clock*

Teachers are ranked priority 11 out of 15. This defies all logic. I have been informed by healthcare workers that they are a broad category in the plan. While many in hospital settings have now received a vaccine, numerous others have been brushed aside. Home helps who go into the homes of elderly and vulnerable people and have close patient contact should be in priority 2. However, I am hearing from home help workers, who have not even been contacted about receiving the vaccine, that they are gravely concerned and need clarity. Dentists are in close contact with their patients and are exposed. We were assured they were in priority 2. Dentists in Kerry, however, have told me that they cannot even get clarification on when they will be contacted to arrange for the vaccine. I was also contacted by an adult day care worker in Kerry who told me his appointment for the vaccine was cancelled due to IT difficulties. When he complained, he was offered the vaccine in Cork city, two hours away. More chaos.

Every plan must have contingency. While I appreciate the vaccine is new and the methods of distribution present new challenges, this should have been accounted for. Surely the most basic plan would have stated leftover vaccines must be used for priority 2 workers. It is incredible that the communication of the plan was so poor and rushed. However, it is not surprising.

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This should have been addressed but like every other plan it was amended after pressure from the Opposition parties.

I have heard from teachers and special needs assistants who are terrified to re-enter schools. They care for their students but are being left to balance at-home students with in-person students without additional resources and no commitment to test for close contacts for them. In fact, there has been no additional consideration or resources for this cohort despite evidence of the new virus strains affecting younger people at a far greater rate.

Once the trust is broken, it is difficult to repair. Clarity must be provided and the rationale must be clear to all. I urge the Minister to ensure that the priorities fit with public health guidance, as well as investing the right effort and energy. The Government knew what had to be done in ICU but did not take action. The Government knew what had to be done regarding test and trace but that did not happen. It needed to tighten airports and borders but it did not. The Government needs to address the concerns of teachers straight away.

**Acting Chairman (Deputy John Lahart):** The next speaker is Deputy Gino Kenny. Is it questions or statements?

**Deputy Gino Kenny:** It will be questions and answers.

I welcome last night's news about the funding for and the establishment of the medical cannabis access programme. I presume over the next few months we will have a discussion about the roll-out of that programme.

Over the weekend, a number of the Minister's Cabinet colleagues were somewhat contrite about the public health advice given in late November. Does the Minister bear responsibility for the circumstances in which the State is now?

**Deputy Stephen Donnelly:** I thank the Deputy for his kind words on the medical cannabis access programme. I acknowledge that he has been at the forefront of this from day one, along with Deputy Aindrias Moynihan and others. It is good news. I look forward to going through the details of it with the Deputy and others. We are allocating a sizable amount of money. The programme existed before but, as the Deputy is all too well aware, it was not able to be rolled out because there was not an allocation for new drugs. That is being rectified and I look forward to talking to the Deputy about it.

I am more than happy to answer the Deputy's question. However, it is a session on vaccines and the Deputy's question is about the public health advice in November. I am happy to answer it, Acting Chairman, but we might be doing a different session at another time. I am happy to answer it if it is in order. If it is not in order, we could move on to vaccines.

**Acting Chairman (Deputy John Lahart):** It is Deputy Gino Kenny's time. He asked the question.

**Deputy Stephen Donnelly:** That is no problem at all.

Ultimately governments are responsible for the decisions they make. That has to be the starting point. I have absolutely no doubt that in time there will be a full and thorough review of what happened. None of us would want the surge that we saw and the subsequent impact it had on the hospitals, ICU and so forth.

Had we or anybody known then what is known now about the prevalence of the UK variant, as well as potentially the South African variant, the public health advice would have been different. I have no doubt that the Government's decisions would have been different, as well as public behaviours. It all would have happened differently.

We did not know about the UK variant until the Friday before Christmas. That was when the UK Government raised an alarm and said it had a problem. We worked right through the weekend with the public health officials. We were back and forth with our counterparts in the UK. By Monday, the Government was shutting down travel between Ireland and the UK, which was completely unprecedented, and recommending moving to level 5. To give the Deputy a sense, the day before that Friday, on the Thursday, the public health advice, which I believe was the right advice based on what was known at the time, was to bring forward level 3. The original plan had been to move to level 3 in early January. They were saying that given the rise in cases, we should move it forward to St. Stephen's Day. The Cabinet sub-committee met on Monday and made a recommendation to the Cabinet without NPHEAT advice but, in fairness, with CMO advice to move to level 5.

I would be happy now or on another day to compare and contrast the information. There has been much focus on what happened coming into December. The advice was to move to level 3 which we did. There was one area of difference where the advice was to close hospitality. We did open the restaurants. Hospitality was not open. The pubs, hotels and nightclubs were not open but restaurants were. At the same time, the public health advice was to open up households. As the Deputy is aware, we kept no household visits right through to 18 December.

Would 3A versus 3B have made much of a difference? Personally, I do not think so. There is an interesting question to ask, namely, whether we should have tried to extend level 5. Might that have worked? My own view, for what it is worth, is that I do not think it would have worked. It would not have been in line with public health advice. The public health advice, if it had been level 5, would not have been in line with what was happening on the ground. People right around the country were very tired. We had just done six weeks of level 5. We had the lowest case rate anywhere in Europe. These are important and real questions which will be examined in much detail in time.

**Acting Chairman (Deputy John Lahart):** We are back to the Government side with Deputy Colm Burke. Is it statements or questions and answers?

**Deputy Colm Burke:** It is questions.

I thank the Minister and all of the people involved in trying to get the vaccine rolled out at the earliest possible time. Everyone involved is working extremely hard. In the South Infirmary in Cork over two days, 1,200 people were vaccinated. This included people working in the hospital sector, GPs, their assistants, ambulance paramedics and front-line workers. Vaccinating 1,200 people in two days shows the commitment given by people. People were also working on a voluntary basis.

We still have not received clarification on home helps calling to five to six houses a day to provide care to elderly vulnerable people. If the company they are working for has a contract with the HSE, it appears to have no difficulty in getting its employees vaccinated. However, in the case of companies not directly doing work for the HSE but which have contracts to provide home care, their employees do not seem to be able to get access to getting vaccinated. I would

like to see some clarification on that issue.

My understanding is that those receiving dialysis are on the seventh cycle, way down along the list. These are people who might travel to hospital three or four times a week. Someone must take them and then someone must bring them home, meaning they have much contact with people outside their own home. They appear not to be prioritised. It is a small - around 2,000 people - but important group. Can they be prioritised?

**Deputy Stephen Donnelly:** I thank the Deputy very much for the questions. Yes, those in the formal carer sector are included as front-line healthcare workers. For example, the Minister of State, Deputy Butler, spoke about this exact group of people being vaccinated in Waterford. They are included. The clinical guidance on this is that those in the formal sector are included as front-line healthcare workers. With regard to dialysis, a similar question is being raised, very understandably, by other Deputies, and it is coming to me and, I am sure, to all colleagues almost daily. Cystic fibrosis was mentioned and many other people have many other serious conditions that make them very vulnerable to this.

The question is being asked whether it is reasonable for us to change the prioritisation so they can be vaccinated earlier. What I can say at this point is NIAC, which is the expert group, has considered all of these issues and laid out the principles on which it was providing the advice. The advice it has was looked at in great detail by NPHET. NPHET endorsed the prioritisation that was there and this was subsequently agreed by the Government. However, as we said from the start, it is a living document, and as new evidence emerges and as we learn more, get new vaccines and find out more about new vaccines, we must always be open to reviewing the prioritisation. On a personal level, I am very sympathetic to the point the Deputy is making. I know people who, if they get this disease will be in very serious trouble, and I am sure every Member of the House does also, as does everyone in Ireland. It is a very important question. The position before any review is the NIAC prioritisation, which is what we are going with, but of course we must be open to reviewing it.

**Deputy Joe Flaherty:** I thank the Minister. It is very important at the outset that we state we have come on an incredible journey in a short space of time in terms of the vaccination roll-out. We have moved from being the laggards of Europe to being the top performing country in the continent, and this is the level at which we need to be operating. As of last Sunday, we had administered 94,000 vaccines. We have a team of 1,700 vaccinators operating and a total of 4,000 people trained to vaccinate. It is important that we emphasise that this is the largest ever vaccination programme undertaken in the country. I commend the Minister and his team on their Trojan work in this regard.

It is also important that we put on record that we have paid a massive price in terms of Covid. As of yesterday evening, we have logged 179,000 cases and, sadly, we have recorded 2,768 deaths. For them, sadly, the vaccines will come too late. It is these deaths, and doubtless there will be other deaths that will surely come in the coming weeks, that need to keep us focused on the stated goal of the Minister and the entire House that we complete our vaccination programme by September. We have been issued with a roadmap, which is very welcome. As some of my colleagues have said, it needs to be delivered with authority and conviction.

An important aspect of the plan is the messaging. We will shortly commence vaccinations for everybody over the age of 70 not living in long-term care facilities. Here the message needs to be precise, timely and reassuring. It is critical these recipients, many of whom live alone and

are isolated, know as soon as possible and affirmatively when they are to get their vaccine and where they will do so. I am conscious that many of my colleagues have already highlighted the call for earlier vaccinations for cystic fibrosis patients and mental health nurses, and I support these calls.

Everybody in the House agrees it has been a tremendously difficult week for the parents of special needs children and the children themselves. The Minister is determined to get the resumption of special needs education classes as soon as possible, and there is an earnest expectation that we will shortly see our schools reopen. The current schedule of vaccinations will not see education workers vaccinated until April. I encourage the Minister to look at every opportunity to see whether this can be brought forward. Similarly, childcare staff have been working in facilities since the start of the year and it seems they have been overlooked. They also need to be prioritised. We have heard the case made here today for pharmacy workers. If this can be fast-tracked, it would be greatly appreciated. Crucially, we need clarity on the situation of family carers as it seems that at present they are included as key workers in cohort 6 but in reality they are healthcare workers. I note the Minister's earlier clarification that paid carers are now categorised in cohort 2 but, for clarity, will the Minister confirm whether those in receipt of carer's allowance or carer's benefit are now included in this category also?

Everybody in the House received an email from Siobhán this week. She cares for her elderly parents and her daughter who has cystic fibrosis. For ten months she has gamely battled to keep her home Covid-19-free. It has been pressurised and extremely stressful but her efforts have taken a huge amount of strain off our other front-line workers. It is important that we prioritise the Siobháns of this world, the people who are working, north, south, east and west, in this country for a fraction of the minimum wage.

**Deputy Matt Carthy:** I have a number of questions which I will put together and the Minister can respond as best he can. I seek clarification on several points in the Minister's responses to Deputy Cullinane. He mentioned that dentists are included in cohort 2 as front-line workers. They do not know this so there is a need for improvement. Will the Minister clarify exactly how the roll-out among this cohort of very important workers will take place?

I reiterate the question put by the previous speaker in respect of carers, particularly family carers. It is crucial that the roll-out of the vaccine is seen to be fair and that equality is seen to underpin everything done. In this respect, it should not really matter who is paying a carer. If people are carers or working with vulnerable people, they should be included and prioritised as part of the roll-out.

This principle of equality and fairness also needs to apply in respect of the workers and staff in hospitals. Over the weekend, we all saw a headline that hospital staff in the south west are four times more likely to have been vaccinated than staff in the north east. This is not what we need to see and I am sure the Minister will agree. We need to ensure the roll-out is balanced and fair. This week, one of my local radio stations, LMFm, heard harrowing stories from staff in Our Lady of Lourdes Hospital in Drogheda with respect to false dawns. Staff were told to prepare for vaccination programmes being rolled out, but on Tuesday they were told it was not going to happen. I do not know whether the Minister has clarification on this case. I do not know whether the Minister is aware that in the Cavan and Monaghan hospital group in my constituency, staff and workers in Monaghan have been expected to travel to Cavan to get vaccinated. This is not fair or equal and, in my view, it is not effective. Will the Minister give an update on whether there will be a vaccination roll-out in Monaghan hospital?

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Will the Minister clarify, and I hope the answer is a simple one, for staff who are resident in the Six Counties of the North and working as front-line workers in hospitals in this State that they will be part of the vaccination programme?

**Deputy Stephen Donnelly:** I thank the Deputy for his question. With regard to dentists, I am happy to confirm they are included in cohort 2. I have spoken directly to their professional body and have stated it publicly on several occasions. If they do not know, we will do everything we can to let them know. Communications have issued but we can always do more.

With regard to carers, it is a clinical decision based on the prioritisation from NIAC, which is the expert group, that those in the formal sector who are employed as carers are covered. To answer the Deputy's direct point on family carers, it is not my decision but a clinical decision based on the expert advice that they would be covered under the various categories into which they might fall. For what it may be worth, my view is that an even bigger priority are the people being cared for. In many cases, the vaccinations will begin in mid-February for those aged over 70. It is not everyone, obviously. Some people who are being cared for will have underlying conditions and there has been much discussion on that. I will revert in writing with the other answers. I thank the Deputy.

**Acting Chairman (Deputy John Lahart):** I call Deputy Seán Canney for questions and answers or statements.

**Deputy Seán Canney:** I have a short statement and a few questions. I do not want to repeat what others have said. I thank the Minister for fielding all the questions this morning. From my constituency point of view, what is missing is the fact we do not have a clear programme. We have a plan but we should have a programme. A programme would include where we are getting our supplies from, when we expect them, how we are going to distribute them and how we are going to reach our target in September.

It is being rolled out and I congratulate everybody on what has happened so far, but there is a huge lack of information for people who are worried. People ask how they are going to get the vaccination, who is going to contact them and whether they need to register. I know of people living on their own who are not able to go to a GP. How are they going to get the vaccination? They need to know. It is the need to know which is creating the questions, and many questions have arisen. The HSE, or whoever is in charge of this, should prepare a programme, not a plan, indicating when we are going to get the supplies and then, for each month, how we are going to administer them. If I know I am in category 9 or 10, and that is in September, at least I know that. This is what is missing. People do not know what category they are in and it seems to be very complicated.

People have contacted me who are living at home and not able to access the GP because they do not have a car. They ask whether the GP will come to them to administer the vaccination. A woman rang me the other day who is caring for her parents. She is paying two people to come in to help to care for her parents, who need 24-hour care. She is not being paid through any organisation, company or otherwise - she is not on the radar. She needs to get the vaccination for her parents and for the key workers who are coming to her home, which is important. A couple in their 70s are living beside me. Their son came to me last Sunday and asked how he would get his mum and dad registered for the vaccination. Where do they go? Do they wait for the GP to contact them or do they have to ring the GP? How is this done? I do not have the answer and I do not know if the Minister has the answer. However, we need to be able to

give out this information as quickly as possible. This is our great hope; it is the hope that this is going to get us out of this situation. However, these questions are being asked by people who are genuinely concerned.

I want to return to the situation with special needs education. One of the areas we need to look at is that we have 18,000 children without any educational service, and they are also without other services, such as speech therapy and so on. We need to do something to help everybody to get these children back to school. If that means trying to get some of the staff, including SNAs, vaccinated, I think we need to do it. I know everybody will say it is something that should be done today, and everybody wants it today and we are not all going to get it.

To come back to my original point, we need to be able to say to people when we expect they will get it. It is not a document that would be used to beat the Minister's head with if we do not fulfil something. It is to try to give some sense of the arrangement for everybody in regard to how this will be done.

It is also vital to state that what I read in the newspapers last Sunday really upset many people, whether it is true or false. I welcome the Minister's statement that there is no political interference. There should not be any political interference. This is not a political issue; it is a serious life or death issue and a health issue which we all need to work together on. Everybody will get vaccinated and I understand that, but the frustration is there.

The other component that arises in regard to the roll-out of the vaccination is whether we have looked at every available asset in the State to ensure we have the resources to deliver. I welcome that the GPs and the pharmacies have signed a deal, and that that will happen. However, have we looked at the Army and the Army Reserve from a logistical point of view with regard to delivery and helping out in creating these vaccination centres that we talk about? When are these going to be set up and can we make use of the resources we have in the State? Do we talk to the Office of Public Works about buildings which may be vacant and which can be used as drive-through vaccination centres rather than creating more cost elsewhere?

We are doing well in the roll-out of the vaccination. The only criticism I have, and it is more the offering of advice than a criticism, is that we need a plain language plan or programme so we can say to people they are going to get their vaccination and, for example, they will not get it until July, but at least they know they are going to get it in July. That is the target. Effectively, there are two parts to it. We have to get the supply right and we have to get the distribution and administration right.

I have concerns about the nursing homes and getting it out to them, and, in particular, getting it rolled out to all the staff involved. The problem with some of the nursing homes is that they are really against the wall at the moment. Where there is an outbreak and people have the virus, they are not being vaccinated, and the homes are trying to get additional staff but they do not know if these staff have been vaccinated. There is a huge issue. Whether it is private or public nursing homes, I ask that the Minister would make sure they get whatever they require. What I see and hear happening is not great for older people, and we need to protect them.

The most critical thing is information, clarity and a clear programme so that we, as politicians, will know and be able to tell everybody how this is being done. We will support the Minister in every way we can on that.

**Acting Chairman (Deputy John Lahart):** I call Deputy Dara Calleary, who is sharing

time with Deputy Kieran O'Donnell. The Deputy can make a statement or have questions and answers.

**Deputy Dara Calleary:** Thank you. I cannot speak on Covid without acknowledging that it has been an incredibly difficult few weeks for our country, but particularly for my county of Mayo. I want to put on record my thanks to the staff of Mayo University Hospital for their extraordinary efforts, which are ongoing, and to the GPs and ambulance drivers across the county, who have been faced with huge challenges. My thoughts are with all the families who have lost people.

I say to the Minister of State, Deputy Mary Butler, that communities around the country, not just in Mayo, need mental health supports to guide them through this very difficult time. I would like her to put some time into rolling out mental health supports, as well as the vaccine programme that will roll out in the coming weeks.

I want to acknowledge the work that has been done to date on the vaccine programme. We saw over the weekend the vaccination of GPs and the beginning of vaccinations in the major hospitals. I want to acknowledge the management and staff of Saolta University Health Care Group for the work they have done.

I am listening this morning and I am garnering information all the time on who is in what group. That information is not publicly known or is not widely known. We need to get a communications plan that actually explains to people in clear and simple language who is in what group and when they can genuinely expect to get it. The Department showed the ability to get information out to every house in the country around Covid initially. What we need now is a plan that goes to every house in the country and we should not assume that people are going to see it on Facebook or Instagram or in the newspapers. Every house in the country needs to get some sort of communication once the Minister has an idea on supplies, and I would ask him to think of that.

I am also concerned about the decision by the national immunisation advisory committee, NIAC, around family carers and home helps in particular. I know it is focusing its concentration on the client, but the client would not be in the health they are in without the work and commitment of the family carer, the home help and carers generally. I would ask the Minister to engage once again with NIAC around that. We have seen that hospitals were flexible around vaccine doses. When administering a vaccine dose, surely the person who is keeping another person healthy should also be considered, and should also be considered as vulnerable. Family carers, home helps and carers are front-line staff. Much of the focus of our Covid policy to date has been on keeping people out of hospitals. The extraordinary work of carers is doing that and doing much more, and we need to acknowledge them.

The information we are getting is that the GPs and pharmacists will be part of the roll-out but pharmacists still do not have any idea where they and their staff will fit into the timeline. If they are going to be on the front line of the roll-out, I would ask that, similar to last weekend, we organise mass vaccination centres for them around the country. Similarly, palliative care nurses who are with families in their darkest hours also need guidance around that. I also seek confirmation on those. I welcome the note the Minister gave in relation to those with conditions such as cystic fibrosis. We need that information to get out to people. The vaccination process will be done through GPs and pharmacists. We need a much wider roll-out than we have had to date. We need vaccination centres in all large towns so that people can get it done quickly.

Many people are unable to travel to major urban centres. Consideration must be given to how we get it to those who are housebound.

Will the Minister tell us his thoughts on the communication plan? Will he look at the graphic which Deputy Lahart prepared last week on the communication plan? That showed simply, based on current projections, where it is going. We need simple, effective communication. There should not be an assumption that everyone has access to social media.

**Deputy Kieran O'Donnell:** The big issue with the vaccine now is supply. Will the Minister indicate the level of supply coming into Ireland over the next month, by week and company?

**Deputy Stephen Donnelly:** I am happy to provide the Deputy with a note on that but it is changing, sometimes daily. For example, in recent days we got about 24 hours notice that this week's delivery of the Pfizer vaccine, instead of being about 40,000 would be 20,000. As we are getting a sixth dose, we are getting an agreed amount of vials that give 40,000 doses, but we are getting much more out of them. That is new. The reduction for this week is new. I am happy to provide the Deputy with what we have but would make the point that the big game changer is AstraZeneca. We do not have a decision on AstraZeneca. We are working hard to see when that can be brought in.

**Deputy Kieran O'Donnell:** For the public, is the Minister saying that we are getting 40,000 of Pfizer, there will be 40,000 next week and 40,000 thereafter? If approved, what type of level will the first order be from AstraZeneca?

**Deputy Stephen Donnelly:** These details are being worked out right now, not only in Ireland but with the company through the Commission with every member state. I can give the broad figures for the end of March, because the day-to-day and week-to-week figures move a great deal. The plan is that we will have approximately 1.4 million doses in the country, about 600,000 would be AstraZeneca and the majority of the rest would be Pfizer BioNTech and the rest would be Moderna.

**Deputy Kieran O'Donnell:** UHL is in my area of the mid-west. It has only received 3,400 vaccines to date. The South/South-West Hospital Group appears to have over 19,000 to administer. When the next roll-out comes, the mid-west share must balance that.

Dentists are front-line workers. Dentists have been calling me and they are petrified about Covid. They deal with patients everyday and they do not know whether or not they have Covid. They along with pharmacists need to be treated in the same way as GPs.

Why has the roll-out of vaccines been disproportionate to the South/South-West Hospital Group of the order of 19,000 when in the mid-west area, which I represent, the hospital has only received 3,400 vaccines? It is about supply.

**Deputy Stephen Donnelly:** The roll-out to individual hospital groups, as I am sure the Deputy will acknowledge, is an operational matter. There is no political involvement whatsoever in how many doses go to different parts of the country. They are operational decisions. I asked the HSE the exact question posed by the Deputy and was told that to begin with, the HSE contacted the hospital groups and asked how ready they were and how much could they take. The initial amount dispersed was done on that basis, and then they immediately moved to a *pro rata* basis based on the numbers of front-line healthcare workers in each hospital group.

Dentists are included in cohort 2.

**Deputy Richard O'Donoghue:** The Minister has just said that the hospitals were contacted to see how many vaccines they could take. Deputy O'Donnell has spoken of the 3,400 vaccines that came to Limerick. The Minister is saying that it is a management problem in some of the hospitals that they could not deal with the amount of vaccines.

I give all the praise in the world to the front-line staff, from doctors, nurses, carers, porters and across the board. In Limerick, the area I represent, there are front-line staff in Covid wards who are not getting vaccines and I hear that there are people in management, not directly involved in Covid care, who are getting vaccines. That is a management problem. The Minister has inherited this. It has been apparent for years that the HSE and the health system is broken. The rolling-out of the vaccine proves that mismanagement of hospitals without a shadow of a doubt. I brought that up on my first day in the Dáil. If someone cannot manage something, he or she should ask for help. It is not a sign of weakness to do that if one is managing a situation. We have a runaway train.

The Minister said there would be full traceability of the vaccines that have gone out. I hope this is not like the mother and baby homes where people will be apologising in 40 years' time for mismanagement of vaccines which are going to people who do not work on the front line. The people providing front-line services must get the vaccines first. GPs are getting emails to say they are on the list for a vaccine and getting another email an hour later to say that was a mistake. It is mismanagement. It is not the carers' problem but a management problem. The management of the HSE and the Department of Health are wrong. We need to get it fixed. After the pandemic, I seek the Minister's help to fix it.

**Deputy Michael Collins:** I am thankful the Minister is here because it is a very important issue for every constituent. The public has so many genuine questions about vaccines. When will people with cystic fibrosis get it? When will those over 70 and home carers get it? The home help service in west Cork, and everywhere, is at the front line like no other. There are approximately 1,000 elderly and vulnerable people getting home help in west Cork and 350 home helps providing a service to these vulnerable people. Many home helps visit numerous clients daily, exposing themselves to risks and putting elderly clients at risk of infection. Will the Minister tell us when exactly home helps in west Cork will be offered the vaccine?

**Deputy Stephen Donnelly:** I wholeheartedly agree on the value that home helps in west Cork and around the country provide every day. I am happy to confirm that the clinical decision is that the formal carers sector, which includes the people the Deputy mentions, are included in cohort 2. That is very important. On when exactly those in different groups in different counties or parts of counties will receive the vaccine, there is an operational schedule in place for each hospital group which the hospital groups are managing according to a prioritisation from the HSE. I am happy to make an inquiry about the planned schedule for that group to the relevant hospital group on the Deputy's behalf.

**Deputy Michael Collins:** I would appreciate it if the Minister could furnish me with that information.

I want to commend the community hospitals in west Cork that had doses of the vaccine left-over but called in a number of home helps to use them up. It was a great idea and the right way to use up the few vaccines that were available. The intimate care home helps have to provide,

which in many cases includes washing and changing patients, does not allow them to keep a distance of 2 m. It is imperative that they get the vaccination ahead of many others. I would appreciate it if the Minister could be more specific in terms of a deadline in that regard.

**Deputy Michael McNamara:** I very much agree with Deputy Collins. I have raised previously with the Minister the need to prioritise both persons providing home help and those who are receiving home help. People providing home help go into multiple homes and, likewise, people who receive home help receive it from multiple carers.

I want to ask a specific question. I agree very much with many of the points made with regard to the necessity to vaccinate people who want to be vaccinated in mental health facilities, including those who work in those facilities, as well as hospitals, and for them to be treated exactly the same, and likewise, persons with cystic fibrosis or other underlying vulnerabilities. However, a suggestion was made by some senior people in the Minister's Department that persons who have had Covid-19 would not be vaccinated for some time because presumably if they had it and recovered they would have developed antibodies from that. What is the position on that because if they are not a priority, why are they being vaccinated right now? How many people who have had Covid-19 have been vaccinated? I am aware of medics who have contracted Covid-19 through their work, and we all sympathise greatly with them in that regard, but who have had the vaccine even though they were not sure whether they needed it in light of the fact that they had recently recovered from Covid-19.

**Deputy Stephen Donnelly:** I thank the Deputy for the question. My understanding is that this came from research out of the UK where they were looking at the reinfection rates of healthcare workers who had it. It was suggesting that a large amount of protection was afforded if one had had it and the suggestion was being made in the UK that that might be something that can be examined. I have discussed it with the Chief Medical Officer, CMO. He is looking into it in detail. The current position, however, is that it is not one of the factors. I am straying way outside my own expertise but if it is helpful, one of the reasons I was given was that people get infected with different viral loads and therefore the antibody response can be at a different level depending on that. One of the issues we would need to look into very closely is whether an equal protection, for example, is afforded to people. Given all of that the position right now is very clearly that whether one has already had Covid-19 is not taken into account in terms of vaccination.

**Deputy Michael McNamara:** I thank the Minister.

**Deputy Marian Harkin:** First, I sincerely thank everybody who is involved in the vaccination process from start to finish. We have a long way to go but we have made a start.

A few days ago I listened to a report on the TV about a care home where the process of vaccination had started. Everybody was delighted and happy. That is the way it should be but, unfortunately, it is not always the case. An example of that is Sligo University Hospital, in my constituency. The vaccination process started and then it stopped. The questions asked were whether it was patients and staff who were vaccinated and when the process would start again. Instead of people having clear and good information the priorities had switched to care homes for this week. People were left asking questions. People were frustrated and angry. I ask the Minister to do his best to ensure that in terms of the vaccinations we have good, clear communications about who, when and where. People may not always like it but at least they will understand it.

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Even more so I ask the Minister also to clarify who in particular are front-line workers. People need to have a sense in their heads that this will be them at a particular point in time. That gives people comfort. Not knowing, seeing others getting vaccinated and asking why they themselves are not vaccinated angers people hugely. The process is important but the communication and the information around it are hugely so.

Finally, I ask the Minister to look again at people like family carers, those with Down's syndrome and people suffering from cystic fibrosis. I know it is a medical decision. I am delighted it is not a political one but I ask that those who are in a position to make these decisions look very carefully at the impact of Covid-19 on those populations.

**Acting Chairman (Deputy John Lahart):** That concludes the speakers on questions. Before I call the Ministers of State, Deputies Butler and Feighan, to respond, the Minister, Deputy Donnelly, wanted an opportunity to speak. There is some spare time if he wants to do so now.

**Deputy Stephen Donnelly:** No. I am happy to cede that time to the two Ministers of State.

**Minister of State at the Department of Health (Deputy Mary Butler):** I thank Deputies for sharing their views and observations on what is a key component of our strategy for transitioning out of the current pandemic. As I am sure Deputies will agree, the scale of the current vaccination programme is unprecedented. I again acknowledge with thanks the efforts of all those who have brought us to this juncture. Without the efforts of healthcare workers we would not have managed to halt the progress of Covid-19 sufficiently prior to the roll-out of the vaccination programme. Without the initiative taken by the European Commission and our member state colleagues we would have been hard-pressed to access the quantities of vaccines that have been allocated to us to date. Without the work conducted by NPHE, the national immunisation advisory committee, NIAC, and the vaccine task force distribution of the vaccines would have been chaotic and disruptive to the health system. Without the efforts of the staff of the HSE vaccines would not be properly stored and ready for use, vaccinators would not be properly trained and vaccination of the most vulnerable of us would not have commenced. Finally, without the efforts and sacrifice of members of the public we would not be in a position to manage the progress of the disease and maximise the benefits that vaccines provide for us. To all those who have been working flat out for the past three weeks to deliver the vaccine I want to say "thank you".

On vaccine supply, we have heard many calls today from various Deputies for the vaccination of different groups to be accelerated. I want to make it clear that the administration of vaccines to members of the public will be limited only by supply of the vaccines available. As new vaccines are authorised by the European Commission Ireland's vaccination programme will be scaled up with a view to the fair administration of vaccines across key groups. These groups have been identified on the basis of careful consideration of what is known about the disease, the vaccines available to combat it and where public health benefits can be maximised. Eventually, vaccination will be made available free of charge to all those who seek it. That will be dependent on the supply of vaccines available at any given time. Administration of the vaccine is subject to continuous review such that any decisions to speed up the campaign or to vaccinate particular groups will be evidence-based. I reiterate what the Minister, Deputy Donnelly, said earlier. Evidence- and clinically-based reviews will be key. There will not be political decisions in regard to who receives the vaccine and when they receive it. Everything will be evidence- and clinically-based.

I want to talk about the vaccination and side effects. As with any vaccine some side effects are to be expected. I can advise that they are being carefully monitored and that as of 11 January, 81 adverse reactions were detected. All reports made to the Health Products Regulatory Authority, HPRA, were generally consistent with those typically observed with other vaccines and included events of a mild to moderate nature, which resolved or were resolving at the time of reporting.

It should also be noted that vaccination of some groups, for example, children or those with certain chronic conditions, cannot take place until more data is gathered to ensure that a particular vaccine is safe to administer to a particular age group. This may inform decisions as to who should be administered the vaccine until further data are obtained.

**Minister of State at the Department of Health (Deputy Frankie Feighan):** I agree with many Deputies here today about the criteria. We have had much discussion about carers and front-line staff. Under the national immunisation advisory committee, NIAC, and NPHET, this is a living document. It can be revised. Every Deputy has been approached by many people to ask where they stand. The Department has been in ongoing dialogue with the HSE about the additional expenditure required to scale up the vaccination programme over the coming months.

Consultations have taken place with the Irish Medical Organisation and the Irish Pharmacy Union to establish an operational plan for their engagement in the vaccination programme after the initial roll-out phase. Fees have already been agreed and it is important that we give GPs and pharmacists, as private practitioners, the resources that they need to deliver vaccinations under the programme as rapidly as possible. This will include running dedicated vaccination clinics outside normal hours to ensure that normal medical services can also be maintained. The fees agreed with them reflect all these factors. While the Government believes that these rates reflect the level of resources necessary for GPs and pharmacists to administer the vaccine to a large number of patients in a safe manner, they also reflect a significant financial commitment on the part of the State. They will therefore be reviewed within six months to ensure that the vaccination programme is being delivered as efficiently and economically as possible, in keeping with the requirements of public health considerations.

This week, the focus is on long-term residential care facilities, with the intention that the majority of residents and staff will have received their first vaccine dose by the end of the week. Departmental and HSE officials have engaged with their EU counterparts and the Commission to secure a significant quantity of vaccine doses for Ireland. However, in the early phases of vaccine roll-out, there is a significant dependency on delivery of vaccine supplies. The HSE has been prudent in its early administration of vaccines, ensuring that sufficient doses are retained to allow vaccinations to continue where there is a shortage of supply. There is ongoing engagement with vaccine suppliers on logistics, delivery and the safety and efficacy of vaccines by the steering board tasked with overseeing the EU procurement process. Most recently, this has included engagement on the issues of delays in the delivery of the BioNTech-Pfizer vaccine.

The availability of vaccines has the potential to allow us to combat Covid-19 proactively and begin to return to some form of normality. However, this will not be a quick process or a silver bullet and there is always a risk that any progress gained could be reversed. Vaccination should not be viewed in isolation from other health measures. The restrictions and travel limitations due to the possibility that new vaccine-resistant strains of the virus may affect members of the public, social distancing, cough etiquette and cleanliness minimise the possibility of infection spreading prior to vaccination. Vaccination offers hope for all of us but this must be tempered

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with continuing vigilance. However, 2021 holds a greater promise that we will, through our collective efforts, emerge from this pandemic with a new appreciation of all that we hold dear.

*Sitting suspended at 11.54 a.m. and resumed at 12.02 p.m.*

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

**Deputy Pearse Doherty:** Gabhaim buíochas, a Leas-Cheann Comhairle. Ba mhaith liom ceisteanna a chur ar an Tánaiste i dtaobh an sceite eolais a rinne sé ón gconradh rúnda a bhí idir an IMO agus an Roinn Sláinte agus a thug sé dá chara. Mar gheall ar an eolas atá againn le cúpla lá anuas, tá a fhios againn anois go ndearna neamhaird ar an achainí a rinne an tAire Sláinte an t-am sin, an Teachta Simon Harris, chun cóip den chonradh seo a fháil. Ba é sin an tAire a bhí i gceannas na gcainteanna seo agus níor tugadh an conradh dó, ach ag an am céanna bhí an Tánaiste ag roinnt an chonartha lena chara san National Association of General Practitioners, NAGP. Tá níos mó ceisteanna le freagairt maidir lena chuid gníomhartha sa scannal seo.

In April 2019, the Tánaiste leaked a confidential document to a friend of his, the then head of the NAGP. This was the subject of controversy back in November 2020, when *Village* magazine broke the story. Last week I received correspondence following a request made under freedom of information. This was information that my party leader had requested for more than two months. It is little wonder that these documents were withheld from us for so long. They are damning, and the Tánaiste's defence of how he leaked the confidential document now lies in tatters.

It is a scandal that goes far deeper than what we once thought. The documents show that at the same time as the Tánaiste leaked this document, the line Minister responsible for the negotiations, Deputy Harris, was unable to obtain the contract from his officials. This is despite the Minister, Deputy Harris, telling the Dáil in November that he never requested a copy of the contract. He must explain his actions and he must correct the record of the Dáil.

Within the documents I received, there are repeated warnings from Department officials reiterating the confidentiality of the document and stating that it was still subject to negotiations with the IMO. On 25 April, a Department official noted: "Unilateral publication of the Agreement, in the absence of confirmation from the IMO that it is satisfied with the final text, would represent a serious breach of trust." By that stage, the Tánaiste had already leaked the document to his friend, the president of the NAGP. This action was counter to what was needed to get the deal across the line and would undermine the IMO. That is very clear. Publication of the contract by the NAGP, as its national council discussed, could have collapsed the negotiations and a contract worth €210 million.

However, the most shocking revelation is actually what is not contained in these documents. I must ask the Tánaiste again where he got the document which he gave to his friend in the NAGP. There are numerous emails from the then Minister, Deputy Harris, requesting the document from his adviser on 15 April, to demanding the document on 17 April, and there are emails from officials to his office and to him explaining why they were not giving him the document. However, there is no record of the Tánaiste seeking the document from the Department of Health or of the Department giving him the document. There is nothing: no emails, no notes, no cover notes and no messages. The Tánaiste already admitted in November to deleting his messages from Maitiú Ó Tuathail surrounding all of this, so there are no records there either.

