



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 31 Márta 2021

Wednesday, 31 March 2021

Chuaigh an Leas-Cheann Comhairle i gceannas ar 10 a.m.

Paidir.
Prayer.

Caring for Carers: Motion [Private Members]

Deputy David Cullinane: I move:

That Dáil Éireann:

notes that:

— for too long family carers have been taken for granted and denied the supports that they and their loved ones need;

— family carers have been wrongly forced by Government after Government to fight for their children's basic rights to education and vital therapeutic supports, and as the abhorrent practices uncovered by RTÉ Investigates demonstrated, the State does not fight fair;

— the failure of the Government to prioritise family carers in the Covid-19 vaccine rollout programme shows they have yet again been forgotten and forced to fight to ensure the wellbeing of their children and loved ones; and

— carers have been stretched to the limit over the past year due to the Covid-19 pandemic, providing increasing levels of care with less support or respite;

further notes that:

— the income supports in place for family carers are not adequate;

— the income disregard for Carer's Allowance has remained the same rate for the last twelve years, sitting at €332.50 (€665 per couple), despite steady increases to average earnings and the cost of living in this time;

— the self-employed are currently deemed ineligible for Carer's Benefit;

31 March 2021

- many carers do not currently qualify for free general practitioner (GP) care;
- current waiting lists for counselling in Primary Care extend to over 10,000 persons in need of help;
- the closure of respite, day and overnight services has had a profound negative effect on the wellbeing of carers; and
- the inequitable treatment of carers in respect of transportation services to these vital supports are currently free in some Health Service Executive Community Healthcare Organisations areas, but not in others;

welcomes:

— the renewed commitment in the Programme for Government: Our Shared Future to ‘review and update the National Carers’ Strategy’, and calls for immediate action to do so; and

— the limited Budget 2021 increase to the Carer’s Support Grant; and

calls on the Government to:

- prioritise family carers in the Covid-19 vaccine roll-out;
- work with family carers to deliver the services and supports that their loved ones need and immediately end the practice of compiling and storing secret dossiers on children using information gathered by health, education and social care professionals, shared without the express consent of their parents;
- relax the Carer’s Allowance means test, by raising the income disregard thresholds in order to increase eligibility and payments;
- further increase the annual Carer’s Support Grant;
- increase Carer’s Allowance and Carer’s Benefit in every budget over five years;
- establish a discretionary fund for Covid-19 utility debt to aid carers and people living with a disability struggling with heating and electricity costs;
- extend eligibility for Carer’s Benefit to the self-employed;
- extend an automatic GP visit card to all recipients of the Carer’s Support Grant;
- create an emergency talk therapy fund, to provide sessions with an accredited counsellor or therapist in the private system for carers on referral from a GP;
- ensure that family carers get the respite they need by building up respite capacity, including delivery of hours and overnights through a doubling of public expenditure;
- prioritise the full resumption of respite Day Services in the re-opening and implement the standardisation of the provision of free transport to and from these vital services; and
- update and publish the National Carers’ Strategy in 2021, with a dedicated budget

and timeframe to ensure the implementation of all actions.

I am sharing time with a number of colleagues. I appeal to the Minister to support this motion and, more than that, to ensure all of the asks in it, which are supported by Family Carers Ireland and family carers, many of whom I have engaged with in recent weeks and months, are implemented and delivered. For too long, we have seen motions passed by this House, cynically in some cases by the Government, and then the Government not delivering or implementing, either in deed or in spirit, what has been proposed. That cannot happen in this case. The Minister must recognise the work carers do. He must send out a powerful message that they and the work they do are valued and they will be a priority for the Government in respect of income supports, the resumption of services and the vaccine roll-out.

The past year has been an exceptionally difficult one for family carers. They have been asked to do more with less. We should start by commending all family carers on the huge work they have done and the personal sacrifices they have made to ensure the people they look after get all the care and support they need. The reality is that before the pandemic, the supports were already lacking and for far too long, family carers had been taken for granted and had been denied the supports that they and our loved ones need. After many promises over many years, the one thing I hear from family carers