The Tánaiste received a request for the document from Maitiú Ó Tuathail. He then got the document from the Department of Health, sent it to Maitiú Ó Tuathail, and there is no record of it anywhere. Is it not the case that the Tánaiste went to extreme lengths to cover his tracks in all of this? Why? It is because he knew the significance of all of this. The Office of An Taoiseach was used to pull a stroke for a friend.

I ask the Tánaiste to explain to the Dáil how he got this document. How did he get this document without a trace and with no records? Why did he tell the Dáil that there was nothing to see here, when his argument simply does not hold up? The contract was confidential. Negotiations were ongoing. Despite all of this, the Tánaiste leaked the document in full knowledge of the consequences. This was not part of a Government strategy, as he claimed. This was a stroke for a friend, plain and simple. Does the Tánaiste not agree?

**The Tánaiste:** I do not agree. These are the facts, and I am happy to restate them. It was not actually a contract; it was an agreement about a contract. I gave a copy of that agreement to Dr. Ó Tuathail, who was president of the NAGP at the time. I should not have done this. I accounted to the Dáil for it last November and I apologised for it. I acted on my own judgment and nobody is responsible for this, other than me - no officials, no advisers and not the Minister, Deputy Harris. I am sorry that I have brought them into this in any way.

The Deputy is trying to reheat an old political controversy today. He is largely going back over old ground. He could be talking about Covid, the battle against the virus and the pandemic. He could be asking about getting schools reopened. He could be asking about the economic crisis and the people who have lost their jobs and may lose their businesses. It says much about the Deputy's priorities as a person and those of his party that he is trying to go on this line of attack again, on an issue that was dealt with in November.

I made three public statements on the matter at the time and answered questions as best I could, based on my knowledge and recollection of events that happened two years ago. I can only answer for myself; I cannot answer for other people. It is up to the Deputy to either accept my explanations or reject them. It is his choice. However, the House heard about and voted on this last November.

For clarity, the document that I gave Dr. Ó Tuathail was the 3 April version. I got it from the Department of Health. I asked the Minister, Deputy Harris, for a version of it and he gave it to me. I did not retain that version. I then asked my special adviser, who looked after health issues, to get a copy of it again. She already had a copy. That is the copy that I gave Dr. Ó Tuathail. We released the document under a FOI request. The Deputy has that document. He knows the differences between that document and the final document, as published. Last November he went to the trouble of counting these differences. There was and is no dispute that there were differences, but they were minor ones. The words used by the health officials in the same emails mentioned by the Deputy where that "language and presentation has to be tied up"; "there may be minor additions"; "it has not fully been signed off"; and "we need to agree a date with the IMO for publication". Those are totally prudent things. There was nothing in those emails to suggest that the document was commercially sensitive or that it was secret. As I said in November, had the changes been substantive, they would have had to go back to Cabinet. It did not go back to Cabinet. All the salient details were out there in the public domain.

There was a public launch about it that the Minister, Deputy Harris, and I attended. The IMO issued a detailed statement with the financials, the costings and anything that was of a

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commercially sensitive nature. There was a Government memo, written by the Department of Health, and sent for information, which stated that engagement had concluded. It was the case that there were some tweaks thereafter. There were some minor additions and changes. This was all known back in November. However, the Government memo stated that engagement had been concluded. It was reasonable for me to believe that that was the case, given that that was in the Government memo produced by the Department of Health. The details were discussed at public meetings, which included hundreds of GPs. Fergal Bowers also posted a tweet, giving detailed information about the contract.

The document was not a Cabinet paper or Cabinet memo and, therefore, did not fall under Cabinet confidentiality in that sense. It was not classified as a budget secret or a secret. Some documents are, but this one was not.

**Deputy Pearse Doherty:** The Tánaiste has now changed his story again. He told the Dáil that he asked his PA to request the document from the Department of Health. He now says that he asked his PA for it and she already had a copy, so he never got it from the Department of Health. Why is he changing his story? Is it because now we can prove that there is no record whatsoever of his getting the document from the Department, requesting it or receiving it?

The freedom of information request shows clearly that the Tánaiste's defence of his actions lies now in tatters. He suggested to this House that this was part of a Government strategy. It is very clear that it was not a Government strategy. It is very clear from the communications that were released two months later that this would have been detrimental to the discussions, a serious breach of trust and that this document was confidential. It is also clear that as the Tánaiste sat in his office and put this contract in the post to the rival organisation of the IMO, an organisation which wanted to publish it and undermine the IMO, at the same time, the Minister, Deputy Harris, was requesting access to the document and was being refused access. We can prove all of that.

Does the Tánaiste accept that he has now changed his story in regard to how he got the second version of the document? Can he explain why he is changing his story once again?

**The Tánaiste:** No, that is exactly what I said, or more or less what I said, back in November. Of course I got the document from the Department of Health. Where else would I have got it from? The only people who had it were the Department of Health and the IMO. I hardly got it from the IMO, so of course I got it from the Department of Health, through the Minister, Deputy Harris, and my special adviser. She has that record, she has that document and it was released already under FOI. It is the document from 3 April. I had no later version. Some people are suggesting I did; I did not.

Why are there no records of me requesting it? Because I requested it verbally. Lots of times, I talked to my Ministers, advisers and officials. It is not that everything is done by email or done by writing. I had a number of documents in my inbox today, some of which I requested, some of which I did not. For very few of them would there be a written request requesting a particular document. There are things I would ask for verbally and they can be handed over in person. Everything does not have a paper trail and that is the reality of any workplace.

As I explained back in November, my motivation was to demonstrate to the president of the NAGP that this was a deal that it should not oppose, to mollify its opposition and to get it over the line. In the end, it did not oppose it and the deal did get over the line, so the strategy was

successful in that regard.

**An Leas-Cheann Comhairle:** We are over time.

**The Tánaiste:** Just to be clear, on 17 April, the Minister for Health requested the current draft - so a later, more up-to-date draft, presumably - appreciating that there were ongoing tweaks.

**An Leas-Cheann Comhairle:** The Tánaiste is over time.

**The Tánaiste:** There was a third draft and ongoing tweaks. He got it the day he requested it.

**Deputy Pearse Doherty:** His office requested it on 15 April.

**An Leas-Cheann Comhairle:** I am moving on to the next speaker.

**Deputy Catherine Murphy:** The daily numbers for Covid might be lower than they were a week or two weeks ago but they are still extremely high, as is the alarming number of reported deaths. We are in the middle of a crisis with no end in sight. The UK variant, with its increased transmissibility, resulted in flights being suspended from late December in recognition of that increased risk from the variant. Between 11 December and 3 January, 118,000 passengers arrived by air and a further 20,000 arrived by sea. We know there was a requirement on all passengers to fill out a passenger locator form. According to the response to a question I tabled to the Minister for Health - I got the information on 14 January - passengers who do not claim an exemption, such as air and sea crew or those travelling onward, including to Northern Ireland, are followed up and contacted by text to confirm their address and, if they do not respond, they get one or more phone calls. Ultimately, I was told, 51% of those passengers gave their place of residence. This means that a whopping 49% did not confirm where they were staying. We are currently seeing people being fined for travelling beyond 5 km if they do not have a good reason to do so. The contrast is not lost on the public. While none of us likes losing our freedoms and none of us wants to see international travellers restricted, we are in the middle of a pandemic and such high levels of non-compliance have to be a risk and must be extending or prolonging our lockdowns and everything that goes with them.

I raised this issue in regard to international travel with the Tánaiste on 4 November. I said that it seemed we were taking a fingers-crossed approach in terms of compliance. The Tánaiste told me:

One of the issues we are going to have to consider is enforcement. As the Deputy knows, at the moment the requirement for a person to restrict his or her movements having come in from abroad is not mandatory.

He went on to say:

One thing we are giving consideration to as a Government is whether we need to make mandatory and make legally enforceable the requirement for a person to restrict his or her movements or self-isolate in certain circumstances.

Since 9 January, when flights resumed, passengers originating from the UK, South Africa and, subsequently, any South American country are advised to self-isolate for a period of 14 days following their arrival. The key word here is “advised”. That was according to a PQ reply

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I got yesterday from the Minister for Transport. Where is the enforcement that was being talked about in November? Obviously, the risks have to be managed until the vaccine provides a protection that gives us some semblance of normality. We know there are risks from new variants. We also know that we need an all-Ireland approach, yet we are not providing information that has been repeatedly sought by our Northern Ireland counterparts. Why is that?

I will reiterate my questions. In regard to the 49% of passengers who did not provide an address, what is the Government going to do about that non-compliance? Where is the enforcement? What additional measures are seriously being considered? For example, is the Government looking at mandatory quarantines in designated hotels? What is it going to do in regard to Northern Ireland and the request for information?

**The Tánaiste:** I thank the Deputy for her questions. The passenger locator form has been in place for many months, as she knows. It has not worked out to be as robust a measure as was needed. That is why the Government made changes in recent weeks in response to the fact that we are now concerned about new variants entering the country from other parts of the world. Now, anybody who is entering the State by air or by sea, with the exception of supply chain workers, hauliers, pilots and cabin crew, for example, has to have a PCR test. People have to have had a PCR test within 72 hours of arriving in the country and they have to produce evidence of it. There is a very high degree of compliance when it comes to that. It is working very well. I know it is not 100% in terms of stopping the virus coming into the country but it is working very well and it is mandatory. There are fines and files have been sent by the Garda to the DPP for people who have arrived without evidence of a negative test.

The number of people travelling in and out of the country now is very low. It is down to about 33,000 people a week, but that is people who are travelling for essential reasons. Quarantining that many people for 14 days in a hotel with closed windows would be 66,000 people. These are people who generally are involved in essential travel, for example, people coming back for a funeral or maybe seeing a dying relative, a supply chain worker or a crucial worker who has come to fix a machine in a hospital, for example. This is essential travel and we need to make sure we do not cut off essential travel entirely because sometimes it is necessary.

In terms of anything we might do in the future, we need to bear in mind three things: our citizens' rights - our EU rights as EU citizens; proportionality; and the situation with regard to Northern Ireland. First, on proportionality, at the moment if somebody tests positive for Covid in Ireland, we do not detain them. We do not put them in a hotel with security guards. If we were to take people who have come in from overseas - Irish people returning home; citizens coming back from overseas who have a negative test for Covid - and detain them in a hotel for 14 days, that would be disproportionate because there are many people in Ireland who we know have tested positive for Covid and we do not seek to detain them. Unfortunately, some of them do not self-isolate when they are supposed to. We would have to consider the proportionality of it.

The next issue is citizens' rights. We are EU citizens, there is freedom of movement and we have the right to travel, study and work anywhere in the European Union. That can only be constrained in very particular circumstances.

Then there is the obvious issue of Northern Ireland. A zero Covid policy and a very strict 14-day border quarantine might make sense in a country that can control its borders. We cannot do so in the same way because of the open land border with Northern Ireland, which we do not

want to close. If the UK, as has been suggested - although I understand that those suggestions are not advanced - were to bring in border quarantine, we might be able to do something on a two-island basis, but it is not going to work on a two-thirds-of-an-island basis.

**Deputy Catherine Murphy:** Non-compliance with the passenger locator form tells us something about non-compliance. We are aware that the PCR test, while it is required and mandatory, is not sufficient on its own. A second test is required within a number of days. I am aware that people coming in from the United Kingdom and other countries, such as South Africa, are supposed to quarantine for 14 days. Is there an exception to that? Is there an exception because the travel is required for business or other reasons? Is there a requirement or is there not? Why are we not providing to our counterparts in Northern Ireland information to the effect that we want an all-Ireland approach? We have to play our part too, so why are we not giving our counterparts information that has been repeatedly requested regarding people who are travelling on so the authorities can follow up on where they are staying? Is the Tánaiste saying the Government is not going to introduce mandatory restrictions, even in light of the high level of non-compliance?

**The Tánaiste:** People coming in from the United Kingdom or South Africa — there are no direct flights from South Africa but people could come in from other airports — are required to have a negative PCR test before landing in the country. It is mandatory. They are then strongly advised to self-isolate for 14 days; that is not mandatory.

On sharing information with Northern Ireland, we have an information exchange. I understand there are some difficulties with our sharing data with Northern Ireland. We are very happy to do so, in principle, but I am told there are some difficulties with the format and the details of the requests and so on. We will resolve that. We intend to do so. The big flaw for Ireland in imposing 14-day mandatory quarantine with hotel detention for people arriving in our ports and airports is that it would be largely ineffective because we could not do so on the land border with Northern Ireland. Without stating the obvious, countries that have done this successfully are island states — we are an island geographically but not an island state — or countries such as South Korea, which has a border with North Korea that is of a very different type than ours with Northern Ireland.

**Deputy Denis Naughten:** This morning, many people's hearts sank on hearing level 5 restrictions are going to continue for at least another month. Infection figures remain stubbornly high. Throughout this pandemic, hospitals have consistently been to the fore regarding new outbreak figures. Not only are hospitals reservoirs for infection of vulnerable people, but they are also sources of new infection in our communities. These outbreaks are taking large numbers of vital front-line medical staff out of our hospitals, leaving the remaining staff struggling to provide care to patients.

As I have said for months on Leaders' Questions, we must analyse all the available data on Covid infections and make our decisions on what those data are telling us. The data indicate that we need to take a completely new approach to managing infection outbreaks in our hospitals. Last week, I pleaded with the Minister for Health to address the situation with regard to the management of contaminated personal protective equipment, PPE, in our hospitals. I pointed out that hospitals have complained that they do not have enough bins available to them for the amount of PPE waste that is being created. With such a high rate of infections in our hospitals, it gives rise to very significant risks of infection.

This week, we see from the minutes of NPHEt's meeting on 10 December that the team expressed concern and sought clarity as to why mass testing was not being carried out in our hospitals where outbreaks had been detected. The HSE response to these concerns pointed out that decisions on mass testing are being taken locally by hospitals, which seek advice from the local public health department, and with involvement nationally from senior HSE management only where necessary. In plain English, the buck stops with nobody. When there is no one in charge, there is stagnation, leading to hospitals being a reservoir for Covid infection. We will never get our infection figures down unless we address this lack of leadership. This is a position supported by NPHEt, which suggested in early December that the HSE establish a national outbreak control team to ensure consistency of approach nationally to addressing hospital outbreaks and engaging in mass testing. Is there anyone in charge of controlling and minimising Covid outbreaks in our hospitals? Where does the buck stop? Can the Tánaiste confirm whether the national outbreak control team has eventually been put in place?

**The Tánaiste:** Obviously, the buck stops with the HSE in this regard. I do not know whether the national outbreak team has been established yet. I will find out for the Deputy.

In general, we all appreciate the Covid situation is very serious. We are still seeing more than 2,000 cases per day. More than 200 people are in intensive care, and about 2,000 are in hospital. Case numbers and the number of hospitalisations are starting to fall slightly but not at the pace we would like. While no decision has yet been made on restrictions - a decision will be made by the Cabinet next week - it is fair to say we are nowhere near where we need to be to ease level 5 restrictions. Of course, that does not mean that schools cannot open in February. There is, of course, the possibility of opening more construction sites because they are not supposed to be closed normally in level 5.

The Deputy rightly raises concerns about hospital clusters. We are aware that nursing home and hospital clusters are numerous. Sadly, most deaths occur in nursing homes and hospitals. Indeed, it seems that as many as one third of patients in hospital got Covid in hospital. They did not go in Covid-positive; they picked up Covid while in the hospital. Some may not be sick as a result of it. They may be sick for a different reason but it is still a matter of genuine concern that so many people are acquiring Covid in our hospitals.

Regarding what has been done, the HSE is responsible, as I said earlier. It seeks advice from local public health departments on what to do when there is an outbreak in a hospital. Generally what happens is that there is testing in outbreak areas. If there is an outbreak in a ward, an intensive care unit or another part of the hospital, testing is done there. Mass testing has been done on occasion, as in both University Hospital Limerick and Letterkenny University Hospital, but it is very labour intensive and can divert from the vaccine programme, patient care and other things that need to be done.

**Deputy Denis Naughten:** On 3 November I asked a parliamentary question on the need for the establishment of a co-ordinated response team to ensure a consistent approach to Covid outbreaks, but when I received a reply on 21 December in advance of the current surge in infections, the HSE was silent on its establishment. In the first week of January, there were 158 outbreaks in our hospitals. Last week, we had a further 37 new outbreaks. Our hospitals should be about making people better, not about picking up a virus that could be deadly.

The Tánaiste will recall that as a result of my persistent highlighting of the Covid infection problems in our meat plants during the first wave of infection, a national outbreak control team

was put in place to ensure we would have a consistent national approach to managing Covid outbreaks in those facilities. Regular testing of all staff is now taking place in our meat plants. Surely if we can do this in the meat plants, we should be able to do it for patients, front-line staff and those who will, sadly, need our hospitals over the weeks and months to come.

**The Tánaiste:** I will check the position on the national outbreak control team. I am not sure whether it has been established yet, but it is fair to say the settings in question are healthcare settings. Many people in healthcare settings will have Covid and many will have other illnesses. They are very susceptible to Covid and that is why infection control is so important. Hospitals, nurse managers and doctors are very well-trained in infection control and have the support of microbiology teams, for example, to advise them. When it comes to mass-testing, I am not sure how practical it would be to do mass- or serial-testing in hospitals given the number of them and the number of tests that would have to be done. However, it has been done in Letterkenny University Hospital, where there were major outbreaks. What tends to be done is that testing is done in the outbreak areas within the hospital because it might be in a particular part, ward or department of the hospital. That is done on the advice of the local public health department.

**Deputy Carol Nolan:** Last year the Minister for Finance rightly acknowledged that midland communities felt threatened by the wind-down of Bord na Móna and the closure of ESB power stations in the region. He also stated at that time that it was the duty of Government to ensure that no cohort of citizens, workers, communities or enterprises were left behind by this disruption, a disruption that would hit midland counties like Offaly very hard. Unfortunately, however, following the decision taken by Bord na Móna last week to end peat harvesting and production, that is exactly what has happened. Communities have been left behind. This is especially true for all of those involved in the horticulture sector. They are left behind. The just transition commissioner, Kieran Mulvey, said it was likely to act as the final nail in the coffin of our indigenous horticultural industry. The commissioner also noted that we had solved one problem only to create an entirely new one, namely, that we would from now on have to import horticultural peat product rather than produce it ourselves.

There are echoes of the EU proposal from 2005 for the reform of the sugar industry. These were reforms that eventually destroyed the viability of sugar beet growing in Ireland and put 4,000 growers out of business. The problems now faced by the midlands are a direct result of the decision to escalate the so-called just transition process from ten years to a matter of months. This has guaranteed, contrary to Government commitments, that entire communities are being left behind.

Perhaps communities in Offaly might have been able to absorb this shock if it were not for the many other profound challenges they face at the same time. We have a forestry sector in bureaucratic chaos and we have upcoming EU regulations that will severely limit and in some cases destroy the capacity of agricultural merchants. We also have the Irish grain and feed industry about to be hit with unsustainable tariffs and levies. This amounts to a kind of death by a thousand cuts.

Will the Tánaiste ensure there is an immediate re-evaluation and impact assessment of the just transition process as well as a commitment from this Government to follow through on its stated aim of ensuring that no citizens, workers, communities or enterprises will be left behind? The people of Offaly and the wider midlands area deserve better and nothing less than that.

**The Tánaiste:** I thank the Deputy. I appreciate the extent to which the ESB and Bord na

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Móna were the mainstays of employment in the midlands and how important this is to Laois and Offaly in particular and the region as a whole. Where there is a just transition, it has to be not just for workers and former workers, but for the communities as well. Somebody may get a good package to retire or become redundant but the payroll loss to the town or community can have a huge impact, so we need to see it in the round.

Bord na Móna no longer has a licence to harvest peat. That has stopped and the Deputy knows why that is. That could impact on the horticulture industry and mushroom growers and we are looking for affordable alternatives for those industries.

In terms of what we can do around employment, the Deputy will be aware there is now a just transition commissioner and a specific fund that is being invested in the midlands, particularly because it is the area that is first to experience this transition. My Department will develop a new set of regional jobs plans which will include such a plan for the midlands region. We will put a lot of focus into that, making sure there are new employment opportunities for people in the area.

**Deputy Carol Nolan:** The Tánaiste did not answer my question. The just transition plan is falling apart. There is a meeting this week in the county council in Offaly with the just transition commissioner. It is falling apart and it is not delivering for communities. The Tánaiste is reneging on his Government's duty to ensure communities are not left behind. Instead, this Government is pursuing and prioritising vague, aspirational biodiversity priorities in place of those that are important, such as employment. We have a situation where people with mortgages and children to feed, clothe and educate are playing second fiddle to those aspirational biodiversity priorities that the Tánaiste and the Government have put first with little or no understanding of the midlands and counties like Offaly.

I ask the Tánaiste to re-evaluate this plan because it is not working, there is no confidence in it and it is not creating employment. People cannot remain unemployed while Government achieves its climate change targets. There is a better way of doing things and I believe climate change targets should not act as a veto on common sense, which is what is happening. There is a practical, fair and just way of doing things but the just transition plan is not working.

**The Tánaiste:** We need to act to stop climate change. If we do not, many more jobs will be lost through the climate chaos that would ensue. We need to think short, medium and long term when it comes to the trade-off between jobs and industry on the one hand and protecting our environment on the other. If we do not stop climate change, the impacts on Ireland could be severe on many of our industries, not least agriculture and tourism.

In terms of the climate actions we take, we need to ensure we do it in such a way that we do not see a net reduction in employment. That is what our plan is about. I think the just transition plan is a good one. I appreciate the Deputy may feel differently. It is funded with money from the carbon tax. To give one example, the bog restoration and rewetting programme is transferring people in Bord na Móna who would have been cutting bog and releasing CO<sub>2</sub> into a new role where they are rewetting and restoring bogs, which makes them a carbon sink. I will take on board what the Deputy said and make sure the just transition commissioner and his team are aware of her comments.

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

**An Leas-Cheann Comhairle:** Aside from the leaders, 20 Deputies have indicated. Some are not in the room. With co-operation and sticking to the time limits, we will get through it.

**Deputy Pearse Doherty:** This week's "RTÉ Investigates" documentary "Stuck in the Rough" was hard to watch. It revealed the harsh reality of life in the streets and people forced to sleep rough. Three of those people, Dan, Natalie and Joe, spoke openly and honestly about their lives, how they became homeless and their hopes for their future. Listening to them was heartbreaking. Dan, Natalie and Joe are being failed by the homeless system and by this Government.

The documentary showed how Dan and Joe were refused emergency accommodation because they had no local connection on a night when there were 75 beds in Dublin hostels. The Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, told the Dáil last year that this practice would end. On Tuesday night of this week, Mendicity, a homeless day service in Dublin, confirmed it is still happening. Will the Tánaiste state clearly that the practice of refusing people emergency accommodation on local connection grounds must end? Will he personally contact the director of the Dublin Regional Homeless Executive to make clear that this is the express policy of the Government?

**The Tánaiste:** I thank the Deputy. I did not have an opportunity to watch that programme but I am going to. I have recorded it and many people have said to me that it is essential viewing for all of us as politicians. I will make a point of doing that. On the local county rule, if you like, it seems to be very unfair that somebody would be turned down for a place and left on the streets because they were not in the right county at the time. There may be a good reason for it. I do not know what the explanation is but I will certainly speak to the Minister, Deputy O'Brien, about it and see what we can do.

**Deputy Brendan Howlin:** I ask the Tánaiste to set out clearly and specifically the degree of co-operation between our authorities and Northern Ireland on Covid. I listened to his comment in reply to another Deputy that there were problems with data-sharing. That is just not acceptable. I understand there is a memorandum of understanding. How is that being implemented, specifically? I am hearing increasingly complaints that there is not a timely exchange of data, that information co-ordination is far from what it should be and that that is having an impact on our effectiveness as an island to combat Covid.

What co-operation is there, who is driving it, what is the nature of it and what is the Government's intent? Is it the Government's intent to have a co-ordinated island approach? If it is, what specifically is the Government doing to achieve it?

**The Tánaiste:** As the Deputy mentioned, a memorandum of understanding, MOU, is in place between Northern Ireland and Ireland. It operates mainly at Chief Medical Officer, CMO, to Chief Medical Officer level, so it is Dr. Tony Holohan and Dr. Michael McBride who mainly operate the MOU, but of course there is close contact between the Minister, Deputy Donnelly, and the Minister, Robin Swann, in Northern Ireland. Regularly, there are meetings involving the First Minister, the deputy First Minister, the Minister for Foreign Affairs and sometimes the UK Secretary of State for Northern Ireland.

We are two different jurisdictions; that is the reality of the situation. Part of the Good Friday

Agreement provides that Northern Ireland is autonomous and makes its own decisions, and we make our own decisions as well. We do not have the exact same strategy and policies, but as much as possible we try to co-ordinate and align what we are doing. We have seen difficulties when there is one set of restrictions north of the Border and another south. We try to align the restrictions as much as possible. They are fairly aligned at the moment because both the North and the South are in lockdown. We have not been able to do that in respect of travel into Belfast because that is considered by the Executive to be domestic travel. We are trying to-----

**An Leas-Cheann Comhairle:** We are over time. I call Deputy Whitmore.

**Deputy Jennifer Whitmore:** What measures does the Government intend to take to ensure that the pharmaceutical companies involved in the mother and baby home vaccine trials, and the religious orders that were so centrally involved in running the institutions, will contribute appropriately to redress for the survivors? Does the Government intend for those measures to be mandatory?

**The Tánaiste:** Certainly, when it comes to the religious orders, it is our view that they should make a substantial contribution. The State has to take primary responsibility for what happened in those institutions but the religious orders have responsibility as well. We will be, and have been, calling on them to make a contribution. Whether we are able to enforce that if they do not make one, we just do not know at this stage, but that is something the Minister, Deputy O’Gorman, will be working on.

**Deputy Jennifer Whitmore:** What about the pharmaceutical companies?

**Deputy Gino Kenny:** Today, the Department of Health announced the commencement of and the funding for the medical cannabis access programme under the HSE service plan. It is very welcome, after five years of campaigning by parents and others. It has been a very long road and finally, this year, people will get medical cannabis products under prescription.

The confinement to three conditions is very restrictive. Many people who suffer from chronic pain seek alternatives in medical cannabis. Will they be included?

What is the funding model for the access programme? Will people really get access? The licensing system that has been in place for the past four years is extremely bureaucratic and reimbursement is completely arbitrary. These are the most important issues for parents and individuals who seek access to medical cannabis.

**The Tánaiste:** I am really glad to hear that the medical cannabis programme is now a reality. There have been a number of false dawns over the years but I read the other day that it is now becoming a reality. It is a long time coming and I acknowledge the Deputy’s role in bringing us to this point as one of the people who led the charge for legislation in this area early on. As for which conditions qualify, that has to be a clinical decision made by medical specialists rather than by politicians. They will have to make that decision based on evidence and science.

I do not know the answer to the Deputy’s question on funding but I will ask the Minister, Deputy Stephen Donnelly, to revert to him on it.

**Deputy Seán Canney:** I wish to ask about the nursing homes support scheme (amendment) Bill. When can we expect that legislation to come before the House? Will it be backdated to when the Bill was introduced in 2019? The Bill seeks to protect family farms and family busi-

nesses and to cap their obligations under the scheme to three years.

**The Tánaiste:** I do not have an exact date but I am told it is almost ready and that it will be before the Houses in the very near future. Hopefully, that means it will be enacted by the summer recess, if not before. I do not know whether it is going to be retrospective. In general, unfortunately, legislation like that cannot be, but it will be important to get it done.

**Deputy Mattie McGrath:** Can there be an immediate review of the HSE priority list for the vaccination programme? There are a number of inconsistencies in the HSE's own guide for vulnerable people. There are seriously vulnerable people, such as those with cystic fibrosis, family carers and people who provide home help. In Tipperary, there is the case of Valerie, a wonderful young woman who had a terrible accident some years ago. She has 24-7 care, which her parents organise for her in a private capacity on foot of an award she got from the HSE after her devastating accident. She has five full-time carers and two part-time ones. I have visited her a few times. Her family are very worried in case anything happens to any of the carers, because there will be nobody else to care for her. She is a private person employing these people, paying PRSI and everything else.

Cystic fibrosis patients, too, are deeply concerned and we know how vulnerable they are. They are regarded by the HSE as very vulnerable on one list, but on the vaccination list they are not. There is huge inconsistency. Will the Government have the list reviewed immediately?

**The Tánaiste:** The prioritisation is assessed by the national immunisation advisory council, NIAC, and signed off by the National Public Health Emergency Team, NPHET. It is based on medical need and medical risk, with those most at risk of getting sick and dying being vaccinated first. That means residents in nursing homes, with those most at risk of contracting it - healthcare workers - getting it second. We will then move on to the over-70s. We hope to start vaccinating them next month and that, by the end of March, 1 million people will have had both vaccine doses and about 400,000 will have had at least their first dose. That will include healthcare workers, nursing home residents and staff and the over-70s. I think that perhaps at that point, when those three groups are done, that might be the time for NIAC to review the prioritisation order. I do not think that anyone could doubt that those three groups are the ones who need to get it first.

**Deputy Michael McNamara:** Ireland has one of the highest leakage rates of drinking water in Europe and the Dublin City Council area has one of the highest leakage rates in Ireland. Partly as a result of that, it is proposed to build a pipeline across Ireland to ship water from the River Shannon. That, obviously, would cause huge disruption to landowners, a huge cost to the economy and unforeseeable consequences for the environment. One of the main reasons given for not fixing the leaks in the Dublin area relates to interference with commercial activity on our streets. There is no commercial activity on the streets of Dublin at the moment. Is now not the time to fix the leaks in Dublin?

**The Tánaiste:** It may well be, and Irish Water has an increase in its capital budget for this year to carry out repairs and improvements in Dublin and throughout the country. It has been designated as essential construction, so it can go ahead with that.

**An Leas-Cheann Comhairle:** I thank Deputies for their co-operation. I will move on to the Ceann Comhairle's list from yesterday, beginning with Deputy Mythen.

**Deputy Johnny Mythen:** As the Tánaiste is aware, Rosslare Europort has been chosen as

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a major supply base for future offshore wind farms and projects by XELLZ, a Dutch company. Does he know how many permanent jobs will be created by this company and what percentage of its workforce will be Irish? Will Government funds be made available for the Europort business park?

**The Tánaiste:** I am afraid I do not know the answers to the Deputy's questions as to how many people will be employed, but I will certainly ask the Minister, Deputy Eamon Ryan, to give him an update if he can, as the Minister with responsibility for the port. I do not believe that my Department has received any application for funding for the business park, but if there is one, we will certainly look at it favourably.

**Deputy Michael Collins:** The lack of broadband is now becoming a living nightmare for thousands of workers who cannot work from their homes and students who are unable to connect from their homes to the schools. We await the roll-out of national broadband, which is great, whenever it happens. In the last week alone, I have been contacted by families from Dunmanway, Coomhola, Bantry, Drimoleague, Kinsale, Bandon, Adrigole, Dungarvan and up to 40 households in Kilmacsimon. All these have little or no broadband in west Cork.

Only a number of months ago, I asked the Taoiseach to invest in wireless operator companies, such as DigitalForge, which can provide 70 Mbps broadband to the home at a minimum cost. This would have meant a tiny investment by the State but no one listened. One young student in Drimoleague who I spoke to over the weekend and who has since spoken to 103FM has no mobile phone coverage, never mind broadband, and he is trying to do his leaving certificate. What answer has the Tánaiste for these students or workers in west Cork who are still in the dark ages with regard to communication?

**The Tánaiste:** We have signed the contract for the national broadband plan. That is a €3 billion investment in rural Ireland, probably the biggest ever investment in rural Ireland and perhaps the most significant since rural electrification. With that plan, we are able to connect approximately 100,000 farms, businesses and homes across rural Ireland to high-speed broadband every year. We would love to be able to do it more quickly. It will take between five and seven years, unfortunately. I know that is a huge disappointment for people who want and need broadband now but that is as quick as we can do it. If it can be sped up in any way, the money and political will are there.

**Deputy Ruairí Ó Murchú:** I have a similar question to one the Tánaiste was asked previously. It relates to his proposal on facilitating working from home and the idea of 20% of public servants working in that scenario and, obviously, Covid-19 being a major accelerator of it. The Tánaiste, however, said he was exploring the possibilities of acceleration of the national broadband plan. I know the Minister, Deputy Ryan, said he had conversations with National Broadband Ireland, NBI. We have also been told by NBI in committee meetings that it has its own team looking at acceleration and we are expecting updated timelines and deadlines within the next period.

The Tánaiste spoke about increasing remote working hubs, which I believe falls under the remit of the Minister, Deputy Humphreys. What exactly is the Tánaiste's plan regarding this acceleration? What dealings has he had with NBI and with the Ministers, Deputies Ryan and Humphreys?

**The Tánaiste:** The Minister, Deputy Ryan, has engaged with NBI on this. He and I togeth-

er have engaged with Eir on it and we are exploring any possibilities that exist to speed up the roll-out of the national broadband plan. Unfortunately, it is running a little bit behind because of Covid-19. It is running a few months behind but we want to accelerate it and, if possible, make it a four- to five-year programme rather than the seven-year programme it is now. At a minimum, however, we will connect 100,000 homes, farms and businesses across rural Ireland every year. The Minister, Deputy Humphreys, and I are working together on the issue of remote hubs and we have additional funding for them this year. There are 300 hubs across the country and we want to upgrade them and build more. There will be funding for that as well.

**An Leas-Cheann Comhairle:** I will go through the list of names because I do not believe Deputies Bruton, Michael Healy-Rae and Tóibín are in the Chamber. I call Deputy Kerrane.

**Deputy Claire Kerrane:** I wish to ask the Tánaiste about the three weeks parents' leave and benefit that was announced in the budget more than three months ago. As the Tánaiste will be aware, many parents are waiting for this. The only option available to them up to now has been to take unpaid parental leave, which many simply cannot afford to take. Many parents, especially those who have had new babies, have not been able to return to work after the paternity leave has ended. They have been left with no option. They cannot access childcare and the only option is unpaid leave.

The legislation is listed as a priority. When will that legislation we brought to the House? How quickly will parents be able to avail of this three weeks parents' leave? I welcome that parents who cannot access childcare where schools or childcare settings are closed can access the pandemic unemployment payment, PUP. Will the Government publicise that for parents who are not aware they can access the PUP?

**The Tánaiste:** Parents' benefit or paid parental leave was brought in by the previous Government and is very much one of our proudest achievements to try to improve work-life balance and help parents. That legislation is supposed to be brought in during this session, which will then allow it to be introduced later in the year.

**Deputy Bernard J. Durkan:** My question is about the affordable housing Bill, which was promised legislation. Given the importance of the subject, might it be possible to bring it before the House as a matter of urgency?

**The Tánaiste:** That is priority legislation so we expect it to be in the House shortly.

**Deputy Alan Dillon:** I wish to ask the Tánaiste for more detail about the Plan for Living with Covid-19 roadmap. In particular, what specific metrics will be used by Government and the National Public Health Emergency Team, NPHE, to indicate when it is safe to exit level 5 of the restrictions? For instance, will it be on the reproductive number falling below a certain level or the number of daily cases, or other metrics dealing with the positivity rate, including hospitalisations or availability of ICU beds?

I am sure the Tánaiste is aware through his Department of the need to manage expectations of businesses. The same applies to the public as well as the tourism sector and sporting organisations that legitimately want to understand where the country stands. I feel specific metrics from a robust, risk-based scientific approach need to be applied to each of the levels within the Plan for Living with Covid-19 roadmap. Therefore, I would appreciate if the Tánaiste could provide clarity about the plan from exiting level 5 and what sort of metrics need to be achieved over the next six weeks.

**The Tánaiste:** The Plan for Living with Covid-19 sets out the metrics we use to determine whether we can ease restrictions and go down a level or increase restrictions and go up a level. It includes deaths and five-day and seven-day average cases, the number of ICU beds available, hospitalisations and, of course, crucially, the trajectory. Is it getting better or worse, and if so, how fast? We have generally avoided specific or exact numbers because it confines decision-making. As the Deputy will appreciate, the number of cases detected every day might depend on the number of tests that are done and the positivity rate might depend, for example, on how much serial testing is being done from nursing homes. Therefore, we did not want to put in exact numbers but they are the kind of criteria. It is without doubt that cases are falling at the moment but, unfortunately, they are not falling enough. It is still at around 2,000 cases per day, which is high. Our ICUs are full and our hospitals are pretty full too, so there will be another few weeks left at the current level of restrictions.

**Deputy Jackie Cahill:** Last week, point-to-point racing was removed as an elite sport. This will have serious implications for our world-renowned national hunt industry. What plans for a financial rescue package are in place? Our whole national hunt breeding industry will be severely impacted. Point-to-point racing is the shop window for selling the majority of our national hunt young horses. This will have a severe impact on all sales during the summer for three-year-olds down to yearlings and foals. There are severe financial implications for the whole national hunt industry. What plans are in place by the Government regarding financial rescue for our national hunting industry?

**The Tánaiste:** I know this is an issue of real concern to the Deputy. It has been raised with me by others as well. I do not know if there are any plans at present for financial packages for the industry. I will ask the Minister to personally come back to the Deputy in detail, however.

**Deputy Thomas Gould:** There is probably only one service nationally offering specialist treatment for people with gambling addiction. In four weeks, this service will have to close because of a lack of funding. What will people who are stuck in gambling addiction and their families do then? The service needs funding for the next few months until the Gambling Control Bill is finally passed and the social fund is established. Is it supposed to tell people in the meantime that the Government does not care? Will the Tánaiste help this service? We need the Government to care and provide the external problem gambling service with the short-term funding it is looking for.

*I o'clock*

Will the Tánaiste give a commitment today to find the short-term funding to keep that service open until the social fund is established?

**The Tánaiste:** I am not familiar with the particular service the Deputy mentioned but I am familiar with the real problem of problem gambling, which is probably getting worse during this pandemic because people are so restricted. If the Deputy wants to pass the details on to me or to my office, I will see what we can do. It would probably be a matter for the Minister for Health or the Minister of State at the Department of Health, Deputy Feighan. If the Deputy passes the details on to me I will make inquiries.

**Deputy Paul Donnelly:** I want to raise the issue of supports for children with autism with additional needs. I have listened to many Ministers talk in recent weeks about the issue of children with additional needs and, to be honest, I found it quite nauseating. I worked as a child

and family support network co-ordinator with Tusla for many years and I have worked with so many families who, prior to Covid-19, found it next to impossible to access services in an appropriate time. They usually waited years for assessments, early interventions, school-age teams and even placements. Today, I was in contact with a parent of James, who is eight years old and who is in palliative care. He lives in Corduff and has two days a week of service on the Navan Road, but he cannot get to it because he has no transport. I raised this matter during the last lockdown when this parent provided her own transport. She cannot afford to keep paying for a taxi so can funding be provided for that?

**The Tánaiste:** If the Deputy wants to pass on the details of that family to me, I will look into it and see if we can do something for them in terms of a transport grant or making some arrangement so they can get to their service. Our main focus is trying to get primary schools back open for children with special and additional needs. I am glad that engagement has resumed between the Department of Education and trade unions on that. It is hoped that can be done soon because those kids and parents need the special schools open.

**Deputy Patricia Ryan:** Page 76 of the programme for Government states:

Family carers are the backbone of care provision in Ireland. They deserve support and recognition from Government.

The Government commits to “Review and update the *National Carers’ Strategy*” and to “Develop a pension solution for family carers that recognises their important work”. When will the national carers strategy be updated and when will a pension solution be proposed so that our carers will feel appreciated in some small way?

**The Tánaiste:** That will be led by the Minister for Social Protection, Deputy Humphreys. I am not sure when she will start the review. I suspect it will be this year and I will find out for sure and let the Deputy’s office know.

**Deputy Ciarán Cannon:** I thank the Tánaiste and his ministerial colleagues for all the work they have done in putting in place significant supports for our small business sector. Unfortunately, there are thousands of self-employed people running small businesses in this country who are finding it exceptionally difficult, if not impossible, to gain access to those supports because of the way in which they were initially designed. The Tánaiste and Dr. Mike Ryan have often made the case that speed trumps perfection, and in this instance it was incredibly important to get those supports in place for our businesses. We have €50 million residing in Fáilte Ireland and we have €50 million residing in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. Up to 7,000 people in the entertainment sector who are self-employed and a number of small businesses in the hospitality sector cannot gain access to those funds because of the criteria associated with them. Can we do an audit to determine how much of those funds have been expended in support of small businesses? Can we look at the many examples of small businesses that have been in touch with us to tell us why they cannot access those funds? Can we look to innovate and amend the scheme?

**The Tánaiste:** This kind of falls between my Department and the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. On my side, we are reviewing our schemes with a view to consolidating them. We have some very good schemes such as the employment wage subsidy scheme, EWSS, which helps with payroll, the Covid restrictions support scheme, CRSS, which helps with the fixed costs of running a premises if it has been closed, low cost

loans, reduced VAT rates, and so on. In my Department, we are looking in particular at whether we need a new scheme for those businesses that have a premises but do not qualify for the CRSS because they are not open to the public and therefore were never closed to the public but whose trade is down 75% or 80% nonetheless. We are working on a scheme for them. I know the Minister, Deputy Catherine Martin, has quite a considerable amount in her budget for this year and plans to develop those schemes in January and February.

**Deputy Mark Ward:** There are only three dedicated adult eating disorder beds in the State. It should be noted that these are not national beds but beds that have been dedicated for eating disorders in community healthcare organisation, CHO, 6. In other parts of the HSE, adult patients are admitted to local general mental health units and attend generic inpatient treatment programmes. Generic treatment does not work for people who have anorexia or bulimia. When will the Government uphold its promise in the programme for Government to put in place dedicated eating disorder teams in each CHO across the State? Three beds just does not cut it.

**The Tánaiste:** I thank the Deputy for raising the important issue of eating disorders, which is much more common than people think and which probably does not get discussed enough in this House. I will have to get a report on the plan to meet that commitment for the Deputy from the Minister for Health, Deputy Donnelly, but it is a commitment we are determined to meet.

**Deputy Mairéad Farrell:** Last week, we found out that the Secretary General of the Department of Health is set to receive a pay increase of €81,000. In that same week, recipients of the PUP, who are on €350 per week, received their first tax bill. There are varying accounts as to how the decision was reached to provide for this increase and I would like the Tánaiste to outline the timeline of the decision-making process, including details on who was involved in the decision, when it was signed off on and who signed off on it.

**The Tánaiste:** It is important to say that this will be the salary for the next Secretary General of the Department of Health. The incumbent does not receive it. That job will be open to competition and people will be able to compete for it and for that new salary. As is the case with any salary of this nature, the decision on it is made by the Minister for Public Expenditure and Reform, but he made that decision with the full knowledge and agreement of the three party leaders in government.

**Deputy Martin Kenny:** I want to ask the Tánaiste about the atypical working scheme. It is an issue I raised before, I wrote to the Minister for Justice last week about it and I got a letter back yesterday saying that there were 350 people waiting to get their applications processed for this scheme. These are medical people on the front line who have jobs waiting for them in Ireland and who cannot get in because of bureaucracy. It is a terrible situation we are in. We have huge pressure in our health services and we have nurses and front-line workers needing to get into these hospitals and yet they wait abroad and cannot come because of this huge delay. Bureaucracy should not be blocking progress on this. Will the Tánaiste intervene in this situation and ensure that these people get into the country and get into our health system as quickly as possible? They are not coming under some pretence. They are coming here because they have jobs waiting for them and we need them in our health services now.

**Deputy Richard O'Donoghue:** On a point of order, the Ceann Comhairle called on Deputy Michael Collins earlier. He was on the list yesterday and the Ceann Comhairle called on him again today. I had put my name down behind Deputy Michael Collins and yet six Sinn Féin speakers spoke without the Ceann Comhairle ever calling my name. They did not walk up to

the stage and singly put down their names while I was sitting in the Chamber. Is there somebody putting down block lists, therefore, to get their names down or are they going up singly to put down their names, as I did this morning after Deputy Michael Collins? I was not allowed to speak.

**An Ceann Comhairle:** I offer my apologies to the Deputy.

**Deputy Thomas Gould:** I am not sure what happened with Deputy O'Donoghue but I come in and put my name down every day and I come in early to do it. Maybe there was a mix-up today but we do not put our names down in blocks. We come in early because we want to speak.

**An Ceann Comhairle:** My apologies to Deputy O'Donoghue. The lists were here before me when I came in so I apologise for that. Can we deal with Deputy Martin Kenny's question?

**The Tánaiste:** This was raised in the Dáil last week and I undertook to look into it. I have a report from the Department of Justice which I will send on to the Deputy. It is being worked on and the delays might not be as severe as people may think.

**An Ceann Comhairle:** Since there was an issue, can we hear Deputy O'Donoghue?

**Deputy Richard O'Donoghue:** What is the Government going to do about the cartel-like system in the beef industry where the same feeder groups are getting the high prices? At the end of the year when they are audited and do their accounts, they have an average price, but if the company is audited and the beef factories are audited, it will show that the same suppliers all year round are getting the high prices and the beef farmers who want to sell their cattle are always getting the low prices. The Minister should take out the average price, go in and audit who is getting the high prices all the time and who has the highest farm payment coming in in the country, and find out if the feeder farms into those factories are always getting the high prices and leaving the genuine farmers who have beef with the low prices.

**An Ceann Comhairle:** Deputy Nolan is on the same matter.

**Deputy Carol Nolan:** There has been a serious problem with beef farmers not receiving a fair price for a long time. Although the prices have improved, it is not before time. There is an issue in terms of how business is done. We need this looked at. I posed a question to know why transfer pricing was not included in the Grant Thornton report and I asked the Minister to deal with that matter. I hope we will have more transparency and, indeed, that farmers, particularly beef farmers, will be rewarded for producing high-quality produce. They are not being treated fairly and there needs to be oversight and transparency in regard to this.

**The Tánaiste:** I thank the Deputies for raising this important issue. I will seek a reply from the Minister for Agriculture, Food and the Marine for them. If they have evidence of meat factories behaving as cartels, which, of course, is against the law, I would encourage them to contact the consumer and competition authority about that with the information they have.

**An Ceann Comhairle:** That concludes Questions on Promised Legislation. I am sorry if there was some slight misunderstanding in the handover between the Leas-Ceann Comhairle and myself.

21 January 2021

## **Health (Amendment) (Dual Diagnosis: No Wrong Door) Bill 2021: First Stage**

**Deputy Mark Ward:** I move:

That leave be granted to introduce a Bill entitled an Act to provide for the inclusion of services for persons with dual diagnosis in the annual service plan prepared by the HSE for approval by the Minister.

I am sharing time with my comrade, Deputy Gould.

There can be no wrong door when it comes to treatment for dual diagnosis. The Health (Amendment) (Dual Diagnosis: No Wrong Door) Bill aims to compel the Government to uphold its promise in the programme for Government where it states its intention to “Progress the National Clinical Programme for Dual Diagnosis and work to develop joint protocols and referral pathways.”

For the purpose of this Bill, dual diagnosis refers to people who present for treatment who have substance misuse and mental health conditions. Most mental health services and addiction services across Ireland are not currently organised or resourced to treat dual diagnosis holistically.

Addiction and mental health often go hand in hand. An addiction may lead to the onset of a mental health issue and a mental health issue can lead to people using substances as a coping mechanism. Because of the inadequacies in our mental health system, people can often turn to drink and drugs and other substances. These substances can give people the ability to self-soothe. They can give calm to an anxious inner world. They can give the ability to self-medicate, for want of a better word. They work until they stop working and this is where the problems can arise. The mental health problems are still there - often worse - but so too are the addiction problems.

I have worked in many front-line addiction services across Dublin and I have seen many people fall between the cracks because of having an addiction and a mental health issue. I have seen people being told to go away and deal with their addiction issue before the service can treat their mental health. This is not good enough. When I was on the board of the Clondalkin Drug and Alcohol Task Force, we delivered evidence-based training to addiction centres so that addiction centres could be upskilled to help people with dual diagnosis. The task forces need to be commended for trying to tackle an emergent need in that area. For such initiatives to work, the Government needs to resource the appropriate agencies so that addiction and mental health can be treated.

This Bill calls for the person to be treated with dignity, no matter what door he or she knocks on for help for addiction or mental health problems. The door the person knocks on has a duty of care to him or her and the proper referrals need to be made. A joint care plan between addiction and mental health services needs to be developed to make sure people get the care they need when and where they need it. There can be no wrong door for dual diagnosis.

I will leave way now for an Teachta Gould.

**Deputy Thomas Gould:** I will begin by thanking my party colleague, Deputy Ward, for his hard work on this legislation.

For the last number of months, I have had the honour of meeting with addiction services who are working on the ground. The knowledge and the expertise they have shared with me has been invaluable. I take this opportunity to thank them for meeting with me, sharing their experiences and helping me to build Sinn Féin's policy that reflects what is happening on the ground.

Time and time again, these services have raised with me the issue of dual diagnosis. With no support or funding, many of them are developing their own dual diagnosis support services because they have to. They are sick of people coming to them with serious mental health and addiction issues and not being able to help them.

Dual diagnosis comes in many forms. People can have a severe mental health issue with a minor addiction issue or *vice versa*. Addiction can be used as a means to cope with mental health issues or mental health issues can develop as a result of addiction.

This is not some simple problem that can be magically fixed but this legislation will put it on the agenda. It will give the HSE the responsibility to develop dual diagnosis services across the State properly and it will lift some of the burden off the under-resourced and oversubscribed addiction services.

I will finish up now. There is much more I could say. This legislation gives us a chance to do what, I think, many of us became Deputies to do. We could improve the lives of many ordinary people who are struggling. Ultimately, that is why we came to this Chamber. We came here so that we can make a difference to people's lives and this Bill will certainly do that. I hope we get the support of all parties and none with it.

**An Ceann Comhairle:** Is the Bill opposed?

**Tánaiste and Minister for Enterprise, Trade and Employment(Deputy Leo Varadkar):** No.

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

**Deputy Mark Ward:** I move: "That the Bill be taken in Private Member's time."

Question put and agreed to.

### **Gnó na Dála - Business of Dáil**

**Minister of State at the Department of the Taoiseach (Deputy Jack Chambers):** It is proposed, notwithstanding anything in Standing Orders or in the order of the Dáil of 16 December 2020, that the Dáil on its rising today shall adjourn until 10 a.m. on Wednesday, 27 January 2021, when the Dáil shall meet in the Convention Centre Dublin on North Wall Quay, Dublin 1, to take Private Members' business, and with effect from today, and notwithstanding the order of the Dáil of 30 April 2020 or the order of the Dáil of yesterday where Standing Orders 21 and 22 require either a quorum of 20 or of ten, that the quorum shall at all times be reduced to five until further notice in the Thirty-third Dáil.

**An Ceann Comhairle:** Is that agreed? Agreed.

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## **Brexit (Foreign Affairs): Statements**

**An Ceann Comhairle:** After the Minister has made his opening statement, Deputies may make statements or ask questions and get answers.

**Minister for Foreign Affairs (Deputy Simon Coveney):** I propose to share time with the Minister of State, Deputy Byrne.

The United Kingdom's decision to leave the European Union posed unprecedented political, economic and diplomatic challenges for Ireland. Countering the risks to peace and prosperity necessitated not only a whole-of-government but a whole-of-society approach. To do so as effectively as we have done required substantial contributions from people across this House, from countless public servants and from business, academia and civil society. I thank everybody involved for that.

These collective efforts helped to secure positive outcomes that were far from guaranteed at the outset. They include protecting the peace process and the Good Friday Agreement, avoiding a hard border on this island, maintaining the common travel area and securing Ireland's future in a strong European Union. The decision of the UK to leave the customs union and Single Market brings inevitable and unwelcome consequences for Ireland. It is simply not possible to mitigate every risk. We can only work together to minimise the impacts. The Government will do whatever it can to ease the burden on businesses trading with our nearest neighbour. However, we must all accept that this new environment is now permanent. The new systems are there for a reason. They protect the EU Single Market and secure Ireland's membership of that market, membership of which has formed the basis for Ireland's modern prosperity.

The decision of the UK Government is regrettable. However, Ireland's continued direct and open access to the Single Market of 450 million Europeans, along with our continued role in shaping its future, will be essential to our continued economic and societal well-being. Throughout the negotiations of both the trade and co-operation agreement and the withdrawal agreement Ireland benefited enormously from the solidarity of our fellow EU partners. No member state wavered in its support for Ireland's critical interests in these negotiations. We will always be grateful to them for this. That solidarity is demonstrated not just in terms of the protocol on Ireland and Northern Ireland but in the continuation of the PEACE PLUS programme. Our position as the most impacted member state is reflected in Ireland receiving one quarter of the first tranche of the Brexit adjustment reserve, just over €1 billion.

We must all do what we can to use the trade and co-operation agreement to the maximum benefit. We welcome the ambitious commitments for the protection of workers and consumer rights, environmental protection and climate change while ensuring trade will be fair and sustainable. Without this agreement, our trade with Britain would have faced significant tariffs to the detriment of consumers and with devastating outcomes for certain sectors of the Irish economy.

The agreement contains the most wide-ranging commitments towards liberalising market access for goods ever to feature in an EU free trade agreement, including zero tariffs and zero quotas on all goods from day one. It allows EU companies to participate on an equal footing with UK companies in bids for public procurement tenders covered by the agreement and *vice versa*. The non-discrimination obligations of the agreement ensure that service suppliers or investors from the EU will be treated no less favourably than British operators in the UK and

*vice versa.*

Provisions in the area of law enforcement and criminal justice will allow for the continuation of close co-operation between the Garda, the judicial system and their UK counterparts. Without this agreement, transport connectivity between the UK and the EU could have been badly impacted. This agreement provides a basis for continued air, road and maritime connectivity, including for cross-Border bus services. The agreement allows for continued UK participation in the Horizon programme, reinforcing scientific research links with the UK.

The decision of the UK to leave the Common Fisheries Policy threatened to remove all EU access to UK waters. Had we not reached a deal, the consequential impact on the Irish fishing industry could have been devastating, far more damaging than the accommodation arrived at in the trade and co-operation agreement. The Government, however, will continue to engage with the European Commission to seek constructive solutions and the burden these changes will place on our fishing industry versus others. The Minister for Agriculture, Food and the Marine has already made clear he is exploring a variety of possible measures. The Government is also examining how our allocation under the Brexit adjustment reserve can be used to assist sectors such as fishing which are clearly disproportionately impacted.

It is never possible in negotiations to achieve a perfect deal. One never gets everything one wants. There must always be give and take. There should be an acceptance, however, that this agreement represents a fair and reasonable compromise between the EU and the UK, given the circumstances we faced. It establishes a framework for the relationship that has clear potential to be built upon and developed in the future.

The agreement reached on Christmas Eve closes a chapter in our relationship with the UK that began 48 years ago when we joined the EEC together. That also happens to represent my lifetime and the lifetime of many others. We are already working to renew and strengthen our relationship with the UK. We are looking at new approaches. As we lose the regular engagements and connections built through our shared EU membership, we are deepening our relationship with the devolved administrations in Scotland and Wales with distinct programmes of co-operation with each.

However, there can be no doubt that Ireland's interests are best served by remaining a full, committed member of the EU, as well as forging a new and positive relationship with the UK. Ireland will continue to use its voice to shape shared policies in support of greater fairness and prosperity in the interests of all citizens on this island.

**Minister of State at the Department of Foreign Affairs (Deputy Thomas Byrne):** The trade and co-operation agreement secured a new basis for engagement between the European Union and the UK. It preserves our and the EU's core principles while respecting the wishes of the UK, wishes with which we did not agree but respectfully do so. There is a framework which can be built on by mutual agreement over time. The agreement provides for zero-tariff and zero-quota trade for goods of EU or UK origin. Securing a zero-tariff and zero-quota agreement was a major priority of Irish exporters which rely on markets in the UK. For example, a substantial proportion of Irish agrifood exports go to the UK which have been damaged by Brexit in any event but would have been completely devastated if tariffs had been imposed.

Tariffs and quotas are only part of the complex story of supply chains. The difficulties we are seeing, particularly in Britain, remind us why the Single Market was set up in the first

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place. It was designed to avoid those difficulties, to have frictionless trade within the European Union and to get rid of all of the inconvenience that existed in the past. Unfortunately, the UK has chosen to be outside of the seamless trading environment of the European Single Market and customs union. Traders moving goods to, from or through the UK, excluding the North of Ireland, now have to comply with new rules and procedures. We have been emphasising this to businesses and the Dáil for many months. One only needs to look back at the Brexit readiness action plans from September last year and previous years, as well as the Official Report for Brexit debates.

The Government has invested significant time and resources preparing for the new trading environment. Funding commitments for Brexit-related expenditure now sit at more than €1 billion. We have installed new infrastructure and IT systems, along with 1,500 additional staff at ports and airports. There are difficulties but generally the systems are working well. We have encouraged officials to engage with businesses and traders to ensure as much help as possible can be given. There are dedicated supports and helplines to help businesses to adjust to the new trading arrangements, including the clear customs scheme and €100 million in dedicated supports to the agrifood sector. These are along with a range of funding options to drive investment in longer term mitigation measures, including the €300 million Brexit loan scheme and the €800 million future growth loan scheme. We have also introduced postponed accounting on VAT for imports from the UK to help businesses with cash flow issues.

The feedback from stakeholders is that there is demand for this help and support to continue. The Government will continue to be there to help businesses through change. When specific issues arise, such as moving goods through our ports, we are there to help. Businesses must also continue to engage and adapt, however - these changes are here and not going anywhere - and many businesses already have.

The most recent statistics indicate that more than 70% of consignments moving through our ports have the correct paperwork in place and are receiving a green routing to exit directly. There was a significantly increased number of inbound goods movements through Dublin and Rosslare Ports in the past 24 hours with 1,136 recorded. The previous day it was a high of 1,063. Everyday more and more movements are coming through customs from Britain. That is just the reality of life as it is. There are also more services direct to the Continent where we have seamless trade and that continues. Goods moving from Ireland to the EU do so seamlessly. Supply routes are reorienting. Ferry operators have responded to industry-led demand. We seek new routes, new capacity and bigger vessels. We have seen one vessel come off a Britain to France route to come to an Ireland to France route. Given the scale of our trading relationship with the UK, significant capacity is also still needed on routes to the UK, but it is welcome that additional direct connectivity options are now in place.

The trade and co-operation agreement will never replicate the closeness of the co-operation that takes place between member states in the shared framework of European Union law. In addition to its provisions on trade, it also provides for unprecedented levels of sectoral co-operation between European Union member states and the UK. As the Minister, Deputy Coveney, just set out, the agreement contains important provisions on police and judicial co-operation, transport connectivity, energy connectivity and fisheries, but difficulties still remain. These areas of sectoral co-operation are essential to underpinning economic co-operation and co-operation between our public administrations. The trade and co-operation agreement, together with the withdrawal agreement including the Northern Ireland protocol, mean that at the very least there has been an orderly withdrawal of the UK from the EU and a structured basis for

future co-operation. This was not always a given. It will be important that the Government, Oireachtas Members and other stakeholders remain active and engaged as we continue to construct this new relationship.

I want to put on the record of the House our thanks to Michel Barnier and his team and our EU partners. I warmly congratulate again Michel Barnier on achieving the European Movement Ireland's award of European of the year. He has incredible links to this country going back over decades. We have only achieved what we have achieved with their support. The strength and solidarity that comes with membership of the European Union has been on clear display during the Brexit process. The announcement last week of the Brexit adjustment reserve by the European Commission and the detail of it, which was negotiated in the July summit by the Taoiseach and other leaders, is but the latest manifestation of EU solidarity and support, with approximately €1 billion allocated to Ireland. This money we will receive from the European Union will help us in softening the effects of Brexit but in no way eliminating them. Those effects were brought on by the decision of the British people, and particularly the decisions of the British Government, to leave the customs union and the Single Market.

Our relationship with the European Union and our role in it are not simply transactional or economic. It is not simply a money relationship. As the European Union begins to move on from Brexit, Ireland must and will continue to play a leadership role at European Union level, promoting our common values and the rule of law to deepen our alliances and friendship, showing leadership on climate and building an economic model that allows our citizens to reach their full potential. I am very excited by the objectives of the Portuguese Presidency of the Council of the European Union this term with regard to social Europe.

As the Minister of State with responsibility for European affairs, I hope Members of the House will be at the centre of this effort. In this regard, and for example, I have asked the Chief Whip to facilitate a Dáil debate on the rule of law in the European Union at some point when we can. Many Members with whom I have discussed this will be glad of it and I look forward to it. It is one of a number of issues on which we must continue to lead at European level and show the solidarity we have received over recent years.

**Deputy John Brady:** Now that the reality of Brexit is here we are left to deal with its wide-reaching implications, especially in the areas of trade and fisheries. Politically, the advent of Brexit, with its accompanying unleashing of English nationalism, has made the future of the British union one of the central political issues for the next decade. The unification of Ireland is now an urgent political issue that cannot be ignored. Workers and families in the North of this island will face the full impact of Boris's assault on workers' rights, food safety, the environment and human rights. Respect for human rights is an essential critical element of the Good Friday Agreement. Yet Boris Johnson has succeeded in weaponising human rights as something unpatriotic and some form of insidious foreign weapon to be used against the British people by the EU.

Since July 2019, more than 1 million foreign nationals have taken the decision to leave Britain, with 700,000 from London alone, primarily due to Brexit. Many cite the emerging xenophobia, misplaced British exceptionalism and shortcomings in British democratic structures as their reasons to leave. Recently, British journalists spoke recently of their fears about anti-European sentiment fuelled by English nationalism turning violent in the time ahead. There are also strong rumours emerging from within Whitehall that the Home Secretary, Priti Patel, has tasked Home Office mandarins with producing a scoping document to look at the reintroduction

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of the death penalty in Britain. These reports have yet to be confirmed but they emerge amid a political miasma that has witnessed a complete regression of normative political discourse. The former Chancellor of the Exchequer, George Osborne, recently stated the North is heading for the exit door of the United Kingdom, slowly inching towards a united Ireland. The future prosperity of the people of the North of Ireland is now dependent on its relationship with the South and Europe.

The Tánaiste has said the priority of the Irish Government in its approach to Brexit was to protect citizens' rights north and south of the Border. I put it to the Government that the only meaningful way the rights of the citizens of the North can be protected from a Boris Johnson Government assault on the rights of ordinary people is through unification. If there is one clear message that arises from the experience of Brexit and Covid, it is that we must begin the process of planning for constitutional change on this island. We must ensure the process of planning is all-inclusive, that it provides for input from all shades of opinion and outlooks on the island and that it is an all-island approach. It must begin by putting in place the appropriate infrastructure to support an all-Ireland economy. Nothing could be clearer than that the future of the shared experience of the peoples of this island lies in the reunification of Ireland.

I have a number of questions I want to put to the Minister. There are emerging rumours that the DUP is putting out 24 November this year as being the date it will review the current arrangements that allow the North to remain in the EU customs region. There is a real danger this will create the sense of a mini-Brexit scenario, reintroducing the levels of uncertainty we witnessed before Christmas. What will the Government do to prevent this from happening?

The way we work is undergoing a huge transformation, driven by Brexit and Covid-19. As we put in place plans to address this transformation, does it not make sense to ensure a future model will be an all-Ireland model? Are there plans to look at the development of all-island supply chains? Will the Government consider the establishment of a body to look at an all-island strategic approach to economic planning?

**An Ceann Comhairle:** Will the Minister take questions now?

**Deputy Simon Coveney:** I am conscious the Deputy was looking to share his time. I can address them at the end. If the Deputy is happy, I think I get ten minutes at the end of the debate to wrap up and I can answer his questions then and let his colleague in now.

**An Ceann Comhairle:** That is fine. We will move on to Deputy Darren O'Rourke.

**Deputy Darren O'Rourke:** I want to focus on the issues of logistics, strategic connectivity and supply chains. There have been significant changes and some finger-pointing but it should be recognised that the issue of Brexit is hugely complex. In recent days, I have met a number of hauliers who outlined some issues they have with the lived experience of the current systems. There are unaccompanied trailers and they are getting information that they have been red routed just 30 minutes before they are due to pick up the trailers. There are examples of lorries being red routed for three days, meaning a 69-year-old has had to spend that time in tractor units that are not fit for purpose and not designed for overnight use. There is talk about systems where there is a need to transcribe manually 15-digit figures, talk about being shifted from terminal to terminal for inspection at Dublin Port, for example, from T11 to T10 to T7, and talk about phone numbers that just ring out. There is huge criticism of the IMDO report, which they say undermined the effort to secure additional ferry connectivity with the Continent.

Again, there is the ask in regard to PSOs in terms of direct connectivity to the Continent, given the ferries are not there yet and there is a need for more capacity because existing ferries are overbooked. There is huge concern in regard to groupage, given the situation in Britain, and lorries are coming back but are not able to pick up back-loads because of the complexities of the new bureaucracy. There are also issues in regard to rules of origin.

There is a huge crisis. We should recognise that the average size of a haulage company in Ireland is 5.5 lorries, and there is a big challenge in terms of being in a position to deal with the new administrative burdens. The business model for many of these companies is up in the air. There are significant risks to the businesses themselves and also, from the State's perspective, there is significant risk to vital connectivity and to supply chains.

Will the Minister outline the model that will be in place to refine and improve these processes? There is significant duplication. There needs to be an acknowledgement that we are in the early stages of these new processes and there should be the opportunity to refine and improve them. Will stakeholders be involved in that process?

**An Ceann Comhairle:** I do not like to interrupt the Deputy but I have just re-read the schedule and there is no provision for a ten-minute response at the end from the Minister. If the Deputy wants to get answers, we will have to get them within the time available to us now.

**Deputy Darren O'Rourke:** Okay. I have two questions. There is a specific ask in regard to a six-month adjustment period, which is happening in Britain but is not happening here, reflecting the complexity of the situation. I also have a specific request in regard to the Brexit adjustment fund. Is it decided how it is going to be used? Can it be used for investment in the freight, distribution and logistics sector and to support haulage companies and for investment in port infrastructure, including traffic management systems? Will that be done on an all-Ireland basis, as said by my colleague?

**An Ceann Comhairle:** I call the Tánaiste. I mean the Taoiseach. No, I mean the Minister.

**Deputy Simon Coveney:** That is fine. I am not ever hung up on that formality, to be honest.

There are a lot of questions. On the Brexit adjustment fund, first, we have to get it approved. At the moment, what we have is a draft proposal. Some countries are questioning that allocation process and we need to get that approved in the European Parliament and signed off on in the European Commission so we can access that money as soon as possible. The Government will then look to the areas that have seen the most disruption from Brexit and that need supports, whether that is fishing, agri-food or haulage. We will then come forward with a proposal in terms of how we spend that money. We will certainly bear what the Deputy says in mind because I know that hauliers have been significantly disrupted by this change.

I do not want to raise expectations around transition periods, grace periods and so on. We had a transition period; it was 2020. We knew what was coming. Even though a deal was only done on Christmas Eve, the UK had made a very clear commitment to leave the customs union and Single Market. That has real consequences in terms of trade across the Irish Sea and it is important we do not pretend that, by negotiation, we can actually get things back to the way they were before. This is about adapting to the new reality rather than pretending we can change that reality. That being said, of course, there are things around the edges that we can work on to make sure the paperwork works in a slicker way. I can promise the Deputy we will continue to have very close engagement with the haulage sector.

**An Ceann Comhairle:** We must move on. I call Deputy Howlin.

**Deputy Brendan Howlin:** I want to use questions and answers, if I may, in the short few minutes I have. I raised a particular issue yesterday in regard to the practical outworking of these arrangements. Like the previous speaker, I have a complete understanding of the complexities involved. I understand that the Minister can say we have had a year in transition, but we did not because, like everything, until it actually happens and we see specifically what is needed, there will be things we have not prepared for.

I do not take great comfort in the Minister of State's announcement that 70% of paperwork is correct. That means 30% of a diminished throughput in our ports right now is subject to being halted and having problems. That will be monumental when the volumes increase.

In regard to the particular point I raised yesterday, I know the Minister indicated he has had a chance to look at that. Can we have flexibility within our ports system so that, where there are identifiable problems that can be resolved, mechanisms are devolved locally to resolve those as far as is practicable? That is my first question.

**Deputy Simon Coveney:** The straight answer to that is "Yes". To put some context around the question, in the last 24 hours, we have had 1,136 movements into Ireland through Rosslare and Dublin from the UK. That, I think, is about a 15% increase on where we were last week, so we are seeing-----

**Deputy Brendan Howlin:** That is understandable.

**Deputy Simon Coveney:** Absolutely. This started with significantly lower volumes because of stockpiling at the end of last year, because of concern and worry, understandably, and because of people getting their heads around the paperwork, particularly in the UK, where there was a real lack of preparation by many companies. We are now starting to see the volumes ramp up. The Deputy will be glad to hear the figure for green routing of goods through our ports is now 80%, when a few days ago it was 70%. Companies are working the new systems and getting better at it day by day. Revenue, on a 24-hour basis, is helping to guide companies through these systems, which are complicated, laborious, bureaucratic and time-consuming. I think we will see an improvement week-on-week.

Where there are genuine problems, and there were in regard to the case the Deputy raised yesterday, which we have looked into in some detail, we are learning lessons from those. It is an example of how flexible Revenue can and will be within the parameters within which it has to operate. My understanding is that there will now be a payment mechanism installed in Rosslare, which was not there yesterday, to try to deal with issues like the one the Deputy raised yesterday. There are other issues linked to that case, which I can go into privately with the Deputy. The answer to the straight question is that, yes, we will adapt as we can.

**Deputy Brendan Howlin:** I greatly welcome that and I thank the Minister for looking at the particular question I raised because it was just an indicative question. To have local mechanisms to resolve that is something I will certainly be monitoring in Rosslare.

My second question is in regard to the Brexit fund which the Tánaiste mentioned and the €1 billion. Of course, he talked about it still needing European Parliament assent. It was said that we had just over €1 billion. What is the mechanism by which decisions are going to be made? Are they going to be made by the Department of Foreign Affairs or the Department of Public

Expenditure and Reform? Is there a particular committee to which people make applications? What is the evaluation process so that people, particularly those in the fishing sector, who are really impacted and desperately worried, will know where to go, how to prepare their case and who to submit it to, as well as hauliers and everybody else impacted?

**Deputy Simon Coveney:** That is a fair question. My understanding is that the actual allocation of this money, once it has been confirmed, will be managed by the Department of Public Expenditure and Reform, which the Deputy will understand only too well, given his time there. I suspect the Department of Finance will be involved in the discussion as well, with other Departments like the Department of Enterprise, Trade and Employment and the Department of Agriculture, Food and the Marine, and other sectors will then make their contributions. I hope we will also have an Oireachtas committee system that can contribute to the discussion to make sure that we get this right.

My job, along with the Minister of State, Deputy Byrne, was to try to do everything we could to maximise the amount of money that Ireland could access through this fund. Once that money is approved it will be a collective Government responsibility, managed by the Department of Public Expenditure and Reform. I expect there will be a lot of consultation with stakeholders. We want to do it as quickly as we can so that we can respond to areas of disruption quickly rather than this leaking into next year.

**Deputy Bernard J. Durkan:** I congratulate the Minister, the Minister of State and the Government for the way they have handled the negotiations so far and the cool and calm manner in which they have dealt with the issues that have arisen.

To respond briefly to others' remarks, I think I was the first person in the country to promote the idea of an all-island economy and a single market for the entire island of Ireland. I think that is the best route and I think it will eventually come down to that. It is important that in this State we show our colleagues in Northern Ireland the benefits accruing to an all-island economy, and we can do that in the way that we do our business daily. A united Ireland is an aspiration already provided for in legislation. It should not be part of a threat but part of a solution as we proceed.

The possible snags are now becoming apparent. I know there has been a rapid response to the various issues, as the Minister has referred to. I ask that it might be intensified and that it might be possible for hauliers and business people in general to be able to get a fairly rapid response to issues as they arise and to get information on what is likely to arise given the current through-flows.

Has adequate provision been made on the alternative routes for Irish imports and exports to and from the Continent, given the knowledge that there will be difficulties in using the route through the UK? As the Minister pointed out, that was already envisaged. It must be time to rely more on the things that we can make happen, rather than on what might happen. That is best done by the operation of the situation as it presents itself now, and hopefully we will see the best result.

I do not foresee a successful arrangement from the UK's perspective. I predict that some time in the next three or four years the UK will reapply for EU membership. That will become more obvious as time goes by.

**Deputy Simon Coveney:** On the question of the all-island economy, a huge priority of the Brexit negotiations has been to ensure there is no border infrastructure and no barriers to

trade between North and South. That has been a huge challenge. The solution we arrived at - the protocol on Northern Ireland and Ireland - is somewhat controversial for some because it requires some level of checks between Great Britain and Northern Ireland on trade in order to effectively create a *de facto* extension of the EU Single Market for goods into Northern Ireland and in Northern Ireland. That said, there are still differences between the Republic of Ireland and Northern Ireland from a trade perspective. We have seen country of origin issues on steel, for example. The grace period that was put in place in the protocols on Northern Ireland and Ireland for Northern Ireland, some for three months and some for six months, in terms of health certificates and so on, make the trade slightly different from Great Britain across the Irish Sea into Northern Ireland compared with the Republic of Ireland. In time, I think we will ensure there is a level playing field in that trade. We are trying to protect an all-island economy that functions well and is a significant contributor to community relations and good political relations on the island.

**Deputy Jackie Cahill:** I want to record the tremendous achievement of our Taoiseach and Ministers in that we were able to trade on 1 January this year. We all feared that Brexit would be Armageddon for industry in this country. While there are snags, some of which we are raising here today, trade has continued in a fairly seamless fashion.

I raise the milk processing industry. During the week, there were media reports that mixed milk, as we might call it, will not have access to EU trade agreements, whether with China, Morocco or other countries, and that market supports will also be denied to mixed milk. This would prove a serious problem for many of our processors, one of which gets 60% of its milk north of the Border. Other Members have highlighted the all-Ireland economy, but milk processing has operated on a 32-county basis for a long time. A significant amount of Northern Ireland milk is processed here in the South. It would create great difficulties if that milk did not have the same access to trade agreements and market supports as milk from the Twenty-six Counties.

**Deputy Simon Coveney:** I am glad that Deputy Cahill raised this. He has a lot of credibility on this area. It is a real problem. I do not want to pretend it will be solved easily. About 900 million litres of milk comes south from Northern Ireland farms to be processed. Lakeland Dairies is probably the best example of a processor which has a very significant percentage of its milk pool coming from the North, but Glanbia and others do too. The challenge is that one can sell milk that has been sourced on a Northern Ireland farm across the EU as if it is produced in the EU, but if one is selling a product that has been processed with that milk pool from Northern Ireland to a third country that is subject to a trade agreement that the EU has put in place, that milk is sourced outside the EU, even though it is at equivalent to EU standard, under country of origin rules. It is seen as UK milk rather than Irish or EU milk. As a result, there is a problem with EU trade agreements in different parts of the world and selling Northern Ireland milk as EU milk.

The only way to change that is by changing the trade agreements to insert an asterisk to say “EU and Northern Ireland products” which is something we would like to do. I have campaigned for that with the European Commission, with Michel Barnier and his task force and with Maroš Šefcovic, who will be a key figure in EU-UK relations. We will continue to do that but it will take time and a great deal of goodwill on the EU side to be willing to do that. It does pose difficulties in the meantime, but there is a huge market across the EU, where milk from Northern Ireland will be treated the exact same as EU milk. It is only because of the technical legalities of trade agreements, and the country of origin element to those agreements around

accurate labelling, that the protocol on Northern Ireland does not cater for products like that. Milk is the best example. The problem is that Northern Ireland and Republic of Ireland milk is all mixed into the one milk pool and separating those two milk pools, depending on the markets into which they are sold, is costly for processors. We will continue to engage and work with the processing sector, which is a hugely important part of Irish agriculture, to try and find solutions on this where possible.

**Deputy Jackie Cahill:** Can issues relating to access to market supports and aids to private storage be overcome as well?

**Deputy Simon Coveney:** We probably need to look to the Minister for Agriculture, Food and the Marine to comment on how we support the sector. I do not want to do his job for him. He is more than capable of doing it and is very vocal in this space at Cabinet meetings. Some of the disruption to the agrifood sector is clearly linked to Brexit, and our key market and nearest neighbour for agrifood products - we sell €5.5 billion of food to the UK every year - has to be factored into the Brexit adjustment reserve.

*2 o'clock*

I hope that part of that €1 billion will be earmarked for the agrifood sector.

**Deputy Ruairí Ó Murchú:** In the limited time I have I will go over and back in asking my questions. I commend the work that is being done at stakeholder, ministerial and official level. We met the Department of Transport and I appreciate that it is operating in a sort of war cabinet type scenario in that when it comes upon a problem, it deals with it. However, everybody agrees that a huge number of problems for hauliers here are being caused by the fact that many British firms did not prepare for Brexit in the way the need for preparations was pushed at governmental level and happened here. We have heard of the difficulties with groupage. We know there are problems with the systems in that they do not talk to each other, so to speak. I refer to the manual transfer of, say, the movement reference number, MRN. We know that certain people involved in freight transport are wondering if there is any possibility of leeway. A number of these systems have only been put together. There was no time to try to test them. We did not even know what we would be testing them for and that is a difficulty at this time.

**Deputy Simon Coveney:** I have spoken to hauliers and haulage companies on this. There are a range of issues they are concerned about, including being able to get on ferries in terms of direct ferry routes, and we have seen a dramatic increase in the capacity of multiple ferry operators from Irish Ferries to Stena Line to Brittany Ferries and two or three other operators. That situation has improved and continues to get better in terms of increased capacity on direct routes.

Hauliers that are operating between the UK and Ireland are facing challenges, although I believe they are overcoming them as the days go by. We should focus predominantly on responding and adjusting to the new realities, working with Revenue, which is available 24-7 for advice and support for haulage companies and exporters in terms of helping them get their paperwork in order. Nobody wants to be holding a trailer for two or three days and to have the disruption, inconvenience and cost of that.

We have a legal obligation here. This is not something that we are doing because we want to do it politically. The rules of trade are clear. We have a legal agreement that we have to comply with to protect our place in the EU Single Market and its integrity. What we are dealing with

now are the consequences of British Government choices in terms of the kind of Brexit it has chosen to negotiate and deliver. In terms of looking for flexibility, we will do that within certain parameters. Revenue has shown flexibility already in regard to safety certificates, for example, but there is only so much flexibility it can show. The honest message that we have to get across here today is that companies have got to adjust to the new realities, although it is somewhat difficult, rather than pretending that there is a magic political solution to put all this off for six months to give everybody more time. That is very unlikely to happen.

**Deputy Cian O’Callaghan:** I have three questions for the Minister. I will ask them individually and I will be brief, so I would appreciate it if the Minister would give brief answers to allow me get to the other questions. First, the tariffs on steel imports into Northern Ireland potentially could affect construction costs in the Republic. A 25% tariff is being applied to most steel imports into the North, including reports of steel destined for the Republic, and because the two ports on the island of Ireland that are best capable of handling large imports of steel are located in the North, that could have a serious knock-on impact on our construction sector and for home construction costs. I ask the Minister to address that.

**Deputy Simon Coveney:** Steel is a problem and there is much effort going in now to look at how we solve that. In simple terms there is what is called a safeguard measure that has been introduced by the EU. As a result of Covid-19 and a lack of building activity globally, the EU decided that it needed to act to protect the EU steel industry, and therefore it introduced what is called a safeguard measure, which effectively is a 25% tariff or duty on steel coming into the EU from a third country. The problem on the island of Ireland is that, under that measure, an EU country importing steel gets a certain quota that it can import before the duty applies. However, because Northern Ireland is not an EU country, if it imports that steel from the UK because it is part of the UK customs code, my understanding is that it does not have the quota exemption, so to speak, to avoid that 25% tariff. Ironically, if the steel were to be brought in through Dublin, not only could that be done without having to pay the 25%, it could also potentially be supplied into Northern Ireland without having to pay the 25%. However, if it comes through Belfast, there is a problem. The additional problem is that while that sounds like a solution, actually it is ports in Northern Ireland that are geared up to offload steel whereas Dublin Port is not. There are multiple issues here that people are trying to work out at the moment in terms of how we respond to that but, again, it is essentially a consequence of the complexity of the trading environment to which Brexit leads.

**Deputy Cian O’Callaghan:** I thank the Minister. I take it from that that it is being looked at because it would be an unfair and unintended consequence if we were penalised just because we do not have those deep port facilities.

The second question is on the potential impact of Brexit on low income households in particular. Two years ago the ESRI estimated that the cost of a trade deal Brexit could be approximately €900 per household. We do not know the actual cost as it is playing out at the moment. We do not know how that is being absorbed but is the Government monitoring the impact on low income households?

**Deputy Simon Coveney:** I do not have a precise answer to that but I will get one for the Deputy. Part of the budgetary process in Ireland is to ensure that there is fairness and equity as part of how we put budgets together, whether that is the taxation system, social welfare system, equality issues or housing issues, and so any budget that we put together has to be shaped by that. The new realities of life are that Brexit will shape elements of our economy in the way

Covid-19 has done. The straight answer to the Deputy's question is "Yes" but I do not have the detail of the measurement tool in terms of how it operates.

**Deputy Cian O'Callaghan:** The ESRI did a very good piece of work on this two years ago and I believe it would be a good idea to ask it to analyse this to see what the impact is and if its original estimations hold.

Regarding my final question, I have concerns in terms of a level playing field and the agreement and that the UK Government has indicated that it intends to erode workers' rights further in the UK. That could affect us the most as the closest country to the UK. Will the Irish Government be monitoring any relaxation or lowering of regulations in the UK that could impact on our industries and jobs?

**Deputy Simon Coveney:** It will not be the Irish Government that will be doing it; it will be the EU that will be doing it. This is an EU-UK agreement; it is not an Irish-UK agreement. We are part of something much bigger in the context of our EU membership. This is a trade and co-operation agreement that has very strong level playing field provisions in it. If it is the developing view of the EU collectively that the UK is moving away from a level playing field through regulation or policy in the UK, there are very clear mechanisms in the agreement that can be triggered to respond to that.

**Deputy Seán Haughey:** I will make a few introductory comments and I have three specific questions which I will ask together. It has to be said that new customs and regulatory checks have caused a few problems so far. There are some empty shelves in some supermarkets like Marks & Spencer, which is supplied by British supermarket chains, and there is a possibility that some of those supermarket chains will simply not bother bringing in their goods to Ireland. Difficulties have been reported with online shopping, where new charges have been imposed on sites and sales, and some parcel services have ceased. There are problems in our ports too.

Like other speakers, I thank the EU chief negotiator, Michel Barnier, for the important role that he played in the negotiations. He is a patient man. He told this House in 2017 that he would not abandon Irish interests and that he would respect the Good Friday Agreement in all its dimensions, and he kept his word in that regard. The European Movement Ireland honoured him with the European of the Year award for 2020 today. Michel Barnier said that he considered himself a little bit Irish. It is fair to say that we all consider Michel Barnier an honorary Irishman at this stage.

How is the operation of the Ireland-Northern Ireland protocol going on the ground? Are goods flowing without any problems between Britain and Northern Ireland? Are there teething problems? I say this because the British Prime Minister, Boris Johnson, has told the House of Commons that he is willing to invoke Article 16 of the protocol which allows unilateral action if there are economic, societal or environmental difficulties arising from its implementation. DUP MPs have said that the protocol has ruined trade in Northern Ireland, but they would say that for their own political reasons. Is there any danger that Article 16 will be invoked? Is this something that the Irish Government would oppose at EU level?

Regarding the British land bridge, the Government has been advising exporters to switch to direct ferry services to the Continent rather than going through Britain. Stena Line and Irish Ferries are providing services from Dublin and Rosslare to Cherbourg. In addition, DFDS is providing direct daily services between Rosslare Europort and Dunkirk. The Irish Marine De-

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velopment Office previously said that there was enough capacity on these routes, yet services have since been increased on a commercial basis. I know the Minister dealt with this earlier, but to clarify again, is there sufficient capacity on direct services from Ireland to the European mainland?

On the bilateral relationship between the United Kingdom and Ireland, with the UK leaving the EU, the EU structure for engagement between Ministers and their officials is no longer available. Our bilateral relationship needs to be re-examined. There are strong social, economic, cultural and political links between our two countries. I understand that the British Prime Minister and the Taoiseach have agreed to begin work on a strategic review of the Irish-British relationship. The Taoiseach has spoken of the need to develop new structures for formal engagement between the Taoiseach and the British Prime Minister and at ministerial and official level to formalise co-operation across several policy areas. I believe we need to develop and enhance the various bodies established under the Good Friday Agreement to develop and enhance relations on all parts of these islands. I presume the Minister agrees with that.

It is becoming clear that we are not quite done with Brexit. The partnership council established to oversee the agreement will have 20 committees. There are definitely more painful negotiations ahead but this agreement will make Brexit a little easier for all of us to deal with.

**Deputy Simon Coveney:** On the protocol for Ireland and Northern Ireland, there are clearly some issues that are frustrating trade. Some of them are linked to a lack of preparation beforehand and some are linked to adjusting to the new realities of bureaucracy, much paperwork, notice and engagement with port authorities and revenue commissioners. That new adjustment is something that we have seen political kickback against, particularly from some political parties in Northern Ireland. Looking at the amount of trade coming into Northern Ireland's ports, it is more or less the same as it was this time last year, about 6% down. Ironically, trade from the UK coming into Dublin and Rosslare is significantly down. That is for a number of reasons, partly because we have seen a number of hauliers choosing direct ferry routes to France as an alternative, where there is a 300% increase. Trade is happening. There are some problems and disruption which we will try to overcome. The threshold to invoke Article 16 is very high and I do not think it is realistic that Article 16 will be used, unless something extraordinary happened that certainly is not happening today. The politics and commentary around Article 16 have not always been based in reality about what Article 16 proposes to do and who can invoke it.

Regarding the land bridge, my understanding is that the reports done on this have said that the ferry sector has the capacity to respond by providing significant increased capacity for direct ferry routes that avoid the land bridge. We are seeing that. DFDS, Stena Line, Irish Ferries, Brittany Ferries and a number of companies providing lift-on lift-off freight services have provided a dramatic increase in a short period, and it will continue, with more to come. It is not perfect. At the start of the year, there were pressures and hauliers were not able to get onto ferries when they wanted to, but I think because of that pressure, we have seen ferry companies respond remarkably quickly to that increased demand. In some cases, we have seen larger ships that were on Irish Sea routes between Dublin and Holyhead switching to direct routes between Ireland and France.

The strategic review between Ireland and the UK is being led by the Taoiseach. My Department is involved too. That will be a significant focus for the next 12 months.

**Deputy Patricia Ryan:** On Christmas Eve, a Brexit deal was announced and hailed as the

answer to all our problems, but many people who have been in touch with me and my office disagree with this. Many people's daily lives have been affected by the fallout from Brexit. One lady was told that her car cannot be repaired because there is a problem getting parts from the UK. Her car is safe to drive but will not pass the NCT because there are diagnostic lights on the dashboard. She now has to risk driving the car to get to the shop to buy baby food with the insurance-related and legal implications for driving while not having the NCT. There is no end in sight. The next available slot in Portlaoise NCT centre is in the middle of March. Another gentleman had an accident on the way to work last weekend. His car was towed to a main dealer where he was told that it could be there for weeks because parts were in short supply. His car insurance covers car hire worth €200, which will hire a car for less than one week. He is an essential worker and will be unable to afford to hire a car if this issue drags on. In the course of making inquiries for these people, I have been told of a main dealer in Kildare who has had to strip parts from two new cars to carry out work under warranty. This is not good enough. It is incredible that it is happening.

This Government announced with great fanfare a scheme to provide funding for the training of staff to help businesses to deal with customs paperwork and I am told that the uptake has been low. We need to look at and address the reasons for this. I have spoken to lorry drivers who have contacted me because they have been stuck in queues at ports for days and have not seen their families. We have all heard of the lorry drivers queueing on the M20 in Kent in England for days. They survived due to the kindness of the local residents who lowered food parcels containing beans, fruit and sweets from a motorway bridge. It is 2021. We can, should and must do better.

Many retailers have taken the decision to cease trading internationally, due to the mess and uncertainty around Brexit. It should not have to be like this. These issues are affecting people's daily lives. We cannot just ignore them and hope that things will get better. These are sources of worry and frustration for people and we must start addressing them. Finally, as the Minister is aware, last year customs dealt with 2 million declarations. This year they expect to deal with 20 million declarations. That is more than 50,000 per day and ten times what was dealt with previously. We must invest more if there is to be any hope of solving this mess. There is a €1 billion contingency fund and it is about time we started spending it wisely.

**Deputy Simon Coveney:** I can respond to the Deputy, but I think it was more of a statement than a question. We know what some of the problems are and we are addressing them, one after the other. However, with respect to the Deputy, the Irish Government can only do so much for lorry drivers that are stalled in Kent. This is what happens when an economy and a country the size of the UK decides to leave a customs union and a Single Market, never mind the EU. There are new realities to trade. That is why I would encourage companies to reach out. There is a lot of support and advice available. Revenue Commissioners are doing a really good job in very challenging circumstances. Most companies that I speak to are very complimentary of Revenue in terms of knowledge, skill set and so on. We will keep engaging with companies and people that are impacted by Brexit, and we will try to solve problems. However, we also have to be honest with people. Some of the new realities, including disruption to trade, increased bureaucracy, paperwork and preparation, are here to stay. We will be able to work the systems more efficiently as time goes by, but we are never going to get back to what we had before, which was a seamless trading market that the UK was part of in a shared EU customs union and Single Market.

**Deputy Bríd Smith:** I wish to raise my comments and questions in the context of Covid

and Brexit. I listened to Dr. Gabriel Scally on the radio this morning arguing for some form of quarantining and looking towards a zero-Covid strategy. He used the example of the level of co-operation between this State and the Northern Ireland state and the image of Martin McGuinness and Ian Paisley, who famously became known as the Chuckle Brothers, working well together. Dr. Scally argued that if these two states can work well together on the Brexit deal, then they can work well together on something like quarantining at our airports and ports. The Government needs to give this serious consideration. Telling us that a zero-Covid strategy will not work because we are an island nation of two different jurisdictions is just nonsense. An island nation with two different jurisdictions has just worked out a very complex Brexit trading deal. Therefore, we need to push hard against that argument and look for an investigation into an all-island zero-Covid policy. I say that to all parties involved, North and South, in the Northern Ireland Assembly and in Dáil Éireann.

It is often said that the EU can be held up as a beacon of all sorts of rights, including women's rights, workers' rights, fairness, trade, sustainability, environmental policies, etc. People were fearful of Boris Johnson and the era of Trump and Putin. I understand how people are afraid of the arguments made against immigration, but the EU certainly is not a beacon. I refer, in particular, to the Mercosur and the CETA deals. It is outrageous that the State, with the EU, is pursuing deals of an international trade level that are not at all sustainable or environmentally- or worker-friendly. As in the past, there was no problem with the EU, with the compliance of our Government, allowing for the containment of immigration, whereby thousands of migrants lost their lives in the Mediterranean or were forced back into slave camps in Libya. These are issues that we really must get a grip of, and have our own policies on.

Finally, I wish to raise the issue of workers' rights in the context of Covid. Despite much lobbying by all the airlines, which came to the Government with their hands out asking for help and claiming the industry was in trouble, none of the big companies which made vast profits from air travel has ever offered to pay for testing at airports or other track and trace facilities and instead have relied on the State. Nevertheless, they are using this opportunity of Covid to pull back on workers' rights. I refer in particular to Ryanair, one of the biggest airlines in Europe. They are increasing the use of bogus self-employment. They are changing people's contracts and giving them much more precarious contracts. They are sacking trade unionists. They are using the loopholes in European legislation as a cover for this. We must be a voice, along with other countries, on this issue. I sent a letter to the Ministers at the Department of Transport, asking them to sign it, and I got nothing back, but a statement to say that they had taken note. Austria, Belgium, Denmark, France, Luxembourg and, lately, the Netherlands have signed a campaigning letter which states that we need to work co-operatively together, both in our transport and social protection departments, to stop the use of bogus self-employment and social dumping, particularly in the airline industry. I would like the Minister to respond. I ask him to pursue the issue with the Ministers at the Department of Transport and ensure that they join with those other progressive ministers for transport who are campaigning on this issue.

**An Ceann Comhairle:** While the questions on Covid, Mercosur and CETA are important in themselves, they are not relevant to the subject matter that is before us. However, if the Minister has something to say, we will certainly hear him.

**Deputy Simon Coveney:** I do not want to be unhelpful, but this session is predominantly on Brexit and its impact. The Deputy has raised some serious issues and I am sure we will have an opportunity to debate both CETA and Mercosur in this House in the months ahead. I certainly hope we will have the opportunity to do so. When it comes to Covid and the strategy we adopt,

as we have done for the last year, we will continue to rely on the considerable expertise that our public health team has built up in terms of the advice that it gives us. A Cabinet sub-committee on Covid will meet again on Monday. NPHE and other experts will contribute to that meeting in respect of the approach we should take. There is North-South co-operation on the Covid strategy. It does not always result in agreement on approach, but there is often much agreement. We have what are referred to as “quad meetings” which I attend along with the Secretary of State for Northern Ireland, the First and Deputy First Ministers and both Ministers for Health. We plan to have another quad meeting next week on co-operation on Covid management.

I understand the point the Deputy made about airlines. However, there are not many airlines making vast profits at the moment. I am not aware of the letter mentioned by the Deputy, but I can take the issue up with the Minister for Transport.

**Deputy Cathal Crowe:** First, I want to raise the issue of hauliers. They are still encountering difficulties and challenges when they present themselves at ports. I am going to use some jargon here. When they arrive at a port, they must prepare a customs entry form and obtain a movement reference number, MRN. This is basically getting pre-clearance. They then need to complete an entry summary declaration, ENS, which is essentially a security document and nearly a duplicate of the document they have already completed. Finally, they must prepare a pre-boarding notification, PBN, before they leave on the ship. There was supposed to be Revenue software available to tally all of this, match it up and ensure that the process was quite seamless. There have been a number of glitches with the software. There was supposed to be a mobile app and an on-board electronic notice board to simplify matters. They have not been working and I am told that some of them are not fully in place. This makes it difficult and challenging for hauliers to board a ship and bring their freight with them.

Recently the Oireachtas transport committee heard testimony from two really good witnesses, namely, Damien Regan from Clare and Kieran O’Callaghan from Limerick. They are proposing that we would have an air cargo bridge from Ireland into Europe. Brexit should not be all about the disadvantages and this proposal represents an opportunity. At the moment, only 1% of all freight leaving Ireland does so through air channels. The committee witnesses are suggesting that Shannon Airport, given its long runway and extensive hangar space, would be an ideal place for a cargo bridge. I would like to hear the Minister’s view on this. I understand the witnesses have given a great deal of detailed information on their proposal to his Department.

I hope the Minister can respond to my final point, which concerns the arrival of 140 students from Algeria to Ireland in the past two days as part of a study abroad programme. I did an Erasmus study programme back in 2002. It is a fantastic programme and a wonderful opportunity. In normal times, every student should be encouraged to do it, but perhaps not during level 5 Covid restrictions. The students from Algeria have arrived at a time when students of the University of Limerick cannot enter the campus, despite living only 1 km or 2 km away. Suddenly, there is an influx of 140 students who have come into the country from an airport in Algeria. I know Covid restrictions are in place and the students are quarantining but their arrival is against the spirit of the level 5 restrictions. I would like to hear the Minister’s views on that.

**Deputy Simon Coveney:** The last issue is separate to what we are discussing but I will comment on it in due course. First, I am more than familiar with the challenges that many hauliers face and I have spoken to people in many haulage companies in the past number of weeks. Some are adapting to the new realities reasonably well and others are not. It is impor-

tant to say that the numbers are increasing and have done so significantly in the past few days. We are at a point now where 80% of hauliers are being green-laned or green-lighted. When those vehicles come off the ship, their drivers are free to go. That figure was 70% a few days ago. It is getting better all the time despite the increase in traffic volumes.

However, let nobody pretend otherwise than that the paperwork, preparation and notice period are very different from what was required in December and before that. These are the new realities of trading with the UK. We have to be honest with people that these new realities are not simply going to disappear through the use of slick software systems. We can, of course, improve the management processes in our ports to ensure that traffic moves as smoothly as it possibly can under the new arrangements. Revenue has already shown some flexibility in regard to safety certificates. This is about training, educating, informing and helping people to deal with the new realities as best we can.

**An Ceann Comhairle:** We need to go to the next Deputy.

**Deputy Simon Coveney:** The air cargo bridge is an interesting concept. I certainly would not have any problem with it. If there is a demand for that, I do not see why it cannot progress.

In regard to the students who arrived from Algeria, all I can say is that the advice we give in regard to international travel is that only essential travel should happen now. We have pretty strict protocols around that.

**Deputy Marc MacSharry:** I do not wish the Minister to respond to me, because I want to use my time to put a few points on the record. I ask that he take the points on board and, if he feels the needs to respond, he might do so in writing at a later time.

I was involved in the export business for many years. I am glad I am not involved in it now. I would respectfully suggest that until such time as we get through the Brexit teething problems, the Government needs to select and appoint, on a statutory basis, a supply chain general. It must be done on a statutory footing in order that the person appointed can have reach with all the relevant bodies, from Revenue and Customs and Excise through to the HSE and the Departments of Agriculture, Food and the Marine; Health; Enterprise, Trade and Employment; and Transport. Unless the individual appointed has that kind of reach, we are not going to make the kind of progress that we need. The Departments and bodies I have mentioned are not the supply chain but they are links in it. Without somebody with reach across each of them, we are inevitably going to end up with an exponential rise in transport costs throughout the country. I am sure Deputy Verona Murphy is much better qualified to make this case than I am and I am sure she will do so.

As things stand, the cost of customs duties alone is calculated by some of the larger haulage companies to be up to 8%. There is a suggestion and an anticipation that transport costs for exporters may go up by as much as 35% to 45% over the coming seven or eight months. The sorts of teething problems that are being endured by hauliers are having a huge impact. There seems to be a particular focus by hauliers on Dublin Port and the potential incompatibility of the IT systems there with the British side. Our colleagues in Northern Ireland face an awful situation with cliff edges looming in April and July. That will have implications for us as well. I appeal to the Minister to consider the appointment, on a statutory basis, of a supply chain general with reach across all the relevant Departments and agencies, starting with Customs and Excise and Revenue.

As the Minister will no doubt be aware, under the cross-border directive, a substantial number of people here in the South benefit from HSE funding or reimbursement for medical procedures in the North. We have a one-year unique replacement arrangement for Northern Ireland, after which the cross-border directive will cease to operate between North and South. Given the benefit of the existing arrangement to people in the Republic of Ireland, I appeal to the Minister to explore how we might come up with a longer-term or more permanent arrangement that goes on beyond this year.

Finally, I am being opportunistic in raising a Covid-related matter in which I believe the Minister could have a role. It concerns securing adequate supplies of vaccines for our population. The Minister for Health informed the House earlier today that everyone in Ireland will be vaccinated by the end of September. That is great news but I am interested to know how it will be done. The supply chain that is available to us and the vaccines that are available to us do not add up to meeting that sort of deadline. I very much hope that things will improve. I ask that we use our diplomatic channels to secure additional supplies. Pfizer, AstraZeneca, Johnson & Johnson and Moderna all have facilities in this country, some of them very large ones. Let us start cashing in on that. These companies have benefited greatly from us over the years in preferential taxation treatment. We would like a little more in return.

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

**Deputy Marc MacSharry:** I am concluding. In case we are worried about being poor Europeans, I would point out that when Angela Merkel said in January, "We don't want national solo runs and think the most effective protection for us can be reached with a European approach.", none of us knew that she had her own little side deal already done for the German people. While being good Europeans, let us also put the Irish people first on this matter.

**Deputy Rose Conway-Walsh:** Can the Minister confirm that the common travel area ensures that all Irish and British citizens can continue to access further and higher education on a same-fees basis, as was the case prior to Brexit, and that no students from the North will be charged international fees at any of our educational institutions? This is a very specific question and the Minister may intend to make a statement on it.

Fishing has been central to every exchange we have had with the Minister regarding Brexit. As always, he has assured us that the Government will protect our fishers and our fishing communities. I find it disturbing, therefore, that so many of them feel they have been excluded. Who compiled the priority list of Irish licensed and registered fishing vessels seeking access to UK waters that was sent to the Commission after the full list was rejected? How were those vessels selected? What does the Minister say to the fishers who tell us that there is a total disconnect between the Government and the Department of Agriculture, Food and the Marine and fishing families?

I want to give the Minister time to respond, so I only have one more question. There is much confusion among people who are finding that products ordered from the UK which would normally take five or six days to arrive have not yet been delivered a month later. They are finding that their purchases have gone a distance but are now going back to the manufacturer. What warning or advice would the Minister give Irish citizens when ordering goods from the UK?

**Deputy Simon Coveney:** On the Deputy's last question, making online purchases from the UK is something that large numbers of Irish consumers have been doing on a daily basis,

particularly throughout the Covid period when local retailers were closed because of restrictions. Even though there is much evidence that there has been very strong support for purchasing locally online, there is still a great number of platforms based in the UK from which Irish consumers make purchases. The truth is that there is now a different arrangement in place. The automatic consumer protections that applied under EU directives and so on when the UK was part of the EU, its Single Market and its customs union, are no longer there. Added to that are potential taxation complications. It is a matter of understanding that the price advertised will be the price paid, including taxes. There are also potential delivery challenges. We have seen a number of haulage companies temporarily stall or stop deliveries because of the need to understand the paperwork of the new systems that are being put in place. Therefore, there is ongoing adjustment that is impacting the pace of delivery. That is absolutely true. We need to say to our consumers and the public very clearly that they should be aware of the risks when they buy online now. They cannot simply assume, because a brand or platform is credible, that they will be able to have the kinds of delivery times that were taken for granted up to the end of last year.

With regard to fishing, all I can say to the Deputy is that the Minister for Agriculture, Food and the Marine and I have spent a great amount of time speaking to the industry to ensure Irish fishing interests are very much part of Brexit negotiations. That conversation is continuing, even after the Brexit deal has been done, in the context of fair burden-sharing, support packages and so on. It will continue. The Taoiseach is also involved in that. I have heard much loose talk and criticism. I can understand the frustration in many of our fishing ports in that their element of the Brexit deal has resulted in a loss of fishing opportunities, particularly for certain species, mackerel being the best example. We will, however, continue to work with the sector. It is important and we will do everything we can to protect it.

I am not aware of any changes regarding students from Northern Ireland coming to universities down here. Certainly, they will not be treated as international students.

**Deputy Cathal Crowe:** On a point of clarification, I said that the students who had come to the University of Limerick were on Erasmus placements. They are actually enrolled in the college, but my point still stands. I just want that corrected on the record.

**Deputy Verona Murphy:** Having been involved in the Brexit process from the start, the Minister is only too well aware of the detrimental impact of Brexit on the island of Ireland. Indeed, both he and I attended many a Brexit forum detailing to larger audiences throughout the country just how bad it would be with tariffs. The deal, as we will call it, may have avoided tariffs and, to the Minister's mind, solved the problem but I can tell him it did not. We have exactly what I warned we would have: Ireland's enforcement agencies doing what they do best, that is, enforcing the 30-year-old EU customs code to the nth degree on an IT system that is not fit for purpose. Each agency concerned has its own IT system and those systems do not even talk to each other. With these systems, many hours of working time must be spent to access and complete a declaration, all to Ireland's detriment. A food consignment declaration can mean accessing as many as eight different IT systems, and the procedure is taking hours, if it successful at all. People arrive at the port only to be told there is a problem with one of the eight IT systems accessed. Clarifying which one can take days. The result is that tonnes of food must be destroyed. Where is the Government's social conscience?

Past and present Governments dealing with Brexit — the Minister has been a member of both — promised to assist businesses. Governments have promised to ensure alternatives to the land bridge so EU markets could be accessed without disruption. The Government prom-

ised to provide grants to assist with training of customs agents to get the private sector Brexit-ready. Here is what the Government did: it provided a shipping report from the Irish Maritime Development Office, IMDO, stating we did not need to do anything, leaving businesses and their hauliers languishing at ports as ships left them behind. The capacity was not where it was required, as depicted in the IMDO report. Shipping now involves a massive cost increase, a cost that will be borne by all Irish consumers, but especially by low-income earners doing their weekly shopping. The Government advertised grants from Enterprise Ireland to train customs agents but applications were capped or turned down. Now, instead of having people with the expertise to carry out the customs paperwork, we have a shortage of customs agents. The Government has a €15 million fund sitting unused because of bureaucracy while businesses go down the tubes and jobs are lost. The Minister was made aware of this in July 2019. I will read a little excerpt from an email that demonstrates this:

Good afternoon Tánaiste Coveney,

...I am completing Customs Clearances now for 36 years and have quite a bit of experience...

We have been given the statistics for companies importing and exporting to the UK [by Revenue]. I have also seen the amount of shipments that take place. With the volumes that are forecasted for clearances, there is not a chance in the world that the volume of traffic can be cleared customs due to the lack of agents and staff..

It has been highlighted at the Customs Consultative Committee Meetings to the various Governmental Departments. I do not think they realise the urgency of the matter..

The information needs to be inputted into the Customs Automated Computer System. Agricultural goods need be inputted into the European Traces System...

Speaking to other agents and importers and exporters, I know a lot are not geared up. A lot of experienced agents are near retirement...and they simply will not be interested in taking on extra work. Importers and exporters are of the opinion that they will employ an agent. But we, as a country, will not have the capacity [of trained staff]...

I urge you to highlight this as a matter of urgency at Government and European level.

No customs agent means reduced movements on exports and imports. That means business closure, job losses and a massive increase in the cost of Johnny and Mary's weekly shop while they listen to the Government repeat that this is Brexit and that it is not of its making. It may not be of the Government's making but it is still its problem.

According to an analysis by the Department of Agriculture, Food and the Marine, the cost of the Brexit deal to the fishing sector is €43 million. This represents a 15% loss of all fish caught by Irish vessels. What has not been taken into account is that from April 2021, Irish vessels will no longer be able to land in the UK and instead must go to Belgium or France with their catch, adding 16 hours in travel time and €4,000 in costs. Why can the Government not change this? The Minister for Agriculture, Food and the Marine, Deputy McConalogue, designated five extra ports at which foreign fishing vessels may land their catch in Ireland. Is the Government beyond asking the UK or the EU to alleviate the problem of Irish vessels travelling for 16 hours in dangerous weather conditions? The Government must request a derogation or an exemption unless it would prefer its image as poster boy of Europe to continue at the expense of

our fishermen, their communities and the fish processors from Kilmore Quay to Killybegs. The cost of the Government doing nothing for Wexford's fishing communities in Kilmore Quay and Duncannon and the 100 families involved is €6 million per year. This is but one sector affected. I do not have the speaking time to mention the others but what is happening will continue and there will be time in the future for me to address it.

The Government has two choices. It can either sit back and watch Ireland's trade volumes reduce drastically as businesses close, jobs are lost and consumers' costs continue to rise or it can go over to the EU and negotiate for Ireland. Today, the volume of trade from the UK is 30% of the normal rate. Customs agents are overwhelmed at 30% but, despite this, the Revenue Commissioners are informing the Government that these are teething problems. It seems there is no one who can do the simple mathematics, neither in the Revenue Commissioners nor the Government, but the losses will keep mounting. For the Minister's information, the volume of traffic in Rosslare has increased by 600%. It has no bearing on the reduction in the UK-Ireland trade that we see.

**Deputy Neale Richmond:** I am sharing time with Deputy O'Connor.

I thank the Minister very much for this session. There is much to discuss. I am deliberately not going to repeat points other Deputies have made because the Minister has addressed them or can address them later. I want to build on some of the statements made by Deputy Verona Murphy, with whom I spent a great deal of time in the Brexit trenches over the past few years. The issue I would like to raise first with the Minister concerns replacement and the opportunities provided to the Irish economy by Brexit. I mention that with particular reference to the work of the Minister's Department in securing additional trade within the European Single Market. Deputy Verona Murphy mentioned the 600% increase in traffic in Rosslare and the importance of direct shipping, as have others, but, crucially, we are still underperforming when it comes to maximising the opportunities that are presented by the Single Market. Much of the lead on that needs to be taken by the Minister's Department.

I greatly appreciated the replies to parliamentary questions I received from the Minister, the Tánaiste and the Minister, Deputy McConalogue, on the efforts in relation to trade missions, the offices of Enterprise Ireland and IDA Ireland across the EU and the additional staffing within member state embassies from the Department of Foreign Affairs. I welcome the work going on in relation to the consulate in Frankfurt and the Enterprise Ireland office in Lyon but we are still missing a trick when it comes to other major cities outside the capitals, such as Milan, Barcelona, Gdansk and Gothenburg. How can Irish exports replace British exports that were once much sought-after, such as products from the Scottish seafood industry? There is huge potential there and it requires the Department of Foreign Affairs to lead on this. There is the model of the Ireland House that the Department is pursuing outside the EU but it should also ensure that in ten years' time every Irish mission in the EU has in the embassy not just diplomats but officers from Enterprise Ireland, IDA Ireland, Bord Iascaigh Mhara, Bord Bia, Tourism Ireland, Science Foundation Ireland and many other State agencies.

I raise an issue that has come up today but I do not believe anyone in this question and answer session has raised it. It is a specific Brexit issue whereby the British Government, sadly, does not seem to be affording full diplomatic credentials to the EU representative to the UK post Brexit. Some 143 countries give the EU representative full diplomatic status. I ask the Minister to raise this with his equivalent, the foreign secretary, Dominic Raab, and with the British ambassador to Ireland. Why are they doing this? Will they rectify it? In my opinion, it is a petty

move which serves nobody's interest. The fact is that 143 countries allow this. The only other regime that has tried to use that before now was that of former President Donald Trump. It is worrying. If we believe in the close relationship between the EU and the UK that is allowed for in this deal, and if we believe that Ireland should be the UK's best friend in the EU, we need to see that reciprocated by the British Government. We need to see full diplomatic credentials presented to the European mission in London and in any other regional offices that remain open or will open in the future. Will the Minister raise this in a serious manner and ensure it is clear that, in order to maintain those relationships, diplomatic norms must also be maintained?

**Deputy James O'Connor:** It is rare in politics these days when everything is so negative that there is something positive to say. As a newly elected Deputy, I thank the Department of Foreign Affairs and the Minister for the work they have done over the past number of months and years on the issue of Brexit. The day Joe Biden was paying his first official visit to Ireland as Vice President was interesting. I had the pleasure of meeting him that day, which was the day the UK had voted to leave the European Union. We have made enormous progress as a country to protect to the best of our ability critically important sectors of our economy. In my constituency of Cork East we were exceptionally concerned about the effects it could have on the cheddar cheese and dairy industry. Cork East is at the heart of agrifood in Ireland.

I was highly impressed when I was first elected as a Deputy by the extraordinary efforts put in by staff at the Department of Foreign Affairs after my engagement with them in trying to get citizens repatriated and by their work on Brexit. It has to be outlined that the Department has done well for the country and I thank the Minister for the continued work he is doing.

We have entered into the British relationship post the UK being a member of the European Union. We have to be incredibly careful to protect all of the positive moves we have secured for Ireland, including looking after Northern Ireland to the best of our ability. There are hundreds of thousands of Irish citizens in the North on whose behalf we fought very hard to ensure freedom of movement across the Border.

From a logistics point of view, the previous speakers outlined the frustration felt by many hauliers. I am hearing a significant amount of discussion about that and around new systems that the Department is continuing to work on. Everybody knew we would face significant challenges in trying to address the new realities as a result of a decision taken not by Ireland but by the people of the United Kingdom to leave the European Union. We have to put our best efforts into ensuring our systems are as seamless as possible. The Minister has outlined that those things cannot always be perfected given the circumstances but we have to try.

Something I am strong on is the fact that we are now in receipt of funds from the European Union as a result of the departure of the United Kingdom and it is important that we do not put that public money to waste. We have to ensure we invest it in areas most affected by Brexit and in ways that improve and diversify our economy. We have to ensure our ports are at their maximum capacity and have all the infrastructure they need in addition to what they already have. We must also invest in the technology we have seen in other parts of the world that will ensure our trade is as seamless as possible. I have been in countries that border the European Union. I have been to Croatia and anyone who has been to Dubrovnik would be aware that there are multiple checkpoints when crossing into Bosnia. We have avoided the situation where there are armed checkpoints at border crossings. That is a testament to the work of the Department of Foreign Affairs but when it comes to our trade as an island nation, we have to ensure we are doing everything possible. I ask the Minister to use that money to good effect so it does not go

to waste or go out in handouts. That would not be welcomed by the public at large throughout the country.

In my county of Cork there are many projects that would have a huge impact on our ability to trade. In east Cork, we are crippled with traffic congestion at Castlemartyr and Killeagh. I would like to see us upgrading our national road network, connecting ports like Rosslare to the Port of Cork so we have the ability to get the goods to the Continent and the European Union as quickly as possible. It is welcome that we have additional crossings now between Ireland and the European Union. We have to ensure we do everything we can to expand upon that.

**An Leas-Cheann Comhairle:** From the Rural Independent Group, Deputies Michael Collins and Mattie McGrath are sharing.

**Deputy Michael Collins:** I have three minutes for questions and answers and Deputy Mattie McGrath has the remainder of the time.

We have been six months fighting on the cross-border directive for a new scheme. There seemingly is a newly announced Northern Ireland planned healthcare initiative. Will this scheme be available to people from west Cork or elsewhere in the Republic of Ireland who have problems with cataracts, hips or knees, or are generally in need of surgical procedures, in exactly the same way as the old cross-border scheme? I am happy this has been announced and I thank the Minister and others involved but there is the worry that it is not a seamless transition. If it is, the Minister might explain that. Why is it until 31 December of this year? Will I be back in the same situation on the floor of the Dáil in October or November worrying that we will not have a scheme in place? Due to the procedures held up by Covid this year, I can see that where there were 7,000 using it last year, it could well be 10,000 or 12,000 using it next year. The Minister might be able to explain the new scheme.

**Deputy Simon Coveney:** I have to time my interventions. I am not sure whether Deputies want me to answer now or at the end.

The Deputy and others have been raising this for many months and I have, not for the first time, said we have to wait and see what the deal looks like before having detail and clarity around what replaces what was there previously. This is the responsibility of the Department of Health but my clear understanding is that the ability to travel from the South to the North for medical operations will continue under the new arrangements. The full intention of the Government is that, whether it is cataracts or knees, we will be able to use the excess capacity that is available in hospitals in Northern Ireland for patients who cannot get that pace of delivery of service in hospitals here.

*3 o'clock*

Obviously, the priority is to build capacity in our own hospital systems in order that people do not have to cross the Border, but I acknowledge the Deputy's involvement and that of others in the cross-Border support from a health perspective.

The cross-border directive, as it was, does not apply any longer because it cannot legally. We have to put in place an alternative system that effectively does something very similar in terms of outcome to what was there before. My understanding is the Department of Health is absolutely committed to doing that.

**Deputy Mattie McGrath:** In view of the failure that has happened with customs, the rigmarole at the ports, food being dumped, drivers being incarcerated and held up, and hauliers being destroyed, will the Minister appoint an outside facilitator with experience in trading, IT and business to bring this together and to knock heads together? The Government was warned by Deputy Verona Murphy and many more of us that this confusion and disarray would happen, and that is what we have. It is too serious, and our industry is too important, to allow that to happen. We do not have enough trained agents and not enough training has been given to hauliers. Above all, there are two or three different systems but they are not connecting and there are systems failures and everything else. Will the Minister please bring in an external facilitator before it is too late, to try to save businesses, hauliers, and good food and other products that are being damaged?

My second question relates to Algerian students coming to the University of Limerick, UL. We are told we cannot travel more than 5 km and people are being prosecuted for doing so, but this flies in the face of all that. My daughter is a student in Limerick, as are many others. They are all at home, having been told they cannot drive beyond 5 km. This pilot of an Erasmus+ scheme should not be happening in the middle of a pandemic.

**Deputy Simon Coveney:** There is not a complete failure at ports. We all have a responsibility to try to address problems when they arise but not to exaggerate them for effect either. The Revenue Commissioners are working night and day with haulage companies, exporters and importers to try to help people adjust to the new system. This is a change we have been warning about for many months. Grant aid and advice have been made available and there have been hundreds of stakeholder engagements, and there continue to be with the Irish Road Haulage Association and many other sectors.

As I said, we are at a point where 80% of goods that come into Rosslare and Dublin are being green-laned successfully, without any delays or checks. It is the other 20% that we need to work with to help them adjust to the new systems. Of course, the Revenue Commissioners are adjusting, changing and improving their systems all the time, and are showing flexibility when they can. Introducing some kind of outside tsar will not improve the situation; instead we need continued consultation. These new systems have been in place for only a number of weeks. There was always going to be a difficult adjustment period to the new realities of the United Kingdom being outside of the customs union and the Single Market. That is what we are seeing. We will continue to work closely with stakeholders and hauliers to do everything we can to ease this transition.

**Deputy Marian Harkin:** I thank the Minister for waiting. It matters when a senior Minister does that. Today, I spoke to an importing and exporting company in Leitrim that has been meticulous in its preparation for Brexit from day one. As part of its business, it imports and exports materials from Europe and the carriers pass through the UK, where delays are up to a week. To maintain a reduced level of production, the business's only solution is to import three or four times the quantity of raw materials it needs. Will the Minister use his influence with the banks to ensure additional credit lines on a temporary basis for such companies? Behind the scenes - I do not expect him to respond to this - I ask him to use his influence to encourage the UK to upskill and employ sufficient numbers to process further checks.

My second question concerns public procurement. What measures has, or can, the Government put in place to assist Irish companies that want to tender for work in the UK? Barriers have been put in place and I understand that, but I refer to providing good information and

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proper signposting for these companies. Furthermore, where there is a divergence in standards between us and the UK, what protections are in place for Irish companies that want to tender for work in the Republic? This is a huge issue in the Border region.

My final question, to allow the Minister time to answer, is in regard to dairy. He responded to Deputy Cahill and I listened to what was said. Lakeland and Glanbia were mentioned. As the Minister knows, this is a huge issue for co-operatives along the Border, including Aurivo. A total of 20% of its milk comes from Northern Ireland. This has a massive impact on the north-west and Border region. I accept the Minister's bona fides that he is working with Commissioner Šefčovič and others to find solutions, but we always knew this was going to happen. Is there any route to a possible solution that the Minister can see? Will he give an up-to-date report on baby milk formula exports to China? Written replies will do if he does not have time.

**Deputy Simon Coveney:** There were some good questions. On the Deputy's example of the Leitrim company that, effectively, wants to bulk import because of the difficulties with individual consignments and is seeking banking facilities for that, she might send me the details and I will try to be helpful if I can. I do not want to over-promise in respect of our relationship with banks but I would be surprised if flexibility did not come from banks in respect of companies that are clearly viable but that are having temporary difficulties with importing linked to new Brexit arrangements.

On public procurement, it is important to say part of this deal guarantees that EU companies, such as Irish companies, should be able to tender and compete for business in the UK, as is also the case on a reciprocal basis for UK companies competing for business throughout the EU on the basis of equivalence.

As for protections around the level playing field, of course we need to watch this closely. There are strong protections in the Northern Ireland protocol in respect of fair competition, particularly in the food and agrifood sector on the island of Ireland, to protect the all-island economy and to ensure that the *de facto* extension of the EU Single Market for goods that applies to Northern Ireland under the protocol operates on a level playing field. Moreover, there are broader questions around the EU's relationship with the UK, with constant assessing and measuring of whether there is a level playing field for business. If there is not, clear mechanisms in the trade and co-operation agreement, TCA, that involve arbitration and follow-on actions can be triggered if necessary.

I know Aurivo reasonably well and it is a great company. It is true that about 20% of its milk pool comes from the North. I have been raising this issue for eight months with the EU side. I am trying to protect an all-island economy and food producers in Northern Ireland as well as south of the Border in the context of benefiting from EU trade deals. The only way I can see this issue being resolved, unless someone has a better idea, is if the individual trade deals are amended to incorporate Northern Ireland as well as EU product. Under country of origin rules, it is clear that milk originating and produced in Northern Ireland is Northern Ireland milk and therefore UK milk, not EU milk, even though it is produced to the same standards as EU milk under the protocol. The way to do this is by minor amendments to individual trade deals, which will take some time. It is certainly possible but it is a laborious process and not easy to resolve.

## **Brexit (Fishing Industry): Statements**

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** Before I start today, I want to pay tribute and extend my sympathies to the family of the late Hugo Boyle, CEO of the Irish South and East Fish Producers Organisation, who passed away on Tuesday. He was a tremendous champion for the fishing sector and for fishermen. He was a man of integrity, dignity and accomplishment and a tremendous family man and professional. On behalf of the Department and everyone here in the Dáil, I extend my sympathy to his family, his wife Ellen, his children and wider family, and to his many colleagues, who valued him dearly. Ar dheis Dé go raibh a anam dílis.

As Deputies will all be aware, fisheries was one of the most difficult areas of negotiation around the withdrawal of the United Kingdom from the European Union. The EU-UK Trade and Cooperation Agreement will, unfortunately, have a negative impact on our fishing industry. This impact, however, would have been far greater had the Barnier task force agreed to UK demands or had we been in a no-deal scenario, which would have seen all EU vessels barred from UK waters and their subsequent displacement into Ireland's fishing zone. While the outcome on fisheries was a difficult compromise, I can assure Members that the Government will work to ensure the fisheries sector and the coastal communities that depend on it are supported through the period ahead.

Last week, I published a preliminary analysis of reduction of fisheries quota shares under EU-UK Trade and Cooperation Agreement, which details the level of quota transfers for Ireland across the different stocks. This compares the quota shares allocated to Ireland in 2020 and the corresponding quota shares for 2021 to 2026. The quota reductions are to be spread out until 2026 and the aggregate final quota transfer by Ireland is estimated to be €43 million by that time, which amounts to a 15% reduction compared with the overall value of the 2020 Irish quotas. The upfront change for 2021 is sizeable at around 60%, however. These reductions across the different stocks will be felt immediately by our fishing industry when the full annual quotas for 2021 are determined in March.

On key western mackerel stock, our quota share reduces from our current 21% in 2020 to 18% for 2021, and this will reduce to 16% by 2025. This represents a 26% transfer of our quota to the UK by 2025. In Ireland's largest fishery for our whitefish fleet, which is nephrops or prawns, in area 7 our quota reduces from our current 37% to 34% in 2021 and is reduced to 32% in 2025. This represents a 14% transfer of our quota by 2025. There are also notable reductions in many other whitefish stocks. These include substantial reductions in the whitefish quotas off the north west and west of Scotland to such important stocks such as haddock, which has a 23% transfer, megrim, which is a 19% transfer, and monkfish, which is a 20% transfer.

The analysis of reduction of fisheries quota shares document also shows that Ireland contributed approximately 15% of the total value of our 2020 fisheries quotas to the agreement. For other member states, this figure is considerably less. The quota transfers required of Ireland are clearly disproportionate and the outcome is inequitable in terms of burden sharing. The analysis my experts have undertaken and which is published on the Government website clearly demonstrates this inequitable burden placed on Ireland.

Yesterday, I met with Mr. Michel Barnier, the EU fisheries Commissioner, Mr. Virginijus Sinkevičius, and the ministers of the fisheries groups of member states regarding fisheries matters post-Brexit. At that meeting, I made it clear that Ireland considers the transfer to the UK

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as involving a very high share of some of our most important stocks. I pointed out that within the Common Fisheries Policy, CFP, Ireland contributes to providing rich fishing grounds for EU member states and our exclusive economic zone provides spawning and nursery grounds on many of the core stocks, which are then shared with the UK and on which the trading co-operation quota package and the Common Fisheries Policy depend. I also strongly expressed my disappointment that the principle of burden sharing with the EU member states has not been adequately respected. I made clear that the inequitable relative contribution of quota share by Ireland is contributing to a strong sense of grievance within our fishing industry and more broadly. I pushed strongly that a mechanism must be found within the European Commission and relevant member states to find solutions. I intend to continue to keep the focus on this situation and use any opportunity available to seek constructive solutions that will help alleviate this unacceptable position.

UK vessels, including Northern Ireland vessels, have had a pattern of landings into Irish ports prior to the UK leaving the EU. Many of these vessels are based in Irish ports despite being registered in Northern Ireland. Following a detailed examination in consultation with the Sea-Fisheries Protection Authority, I decided to designate five additional Irish ports for UK-registered Northern Ireland vessel landings for both illegal, unregulated and unreported, IUU, legislation and also for North East Atlantic Fisheries Commission, NEAFC, requirements. The five new ports designated are Rossaveal, Howth, Greencastle, Rathmullan and Burtonport. These join Killybegs and Castletownbere, which continue to be designated for landings from vessels of any third-country origin. I have notified the European Commission to ensure the necessary notifications and requirements are in place to have these ports operational from the start of February 2021.

Under the new designations, Rossaveal and Howth will be able to accommodate landings of demersal fish from vessels under 26 m and will operate Monday to Friday from 10 a.m. to 10 p.m. Greencastle, Rathmullan and Burtonport will be designated for non-quota species landings from vessels under 18 m and will operate from 2 p.m. to 8 p.m. Monday to Friday. From 1 January 2021, the United Kingdom is a third country and subject to IUU legislation and NEAFC requirements. This means any UK, including Northern Ireland, registered vessel must comply with third country landing requirements when landing in the EU, including Irish ports, and is a direct result, unfortunately, of Brexit and is included in the protocol on Ireland and Northern Ireland.

Up until the conclusion of an agreement on the future relationship between the EU and the UK on Christmas Eve, it remained unclear whether Northern Ireland vessels that had access to Irish waters would continue to do so. The designation of these extra ports is an important decision which will allow fishers in small vessels to continue their livelihoods following Brexit. Now more than ever, it is important to support our fishers and fishing communities and do all we can to help them continue their livelihoods.

I will touch on the issue of authorisations to fish in UK waters, and first, on the *voisinage* arrangements for the zero to six nautical mile zone in Northern Ireland. Last night, I met with Mr. Edwin Poots, the Northern Ireland minister with responsibility for agriculture and fisheries, to discuss the implications the trade and co-operation agreement has had on the fishing industry for both Irish- and Northern Irish-registered vessels. I have confirmed with the Commission that the *voisinage* arrangements can continue as before. The new EU-UK Fisheries Act 2020, however, will require Irish vessels to obtain a licence to access the Northern Ireland zero to six nautical mile zone. Northern Ireland vessels will similarly require an authorisation under EU

regulations to continue to fish in Ireland's zero to six nautical mile zone. The work to authorise EU vessels to fish in UK waters before 1 January 2021 was challenging, especially given the short window between the conclusion of the EU-UK trade and co-operation agreement and the start of the new year. My Department has worked closely with the European Commission to ensure that fishing vessels that traditionally fished in UK waters were granted access by the UK authorities. The temporary authorisations granted to 220 vessels expires tonight. Some of the additional data being requested by the UK to issue full licences has caused difficulties and there is uncertainty as to when the UK will issue annual licences for all of the 220 vessels. In order to avoid a situation in which vessels fishing at present in UK waters would be operating without a UK permission, my Department is issuing temporary authorisations for a further three weeks. This arrangement has been agreed between the European Commission and the UK authorities and the UK will publish a list of the vessels operating under the temporary licences. This will give time to ensure that all UK demands are met, that annual licences are issued by the UK and that EU authorisations are issued by my Department.

The focus to date has been on vessels that have in the past two years fished in UK waters or on operators that request an authorisation to fish in UK waters. However, given our geographical proximity to the UK and to its waters, we have sought that all our fleet be granted access by the UK to its waters. My Department will continue to work to maximise the number of vessels granted access and in the most timely manner possible.

On 25 December 2020, the European Commission published a proposal for an EU regulation establishing a Brexit adjustment reserve, BAR. The objective of the proposed BAR is to provide support to counter the adverse consequences of the withdrawal of the United Kingdom from the European Union in member states, regions and sectors, in particular those that are worst-affected by that withdrawal, and to mitigate the related impact on their economic, social and territorial cohesion. The draft regulation is subject to negotiations in the Council and European Parliament and its provisions may change. It is proposed that the BAR would have a budget of €5.37 billion in current prices and that approximately €1 billion would be allocated to Ireland in 2021 as pre-financing to assist Ireland in funding appropriate measures in 2021 and 2022 to assist the worst affected sectors of our economy. Government is aware that our food sector, not least our fisheries sector, is particularly impacted by the outcome of the EU-UK trade and co-operation agreement and is examining how best to deploy Ireland's proposed allocation under the reserve to help our economy adjust to the new arrangements.

I have listened carefully to the representatives of the industry and I have met individual fishermen who are facing a difficult situation. I have reflected on how to ensure that the funding made available to the sector in the BAR is focused to meet the challenges of the sector and of the coastal communities most impacted. I am minded to set up a task force involving seafood industry representatives and representatives of other stakeholders to provide recommendations on the appropriate measures that will best support the sector and the local coastal communities. I intend to set out the arrangements and the terms of reference for this task force later this week. I will ask the task force to immediately focus on possible arrangements for a temporary fleet tie-up scheme to counter the impacts of the reduction in quotas, which will impact from the beginning of April. When the task force has recommended on a tie-up scheme and when that is implemented, it will provide short-term assistance to the fishing vessels most impacted by the quota agreements with the UK, kicking in during the second quarter of the year. I hope the task force will provide recommendations on a range of other actions and measures that will allow the sector and the coastal communities to adjust and develop so as to counter both direct

and downstream impacts on the wider seafood sector and coastal communities. I look forward to further engagement with Members during this session and to working with everyone in this sector in the time ahead.

**Deputy Matt Carthy:** I thank the Minister for his contribution. There are no two ways of looking at this. Whatever people's views on the overall Brexit package are, most if not all Members of this House would argue that, in the main, a good deal was negotiated, insofar as was possible, on behalf of Ireland. Putting that aside and looking at this from a fisheries perspective, this was an incredibly bad deal for Ireland. It is not the first time that Irish fisher communities have been the losers in our interactions with the European Union. Transfers to Britain as a result of this deal will disproportionately impact Ireland with €42 million out of the total of €182 million. That is not fair and nobody would accept or even argue that it is fair.

Does the Minister accept that there needs to be an overall re-evaluation of the Common Fisheries Policy? I hope the Minister accepts that because anybody looking at this objectively would accept that the quota Ireland receives is pathetic when one considers that we are the largest island in the European Union and our proportion of the quota does not in any way reflect that. Does the Minister agree that there needs to be an all-of-government approach to this? We know that if an Irish Minister for Agriculture, Food and the Marine goes to an Agriculture and Fisheries Council meeting and suggests a reopening of the Common Fisheries Policy he will be laughed out of the room. This can only be dealt with effectively if it is done at a Head of Government level and as a Government priority. In other words, we should tell the European Union that we are not accepting any further treaty change until there is a re-evaluation of the Common Fisheries Policy.

Does the Minister accept that at a minimum, there needs to be a Minister of State with responsibility for fisheries and the marine? I am not casting aspersions on the Minister's dedication to this area but this is crucial to so many communities and to our domestic economy, particularly in coastal communities, that it requires a hands-on approach. We need a Minister of State with dedicated responsibility. Does the Minister agree with that and will he bring that to Cabinet for consideration?

**Deputy Charlie McConalogue:** I thank the Deputy for his contribution. He outlined in a measured way how the overall agreement is a positive outcome in terms of the wider economy. However, as I have said, there is a significant impact on the fishing sector, albeit that impact is not what it might have been in the event of a no-deal Brexit. It was not what the British Government was looking for, nor was it what was sold to their fishermen in advance of the Brexit vote or since that.

I have outlined clearly in my contribution the disproportionate burden in the quota reallocation that is happening as a result of the outcome of the EU-UK trade and co-operation agreement. I will be taking that to Europe at every possible level and we have communicated our view on this to the European Commission at every level of Government. In the upcoming Agriculture and Fisheries Council meetings, I will be strongly reinforcing that view. Likewise, in the run-up to the next review of the Common Fisheries Policy, which will take place throughout the end of this year and into next year, I will make our view clear. My clear objective and that of the Government will be to try to ensure a strong outcome to the review of the Common Fisheries Policy in terms of the allocation of quota to Ireland and the best possible result from that. I know that is a view that will be shared across all parties and it is an objective within the fisheries sector as well.

On the Deputy's second point on a Minister of State with responsibility for fisheries, I have been honoured and glad in recent weeks to be a full Cabinet Minister who was at the Cabinet table at all times as we prepared for Brexit and as we made sure everything possible could be done in advance of Brexit, particularly as we negotiated and put forward the strongest possible national position throughout the process. Likewise, since then I have been present at Cabinet at all times and I have been engaging with my counterparts at European level. That full Cabinet status for the marine has been more important than ever at this critical juncture for the sector. My county has more of a stake in this issue than any other. As a Donegal man, I have been glad to be in a position to engage with so many fishermen and to represent their interests as a full Cabinet Minister.

**Deputy Pádraig Mac Lochlainn:** The Minister will have been engaged in extensive discussions with fishers around the coast and he will know better than most the disaster that they see this deal as. It should be remembered that this was an industry already struggling. I met with the Foyle Fishermen's Co-operative yesterday online and they advised me that, in Donegal alone, as many as 400 jobs are threatened on the back of this appalling deal. The Minister will be aware that our fishing industry acted in good faith, working with other member states' fishing representatives, and they were shafted here. The burden that the Irish fishing industry is being asked to take is shocking. They do not want financial compensation. They want to fish the abundance of fish in the waters around our country. The Government voted down an amendment from Sinn Féin yesterday that mandated the Minister to go back and renegotiate the Common Fisheries Policy to ensure that the Irish fishing industry gets a fair share of the fish in its waters. The Government voted down that carefully worded motion. I ask the Minister now if he will seek to renegotiate the Common Fisheries Policy to get a fair share of the fish in Irish waters for our fishing industry?

**Deputy Charlie McConalogue:** I made clear in my contributions so far my absolute determination following on from the trade and co-operation agreement and the resulting unfair burden on our fishing quotas, which is more significant proportionately than that which other member states have to carry. We knew from the outset the grave danger our fishing sector was in and the grave danger a no-deal outcome presented to us given that one third of all our fish is caught in UK waters. If we had been blocked from those waters, the EU fleet, including our own, that fishes in British waters would have been displaced into our waters, so we knew the grave and drastic implications a no-deal outcome would have had from a fisheries point of view. We fought tooth and nail, working alongside the fishing sector domestically right through the negotiation process, to ensure that fisheries was prioritised at all time and that we held the strongest line possible. That resulted in fisheries being the very last issue dealt with. That was because we were fighting so hard on it and doing everything we could to put forward the strongest possible argument.

The British Government, as the Deputy will be aware, was looking to take back all the fish the EU fleet, including our own, catches in its waters under the zonal attachment principle. They were looking to take back 100% of that. We did not want to give any of it. The ultimate deal resulted in 25% of what the EU fleet, including our own, catches in UK waters being reallocated between now and 2026. That is not an outcome any of us wanted but it was a result. It was the best case scenario or best possible result we were able to get given the challenge of those negotiations. While they wanted 100%, they ended up getting 25%. It was 25% too much from our point of view but, as I say, it avoided a no-deal scenario which would have been drastic and catastrophic for our fisheries sector. As Minister with responsibility for the marine and

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working with all my Government colleagues, I will continue at European level to try to address the unfair burden in that and, in terms of the review of the Common Fisheries Policy, to put forward Ireland's case and what we bring to the Common Fisheries Policy, and to do everything I and the Government can to have that reflected in the policy as well.

**Deputy Pádraig Mac Lochlainn:** The Minister is before the Joint Committee on Agriculture and the Marine tomorrow and we will develop this conversation then.

With the limited time I have left, I will ask about Rockall. As the Minister will be aware, the naval authorities of Britain have prevented Donegal fishing boats from accessing the crucial waters around Rockall, particularly the zero to 12-mile limit. For example, Foyle Fishermen's Co-operative, as the Minister will be aware, derives one quarter of its income from those fishing grounds around Rockall. It is essential to their survival. Will the Minister give us an update on the negotiations with the British Government and will he defend the right of Donegal fishermen and Irish fishermen to fish in those grounds?

**An Leas-Cheann Comhairle:** I am sorry there is no time for a response. The Minister will have to give a written-----

**Deputy Pádraig Mac Lochlainn:** I have to-----

**An Leas-Cheann Comhairle:** Could I finish a sentence to the Minister?

**Deputy Pádraig Mac Lochlainn:** I have to-----

**An Leas-Cheann Comhairle:** There is a set time here. It is not the Minister's fault. I suggest that the Minister gives a written response. Written before me is that Sinn Féin has ten minutes in total for questions and answers. That time is now up.

**Deputy Pádraig Mac Lochlainn:** Can I propose-----

**An Leas-Cheann Comhairle:** We will come to that when the Deputy's party slot comes or the Deputy can give up that slot now.

**Deputy Pádraig Mac Lochlainn:** Can I propose-----

**An Leas-Cheann Comhairle:** I am not negotiating time with the Deputy. There is a Business Committee. Go back to the Business Committee. The Deputy's next colleague speaking may want to do it.

**Deputy Pádraig Mac Lochlainn:** Let any independent observer see what a nonsense this is.

**An Leas-Cheann Comhairle:** I am moving on to the Rialtas.

**Deputy Pádraig Mac Lochlainn:** Whatever-----

**An Leas-Cheann Comhairle:** The Deputy is out of order. I have given him time. I am going back to the Government's two speakers, Deputies Matthews and Christopher O'Sullivan.

**Deputy Sean Sherlock:** A Leas-Cheann Comhairle-----

**An Leas-Cheann Comhairle:** I beg Deputy Sherlock's pardon. In that confusion, I missed Pairtí an Lucht Oibre.

**Deputy Sean Sherlock:** I thank the Leas-Cheann Comhairle.

**An Leas-Cheann Comhairle:** I took off my glasses. I was then reading. Gabh mo leithscéal.

**Deputy Sean Sherlock:** I say in the best spirit possible that it is not the first time that has happened to Pairtí an Lucht Oibre.

**An Leas-Cheann Comhairle:** If the Deputy wants to use his five minutes like that, he may go ahead. I do not mind but I will be bringing down the bell at five minutes. The Deputy may use it any way he likes.

**Deputy Sean Sherlock:** I thank the Leas-Cheann Comhairle. In the short time that is open to me, I share with Deputy Mac Lochlainn an interest in the question around Rockall. It would be good to have some clarity on that. That is my first question. As I only have four and a half minutes left, a one-minute answer would suffice.

**Deputy Charlie McConalogue:** I thank Deputies Sherlock and Mac Lochlainn. The Government is very much aware of the importance of the zero to 12-mile zone off Rockall for fishermen. Our position is resolute in that we have a strong tradition in that area. We will continue to hold that position. We are engaging diplomatically with the Scottish Government at present in trying to find a resolution to the issue that there has been in the past couple of weeks.

**Deputy Sean Sherlock:** I welcome the reply. I look forward to hearing about progress on that matter. The Minister has mentioned the idea of a temporary fleet tie-up scheme in the context of the €1 billion Brexit adjustment fund. Is he giving consideration to a decommissioning scheme, and if so, will he include the smaller vessels that would have been excluded which were under the 18 m threshold in such a scheme? We want to ensure, if such a scheme is being considered from that €1 billion, that smaller boats would be included in that as well.

**Deputy Charlie McConalogue:** I thank Deputy Sherlock. The Government is clear in its commitment to stand ready to support the sector to address the impact that the sector has seen as a result of the outcome of the agreement, both in terms of representing our interests in Europe in trying to address the burden share as part of that but particularly in terms of trying to address the impact financially, both in terms of the sector and in terms of coastal communities. Part of that will be consideration, certainly in the short term, of a temporary fleet tie-up scheme. I will be consulting with the sector on how any impact can be addressed in the long term. As I outlined in my initial contribution, my intention in that regard is to set up a task force to ensure that there is full engagement and that all ideas from the sector, from those who are affected and from coastal communities, properly and fully feed into that and inform that approach.

**Deputy Sean Sherlock:** It would appear from the Minister's reply that he has not given consideration to the idea of a decommissioning scheme. I would ask, frankly, because it is important for us to be honest with people in fishing communities as well. There will be those who will avail of a decommissioning scheme if it is appropriately funded. It is something that should be put on the table.

It is important for us to be honest with fishing communities as well. The fact of the matter is that the consequence of this deal and the loss of quota will have an impact, especially on smaller inshore vessels. Let us be honest with fishermen about that. I would ask that the Minister give me a clear answer in respect of whether he will consider the idea of a decommissioning scheme,

specifically in favour of smaller vessels throughout our coastal communities, in the context of this €1 billion fund.

**Deputy Charlie McConalogue:** The outcome of the agreement, which in total involves the transfer of 15% of our national quota between now and 2026, affects all vessels of all sizes. The species most affected are mackerel, prawns and other whitefish species such as haddock, monk and megrim. It will affect many vessels. The Government is fully cognisant of this and stands fully ready to support the sector, as well as to address all outcomes. In the short term, it will be about a temporary fleet tie-up scheme. We have examined all contingencies including the possibility of decommissioning.

I am keen to engage with this sector on how we go about implementing it. The sector knows how it will be impacted. I want to inform it how it will be supported, how we can grow and ensure a sustainable and healthy fisheries sector and how we can address the unfortunate impact of Brexit.

**An Leas-Cheann Comhairle:** We are moving to Deputies Matthews and Christopher O’Sullivan who are sharing time.

**Deputy Steven Matthews:** Our fishers and our fishing communities are going through a tough and stressful time as outlined by the Minister in his opening statement and other Deputies. Despite the Brexit deal, there are still many uncertainties. We still do not know exactly the quotas and the total allowable catch that will be shared among the sector or what sustainability criteria will be applied to it. We cannot guarantee that the scientific advice on sustainable fishing will be applied to UK waters. There is an indication that the UK is preparing to invest heavily in refitting its fishing fleet while weaker protections for the sustainability of its fish stock have been introduced. These are all very worrying when we share neighbouring waters.

At EU level there are legal commitments to end overfishing by last year but this has not been achieved. We are committed to the EU biodiversity strategy target and our programme for Government commitment to designate 30% of our marine area as marine protected areas. That process is starting. A marine protected area does not mean one cannot do anything in it or neutralise it. It just means that it is managed in a way that conserves the area and protects it.

Through our marine planning and development management Bill, we will be addressing how the ambitious and challenging development of large-scale offshore renewable energy will be managed. This process needs to work closely with our fishers, especially in the Irish Sea which will be the first place this work is carried out. The offshore renewable industry will create many jobs and bring economic benefit to our coastal communities. Ports like Wicklow and Arklow in my constituency are ideal bases to serve the supply chain for the offshore industry. There are opportunities for those in the fishing industry with such good local knowledge and experience to benefit, to become part of that supply chain, to change skills and to work in that industry. It is an area that we need to look at with those in the fishing industry.

It is also important that there is good co-ordinated co-operation between the fishing community and the offshore developers when surveys or works may temporarily prevent fishing within those areas where those works are going on. Protecting and preserving our marine environment is the most important measure we can take to assist our fishing communities.

Our marine environment is under serious and continuous threat, as well as being damaged. Marine biodiversity is in as much trouble as our terrestrial biodiversity. I asked environmental

NGOs recently at a joint Oireachtas environment committee meeting what the biggest negative impact on our marine environment has been. Their answer was clear - fishing.

Will the Minister urgently engage across all sectors of government to ensure that the establishment of the marine protected areas, marine environmental protection and the conservation of marine species are carried out with the highest level of scientific expertise? Will he ensure we take that advice and work in close consultation with all those stakeholders involved, particularly the fishing community, as well as environmental and community representatives? Will he assist fishing representatives to engage with the offshore renewable energy industry to ensure good co-operation, benefit and understanding of the development that will take place over the next few years and the opportunities that this development will present?

**Deputy Charlie McConalogue:** I thank Deputy Matthews for his contribution and his insight into the issue of the future of our fishing sector. I certainly concur that there is a sustainable and healthy future for our fishing sector. We have to work on this, however.

Obviously we have had Brexit hanging over us for the past four years and all of the damage that it could potentially do. While the worst impacts were certainly avoided, thankfully, there has been an impact which we have to work with the sector to adjust to and then help it to grow and be a strong sustainable livelihood into the future. I acknowledge Deputy Matthews's contribution on how we can do that.

**Deputy Christopher O'Sullivan:** The Minister has acknowledged the impact that the Brexit deal will have on the fishing sector. The Taoiseach has acknowledged the severe impact that it will have on fishing communities across Ireland. Many aspects of it are unfair, such as the amount of quota share for a species like mackerel which has been given back to the UK. Ireland will give back 26% while Spain will give back 0.2% and Denmark will give back 0.8%. From those percentages, one can see straight away that Ireland is unfairly burdened and severely impacted by the Brexit deal. It is important that we react because businesses will close and jobs will be lost.

Last week I requested that the Minister set up a specific task force to deal with the impact of Brexit on the fishing industry. I am delighted he has acknowledged that and will set up such a task force. When will it be set up? Who will make up the task force? It is important that it includes the fishermen, the fisherwomen, the producer organisations and all relevant industry stakeholders.

**Deputy Charlie McConalogue:** I thank the Deputy for his contribution. I also want to acknowledge the tremendous work he has done and the engagement he has had with me in the run-up to Brexit, representing the interests of fishermen. Like my constituency, the fisheries sector is important to Cork South-West. In the run-up to Brexit, the Deputy took a constructive approach in championing and defending the sector to ensure the outcome from Brexit was as positive as possible.

In recent days, we had engagement on the idea of a task force which I am considering. I have also discussed with many in the sector how this could be a valuable and constructive way to go forward. I acknowledge the Deputy's role in pushing this. Over the next week to ten days, I will be engaging with the sector on the task force's composition and its full terms of reference to ensure it is up and running soon. It will be essential to how we go forward with the views of fishermen and coastal communities. In the same way that I took the approach in advance of

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Brexit of working closely with the sector, I intend to work closely with it now.

**Deputy Christopher O’Sullivan:** I appreciate that response and clarity. I look forward to seeing the make-up of this task force.

There are still other opportunities to redress the unfairness and the imbalance in the deal. The €1 billion Brexit impact fund is a significant opportunity. It is vitally important that the fishing sector gets a fair share of that impact fund.

There have to be opportunities with fishing other species. We mentioned mackerel which has to be looked at again. For other species such as hake, haddock and monk, some EU nations, such as France, are not using their total allowable catches. It is important that we go back to those figures and see where there is wriggle room for the Irish fleet to be able to increase its quota without increasing the overall total allowable catch, because the protection of fish stocks and species is important. Will the Minister give some details on this?

**Deputy Charlie McConalogue:** Any option or idea will be fully explored. My objective as Minister is to ensure our sector is as strong as it possibly can be at European level and we have a strong quota for the various species. In particular, I want to address the outcome we have seen from Brexit. I am working closely with the sector on this and I will fully explore and take forward any idea and suggestion. Ultimately, our objective is to ensure fishermen have fish to catch while at the same time recognising they will have to be supported to address what is an inevitable outcome from Brexit.

**An Leas-Cheann Comhairle:** The next Sinn Féin speaker, Deputy Martin Kenny, is unavoidably not here so the next slot is for the Social Democrats.

**Deputy Pádraig Mac Lochlainn:** I have just been informed as the Sinn Féin Party Whip-----

**An Leas-Cheann Comhairle:** The Deputy is making a request.

**Deputy Pádraig Mac Lochlainn:** With respect, we are working under restricted conditions.

**An Leas-Cheann Comhairle:** I am trying to hurry things up to keep within the time. Is the Deputy’s request to speak instead of Deputy Martin Kenny?

**Deputy Pádraig Mac Lochlainn:** Yes, it is.

**An Leas-Cheann Comhairle:** The request is granted.

**Deputy Pádraig Mac Lochlainn:** I really appreciate that in the exceptional circumstances and I thank the Leas-Cheann Comhairle very much.

I join with the Minister in paying my condolences to the family and friends of Hugo Boyle. He was a Donegal man but he was very important to fishers throughout the island, particularly in the south and west where he was the chief executive of the producer organisation. I have seen some very moving tributes to him and I join the Minister in paying tribute to him.

With regard to the issue of licences, I appreciate that the Minister listened to the concerns of fishers and has taken steps in the right direction in designating more ports but the difficulty is that the European Commission notified the Department last year, which gave it plenty of time

that there was an issue with designation. The Northern Ireland Fish Producers Organisation, NIFPO, corresponded with the Department and asked about this issue. There was plenty of notice that there was going to be a problem. Right now, there are still affected fishers. For example, Dunmore East will need to be designated. There is a substantial fishery. It is the closest to some of the waters off the UK. Numerous vessels with UK licences land there every year and it would have a real impact. Due to the ill-health of Hugo Boyle, I assume, this issue may not have been raised as forcefully as it would had his health been with him. That may have been an oversight but I ask the Minister to address it. Piers such as Malin Head, Ballywhoriskey and Magheroarty in Donegal should be added.

I am also disappointed that Sea Fisheries Protection Authority officers seems to have controlled the time window available, which is Monday to Friday. We cannot ask fishers to fish a five-day week. They fish depending on weather conditions. There could be tremendous weather on a Saturday or Sunday when they are forced to go out and fish. There needs to be a review of these time windows. We need to respect that the industry has to work with the weather. We do not know what the weather will be on any day of the week so it is unreasonable to limit people to Monday to Friday. I say all of this while giving the Minister considerable credit for fighting the case and sending a message to fishers that somebody was willing to challenge those in authority in the Department. Credit is given to the Minister for his effort but more needs to be done and I ask him to review this and take representations from fishers.

**Deputy Charlie McConalogue:** I thank Deputy Mac Lochlainn for his acknowledgement on the effort that we have gone to to try to accommodate this. I am the very first to accept it does not fully address it and that we cannot, unfortunately, go back to the situation that obtained beforehand and access the arrangements that were in place. Unfortunately, it is a result of what has happened with Brexit and the radical changes it has made to the relationship between Britain and Ireland and in terms of the UK fisheries policy and the Common Fisheries Policy. I put great effort and detailed work, with my team, into assessing this. I looked particularly at what the landing pattern was to try to ensure a geographic spread in the designation. Approximately half of the national landings of Northern Irish registered boats in the Republic are in Donegal, for example, so four out of the seven are in Donegal. There are also Rossaveel and Howth. Other areas had much lower landing figures, which is why they were not designated. I will keep it under review as time progresses and my ears are certainly open to the challenge.

**An Leas-Cheann Comhairle:** Perhaps a written reply could go to cover the details.

**Deputy Holly Cairns:** I commend the Minister on his engagement with the industry so far. It is quite rare on big issues such as this when engaging with stakeholders to have so much correspondence with the Minister. I hope he keeps it up and I commend him for it. We are all aware of the considerable concerns in the fishing sector, with the Brexit agreement seeing a total loss of €43 million and Ireland surrendering a greater percentage of quota than most EU states. We need reassurance for coastal and island communities that the Minister will put in place schemes to support those who need them most. I have a number of items to raise and I will give the Minister time to respond.

The European maritime fisheries and aquaculture fund is a crucial support for sustainable fishing and the economic development of coastal areas. Its predecessor proved vital in fostering innovations to develop sustainable markets for small-scale and island fishing communities to stay alive. When will the text of the new scheme be available to the Minister and other stakeholders? Will he provide stopgap investments for current projects, such as the Government is

doing with the LEADER programme at present?

There are ongoing issues with the designation of ports for the landing of UK-registered Northern Irish boats. The excessive reregistering costs are simply not an option for many, and I am sure the Minister knows this. Also, the 24-hour notice for landing is simply unworkable for many people. Will the Minister ensure the designation of further ports to those already announced? Will he introduce exemptions to notice periods until fishers have had a chance to adapt to the new arrangements?

With regard to quotas and decommissioning, does the Minister plan to address the loss of 15% of our quotas? Are there plans to establish a decommissioning scheme? Previous schemes have often been at the cost of small-scale and inshore fishing, which is the type of fishing we need to promote, and to the advantage of larger and commercial fishing. It is very important that any potential decommissioning scheme prevents this inequity and does not allow the sector to become dominated by a small number of big players.

Many of these issues can be connected with how decisions are made and whose interests are being prioritised. For many small-scale fishermen and women it can feel as though the Government is working against them rather than fighting for them. This has been the case with successive Governments and I hope this will change. They represent the type of sustainable fishing that has been practised for generations in west Cork and other coastal and island communities. However, successive Governments have focused on the larger, more lucrative - by more lucrative I mean more lucrative for the few and not the many - and the more damaging types of fishing. It is essential the Minister facilitates the granting of producer organisation status to small-scale representative groups to better reflect the various types of businesses, such as family businesses and island and coastal communities, that are often overshadowed by the larger players. Ireland has a diverse coastline with various requirements at regional level. Will the Minister please assure the organisations seeking producer organisation status that he and his officials will work proactively with them to ensure this? Their voices need to be heard at this crucial time for the industry. At present, many are feeling frustrated and held up by bureaucratic technicalities. The Department should be out there working with them to meet requirements. This is the type of Department that fishing communities need. Will the Minister make it happen with regard to producer organisations? I ask the Minister to prioritise this question.

**Deputy Charlie McConalogue:** I thank the Deputy for her contribution and overview of the challenges. On the Deputy's final point on producer organisation status for smaller groups, I certainly will work with them in trying to facilitate them where appropriate. Recently, I met the Irish Islands Marine Resource Organisation, which has made an application and represents approximately 40 vessels. I am working with it. It is important that we can facilitate producer organisations, as they are a very important way to ensure fishermen are represented and engage with the Government.

*4 o'clock*

On the point regarding reregistering Northern Irish boats, the Deputy heard my contribution earlier on this. Unfortunately, Brexit has radically altered the legal position between Britain and the EU and the particular arrangement in place for Northern Ireland. There are issues and a totally altered legal situation between the UK's fisheries policy and the EU Common Fisheries Policy.

In order to designate any ports, there has to be significant regulatory oversight available. I have been working closely with the Sea-Fisheries Protection Authority, SFPA, and doing the best that has been possible, given the resources that are there, to accommodate the designation of seven ports, when it was two before this. We cannot, unfortunately, do away with the additional red tape and administration that is going to come with that designation. There is going to be, for example, the four-hour notice period, which is a requirement under illegal, unreported and unregulated, IUU, and North East Atlantic Fisheries Commission, NEFC, regulations, and also the need for a tax certificate from the Northern Irish authorities for the catch to be landed. There are still real challenges there but certainly, as Minister, I was keen to do all I could to facilitate them, within reason.

**Deputy Éamon Ó Cuív:** First, I thank the Minister for the move he made in facilitating fishermen with Northern-registered boats at the ports. However, it is very restrictive. It is Monday to Friday, 10 a.m. to 10 p.m., in Howth and Rossaveal, and much more restrictive, as he knows, in his own county. Is there any way of facilitating fishermen who need to land at the weekend in order to get to markets early in the week, in other words, the Tuesday market, and who want to put the fish fresh on the market? It is an issue that has been raised with me and it seems a valid one. I am sure some arrangement could be made with the SFPA. In Rossaveal, for example, there are staff of the SFPA there seven days a week, or so I am told. I wonder if something further could be done on that. I recognise there was movement but I think we have to go a little further. We want to get back as near to where we had it before. While we cannot go back there fully because there are checks to be carried out, perhaps there could be some movement on that. That is the first question.

Will I ask all my questions together?

**Deputy Charlie McConalogue:** Whatever the Deputy wishes.

**An Leas-Cheann Comhairle:** It is up to the Deputy as long as he leaves enough time for the answers.

**Deputy Éamon Ó Cuív:** I will try. The Leas-Cheann Comhairle might stop the clock too.

Second, there is a perfect storm at the moment for the shellfish sector. There is Covid, Brexit and all the problems getting goods in and out. My understanding is that, particularly with farmed oysters, the price has literally gone through the floor, although some other shellfish are not as badly affected. Is there any plan to give assistance to that sector? Unfortunately, for whatever reason, the Department of Finance did not see fit to include them in the CRSS scheme, so they do not even get their overheads, never mind the fact they are holding stock that is very difficult to sell at any margin, and the drop in price for oysters is quite scary.

The third issue concerns consultation on the small amount we are going to have left to give out. The quota management advisory committee has 1,198 boats registered. The vast majority of people work in the inshore fleet but while the producer organisations have four representatives on that committee, I understand 80% of the boats are inshore boats and they have one representative. Will the Minister consider increasing the representation for the vast number of inshore fisher-people? It should not be done by the output of the boats but by the number of the people engaged in the industry.

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Fourth, I again thank the Minister for a parliamentary reply which stated that the Common Fisheries Policy is renegotiated every ten years. He gave me a warning that it is majority rule but, of course, many countries do not have a big stake in North Atlantic fishing. The Minister also told me in a parliamentary reply that our share of the fishing waters has gone from 10% to 12%, even though we are the country, with Germany, that lost the biggest percentage of quota. Therefore, the water we have has gone up proportionately and we have done very badly on quota. It is not a question of success or failure; it is a question of trying. Can the Minister guarantee that, in those negotiations, he will bang the table hard and that he will outline clearly the historic injustice done to this country in the Common Fisheries Policy, and that Ireland will keep shouting about the injustice of this until justice is done? I remember being very impressed at a European Council meeting I attended – an arts meeting, as it happens - where the Greeks were still giving out about artefacts that had been stolen from them in the 19th century, long before the EU existed. Eventually, that issue got on the agenda. It is time we started banging the table. There is an old saying that the crying baby gets the bottle. It is time we started wailing in regard to the injustice of fishing.

**Deputy Charlie McConalogue:** I thank the Deputy for his commentary, overview and assessment, and for his engagement over the last period of time in regard to fisheries issues and, in particular, in regard to Rossaveal.

With regard to the designation, up to Christmas Eve, it was not clear whether Northern Ireland-registered vessels would be able to fish in Irish waters. As the Deputy knows, it was widely reported there was a 50% chance of a Brexit deal. Thankfully, we had a deal on Christmas Eve and that means those boats will be able to continue to fish in Irish waters. It crystallised the issue in regard to access to ports and also crystallised the type of designation requirements that will be in place in regard to vessels. Subsequently, following significant engagement between my Department and the SFPA, we have put in place arrangements to try to accommodate those vessels. I will keep those under review but we have to work within the resources and capacity available. I pointed out previously that additional significant challenges are unavoidable, and it is important to point that out. I know those fishermen will be putting preparations in place before the start of February to be as prepared as they can be and to ensure they are able to work with that.

In regard to the shellfish sector and oyster prices in particular, last autumn, I launched a fund and a compensation package for the shellfish sector to try to help our oyster fisherman to address what was a very difficult and challenging year. I know that was very much welcomed, particularly by the IFA aquaculture committee, which had lobbied strongly for it, as well as the many fishermen within the sector, oyster fisherman in particular, who had a challenging year and made representations. I will continue to monitor the situation in the time ahead. They have been able to avail of the wage subsidy scheme, which has been very valuable and has been acknowledged to me by many as being important to them. I will certainly continue to engage very closely with the sector in regard to the pressure it is under.

With regard to the quota management committee, no proposal has been put to me but I will certainly consider any proposal I get. It is important that we have, and I very much value, engagement with the sector and with fishermen in terms of how quotas are allocated. I very much value the role of the quota management committee. There are many different views within the fishery sector itself in terms of how quota should be allocated, for example, when it should be allocated, and the quota management committee is very important in regard to bringing people together to try to provide appropriate advice to the Minister.

With regard to fishing waters and our quota situation, I can assure the Deputy I will be advocating in every way possible at European level over the time ahead in terms of putting Ireland's position forward and putting forward the tremendous resource we bring to the Common Fisheries Policy, and the fact that should be reflected in the allocations we receive. I will be fighting in every way I can. The Deputy knows, of course, that everybody will be fighting the same. As he said himself, success is never guaranteed but I can assure him we will be going there with all our capacity, all our effort and all our powers to try to ensure the best possible outcome for our country.

**Deputy Mairéad Farrell:** Níl lucht iascaireachta na tíre seo sásta faoin droim láimhe atá tugtha dóibh arís eile. Chuir mé fáilte mhór roimh an gcinneadh Ros a' Mhíl a ainmniú mar cheann de na calafoirt ina mbeidh cead ag báid ó na Sé Chontae agus ón mBreatain teacht isteach ann agus iasc a thabhairt i dtír. Ní raibh ciall ná réasún leis an gcinneadh gan ligean d'iascairí an méid seo a dhéanamh agus, mar sin, is comhartha dearfach é an dul chun cinn ciallmhar seo. Caithfidimid anois infheistíocht a chinntiú do chalafort Ros a' Mhíl agus calafort domhainmhara a fhorbairt ansin. Impím ar an Aire geallúint a thabhairt dom inniu go ndéanfar é sin agus go bhfuil sé ar chlár oibre an Rialtais.

Is mian liom freisin aird an Aire a tharraingt ar cheisteanna a bhaineann leis an mBanc Porcupine atá san Atlantach amuigh ó Ros a Mhíl. Tá an t-ábhar seo ina chnámh spairne ag iascairí an iarthair faoi láthair. Agus muid ag plé na ceiste seo inniu, níl aon chead ag báid áitiúla ar an mBanc Porcupine, bíodh is nár chaill báid na Breataine fiú cuóta amháin agus go bhfuil siad amuigh ag trálaeireacht faoi láthair. An féidir leis an Aire míniú go dtarlódh sé seo? Cén fáth a bhfuil báid áitiúla ceangailte leis an gcé?

The fishing community is outraged, and rightly so, at how once again it has been left behind and forgotten. I was glad to see that Ros a' Mhíl was designated as a port that would allow for Northern and British fishing boats to land their catch. The previous decision not to allow this was ludicrous and it is good that a sensible decision has been reached. We urgently need to invest properly in Ros a' Mhíl and act on the development of a deep water quay. I am asking the Minister to commit to that now.

I also want to raise the very concerning issue of the Porcupine Bank off Ros a' Mhíl. Fishermen have contacted me on this. While we are discussing this, the Porcupine Bank is closed to local boats while British boats did not lose a single prawn quota and are now trawling for prawns. How can it happen that local boats are currently tied up?

There is also great concern among those who fish pelagic. They have lost a large percentage from their quota, far more than other countries, and this is crippling the fishing community. It affects the entire community; not only the fishermen themselves but local shops, the people who fix the boats and every element of the local economy. We are looking for renegotiation of the common fisheries policy to get a much better deal for Irish fishing communities. Will the Minister commit to that?

**Deputy Charlie McConalogue:** I am very well aware of the issue in Rossaveal. Deputy Ó Cuív has raised it with me on several occasions and is constantly pushing on it. I will continue to assess the situation. I fought very hard on the Porcupine Bank at the EU fisheries Council meeting in December and we will return to it at the next EU Council meeting. I hope we will have additional quota between now and the end of March to increase our prawn fishery in the Porcupine Bank.

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On the common fisheries policy, I have clearly outlined that I will forthrightly put forward the Irish national position. It is always a challenging review and every country bats for itself. The Deputy can be assured that I will do all I can, particularly on the outcome of Brexit and the impact that will have on our quota, to make sure these things are taken into account and made clear.

**Deputy Paul Murphy:** It is good to see that the Minister has recovered from coronavirus. Congratulations are also in order, as I think he is now the longest serving Minister for Agriculture, Food and the Marine in this Government.

My questions relate to Covid and the Minister's Department. I accept that he may not have all the information before him but we do not have other avenues in oral questions and so on. He can give whatever information he has and then respond in writing. First, I will refer to the negotiations he reported previously about sick pay entitlements for meat factory workers. In September, the Minister said that those negotiations were ongoing. He has a particular responsibility for these factories, which have been a major source of Covid outbreaks. One of the major problems revealed last year by the unions and the workers was that most workers have no entitlement to sick pay. As many low-paid workers simply could not afford to go without pay, many people who felt unwell went to work and spread the virus. It is scandalous that there is no requirement on employers to pay sick pay and that the Government is still dragging its heels on this. Will the Minister update the House on this? Will the Government intervene to ensure all meat factory workers have a right to sick pay? The least that can be done is to ensure a right to sick pay for all workers and help to stop the spread of the virus.

The second question is on Covid officers in workplaces, such as the meat factories. I have heard of cases of Covid officers being hand-picked by the employers and being seen, therefore, as an extension of management. Instead of this self-regulation, will the Minister insist that every meat factory should have its own workers' health and safety committee elected by the workers themselves? Will he ensure that trade unions are allowed access to these workplaces, as is the case in New Zealand and elsewhere?

A related question is on workers whose accommodation is effectively tied to their employers. I have been informed of one worker who spoke up, including on social media, about conditions in a meat factory. The employer did not sack him, which would have allowed him to take an unfair dismissals case, but kicked him out of his accommodation instead. For many people working in the meat factories and other big agricultural companies such as Keelings, the boss is not just their employer but their landlord and they are currently exempted from the eviction ban. Will the Government act to resolve that?

If the Minister does not have the answer to my final question to hand, he can respond in writing. Cheltenham was a feature last year in the spread of Covid. I presume everyone accepts it was a contributory factor in the speed of the spread of the virus. I understand that 350 Irish jockeys, trainers and grooms are preparing to go to Cheltenham this year. Many of them may be in receipt of funds from Horse Racing Ireland, which in turn receives funds from the State. That is not to mention, and I really advise against it, those who intend to attend Cheltenham. Does the Department or the Minister plan to do anything on that?

**Deputy Charlie McConalogue:** I thank Deputy Murphy for his wholehearted good wishes and congratulations. Today's topic is fisheries and Brexit. I realise that is not a big subject in the Deputy's constituency and hence his focus on other issues. He has raised a number of issues

and I will ensure that a written response is provided to him.

**Deputy Dara Calleary:** I wish to be associated with the Minister's tribute to the late Hugo Boyle who resided in Achill. He was very much part of the fine tradition between Achill and Donegal, particularly in our fishing community but also in all communities. I extend my sympathies to his wife and daughters and to his wider family. He was an exemplary servant of the Irish fishing industry all his life.

This is an incredibly complex time for Irish fisheries and the Minister has given it absolutely everything so far in his Ministry. There is the challenge posed by Brexit and also Covid. In many ways, it is the perfect storm. I welcome the commitment the Minister gave to Deputy O'Sullivan on establishing a task force. Will the Minister outline some of its *modus operandi* and what he sees as its terms of reference? It needs to have short and sharp terms of reference, and a short lifespan. Everyone knows the problems but it is important that the Minister involves people in industry in the solutions.

The Minister replied to a parliamentary question I put down last night. He outlined that through the Brexit adjustment reserve, €1 billion will be available to Ireland in 2021 and 2022 expenditure. Does he envisage an amount within that which will go to the fishing sector in particular? There has been fear of the consequences of Brexit since 2016, and now there are the consequences of Covid. Many Deputies have observed very simplistic views on this, but it is incredibly complex and challenging. We do a disservice to the fishing community to present it as something simple that can be easily resolved. However, when we have things in our own control around the Cabinet table, such as the €1 billion, that is where we need the task force. I accept it is too early to have too much detail, but what are the Minister's general thoughts on the direction of that for fishing?

I agree with Deputy Ó Cuív on the inshore fishing community. They are often forgotten but they are a very important part of it in terms of their engagement in the industry and the impact of Covid-19 and Brexit on that industry. They need a separate investment programme for fleet and infrastructure to assist and allow them to get through this challenge and to grow into a niche that may be available for them also. I would encourage the Minister around that.

We seem to have taken the biggest hit on quota, particularly in mackerel. What are the plans or the chances of quota rebalancing within the short term? Renegotiating the fisheries policy is probably more medium term and will not produce the kind of results that we need, but on where we find ourselves in the context of the agreement reached on Christmas Eve and where the fishing industry finds itself, is there any openness or willingness to adjust quota reserves across the countries that matter as a response to the Irish situation?

I had the honour of being in the Minister's Department for a short time. My engagement with the fishing community was short but this is a very focused group of people who have great ambitions and who are faced with very big challenges - Brexit, Covid and also climate change - which are not in the long term; they are immediate. The Minister's response, and he has the support of all of us, will shape the future of the industry for many generations to come.

**Deputy Charlie McConalogue:** I thank Deputy Calleary for his very considered and thoughtful insight into the challenge facing the fishing sector, in particular the challenges and difficulties it has had to navigate over recent months and the important juncture we are at in ensuring that we have a strong, sustainable and healthy fishing sector and industry into the fu-

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ture. Given the challenging times there have been and especially given the timing of Brexit, I know the Deputy will join me in acknowledging the effort and commitment of the staff in the Department of Agriculture, Food and the Marine to deal with these very challenging issues. I know he worked exceptionally well with them previously with great commitment, passion and understanding. Given the Brexit deal on Christmas Eve and its timing, I acknowledge all of the commitment, work and effort that was involved in the run-up to that and all of the work that was involved right after the deal. For example, very late on New Year's Eve I put a call in to fisheries officials in the Department of the marine to thank them for having worked all day New Year's Eve until late that night to get out the authorisations that were necessary for vessels to be able to fish the next day. That is the type of commitment that often is not acknowledged and I know it is one the Deputy would second. It is important that is made clear.

As to some of the issues the Deputy outlined, I welcome his acknowledgement of the task force as a constructive way to go forward. I agree with him on the importance of it having a prompt turnaround time. We have a window between now and the end of March where there is clarity around quotas, given the agreement of the December Fisheries Council meeting, but there will be an impact after that from the Brexit outcome and the adjustments. It is very important that that is informed by those in the fisheries sector who are affected by it. The terms of reference, which I am currently considering, will be framed around ensuring they have a clear and direct input into framing the way we go forward in the short term and ensuring a healthy, long-term future for our fishing sector post-Brexit.

Regarding the Brexit adjustment reserve, we are getting a 25% allocation at European level of the total allocation so far, which is a very strong national outcome in terms of a financial allocation, but it will take more than that. There is a clear Government commitment, in particular in respect of the fisheries and marine sectors, to invest in that and support it in the time ahead. The Brexit adjustment reserve funding will be welcome, but national funding will be forthcoming to support them to adjust, grow and sustain employment in a post-Brexit scenario.

With regard to quota rebalancing, as recently as yesterday morning in my meeting with Commissioner Sinkevičius and the chairman of the negotiation task force, Michel Barnier, I have been very clear about leaving no one in any doubt as to the unfair burden on Ireland as a result of the outcome of Brexit from a fisheries point of view. We were always going to be the nation, whether it be fisheries or other parts of our economy, that would be most impacted and most at risk from Brexit. Unfortunately, that has been the case and, despite the best possible efforts, there is an impact on our sector. I will be working at European level to try to find constructive solutions to address that.

**Deputy Johnny Mythen:** Before I begin I would like to commend on the record the tremendous work my colleague, former MEP Liadh Ní Riada, did for the Irish fishing industry during her tenure.

There is no doubt that, as the saying goes, Brexit was neither good for man nor beast but in this case it was neither good for fishermen nor Irish fresh fish stocks. I have met inshore and offshore fishermen in my county, particularly the Kilmore fishermen, who feel completely let down and say once again that they are being used as sacrificial pawns on the chessboard of the Brexit-EU negotiations. The loss of 15% of the total quota of fish means an estimated loss of approximately €43 million over the next five years. That will have a huge effect on the fishing communities and will inevitably cause job losses and a depletion of Irish fishing vessels. It is also a loss of a natural resource that rightfully belongs to the Irish people. Their backs are liter-

ally being put to the harbour walls. They do not want to see their boats decommissioned. They simply want to fish as they have done for generations.

I ask the Minister if any solutions were put forward to counteract the loss of quotas for the Irish fleet, especially in mackerel and herring, and, if so, what were they? In the upcoming EU Agriculture and Fisheries Council meeting, what solutions will the Minister and the Government be bringing forward? What proposals are in place in the upcoming review of the Common Fisheries Policy, CFP, and the 15% drop in quotas? Will a support package be put in place to compensate Irish lobster catchers to shield them from any new surge of US tariff-free imports?

**Deputy Charlie McConalogue:** I thank Deputy Mythen for his comments. With regard to quota share, as he will have heard from my previous contributions, it is an issue I have been taking up at EU level with my colleagues and with the Commission, and I will continue to do so. I will be seeking constructive approaches with regard to the fact that there is an additional burden on Ireland in terms of the outcome from the trade and co-operation agreement and to try to look at methods as to how we might mitigate that.

On the Deputy's final point about tariffs and particularly with regard to lobster, I welcome the inauguration of President Biden yesterday. I look forward to working with the new Administration and engaging with it in the time ahead. There has been a somewhat strained relationship in recent times, which has had significant tariff implications in our agrifood and beverage sectors. I hope the advent of a new Administration in the US will offer an opportunity to address some of those issues, ensuring a freer and healthy trading relationship between ourselves and the US and working to address some of the barriers that we have seen applied in recent times.

**An Ceann Comhairle:** I thank the Minister. Are we to take it that President Biden is partial to a bit of lobster?

**Deputy Charlie McConalogue:** As long as it is from Mayo, a Cheann Comhairle.

**Deputy Johnny Mythen:** I ask the Minister about the quotas that are in place on the upcoming review of the CFP and the 15% drop in quotas.

**Deputy Charlie McConalogue:** The review of the Common Fisheries Policy is to be completed by the end of next year. The engagement on that will be starting later this year, but in the short term, in terms of the impact and the result from Brexit, my priority will be to ensure that that impact and burden on Ireland is made clear at European level. I will also look for constructive ways in which we can have that addressed, working with the EU Commission.

**Deputy Peadar Tóibín:** I will address the issue of fishing. While I have the Minister's ear, I will raise one other issue. Is he aware that a number of serious allegations have been made about VAT fraud, insurance fraud, illegal state aid, environmental fraud and corruption in the poultry industry? Alo Mohan from County Cavan has stated that his business, which had a turnover of about €2 million, has been put out of business due to his refusal to participate in what he calls an illegal VAT practice. He claims that Revenue is aware of the practice and that it is costing the State millions of euro in tax forgone. He claims that he and others were told to deregister for VAT by a food processor and to start operating under a flat-rate VAT system. He claims that he was to pay higher than the market rate for feed while at the same time he would get a higher price for the chickens that he has sold. This issue made it onto the Committee on Economic and Monetary Affairs in 2016 and the Minister for Finance at the time, Michael Noonan, admitted, "VAT avoidance schemes were being developed and probably [were] in

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place, particularly in the poultry sector". He went on to state that he was going to introduce measures in the Finance Bill to address "tax evasion in the poultry industry that gave competitive advantage to those who used it rather than those who didn't".

**An Ceann Comhairle:** Is this related to Brexit, Deputy?

**Deputy Peadar Tóibín:** I will bring it to an end here. Given how serious this is, will the Minister meet with Alo Mohan and other campaigners to see if we can find a resolution to this?

**Deputy Charlie McConalogue:** I think it would be more appropriate if Deputy Tóibín wrote to me with the particular matters that he has raised. I do not think it is appropriate for me to address this on the floor of the House.

**Deputy Peadar Tóibín:** I will indeed write and know that former Ministers have had letters written to them in this regard.

On fishing, the Minister for Foreign Affairs, Deputy Coveney, has admitted that fishers will be disappointed with the deal achieved with Britain with regard to fishing concessions. As the Minister responsible for the marine, did the Minister raise objections to the deal and if so, where did those objections materialise? What effect did they have?

**Deputy Charlie McConalogue:** From the outset, all of us nationally and in the fishing sector were concerned about the potential impact that Brexit could have on the fisheries sector. The Deputy is aware of how taking back the fish quota, reclaiming their waters and all of the fish caught by an EU fleet was made to be a number one priority by the British Government. The approach taken here was resolute and strong. We worked with our domestic sector to ensure that we spoke with one voice and to make sure that we spoke with one voice at a European level, both with me working at a political level with other EU fisheries ministers and the fisheries Commissioner and the industry working with its compatriots in the European Fisheries Alliance, EUFA, to ensure that the EU approach to the negotiations on fisheries was as strong as it could be. That was instrumental in ensuring that the worst excesses that Brexit could have created for fisheries was avoided, with the possibility of a no-deal Brexit and pushing back at every opportunity against the British demand for 100% of the fish caught by the EU fleet to be reallocated. Ultimately that was confined to 25%, which is damaging in itself but it was an outcome which was achieved as a result of a strong negotiating approach.

**Deputy Peadar Tóibín:** I asked if the Minister objected to this in any way and if that had a material outcome. I imagine that what the Minister has said is a long way of saying that there was no official objection by him, the Department or the Government with regard to what the Minister, Deputy Coveney, said is a disappointing outcome. Ireland's coastal share of fish will shrink by at least 15% over the next six years. The mean reduction of fishing available for EU member states is 9%. Ireland's reduction significantly surpasses the average European reduction. Ireland's fishing industry is the joint highest loser, with Germany. How was this allowed to occur? I understand that there were complex negotiations with many balls in the air but how is it that Ireland happens to be the country, along with Germany, which lost the most? Seán O'Donoghue, the chief executive of the Killybegs Fishermen's Organisation, said that they would now only get a 13% share. He said that it is unfair that when 80% of mackerel spawn on the west coast of Ireland, we now only have a 13% share and Britain has a 71% share. He said that it is totally unacceptable and that they will not lie down and accept it. How does the Minister propose that we change this so that we get a fairer share in the future?

**Deputy Charlie McConalogue:** I made it clear in my first response that we fought tooth and nail as a nation to ensure that there would be no loss of fish. That was what we were looking for. The British Government's approach was to take back 100% of all fish caught. Throughout the negotiation, our approach was to hold tight and not give anything up. Unfortunately at the end, in order for a deal to happen, there was this outcome. It was not at the scale of a no-deal scenario, where our fisheries would have lost access to where we catch one third of our fish, in British waters, and it would have caused significant damage to the rest of our economy too. Our clear position all along was to hold the strongest position and line possible. It ultimately resulted in fish being the last item to be agreed on and the deal ultimately hinged on it because of the resolute approach we took to it.

**Deputy Michael Collins:** I do not have much time for the questions and maybe the Minister can reply to me after the debate. I spoke about fisheries yesterday and I will repeat some of what I said in case the Minister did not get a chance to hear it. I have consistently called on the Government, especially the Minister, to be straight with the fisheries sector and the public about why the Government effectively sold out the entire sector during Brexit negotiations.

The latest analysis released by officials in the Department of Agriculture and the Marine illustrates how out of touch the Minister is on this issue. The preliminary analysis now confirms that the transfer of quota shares from Ireland is a staggering 27% higher than the Government initially announced. The official report indicates a total loss to Ireland's fishermen of €43 million by 2026, with the mackerel sector, which is the most valuable to the Irish fleet, hardest hit. This sector faces a 26% cut in quota share, which is worth €28.6 million. Approximately 60% of this cut will emerge in 2021 so the impact will be felt immediately.

What is the number of EU, non-Irish, UK and other coastal state vessels that have authorisation to fish in the biologically sensitive area in the Celtic Sea, off the west coast, the Irish Sea and off the Donegal coast? How does the Government monitor the amount of fish that these vessels catch every day in Irish waters?

**Deputy Charlie McConalogue:** As the Deputy will be aware, if he has been listening to me over the last months and again today, our position at all times has been to defend the fishing sector tooth and nail, because we very much value it. It might be easy to present that as a sell-out. Our approach was to ensure that it was prioritised. If the Deputy has been assessing how the negotiation evolved and the Brexit debate from the outset in Britain, they emphasised how they were coming after their fish and it was a priority, while our priority at all times was to defend the sector. That was crucial to ensuring that fishing was the last item to be decided, because we would not give on it and were holding a resolute line. The British were looking for 100% of the fish caught in British waters and that was confined to 25% with Britain having left the European Union. There is no doubt that we are committed to working with the sector to try to address the matter.

**Deputy Richard O'Donoghue:** I hope the Minister is not going to sell out the beef sector and the Irish farmers as he has just sold out the fisheries. I have huge concerns over the fact that beef cattle are now averaging €3.75 per kg. This is well below the break-even target figure of €4.50 per kg. I am aware that we are in the middle of a pandemic and many people are working from home. Our farmers are working from home 365 days a year. Beef farmers are a long way short of breaking even. Is the Minister aware that some farmers are using a percentage of their single farm payment for the production of cattle so that they can stay in business, rather than for their families? What controls are going to be out in place to stop the cartel-like system

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that the factories are operating? I brought this issue up earlier with the Tánaiste and asked him to raise it with the Minister. At the moment, when factories are audited, end-of-year figures are used to work out an average price. If the factories were audited throughout the year, it would be apparent that the feeder groups for those factories are getting the highest price and people involved with the factories are receiving the highest single farm payments. They are getting the highest price for their cattle within the factory system. What is the Minister going to do about this? When is he going to stand up and save Irish beef farmers? There was €5 billion put in place by the EU to support agriculture. Following the UK exit from the EU, are Irish farmers first on the list to be compensated? Irish agriculture is constantly under threat from cheap imports coming into the UK. What is being put in place to safeguard against the beef coming in from South America?

**Deputy Charlie McConalogue:** I know that the questions concern beef, and that is perfectly good with me.

**Deputy Richard O'Donoghue:** I cannot hear the Minister.

**Deputy Charlie McConalogue:** Is my microphone live?

**An Ceann Comhairle:** It is.

*(Interruptions).*

**Deputy Charlie McConalogue:** We are all supposed to wear a mask as much as we can.

*(Interruptions).*

**An Ceann Comhairle:** Let us not argue over masks.

**Deputy Charlie McConalogue:** If the Deputy was paying attention to the budget last October, he would have seen that I delivered an 11% increase in the agriculture budget for the year ahead, based on the previous year. That was so that we can ensure that many of the schemes that are key to our farming sector can continue at full capacity and with ongoing payments. There was also an additional €79 million of fresh funding allocated in order to develop a new environmental pilot scheme and measures. As the Deputy knows, I am very committed to developing and protecting the incomes of our beef sector and to working with and supporting our fishermen. Looking ahead, over the course of this year, I will be bringing additional transparency to the food supply chain and developing the office of the National Food Ombudsman, which is a key commitment in the programme for Government.

**Deputy Thomas Pringle:** I start by paying tribute to the Minister. His response to the issue of UK registered vessels has been good so far. It is good to see that response. I am not sure that another Minister would have responded in such a way to designate additional ports. However, I am concerned that a minimalist approach was taken in the designation of these additional ports, with the least amount of ports being designated as possible to get over the line. The additional ports will be required and used at all times. This is particularly the case in north Inishowen, in Culdaff and Malin Head, where many fishermen use those ports. As the Minister knows, those waters are dodgy, and having to steam around to Greencastle to get in with a catch in bad weather is dangerous. With the designation of additional ports at Culdaff or Malin Head, they can be used safely, which is important.

On the whole fiasco that has arisen over the issue of the designation of ports, one wonders

what the Department was doing over the three years of the Brexit negotiations. What was actually happening? Earlier on in the year, we saw how the Department did not have a complete list of boats that needed to be registered with the UK in order to land in UK waters. Indeed, fishermen were asked to come forward to register their boats with the UK so that they could land and fish in UK waters after Christmas. It beggars belief. Following that, there was a row about the designation of additional ports. If the fishermen had not campaigned, the issue would never have been sorted out. That is the reality. It is really worrying.

On the issue of mackerel quotas, one fisherman from Killybegs told me:

If mackerel had passports, they would be Irish, because that is where they are born and spend most of their lives. They only pass through UK waters to get into ours to spawn.

That is the reality. Through the negotiations, the Minister could have ensured that our mackerel quota continued to be caught in Irish waters rather than in Scottish waters and leaving it open to being part of the deal, which is what happened. I disagree with the Minister. A no-deal Brexit would have been a better outcome for fishermen because they could have held on to their mackerel quota and caught it in Irish waters. That is the reality. The Minister has said that he will go forward and campaign on the Common Fisheries Policy. I hope to God that he does, because the fishing industry has been let down repeatedly since we began negotiations to join the EU when the EU stole our fishing from us.

**Deputy Michael Fitzmaurice:** I have two questions. I refer to the announcement today of the linear cut of 2% which is going to affect small family farms around the country because Britain is not paying into the EU. The previous Taoiseach undertook that Ireland would make up this deficit. Will that be done, rather than letting farmers around the country, especially low-income farmers, face a 2% linear cut?

On the issue of farm machinery being brought across, I have talked to hauliers and 200 loads should have been brought across at this stage. Only 80 loads have been brought across because of bureaucracy. There have been major problems with getting tractors and other machinery. I ask the Minister to address the issues I have raised.

**Deputy Charlie McConalogue:** I will address the issues raised by Deputy Fitzmaurice first. As he is aware, pillar 1 payments are 100% EU-funded. There is no capacity for domestic funds to be allocated towards it.

**Deputy Michael Fitzmaurice:** It was said that this would be topped up.

**Deputy Charlie McConalogue:** The overall EU budget has been increased in monetary terms. Also, as the Deputy is aware, and as I pointed out previously, in the most recent national budget I delivered an 11% increase from last year, which was important overall.

**Deputy Michael Fitzmaurice:** Is the €100 million being topped up?

**Deputy Charlie McConalogue:** On the question of machinery, there is currently an issue in respect of ensuring that paperwork is complete. Unfortunately, there are many additional administrative burdens as a result of Brexit. It is challenging as those adjustments are made.

On the points raised by Deputy Pringle on the designation of ports, they were designated for illegal, unregulated and unreported, IUU, purposes and North East Atlantic Fisheries Commission purposes. There is oversight in place. Staff infrastructure is required to be able to oversee

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it. There are now four designated ports in Donegal and seven nationally. Unfortunately, the times are restricted and we have to work with the resources and the capacity that we have in that regard. It is something that I will continue to monitor.

Deputy Pringle mentioned the authorisation for boats issue. As he is aware, the Brexit deal was reached on Christmas Eve. It allowed a window of around a week.

*(Interruptions).*

**Deputy Charlie McConalogue:** There were three years of negotiations. The actual outcome of that was achieved on Christmas Eve. That made clear that authorisations would be required. As I said earlier, the departmental staff were working right up to late on New Year's Eve to get those authorisations out and put in tremendous work within the time involved.

On the Deputy's final point that a no-deal Brexit would have been better for fishermen, we must recognise that one third of our fish were caught in British waters. In the negotiations, we discussed Rockall and other areas and the importance of those fishing waters to our fleet. For example, where would our prawns on the east coast, our haddock, monkfish and megrim be caught if those waters were blocked off to our fishermen? At least the Deputy is being consistent. I remember taking part in a debate on Highland Radio with Deputy Pringle and Gregory Campbell of the DUP during which the Deputy advocated, in advance of the Brexit vote in the UK, that it should go ahead and do Brexit. At least the Deputy is being consistent in saying now that, somehow, a no-deal outcome might have been preferable.

**An Ceann Comhairle:** We must conclude.

### **Covid-19 (Special Educational Needs Provision): Statements**

**Minister for Education (Deputy Norma Foley):** I thank the House for the opportunity to address the issue of reopening in-school teaching and learning for students with special educational needs and to update Members on the efforts that have been made in this regard since I spoke here last week. When I was in the House last Thursday, I outlined the following points, which are worth repeating:

School, and education more broadly, is a hugely powerful and positive force in our young people's lives and it is vital that this is preserved for our students in these most challenging times and circumstances. International organisations, including the World Health Organization, WHO, and the United Nations Children's Fund, UNICEF, have outlined the negative impact of school closure on children's health and well-being, as has the Economic and Social Research Institute, ESRI. For many children, school is not only a place of learning but also provides opportunities for social and personal development, healthy eating and physical activity. As the research of New Zealand education expert, Mr. John Hattie, has shown, school can be a hub of response and recovery, a place to support emotional recovery and promote social togetherness and this is as important as any academic gains.

It is for all of these reasons that Government and the Department of Education have invested heavily in schools to support them throughout this pandemic.

The Government and I are conscious of the particular strain that school closures place on children with special educational needs and their families. Research led by Dr. Carol Barron from DCU's school of nursing, psychotherapy and community health found that during the last period of school closures, children with special needs were suffering from a lack of routine, with the disruptions to their daily routines having a significant negative impact on them. Many children experienced regression during this period of social isolation and this negatively impacted their mental health. In many families, that earlier period of closure was a traumatic and deeply stressful time for children, their parents and their siblings. A survey by Inclusion Ireland in May 2020 found that:

Educating at home is not working well for most respondents to Inclusion Ireland's survey. There are huge barriers to educating at home for parents, who are not teachers in most cases.

Parents specifically found it challenging to provide education to children with special educational needs while also trying to work from home, work on the front line and isolate at home, or care for other children or elderly adults.

It is for all of these reasons and more that the Department has prioritised the reopening of schools and classes for children with special educational needs. As Deputies will all be aware, the Department and I have engaged intensively with all stakeholders to realise this shared ambition. As I have stated many times before in this House and in other fora, collaboration is at the heart of all that we do in the education system, and this has never been more evident than at the present moment. Over the past year, since the beginning of the Covid-19 pandemic, there have been unprecedented levels of engagement between the Department of Education and stakeholders. It was in this spirit of co-operation and engagement that the Department approached the vital goal of reopening schools for children with special educational needs. It is worth noting that between 4 January and this Tuesday, there have been engagements between unions and myself or senior officials on a near-daily basis. All of those meetings were focused on the safe reopening of schools. In more recent days, they were particularly focused on the more specific question of reopening special schools on a phased basis. As I said, there has been near-daily contact with stakeholders in this time period.

Before I spoke in the House last Thursday afternoon, I attended a meeting with the primary education stakeholders, including representatives of parents, teachers, special needs assistants, school management bodies and principals. Following on from that meeting, and the many engagements which had preceded it, all stakeholders agreed that we would work together towards the shared objective of a staged reopening of special and primary schools for children with special educational needs. Consequently, the Department wrote to special schools and primary schools on 14 January, addressing concerns in regard to a phased reopening of primary and special schools for children with significant additional needs being planned for this week. The issues addressed included advice on school safety measures, risk management, school transport and childcare.

On 15 January, the Department wrote to special schools and primary schools setting out details of the framework under which it is intended that in-school teaching and learning would take place in special schools, special classes in mainstream primary schools and for pupils with special educational needs who attend mainstream classes in primary school. This guidance was agreed with the Irish National Teachers Organisation, INTO, and Fórsa. The measures set out provide for: the return of pupils in special schools to school, attending on alternate days; pupils

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in special classes in mainstream primary schools to attend every day; and pupils with significant additional needs in mainstream classes in primary schools to have access to in-school teaching and learning in special education teaching groups. As we are all regrettably aware, it has not been possible so far to secure agreement for a partial reopening of schools for children with special needs. Both the Minister of State, Deputy Madigan, and I will continue to engage with stakeholders to achieve an early return to in-school teaching and learning for this priority group of children.

At a webinar for school stakeholders attended by more than 16,000 teachers, SNAs and school staff, public health doctors, while acknowledging that, at present, the mobility of 1.1 million people in the education sector would not be advisable, reiterated that schools are safe places for both students and adults because of the mitigation measures now in place, which include guidance on social distancing, mask wearing, hand hygiene, cleaning and school transport. This event provided an opportunity for teachers and SNAs to ask questions about the return to in-person learning for children with special educational needs and the public health considerations in that regard. The webinar restated the message from our public health experts that schools are safe for staff and pupils and built on the confidence in our schools concerning the virus and the management of the risks associated with it.

Among the topics covered at the webinar were the safety of a school return at present, taking into account the latest information regarding the new variant and the present rate of community infection. In this context, specific reference was made to the experience of childcare facilities to date in 2021. The available data from January 2021 tell us that childcare facilities had a close-contact positivity rate of 3.2%, compared with a rate in the community in the high teens. In the year to date, the close-contact positivity rate for all schools has been below that of childcare facilities. Also covered was the enhanced public health schools teams, which are being further enhanced by the Department of Education. Close contacts, testing and tracing were also discussed, in respect of which measures will continue for schools.

I wish at this point to express my appreciation to our public health experts, who have given so freely of their time and expertise. I was somewhat taken aback by some commentary around their role in recent days, which sought to cast aspersions on their advice. I want to acknowledge their immense professionalism, integrity and sense of public service, which have been of huge value to the education sector and to our society and country as a whole.

Unions have raised further concerns regarding high-risk staff and childcare arrangements. In response, the Department set out to the unions how it would address those concerns. Proposed measures included putting in place temporary flexible accommodations for high-risk staff to work remotely or carry out duties where they are not in close contact or providing personal care.

*5 o'clock*

These temporary arrangements were possible only because of the very significant reduction in the number of children on site under the proposed phased reopening. Pregnant teachers and SNAs were given the concession to work from home as part of these temporary arrangements while advice for pregnant education sector staff was to be developed by occupational and public health doctors. Furthermore, education staff, particularly those on lower incomes, would be eligible for childcare subsidies from the national childcare scheme.

I want to assure the House that every effort is being made to work with school management and unions in a collaborative way so children can return to school safely as soon as possible. As I have said, intensive engagement has taken place with all stakeholders, including unions representing teachers and SNAs, namely INTO and Fórsa. This included intensive engagement with public health officials.

It should be noted that the plan to accommodate children with additional needs had considerable support among Opposition members and, indeed, was called for within and outside this House. The Government paused plans for reopening on 6 January as the education partners were expressing concerns regarding the proposed reopening on that date. The Minister of State responsible for special education and inclusion and I have been listening to those concerns. We engage intensively with stakeholders, public health officials and disability advocacy groups to address these concerns. The recent intensive engagement has not just been between the Department of Education and union representatives. The Department, the Minister of State, Deputy Madigan, and I have been engaging with disability representative bodies and parental representative bodies in regard to how children with special educational needs can best be supported during the current school closure period. It is important to provide in-person learning to this vulnerable cohort of children and I regret that to this point it has not proved possible. The needs of this group of students are such that no one should be in any doubt about the importance of this goal and its urgency. We all understand how vulnerable these children are and how much they need to be in school.

The concerns and fears of teachers and SNAs have been well-articulated. I understand and appreciate that this is a time of heightened anxiety for all in society, including those in the education sector. I say that sincerely. This is a challenging and difficult time and we are listening carefully.

Public health advice for the education sector has at all times underpinned our approach to keeping schools safe and operational. Public health experts continue to advise that with the appropriate measures in place, we can support the reopening of special schools, special classes and in-person learning for certain children with special educational needs in mainstream schools.

Ireland is now an outlier in the European Union in not having in-person provision for students with special educational needs at this time. We have addressed the concerns raised in relation to safety, including making public health officials available to education partner representatives and subsequently facilitating three of the most senior public health officials in the country to communicate directly with teachers and SNAs. The Department has consistently accepted and acted on the knowledge, advice and expertise of public health experts. This is the first time that unions have refused to accept that advice.

We have provided guidance on how special schools can operate at 50% capacity to offer the students a return to learning. We have provided guidance and flexibility in regard to staff members who are at high risk of Covid-19 to ensure their safety. We have put in place flexible arrangements for schools to manage this situation, return to in-person learning and to organise and manage their staffing in this context.

Our clear focus, today, tomorrow and always, is on getting children and young people with special educational needs back into their classrooms. Work to achieve that is continuing assiduously. I know that Deputies across the House share this objective. I welcome their positive co-operation and contributions in the House today.

**Deputy Donnchadh Ó Laoghaire:** It is welcome that we are having this debate. It is very badly needed. The failure again to ensure that special education would open this week caused immense anger, heartbreak and frustration among staff, stakeholders, the Department and, I am sure, the Minister, but most of all the affected children and their families. For the second time since Christmas, if not the third, a desperately wished for return to school was dashed. Many children will have been waiting for a bus or lift that did not come today. We must remember who is at the heart of this. These are the children whom we all know were among the greatest losers educationally and socially during the first lockdown. The disruption to routine, the lack of social contact and frustration were unbearable for many of the children and their families. This is despite the best efforts of everyone, from staff to parents and children, but the reality is that remote learning for these children is not equal to that for others. In some instances, it is near impossible.

I realise the Minister wanted the children in school. As she well knows, so did we. I do not know a single Deputy who objected to the principle. I, among others, wanted it as soon as it could be agreed. The Minister finished her speech speaking about a shared objective. The criticism here is not of the objective because we can all have a shared objective and different ways of achieving it. I am sure that we have a similar objective across this House to solve the housing crisis but there are many different ways suggested as to how this could be achieved. There is a huge gap between having an objective and having an agreed plan to deliver something. It is about delivery. That is where the Department has fallen down. I am aware that the Minister has criticisms of others but she, the Minister of State and the Department should consider their own roles and responsibility in this debacle. There are no winners and we must solve the problem, but there should be some reflection on responsibility here as well.

In the first instance, I cannot get over the fact that there was never a plan B for the education system if schools had to close overall. I agreed with the objective of trying to ensure schools could remain open for as long as possible. School is the best way of learning. I look forward to the schools being open again but this Government made it its Alamo that there could never be a plan B. It was asked how the schools could possibly close. For that reason, there seemed to be no consideration given to the question of how education could continue and to the priorities if schools had to close. It was not set out who could be kept in school buildings. That this did not happen led to the mistakes of the past few weeks. There was no plan for the first occasion. A proposal was rolled out with scarcely any consultation and then, this week, there was a proposal that was subject to consultation to an extent but not agreed. The failure to agree is the crucial element. That is the origin of the issue. In my view, there was a rush to deliver good news – good news that I was glad to see – but that rush upended the entire process, twice.

There may be a temptation to let this drift. That must not happen. I am encouraged to hear that discussions are continuing but that has to continue on an intensive basis. I appreciate that there are lingering tensions between the Minister, the Minister of State and the unions but nobody expects them to be best friends. We want them to work together and get a result for the affected children. I note some of the last-minute commitments made by the Minister yesterday. It is frustrating that some of them seem to have been made when the dye was more or less cast and when the jig was up, given many of these issues and assurances have been flagged since August by me, others in this House and the stakeholders. If the Government is sincere in its efforts, these commitments have to remain on the table and solutions will have to be found for other outstanding issues, including the issues of flexibility for at-risk staff, serial testing for staff, reversing the incredible 40% cut to the grant for personal protective equipment and saniti-

sation equipment and the extension of supply panels. This has been done elsewhere and it can be done here. We need to change the approach of the Ministers and, indeed, the Taoiseach, who needs to be part of this process. It needs to be agreed before it is announced.

I will move on to some questions. One of the key concerns in schools is to ensure that, where a case arises, the public health response to it is decisive, immediate and comprehensive. One of the issues being raised with the Minister relates to serial testing. Will she ensure that school staff have access to serial testing?

I will make a brief point on public health guidance. We need to be careful in our language here because one of the points of frustration is that people feel they are not being treated as adults when we talk about schools being safe. The public health advice has never been that schools are absolutely safe. They are relatively safe. It is important that they remain open with the right safeguards because of their importance but there is never any suggestion that they are absolutely safe and without risk. That risk has to be minimised and these discussions should be about minimising risks and protecting people. However, we must also treat school staff with the respect they deserve and ensure they understand that. That is the way the communications should be. They should acknowledge the risks that are there and put in place the measures to minimise the risks because of the importance of education. My question there related to serial testing and whether the Minister can provide that.

The other point related to vaccination, which I am sure has been raised with the Minister many times. Has her Department contacted the national immunisation advisory committee to request an increased priority for vaccination? Has the Minister made that ask on behalf of the people who work for her?

My final question relates to a major concern of mine. I am concerned that the issue of special education will be rolled into the overall process of reopening schools. That would be a profound mistake. It can be considered in conjunction with it, but reopening special education must be an objective in and of itself. We all want to see schools open as soon as possible. Schools are the best place to learn and for children to be, but we all know that cannot be guaranteed on 1 February. If it is possible, then great, but the decision could be made that the return to school is not possible until mid or late February. It could potentially be 22 February. I am not prejudging that but it is a possibility. If so, it would be a profound tragedy if children with special educational needs are left behind yet again. They must be a first priority for return and it should not be contingent on the overall reopening of schools. Will the Minister commit that the return of special education will not be contingent on the overall return to school buildings?

**Deputy Norma Foley:** I thank the Deputy. On the reference to there not being plans A, B, C and D, I can tell the Deputy that there have been since June-----

**Deputy Donnchadh Ó Laoghaire:** I understand the Minister's desire to respond but she has issued press releases. There is three minutes and there were three specific questions.

**Deputy Norma Foley:** Absolutely, and if the Deputy allows me, I will answer the questions.

**An Ceann Comhairle:** Will the Deputy let the Minister respond, please?

**Deputy Norma Foley:** The Deputy has made an assertion that there was no planning here. There have been considerable plans put in place, all of them backed to follow public health advice. As public health advice dictates, we follow the plans as available. There has been no

ambiguity there. Plan A, on foot of public health advice, was to reopen our schools, which we did successfully from September to December. Plan B, if that was not possible, involved considerable planning in terms of guidance and adjudication for schools in terms of how to manage remote teaching and learning. That was agreed guidance after considerable engagement with all unions and stakeholders. That guidance has admitted. Plan C outlined that if there was to be a partial return, the priority was to be given to the core group the Deputy mentioned, namely, children with additional needs.

I refer to the 40% cut that the Deputy and others in his party have made liberal reference to. There is no 40% cut in terms of personal protective equipment, PPE. The difference in moneys being made available in this term are as follows-----

**Deputy Donnchadh Ó Laoghaire:** The Minister is talking down the clock.

**Deputy Norma Foley:** I am not. This is very important because the Deputy, his leader and many others have made assertions about this and it is important to correct the record. In the instance of PPE, in the first term there was considerable additional funding made available for start-up costs which included putting in place hand sanitiser, equipment in places, additional bins and all of that.

**Deputy Donnchadh Ó Laoghaire:** I am aware of the facts. I disagree. Will the Minister answer the questions?

**Deputy Norma Foley:** If the Deputy allows me to finish. Equally so, the first term was 25% longer than the present term so there is no cut. I refute that absolutely 100%. The provision of PPE is as it should be and we have always said if there was more required, it would be given.

On serial testing, on foot of public health recommendations, if that is required, we will follow public health advice. On vaccination, we made representations that our school communities would be part of that. We have made further representation and there is discussion on that.

Finally, on the Deputy's assertion that there was no consultation and a rushed plan in relation to Thursday, I say to him that was on foot of intensive discussion and negotiation. It was also as a result of agreement at the stakeholder meeting. To illustrate it was a shared objective, this day last week the Irish National Teachers' Organisation general secretary, John Boyle, said he believed that every single school in Ireland would be opening their doors late in the following week for children with additional needs. It was a shared objective and there was nothing rushed about it.

**An Ceann Comhairle:** I thank the Minister. I call Deputy Ó Ríordáin.

**Deputy Donnchadh Ó Laoghaire:** My final question was not answered.

**Deputy Norma Foley:** Of course. Priority is being given to children with additional needs.

**An Ceann Comhairle:** Deputy Ó Ríordáin, please. Can we be a little bit orderly?

**Deputy Aodhán Ó Ríordáin:** We welcome this debate but every time the Minister or the Minister of State get an opportunity to speak about this issue, they only make things worse. I am inclined not to ask any questions because the answers will just make things worse. The Labour Party has been trying to de-escalate this issue over recent days, but it is clear that the

Minister and her Minister of State have lost control of the situation. Some of the Minister's statements are making the situation irretrievable, so I think I need to set the record straight.

The Minister decided to make an announcement on 6 January about the return to school with no consultation in the middle of the highest infection rate in the world. All of us in the Opposition encouraged her to seek options for the return to school of those with additional needs, those who were vulnerable and those who were disadvantaged. If she had made those efforts and they came to naught with the best of intentions, she would have had no criticism from us. She then made another announcement a week ago amid great fanfare and self-congratulation all over the place, with no agreement. Then a letter was sent to every school in the country, again with no agreement. Inevitably, it fell apart last Tuesday when the Minister was apparently at a Fianna Fáil webinar at 7 o'clock. Then we went into an overdrive of unbelievable media management by Government. Whatever chance there was of recovering the situation was blown out of the water. We had a particularly ill-advised, bad-tempered communication from the Department that evening. Meanwhile, the unions were saying they still wanted to be at the table. The Minister of State, who has form in this regard and can rarely be let out without punching down on some vulnerable group, be it Travellers or those with addiction issues, followed on from a crass statement last week by going on national radio and making a comparison with mother and baby homes. Even in the past 24 hours, another Minister of State said on national radio that he is getting tired listening to unions setting themselves up as health experts and said the same thing on local radio this morning.

The Minister has the audacity to tell us the unions are not following public health advice when her Government did not do that in December. For all of us who are trying to be constructive and focus the issue back on where it is supposed to be, nobody in Government has helped this at all. They have made it worse and worse and worse. Every interview, statement, press release and speech in this House has made it worse. It is as if they have decided to pick a side.

I am at the point now of urging the Ministers not to say anything else, to return to the negotiating table and realise why they are here in the first place and to focus on the fact that the enemy is not teachers or SNAs. The enemy is the virus. The virus is the reason young people with additional needs are not in school. If the Government were to focus on that, we might actually get somewhere. What it has attempted to do, however, in poorly chosen language, poorly chosen press releases, poorly chosen statements and appalling rhetoric in interviews, is to make it worse and worse. It is putting in jeopardy not only the possibility of children and young people with additional needs returning to school but the entire project of getting back to school because it has burned every bridge it has come across.

I have no questions, a Cheann Comhairle, because I am worried the answers would make matters worse. My only suggestion to the Minister and the Minister of State, and to the Minister of State, Deputy Niall Collins, who has appeared on national and local radio in the past 24 hours, is to stop saying anything in public. Let them say what they have to say in private with those unions that have also committed to doing the same, and then we might have a roadmap for achieving what we all want to achieve, namely, education being delivered for those who need it most.

**Deputy Norma Foley:** A Cheann Comhairle-----

**An Ceann Comhairle:** I am sorry, Minister, but we are out of time.

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**Deputy Norma Foley:** Could I have ten seconds to reply?

**An Ceann Comhairle:** Ten seconds.

**Deputy Norma Foley:** The Deputy very successfully talked down the clock so that I would not-----

**Deputy Aodhán Ó Ríordáin:** I deliberately talked down the clock-----

**Deputy Norma Foley:** -----be in a position to reply.

**An Ceann Comhairle:** Please.

**Deputy Aodhán Ó Ríordáin:** A Cheann Comhairle-----

**An Ceann Comhairle:** No. Deputy Ó Ríordáin, please.

*(Interruptions).*

**An Ceann Comhairle:** Please, Deputy Ó Ríordáin.

**Deputy Aodhán Ó Ríordáin:** I have no problem with the Minister adding something constructive-----

**An Ceann Comhairle:** Please, you have made your point.

*(Interruptions).*

**An Ceann Comhairle:** Please do not be disruptive.

**Deputy Norma Foley:** I asked for ten seconds to reply. I do not have sufficient time to reply in full because the clock will not allow me, but I want to make one point. The Deputy quite correctly asserted that I have encouraged people to pick sides and that I have picked sides. I make no apology. I picked the side and will continue to pick the side of children with additional needs. They are my first priority. The Deputy made an assertion and I have clarified the matter.

*(Interruptions).*

**An Ceann Comhairle:** Deputies. The public, and in particular the parents as well as the staff who work with children with special needs, are watching this debate. I think they would want us to conduct it in an orderly and constructive manner.

I call the Minister of State, Deputy Madigan.

**Minister of State at the Department of Education (Deputy Josepha Madigan):** I welcome the opportunity to address the House. It is important to acknowledge the challenges faced by young people with special educational needs, SEN, and their families at this time, as well as the staff who support them. These students have been at the heart of our commitment to ensuring that in-person special education could continue in some form during the current restrictions for those who need it. We know that distance learning does not work for all, as is shown by international evidence. We also know that previous school closures impacted many young people with special educational needs, causing regression and the loss of key skills.

Recent weeks have seen consistent engagement, as the Minister noted, with education partners including teachers and SNA unions. Furthermore, intensive engagement continued following the initial pause requested by stakeholders. This built on the significant collaboration that has taken place with stakeholders throughout this pandemic, including weekly meetings involving education stakeholders. Through discussions with primary and special education stakeholders, it had been hoped that a shared objective to support children with SEN in returning to in-school learning could be reached.

The Department has listened closely to the issues raised by trade unions and school management bodies. These included requests for clear messaging on public health guidance to be given directly to their members by public health specialists and temporary arrangements during the current phase of reopening for high-risk staff and those experiencing childcare difficulties. In response, the Department set out a proposal for how it would address these concerns, including greater work flexibility and distance working for high-risk and pregnant teachers and SNAs. These temporary arrangements were possible only due to the significant reduction in the number of children on site under the proposed phased reopening.

A health-education webinar that had significant attendance by front-line education staff was hosted by the Department at the request of unions and partners and was attended by the deputy chief medical officer, Dr. Ronan Glynn, and senior public health consultants, Dr. Abigail Collins and Dr. Kevin Kelleher. The purpose of this webinar was to provide clarity on the prevailing health advice and answer questions from the participants. It was reaffirmed clearly that schools with risk-mitigation measures in place provide a safe environment for staff and students. While the general advice is that people should stay at home, this does not apply to workers providing an essential service for priority groups such as special needs children. Teachers and SNAs are essential workers.

At all stages the Department worked to provide assurances where they were sought. We provided guidance on how special schools can operate at 50% capacity to offer these students a return to learning, knowing that the vast majority of these students cannot engage with remote learning. We provided guidance and flexibility in respect of staff members who are at high risk of Covid-19 to ensure their safety. We put in place flexibility for schools to manage this situation and to return to in-person learning over the coming days, to organise and manage their staffing in this context. This was part of an effort to support in-school provision for just over 18,000 children with SEN, who constitute just 4% of those who would attend during a full reopening.

Many schools in the North and Britain are providing in-person teaching to children with special educational needs and it is very regrettable that a similar outcome cannot be achieved here. All parties have signalled a willingness to continue discussions. We acknowledge there are concerns but it is also important to listen to the public health advice and what the doctors are telling us. In the interim, as I highlighted last week, it is vital that education for students with SEN is supported as much as possible. This includes those students with additional needs in mainstream classes throughout the State. Their needs must also be acknowledged and supported at this time.

I want to restate some of the new additional supports and to offer assurances of what will remain in place as discussions continue. It is important to reiterate, however, that no plan B will ever be as effective as in-school, in-person education for students with additional needs. This is ultimately what we want to return to. The Department's Covid-19 guidance to schools

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is focused on maintaining the continuity of teaching and learning for students able to engage with online learning. These documents were first issued to schools in spring 2020 and were subsequently updated and agreed to with stakeholders later last year to reflect the experience and feedback of staff and students.

The guidance we issued two weeks ago incorporates these updates, which have been brought together into one dedicated guidance document for schools and families supporting students with additional needs. Some of the themes in the documents include the role of schools and teachers in engaging with pupils with SEN, teachers and school leaders working to support pupils with SEN, keeping in touch with parents and guardians, keeping pupils with SEN safe in the distance learning environment, and resources for teachers. The guidance also provides information on the role of class teachers, special education teachers and SNAs.

For special classes at primary level, the guidance makes clear that class teachers should phone parents three times per week and have daily phone engagement with pupils, while SNAs should have twice-daily engagement with parents to support them in developing and maintaining the child's schedule. For special classes at post-primary level, the guidance sets out that the SEN co-ordinators should be in daily contact with special class students in order that programmes of work, individual timetables and structures are planned collaboratively with parents. For students with SEN in mainstream classes, guidance indicates that at primary level the special education teacher should be the nominated school liaison who will engage with the parents by phone twice per week. Currently, more than 13,550 special education teachers are allocated to mainstream schools, supporting the additional learning needs of pupils. The teacher should also have prepared an at-home support plan and every Friday will host a familiar social skills board game using online technology. This support is in addition to the support of the mainstream class teacher, who provides for all pupils in his or her class.

At post-primary level, the subject teacher will continue to have overall responsibility for differentiating tasks to match the learning needs of students with SEN. The output will be reviewed and regular feedback provided to parents at agreed times. SEN co-ordinators will also have regular communication and engagement with students on their caseload. SNAs will also engage with parents and students as a liaison between home and school as well as supporting the delivery of the education to the students. Class teachers will also work with SEN co-ordinators and the pastoral care teams to support an integrated whole-school approach to students with SEN. Details of support and advice for schools regarding the delivery of distance learning is available through the Department's support services and agencies, including for those pupils with special educational needs. Schools that have established their first autism spectrum disorder, ASD, special class were assigned a link adviser during the four-day training course in September and October of last year. These advisers remained assigned to these classes and are available to offer support and advice to the special class teacher. The National Council for Special Education, NCSE, is also providing support to parents and teachers through dedicated helplines. These phone lines are operated daily and offer advice and contact with local special educational needs organisers, SENO. The NCSE has also developed a suite of short videos for teachers and still has its visiting teacher service. The Department's inspectorate is also resolved to engage closely with schools that cater for students with additional needs to ensure the full supports are being provided effectively.

I understand the frustration and fears of parents and families with children with additional needs currently. They want their children to be in school with their teachers, SNAs and friends. At school, they will be in a regular routine and be happier and healthier in a holistic way.

Therefore, the Government's commitment to this area has been clear from the start. We had the summer provision programme last year that was available for up to 24,000 students with SEN, which included those with Down's syndrome in post-primary school and preschool for the first time. Following this, we had a dedicated financial package of almost €0.5 billion to assist the schools to get back.

I will conclude by assuring the House that every effort is being made, as the Minister, Deputy Foley said, to resolve matters in a collaborative way so children can return to school soon and as safely as possible. We are committed to doing whatever it takes to support students with additional needs at this time.

**Deputy Pearse Doherty:** I understand this is a questions and answers session so I will make a couple of comments. There is no doubt this is a difficult time for the school community, including in my county of Donegal. A school community is made up of teachers, teaching assistants, ancillary staff, children and their families. Everyone in that community has one objective and that is to have our children back at school. The welfare of our children is crucial. Tá an aidhm chéanna ag achan duine. Tá an sprioc chéanna ag pobal na scoile, is í sin leas na bpáistí a chur chun tosaigh. Tá pobal na scoile i dTír Chonaill ag fulaingt. Tá fearg orthu agus tá pian i measc an phobail sin.

The school community in my constituency is hurting. I regret comments made by the Minister that sought to pit the community against itself. That is no way to serve the school community. It is clear the Government has failed to make the contingencies for reopening schools and in the case of the lockdown after Christmas, what the school community in County Donegal and elsewhere need is a change of approach from Government. What is the Government going to do? What change of steps will the Government take? After the talks collapsed or broke down, its reaction was completely and utterly inappropriate and disappointing and it flamed the fires. What steps did the Minister take yesterday? What steps will she take in the coming days to reopen special education?

What steps has the Minister taken to respond to the real concerns by staff and SNAs, such as the flexibility for high-risk staff, serial testing and the reversal of the 40% cut in the grant for personal protective equipment, PPE, and sanitisation products?

**Deputy Norma Foley:** The Deputy should be under no illusions that at every stage and every step I, the Minister of State, Deputy Madigan, and the Department have taken a collaborative approach. When talks have not worked out, I have always committed to re-engagement at the earliest of opportunities and that is exactly what is happening at present.

The issues raised by the Deputy are similar to those raised by his colleague, to which I already replied. There is no such thing as a 40% cut in PPE. It seems to be an issue that despite the clarifications and clear information that has been given, certain individuals continue to perpetuate that untruth. I will reiterate once again that the 40% we were talking about was for start-up costs in terms of the provision of PPE, which included roll-out costs of putting in hand sanitiser units, additional furniture that might be required in schools, signage and whatever else. Additional moneys were made available for that. Equally, additional moneys were made available because the first term was 25% longer than this present term. Therefore, when one takes all that into consideration there is absolutely no cut in the PPE funding. There was never a question of funding for PPE or otherwise. The Deputy will appreciate that more than €639 million has been expended. It is the highest budget of money for any remediation and

mitigation purposes in our schools and has been made available freely. There has never been a question of resources.

In terms of serial testing, I say quite clearly to the Deputy that we have followed the public health advice at every step of the way. Should the public health team request that, we will certainly do it. Every time it has asked for a new introduction of measures, we have done that.

The Deputy raised childcare and other issues in terms of his community. I know exactly how the communities are feeling. Communities want to see children with additional needs back in schools. As I said in my opening remarks, I appreciate this is a time of high anxiety for everyone. I come from a family that is heavily invested in the education sector and carries out a variety of different roles. I know exactly how they are feeling but I also know they are fully committed to making education available to children with additional needs. I will work constructively, as will the Minister of State, Deputy Madigan, to ensure that happens.

**Deputy Gary Gannon:** I agree with the Minister's last statement that this is a time of high anxiety for everybody. I would go further and say the anger in the air is palpable. One can hear it on the radio, on the airwaves, and in all the communication that is happening. One can feel it in the Chamber at the minute. It is the Government's responsibility now to attempt to de-escalate that and some of the commentary has not been helpful.

I particularly want to take issue with this idea that one must pick a side. I was disappointed when the Minister said she has chosen to pick a side and is on the side of those whose children are most vulnerable. In that binary, the Minister has given the impression there are those of us who are not on their side and, in particular, the side of those who are asking to be safe upon their return to the workplace. I am referring, in particular, to our SNA community. I assure the Minister that absolutely everybody, and I include her and the Government, the Opposition and all stakeholders, want to ensure the safe return for children with special education needs into our education sector. We need to find a way of doing that collaboratively. I have been angry because of the vilification of people in our education sector who I know devote every hour of their professional lives to ensuring those in their charge are provided with the absolute best care. The commentary that has emerged over the past week has suggested otherwise and I believe we need to confront that.

To me, those in the SNA community are the absolute champions of our education sector. They are, and have continuously, been undervalued for so long. The starting salary for an SNA is just over €24,000. They provide close care to those with special education needs and do it as a vocation. They are the first port of call in the morning where the child will receive a smile. The job is immensely tough and the remuneration is not nearly commensurate with the responsibility, and still they go to school every day with a smile. They are not the enemy here; far from it. It was the SNA community who stood up during the first lockdown and were redeployed to the HSE so they could provide care for children with special education needs. They were the ones who were not given adequate PPE until very recently. They had to call for appropriate face masks so they could provide that care in a way that would keep them and their families safe. All they are asking is that they can be safe and listened to.

I firmly believe we need to de-escalate tensions now. I fully accept my own responsibility in terms of some of my engagements and casting blame, and even being vocal in how disappointed I was with some of the behaviour and communications that have emanated from the Minister's Department. However, now is the time for de-escalation and to get around the table

and listen. That is absolutely essential. In all the communications we have had, there has been an absence of empathy and a willingness to listen. The Minister talks about the presentations that happened with over 16,000 educators. That was a presentation. The Minister also talks about her engagements with the stakeholders. That consisted of Zoom calls in which the Department basically gave out a rant for about 50 minutes and had four or five minutes for questions. We need to listen. When one listens, one hears of genuine fear.

Parents and guardians have a responsibility to their children, trade unions have a responsibility to their workers and workers have a responsibility to their families. The Minister represents the State and she has a responsibility to all citizens. In her engagement, it is imperative that she listens. When we listen, we will hear of fear, anxiety and of a genuine willingness to be collaborative, to go back into the workplace and to provide care for those for whom these workers have always cared.

We need to listen, first and foremost. When we listen, we can find a pathway to solutions. That has to be the essence of what we do here because at the moment it is too hostile. When we are angry, we make mistakes. We make mistakes in our rhetoric, as demonstrated by the Minister of State over the last week, and we make mistakes in inflaming tensions, as we have done since Christmas. We also make mistakes that will impact the lives, livelihoods and experiences of those about whom we all care; namely, children who are at risk of regression. Let us de-escalate the tensions, therefore.

There are those we need to consider most in our engagements. We want these children to return to school. In the brief period I have left, I want to acknowledge another cohort who have been crying out to be listened to - the leaving certificate students. Yesterday, the Irish Second-Level Students' Union carried out a survey of its members and 81% of them agreed that they should not do the traditional leaving certificate because they simply cannot do so. They have not had the traditional leaving certificate experience so they should not sit the traditional leaving certificate exam. That decision has to be made quickly because it leads to immense anxiety for young people who simply cannot deal with that at the minute. It is impacting on their mental health. If we approach it with empathy we would decide to cancel the leaving certificate now and come up with a workable solution.

**Deputy Pádraig O'Sullivan:** As I was preparing my few notes for this debate, I had hoped it would be constructive and positive. I mention all those adjectives we are used to hearing from some Members in the House. I have to reference Deputy Ó Ríordáin's contribution in particular. He came in here professing that he wanted to de-escalate the situation, to be constructive and to use all of those positive connotations. He then launched into a five-minute tirade of abuse against the Minister. He cast aspersions on the Minister of State as well before he decided he would up sticks and leave the debate and the room. That hypocrisy needs to be flagged and the people who might be watching this on television at home can see that for what it is. He did not even give the Minister of State the opportunity to respond to the aspersions he cast against her and that hypocrisy needs to be called out. I would welcome Deputy Gannon's contribution, which was much more measured and constructive.

I commend the Minister and the Minister of State for the attempts they have made. It has not been easy and it is obvious that there have been difficulties but the best way to resolve those difficulties is through engagement and debate. By my nature I am a schoolteacher. I have many friends, family members and relatives who are in the education field, just as the Minister does. People are concerned and there is a heightened level of anxiety for obvious reasons. It

is the middle of a pandemic. That said, we have to do the right thing here, which is to get back to the table, as the Minister and the Minister of State have done today, and to engage in positive discussions with the various trade unions. It is incumbent on all of us, on all sides of the House, to comment responsibly and maturely in this debate because as others have mentioned, any negative contributions are likely to heighten, inflame and escalate the difficulties we are having, rather than resolve them. We need a bit of calm and Members need to be measured in their contributions. That would be appreciated by all sides.

I have a number of questions for the Minister of State on special education. Has any consideration been given to local arrangements being made in the interim in situations in which schools, employees or education providers would like to assist the family of a special education student in getting additional help? Would allowances be considered for this type of an arrangement if it was agreeable to all parties at a local level?

**Deputy Josepha Madigan:** I thank the Deputy for his question and for his non-adversarial and constructive approach, which is important. Whatever has happened in the past, we must move forward in a constructive way.

The National Council for Special Education, NCSE, does a great deal of work on the ground with children with special needs. It has its SENOs, who are a close liaison with schools and families. That is probably the best way to implement a local approach. I would suggest that if the Deputy has a particular family in mind, they should get in contact with a SENO in the NCSE. The NCSE will appoint someone if it does not have one already. That is probably the best way because this is what happens in the community and they are the people on the ground. There are other interim supports that we are providing such as online supports. As I said in my earlier contribution, any type of distance learning is not adequate and is suboptimal for children with special needs. We still want to have them attend in person in an in-school environment because that is the best way to teach them. It can be difficult for families to manage to give that teaching without an SNA who is present in the home environment. That is probably the best way to deal with that issue.

**Deputy Pádraig O'Sullivan:** My second query is on school transport because I am aware that it has informed some of the negotiations with the trade unions in recent weeks. I still have concerns on school transport and I can highlight one specific case in my constituency in which three schools are together on one campus and different groups of students attending those three schools are all mixing and congregating on the one bus. I would hope that clarity could be given to Bus Éireann in that particular case that this practice cannot be allowed to continue. Where it is highlighted, it needs to stop. How will we get school transport back up and running when the schools resume?

My third query is on a special needs school in Cork. I am grateful to the Minister of State for acknowledging that there is a need for a new special education school in Cork. I understand that investigations have been conducted by one education provider into Montenotte House in Cork North-Central, where we have a long waiting list for children to attend a special education school. Is the Minister of State aware of any update in that regard? I am fully conscious that we are talking about the need for special education students to return to school in the coming weeks but there are 67 children in Cork city and county in the greater Cork city area who will have no school to go to in September.

**An Ceann Comhairle:** That sounds like a good Topical Issue matter.

**Deputy Josepha Madigan:** The Deputy and I have discussed this particular dearth of special education provision in Cork on previous occasions and I can get him a written reply to his query. In Cork, we are planning a considerable amount of work this year because Cork is one of the areas that is most affected by a lack of special class and school places. As the Deputy knows, there is a mechanism under section 37A of the Education Act 1998, which I can consider for these areas. I am reluctant to do so, however, because again, when we are talking about collaboration we always try to collaborate with the schools themselves in providing places, particularly if there is an existing school. I am aware of the issue in Montenotte and as I said, I will give the Deputy a written reply on that.

On the Deputy's query about transport, infection control measures will need to be put in place for transport when it resumes. Children with special education needs do not necessarily have to wear face masks if they are uncomfortable doing so. Adequate PPE is provided for the bus escorts on school transport, however. There is social distancing on a school bus as well. That is another benefit of having just special education as a priority when we are talking about bringing special education students back into schools. There is no congregating of parents or anything like that, therefore. We are talking about 4% of the education system in its entirety. It is only about 18,500 children. There is none of this fear of parents congregating outside the school because many of these children, as the Deputy correctly points out, would be availing of school transport. Obviously, we have to ensure that the buses are clean, that they are sanitised adequately, that the bus escorts have their medical-grade masks and indeed the bus drivers wear their masks and that these are worn even when they are waiting for the bus. Something that we have always been vigilant about in the Department is that they are always checked to ensure that they are not substandard and that they provide a safe environment for these children where they are travelling to or from their education setting.

**Deputy Louise O'Reilly:** It seems the Minister has conveniently forgotten that it was by agreement with the teachers unions and the special needs assistant, SNA, unions that the schools were able to reopen and stayed open for 80 days. The Minister was quick to take all of the credit for reopening schools but when her failure to engage and her inability to listen and respond to the genuine concerns of those working in the schools meant that school reopening had to be postponed, she tried nice and quickly to shift the blame onto teachers and workers in the education system. It is shameful that the Minister tried to scapegoat those workers in the way that she did because it was the Minister and the Department that had let them down.

The Minister is asking teachers and all of those who work in schools to go into work with people who are in the main unmasked. They have done it previously and they continued to do it as case numbers were rising. They want to know is it safe to do it now. There is no comparison between workers in retail - I have heard people try to make this comparison - where mask-wearing can be enforced and those who are working in schools. While I am on the subject, there is no comparison between people who work in schools and those who ran Magdalen laundries and mother and baby institutions and to draw that comparison was both offensive and hurtful to teachers who had been in touch with me and to SNAs, school secretaries and others who work there. I encourage the Minister to have a word with her junior Minister and remind her that language is important and that she should be more careful when choosing her words in future.

Teachers and SNAs say they want to get back to work - that is what they are telling me and everybody else - but they want to do it as soon and as safely as possible. They want to know that their workplaces are safe. They want to hear that a detailed, up-to-date risk assessment has been carried out and they would like to think that the Minister is listening to them.

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I want to say a word about my own sister. She is a principal of a delivering equality of opportunity in schools, DEIS, school here in Dublin. I have watched her work day in, day out from early in the morning until late at night. She has gone way over and above, as have all of the people working with her. All of the education partners, as the Minister refers to them, have gone over and above because they want the schools to be open. They want the children to be able to come to school but they want to know that it is safe because at the end of the day they have to go home to their families.

I have a few questions. The Minister's attempt to blame education workers is demoralising. Will she stop? The Minister's attempt to pit workers against parents will not work and it is causing further distress and upset to both parents and workers. Will the Minister stop and think? They want to know what the National Public Health Emergency Team, NPHE, is saying today about our schools and the impact of reopening on our overstretched hospital system. They want the Minister to stop merely saying that schools are safe and focus on making schools safe in the current climate with high case numbers. They want to know that those workers who provide not only learning, but in some cases intimate care, to learners who cannot be masked will be vaccinated. When will that happen? They want to hear that children with special education needs will be prioritised and that they will not be held back until the reopening of all of education. I would like the Minister in the few seconds that remain to answer that question my colleague asked her and she did not answer. Could the Minister answer it now?

**An Ceann Comhairle:** With the greatest respect to everyone, we know how the system works. It is not reasonable to put four questions to the Minister and ask her to answer in four seconds. I do not know how we can do that.

**Deputy Louise O'Reilly:** I have asked the Minister to prioritise one question, if the Ceann Comhairle gives her a few seconds. The Ceann Comhairle gave her a few seconds previously.

**An Ceann Comhairle:** Fair enough.

**Deputy Norma Foley:** I need the few seconds that I have. I note the Deputy expended her use on the clock quite well so as not to afford me the opportunity to answer in detail.

**Deputy Louise O'Reilly:** I had three and a half minutes.

**Deputy Norma Foley:** I have the floor now. The Deputy has made an assertion that I do not listen and that I have taken credit for the reopening of schools. If the Deputy was assiduously listening, and if the Deputy had this particular interest in schools and what was happening in schools from September right up to December, she would know that at every opportunity in this House and outside I have said quite clearly that the successful and sustained reopening of our schools was due largely, in huge measure, to the magnificent and generous work of school communities the length and breadth of this country. I have never deviated from that view.

On the work of teachers and SNAs, I have worked for long and many years in the education sector alongside SNAs. I regard them as valuable and valued partners in the education sector. I see at first hand what they have done. That is why I appreciate the collective approach. Indeed, as I said, I recognise that when things do not work out it is necessary to engage and re-engage repeatedly. That has always been my process and I do it now.

**An Ceann Comhairle:** I thank the Minister.

**Deputy Norma Foley:** On the questions that the Deputy has raised, I have answered every one of them that has been put by the Deputy's colleague. Indeed, it is interesting that the Deputy repeats the questions and does not seem to grasp the answers.

**An Ceann Comhairle:** Deputy Bríd Smith is sharing with Deputy Barry.

**Deputy Bríd Smith:** The Minister acknowledged that the absence of special needs education negatively impacts on the children and on their families. We have witnessed that in the desperate need for additional supports for children and their families evident on the media over the past few days but it is a joke to dump it all on the teachers and the special needs assistants.

All of us, every single Deputy in this House, if he or she is honest with himself or herself, will say that a large chunk of his or her time is spent advocating for children with special needs. The Ombudsman recently said that only 10% of assessments of need are fulfilled for children with intellectual disabilities within the legally stated time limit. Parents come to us all the time for help. For example, Linda in Tallaght is waiting seven years for her child with speech and language therapy needs to be seen by a speech and language therapist. Amy, a care worker in a care home, had to give up her job because there was no transport for her son to his allocated training every day. Angela waited 12 years for her house to be adapted for the wheelchair needs of her daughter. The litany of failures of this and other Governments is despicable. They have failed on dental, on optical, on hearing and on every single need for children in this society. Special children have been utterly neglected at every level but we are dumping on the teachers.

I refer to a poignant tweet from one of these very put-upon parents of a special needs child. She states that teachers are not to blame and that they are being asked to risk their health for the children and their education when what the children really need is consistent occupational, physio and speech therapy and access to psychological services and respite. She states that parents such as herself have come to rely on schools to make up for the failure of wider society to provide for their children in health and welfare. She asks that we not let them shift the blame to teachers and special needs assistants, that parents such as herself have been fighting for these services in the courts for years and that this is not a new problem. That is an important statement. In light of the answers we got on the lack of special care for our special children, it makes a show of this Government.

**Deputy Mick Barry:** The Minister states that she wants a traditional leaving certificate. To hell with the Minister's tradition. Tradition is not more important than health. Tradition is not more important than mental health. Tradition does not take into account the fact that these students have experienced serious disruption to their course, not once but twice.

**An Ceann Comhairle:** While it is a hugely important issue, this is not about the leaving certificate. This is about special education.

**Deputy Mick Barry:** It is a debate on education.

**An Ceann Comhairle:** No, it is a debate on special education. I have a leaving certificate student in my own home. I know how important the leaving certificate issue is but that is not what today's debate is about.

**Deputy Mick Barry:** There are special needs students doing the leaving certificate.

**An Ceann Comhairle:** If the Deputy wants to talk about that, that is fine.

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**Deputy Mick Barry:** What do the students want? Yesterday's Irish Second-Level Students' Union, ISSU poll of more than 20,000 students should give the Minister a fairly good idea. Four per cent want the Minister's traditional leaving certificate. Eighty-one per cent want a break with that model, as either a first or second choice for them is that they would have a choice between a watered-down leaving certificate and calculated grades.

*6 o'clock*

The Minister has not been listening. She has blocked students from making comments on her Instagram. She now needs to listen. Students are saying "No" to a forced leaving certificate. I would like to see the cancellation of the leaving certificate examinations with the cert given to all students and a college place offered to every student who wants one. At the very least, there must be no forced leaving certificate.

As for the Minister's idea of reopening schools for leaving certificate classes from 1 February, it is not a runner. Three quarters of students said they feel it is unsafe or very unsafe. Those students will go back to school when they are convinced that it is safe. They will not want to go back on Monday week.

Does the Minister realise that she will run into a wall of student opposition if she tries to force this issue and force students to go back to school on Monday week?

**Deputy Norma Foley:** It is interesting that Deputy Brid Smith referred to issues that she claimed have been ongoing for ten and 12 years. I remind the Deputy that this Government has been in place for six months. Within that six months with regard to the commitment and the determination to progress special education, we have a budget in excess of €2 billion. The largest and most significant budget ever for special education has been provided by this Government. That is a strong statement of intent on the importance that we place on special education. I hope when the Deputy speaks that she is cognisant of that. I also hope she would be cognisant that, even in these current difficult circumstances for everybody, particular consideration is being given to providing educational services for children with additional needs. That again is testament to the determination of the Government to cater for the needs of children with additional needs and all those who fall into the special education sector.

Although this is a debate on special education, Deputy Barry raised specific issues around the leaving certificate. I want to be very clear. Since 27 June, all of my negotiations and engagements have been with the representative bodies, including the student representative body. At every stakeholder engagement that I have had and every conversation about students, I have always and consistently listened and engaged with the president of the students union. I will continue to do that. Tomorrow the students are making a presentation at the advisory committee. The Deputy should be under no illusion. I have worked long years in the education sector, particularly with senior students at leaving certificate level. They are a priority. I value them and I respect them to the extent that I always engage with their representative body.

**Deputy Éamon Ó Cuív:** I am sharing my time with Deputy Kieran O'Donnell. Bhí áthas orm a chloisteáil go ndúirt an tAire sa rún inniu go gcuirfeadh cibé PPE a theastaíonn ar fáil. Tabharfaidh sé sin faoiseamh intinne do go leor daoine. Chomh maith leis sin, tá páirt ag chuide dhuine sa tír cuidiú le gasúir agus a muintir dul ar ais ar scoil agus aire a thabhairt nach muid a scaipeann an galar seo agus líon na n-uimhreacha a laghdú.

I really believe in debates in the Dáil and thrashing matters out. This is a case, however,

where we would actually be better employed if everybody, as they say in the European jargon, was in the tunnel and keeping away from the media. It would be better if all the players - the teachers, parents and the Department - kept the one thing in mind, namely, that there are hugely deserving and vulnerable children who need school. Our total focus has to be on the one issue. How do we safely and by agreement get education for those in special schools and in special classes in particular?

I have been on to the Minister several times on behalf of children in Galway with a significant focus on those who are most vulnerable, most dependent and who require to be in school because distance learning is totally irrelevant to them. My plea would be for all the parties to go into the tunnel and see how this can be worked out in the interest of those probably least well able to speak for themselves, namely, the children. If we could achieve that, we would have done a great day's work for these vulnerable children.

This is not a time to apportion blame. We are, as they say in the jargon, where we are. The measure of us will be how we go forward from here and how we all co-operate to get from here to where we all profess we want to go. We should leave the arguments to another day of what happened or how we got to where we are. I trust in the bona fides of everybody. I hope everyone will go into the tunnel and we will resolve this urgent issue for very special people.

**Deputy Kieran O'Donnell:** It is probably not often that I would admit I have little to say as Deputy Ó Cuív encapsulated exactly my views on this matter. If everything is stripped away, the issues involved are about public health for both the staff and students with special needs and education for people with special needs. I know parents and students with special needs in Limerick. What they have gone through with the lockdown has been horrendous. No group has suffered more.

We need to speak about going into the tunnel with one sole objective, namely, what can be done to put in place proper public health procedures for the teachers and the students to get special needs schools reopened immediately. What is the process that the Minister can adopt to ensure the matter is discussed in a quiet fashion with the media not involved? The media has a role to play but this matter is so serious that it requires, as Deputy Ó Cuív said, a tunnel. Will the Minister give us an update as to where discussions are at and what the process will be? Who will be involved? NPHE will have to be involved directly to give assurance around public health. Clearly, the unions, along with the parents' and students' advocates, the Minister and the Minister of State, Deputy Madigan, should be involved in finding this resolution. Will the Minister give us an update as to when she will be going into the tunnel to resolve these issues in order that students with special needs can get back to school?

**Deputy Norma Foley:** Ar an gcéad dul síos, gabhaim buíochas don Teachta Ó Cuív as an méid atá ráite aige. I thank Deputy Ó Cuív for his considerate, insightful and, indeed, measured contribution. I believe the Deputy is 100% correct, and it has been articulated by Deputy O'Donnell, that there is only one agenda here and it is to find a way forward for all of our children, in this instance children with additional needs in particular. I absolutely believe there is a shared objective, and I say this with the greatest of respect to all of the Deputies here. I believe it is their shared objective also as, indeed, I believe it is the shared objective of the partners in education, and I include all of the voices that have been mentioned, including the teacher unions, the unions representing special needs assistants, the managerial bodies and everyone as a collective. The Deputy asked what exactly we are going to do now. What we are doing is maintaining the fact that priority must be given to children with additional needs. The Deputy

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referred to public health and absolutely everything in the best interests of everyone who is part of the school community, including those who are working in the school community and the children themselves, has always been underpinned by public health advice. The Department of Education and I have never deviated from public health advice. We will not deviate from public health advice now and whatever we are asked to do in terms of public health advice in the best interests of everybody who works in the education sector and the children we will do. Once again, we are in discussion with everyone concerned and we will continue to discuss, engage and encourage, all of us working collectively to find suitable resolution. I know we are all committed to doing that.

**Deputy Chris Andrews:** Parents of children with additional needs are battling for rights every day. The current setback is nothing new for them. One example of the ongoing battle that children with additional needs have is the 37A process for autism spectrum disorder, ASD, classes in south Dublin, which was set in train by the former Minister, Deputy McHugh, and has now finished. Following the closure of the 37A process for ASD classes no classes were established in Dublin 4 or Dublin 6 as a result of the process. Considering the enormous impact this is having on families in Ringsend, Milltown, Ranelagh and throughout Dublin 4 and Dublin 6, there is an urgent need for a specific 37A process for Dublin 4 and Dublin 6. The absence of ASD classes is unacceptable. We now have a situation where there are no ASD classes in Dublin 4 or Dublin 6 after the 37A process. We know what has to be done and the Minister needs to do it. Action and resources are needed.

I have spoken to many schools in Dublin 4 and Dublin 6 and they are willing to set up ASD classes but what they do not want, and what the parents of children with autism do not want, is an autism class wedged into a school that looks like an afterthought. Properly constructed and resourced classes need to be installed and the funding needs to be invested in our children as a matter of urgency. This needs to be done so classes meet the needs of children with autism and are not just box-ticking exercises. It seems when it comes to children with autism and their education that any place will do. This cannot be allowed any more. ASD classes in Dublin 4 and Dublin 6 need to be resourced and open as a matter of urgency.

The Minister speaks regularly about inclusion but, unfortunately, the reality is very different. Last year, the Government spent more than €100 million transporting special needs children out of their communities when they should be in their local schools. There are no official figures for the number of children who are not receiving the education they require. The Department and the National Council for Special Education, NCSE, have no idea how many children in Ringsend, Sandymount, Ranelagh and throughout Dublin 4 and Dublin 6 need special education and this is absolutely bonkers.

We would not let a new school or extension be built without a wheelchair ramp and disabled access being installed. Why are schools being built that do not have ASD classes? How can we have extensions to schools but no additional ASD classes? I know the Minister has given commitments to change this but, like many families of children with additional needs, I will not believe any commitment until I see it delivered. What we have now is educational apartheid and we must change this urgently. By any statistical measure this has never been truer than it is in Dublin 4 and Dublin 6. Will the Minister initiate a 37A process specifically for Dublin 4 and Dublin 6 as a matter of urgency?

**Deputy Josepha Madigan:** I thank Deputy Andrews for his query. We issued 39 notices to various schools under section 37A of the Education Act because it is important where there

is a dearth of places in a particular area, and I am aware of the issues in Dublin 4 and Dublin 6. With regard to these 39 schools, two notices were issued and we are now in the process of looking through the submissions. On-site inspections take place regularly to collaborate with the schools and see whether we can expand an existing school. One of the very first things I managed to secure as the first dedicated Minister of State with responsibility for special education and inclusion was a commitment from the building unit in the Department that every new school built from here on in will automatically provide ASD units and special class places. We do not want to have this situation on a perennial basis. The NCSE is developing a five-year forecasting model to ensure we have the data about which the Deputy spoke so we can establish where there is a lack of places.

**Deputy Verona Murphy:** I am slightly lost for words, which the Ceann Comhairle knows is not my style. I have heard it all and everybody has heard it. I do not believe for a minute that either the Minister or Minister of State has turned a deaf ear or do not feel what is being said or have not done their best. Equally, I do not believe our schoolteachers or special needs assistants have done so. I have never dealt with the teachers' unions but I do not believe they are there for any reason other than to come to a proper solution that sees our most vulnerable children back where they should be.

There is a huge burden on everybody here because there is not a simple solution. I have had representations from all sides. I have not heard one teacher who does not want to go back to work. I have not heard one special needs assistant who does not want to go back to work. Certainly they have issues and they range from childcare to safety concerns to vulnerable family members about whom they are concerned. In the same way, I have heard parents who just cannot cope without having some form of respite, even in the frame of education, for their children. I have heard other parents who are worried sick that if the service is open they would be bad parents to send the children back with the fear of Covid.

The reality of the situation is that it is very difficult and the one common denominator is that everybody is scared, including me. I am scared that if the wrong decision is made it will have the knock-on effect of an outbreak among the most vulnerable. I share the same concern as the teachers and the special needs assistants. I have to put my faith in all concerned who are trying to put this together, that they will make the decision for the right reasons and not so it will be politicised as something the Government got right or that the INTO would use it for its own expedience as the main teachers' union. I am certainly not here to politicise it.

I am here to offer my support. If there is anything I can do I will do it. At present, all I can do is keep parents and special needs assistants informed as to how things are going. I have passed all of the communications I have had to the Department and the Minister. I have to say at this point that I have never had anything but proper communication from the Department of Education. These have been with regard to other matters. On this I do not expect a response to every email because there have been hundreds but I expect that every email which has voiced a different level of concern has been taken on board. We can hear it here today.

Every Deputy understands what the issues are. I concur mainly with those who say that perhaps the solution is to go into a tunnel, with all sides staying away from the media. This is not about who wins. This is about getting it right. There may be solutions whereby we can do antigen testing. There is affordable antigen testing. That may be one solution. There may be a solution whereby we need to take the special needs assistants and teachers up the list for the vaccine. It is all very difficult.

It is even more difficult when, every day, we have our daily reports from NPHET and, as general members of the population not in the sphere of teachers, SNAs or special needs children, all we hear is to stay home and that this is highly contagious. Then, for this cohort of people, we are all to accept readily that our schools are safe. I accept it when the Minister says that the medical advice is that the schools, while not risk-free, are safer. What is wrong here is that there is an element of confusion for people. How, on the one hand, can we be told to stay home and that this is highly contagious and, on the other, it is acceptable to bring our most vulnerable cohort of people into one setting? This is not something I believe is the fault of a 40% reduction in PPE. I have had no representations on that matter. Where anybody has come to me for PPE, it has been resolved and by no means has it been about money. However, I believe there are certain settings that are not suitable for social distancing. The very nature of what is entertained here is absolute physical contact between those with special needs and those providing the care and the services.

I will not drag on. Although I have five minutes left and I had prepared a question on the leaving certificate, there will be another day. However, I will say that if my services are required as a politician, I am there to offer any help I can. All that I can do for my constituents at this time is support them when they call me, answer their messages and emails and wait for the process to conclude successfully.

**Deputy Norma Foley:** I thank the Deputy. I acknowledge her very positive and constructive contribution this evening and, indeed, her positive and ongoing positive contribution to every debate on the education sector. I would say, given that the Deputy referred to the concern among teachers, SNAs and others working in the school community, that I know those concerns. I engage on an ongoing basis with the representatives of all of the people of whom we speak, but I also engage on a personal level with teachers, SNAs, school secretaries and caretakers - you name it. This is the community where I come from. These are the people I know.

I know, when the Deputy says there is not a teacher or an SNA who does not want to go back to work, that this is 100% correct. I also know we are living in a society with heightened concerns. However, I want to assure them that, as I have said from the outset, I will always follow the public health advice. I have followed it, as have the Department of Education and the Minister of State, Deputy Madigan, since September right through to December. I am following that now as they have told us that schools are controlled environments and that they have confidence we can provide for children with additional needs in these settings. We are talking about 18,000 students out of a population of 1 million and many classes have just six pupils. I follow the public health advice. I have the interests of all within the education sector at heart.

**An Ceann Comhairle:** Deputy Michael Collins is sharing time with Deputy Mattie McGrath.

**Deputy Michael Collins:** With regard to special needs, it is a very difficult time for everybody and I respect that and I am not going to add to that difficulty. On the question of going back to school, up to now it has kind of been the cart before the horse, or that is what people have been saying - announce the openings first and then have discussions afterwards. Doing it this way is causing a lot of false hope for special needs children and their parents. Unfortunately, that hope evaporates and it then becomes a matter of a certain criticism towards SNAs, which is not right either. Perhaps the discussions could take place first and, afterwards, there would be an announcement when everyone is in agreement. Deputy Ó Cuív mentioned something along those lines and I agree with him.

Last week, I raised with the Minister a question on the leaving certificate but I ran out of time before the Minister gave me the answer. The main message from students is to put a predictive grades system in place for the leaving certificate and, if the students are unhappy with this, to allow them the choice of sitting the leaving certificate. Does the Minister or her office have plans to do this and, if so, I would urge her to share them with all of the students.

I realise that many students do not have the Internet, and I was talking to a student over the weekend in Drimoleague who does not even have a mobile phone service. They are falling way behind through no fault of their own, which is a big difficulty.

When will we have the results from the leaving certificate that students sat in 2020? These students are waiting anxiously. One such student has been in contact with us today. Her family are recovering from Covid and it is just another stress to wait for the results. The Minister might be able to answer those questions.

**Deputy Norma Foley:** I thank the Deputy. To clarify the question of announcements first and discussions next, all discussions have taken place first and announcements have then been made, and they have been done collaboratively. When the Department has made announcements, similar announcements have been made by those who have been at the table also.

In terms of the results from the November 2020 exams, that will be in early February. Reference was made to the leaving certificate. The process is moving forward and there is another meeting of the advisory group. The contingencies that are already in place remain in place but further plans are being assessed.

**Deputy Mattie McGrath:** I am here, like everybody else, trying to help. I believe that for those with special difficulties in education, we must find the road map forward. Deputy Ó Cuív and others have suggested the Minister would go into a tunnel with the teaching bodies, the SNA representatives and the parents' representatives. I know of some traumatic situations for parents, as we all do. Their children need this special education. Special needs teachers and SNAs want to impart their expertise and their love and caring attitude towards these children with special needs, given such a loving relationship has been fostered. I salute the boards of management in many schools which set up the special rooms and brought teachers into them, as well as the contribution of the community. It has been working great.

We need to focus and to go into that tunnel, but there must be light at the end of the tunnel. This will be our third attempt so we cannot have any more false dawns for the parents and families of special education children. They need certainty and routine. The routine was part of the relief when they went from the home and were collected by the bus driver or taxi driver. We must also bring them into the discussions. We cannot expect buses just to be there and to be turned on and off like a tap. It is a loving relationship and a very special relationship but we need to foster it and we need that done delicately and sensitively.

There are some parties of the left that want to hijack this to forward their own position. That is utterly wrong. All together, we must try to sort this out, get it right in the next week or two and give those special children the services. We must allow the SNAs and those caring people who love doing their work to be able to be in a safe environment, with certainty and guaranteed safety of the children, the parents, the bus drivers and the communities. I appeal to the Minister to sit down with them and to do that. I commend her on her work to date and her attitude towards this. The Minister understands it and they understand it. It is a matter of getting someone

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in there. If it needs an outside person to organise that, somebody to bring people together, we must get that person, but we must move forward positively.

**Deputy Norma Foley:** I thank the Deputy and appreciate his positive contribution. He referred to all who work in the school community and he particularly referred to boards of management, which I also acknowledge personally. These are individuals who volunteer and generously give so much of their time. I acknowledge their contribution as well and that of the entire community, which the Deputy also referred to.

The Deputy referred to those who work in school transport. Again, I have always appreciated that it is very much the collective and the community in education. This is our priority. The Deputy mentioned moving forward with safety for all. That is exactly the view we are taking and we have always taken. It is safety for all in the education sector.

**An Ceann Comhairle:** Deputy Pringle is sharing time with Deputy Connolly.

**Deputy Thomas Pringle:** I am not going to beat around the bush. I think the Minister, Deputy Foley, and the Minister of State, Deputy Madigan, should resign. To say that the handling of the reopening of schools has been an omnishambles would be the understatement of the year. I suppose it is still January, but given how awful this Government is, I am sure there are more fiascos *en route*.

The Department's press release issued earlier this week beggars belief. The attempt to pit parents against teachers, SNAs and unions is reprehensible, especially when we hear the stress and distress that parents are under, particularly those who have children with additional needs. It is a blatant attempt to deflect from the fact that the Minister has done nothing since September to plan for this except to take advantage of the goodwill of all educational staff in facilitating the under-resourced return to school while repeating *ad nauseam* the fallacious mantra that schools are safe.

The Minister's statement began in an overly confrontational way when it stated that "a phased return for children with special educational needs to in-school learning on Thursday 21 January, will regrettably not be possible owing to a lack of co-operation by key staff unions in the primary sector". After blaming a lack of co-operation, the statement continued by saying there had been "unprecedented engagement with primary and special education stakeholders". The use of language such as "unprecedented engagement" about unions and service providers is quite disingenuous. The Minister is either engaging with stakeholders and looking for co-operation or she is not.

There is a bigger conversation here around students with additional needs. Teachers are not occupational therapists or speech and language therapists, they are educators. This is a larger system failure with supports, or lack thereof, in general for children with additional needs and their families or carers. The waiting lists for services are atrocious, the statutory timeframe for the HSE assessment of needs, which is supposed to be six months from referral, is constantly flouted and the process of the assessment of need has reportedly been changed by the HSE. What is the current state of the waiting lists within the National Educational Psychological Service, NEPS? NEPS has been mentioned in many Department press releases and statements up to the end of last year. In November there were reports that the Department created an additional 17 NEPS posts. Were these posts filled? What support is NEPS providing to schools and teachers now? How are assessments taking place during Covid and what reviews of the

service are taking place during this time?

*Gov.ie* has a section from NEPS on “Wellbeing advice and resources during COVID-19”. It contains PDF documents about “calming your child” and “managing stress and anxiety”. The information page seems to have been published on 27 August 2020 and updated on 20 January 2021. What co-operation is there between NEPS and the HSE?

An informative Twitter thread by Irwin Gill at the start of this week laid out what needs to be done on special needs. Has the Minister read this?

**Deputy Catherine Connolly:** Bhí an tAire ceart nuair a dúirt sí go mba chóir go mbeadh na scoileanna seo oscailte. Aontaím léi go huile is go hiomlán. Is mór an náire í, áfach, agus is scannal é go bhfuil na gasúir seo sáite i lár cogadh cumarsáide atá nimhneach idir an Aire Stáit agus an Aire agus na ceardchumann. Ní féidir glacadh leis sin.

I agree totally with the Minister when she said that these special schools should be open, I fully support her on that, but the manner in which this has been handled is shocking and unacceptable. From day one, children with special needs were never prioritised. She knows that because we were playing catch-up. NPHEP did not prioritise them and neither did the Department. I would fault the Government and NPHEP for not prioritising schools. Special schools should have been declared as an essential service. That did not happen, nor did it happen with nursing homes. The Minister has been playing catch-up. For example, the July provision was rolled out, and I welcome the Minister’s work on that, but parents are still waiting for payment six months later. They had no transport, they provided transport themselves, travelled great miles to get to the July provision and they are still waiting to be repaid.

To set these children, and we are only talking about 18,000, in the middle of a war between the Department and the unions that is absolutely poisonous is unacceptable. We need special schools to be declared as an essential service. We need to recognise the serious concerns of the teachers and special needs assistants in a manner conducive to a solution, not to furthering the stream of poison. The Minister will have my support if she does that. Let us declare special schools an essential service, let us see what steps are needed as a matter of urgency to roll out that educational service, and let us be honest about our utter failure to provide physiotherapy, psychological assistance, and occupational therapy, as has already been mentioned.

Scannal agus náire atá anseo agus ní mór dúinn dul i ngleic leis an bhfadhb agus leis an dúshlán seo le chéile agus réiteach a fháil chomh sciobtha agus is féidir linn.

**Deputy Norma Foley:** I thank the Ceann Comhairle and appreciate his indulgence. I again note that I was not given the facility to reply by the Deputies.

To Deputy Pringle, I say that after five months of school closures, from March to August, there was a view, shared by the Deputy and others, that it would not be possible to reopen the schools. In my Ministry, we delivered the reopening of schools after five months of closure. It was delivered because of considerable resources - €639 million - but also, largely and more importantly, and I recognise this and will consistently recognise it, because of the generous goodwill of school communities throughout the country. I knew it was right then to reopen the schools for the benefit of children with additional needs and all our children in education. It was the right thing to do then and it is the right thing to do now, in the midst of this wave of the pandemic, to ensure that children with additional needs are facilitated in the education sector. I will consistently work with all in the education sector to ensure that we deliver that. I am

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conscious of what is right. I know what is right and I will ensure that we will work collectively and consistently to deliver what is right.

I appreciate what Deputy Connolly said. I have spoken before about this Government's priorities. It, unlike many others, has provided a budget of €2 billion for the education of children with additional needs, giving it the importance it deserves and the priority it should and must deserve.

**An Ceann Comhairle:** I thank the Minister.

**Deputy Norma Foley:** There is no question around the intent of this Government to deliver for children with additional needs. We do that in a co-operative fashion with everyone in the education sector.

**An Ceann Comhairle:** Go raibh míle maith agat, a Aire.

**Deputy Catherine Connolly:** If I may make a quick point of order, I did not table a question. I am fully conscious of the rules and I chose to use my two and a half minutes just to make a statement, that is all. I am very conscious of the rules and I did not ask a question.

**An Ceann Comhairle:** I am very conscious of that.

*Written Answers are published on the Oireachtas website.*

The Dáil adjourned at 6.37 p.m. until 10 a.m. on Wednesday, 27 January 2021.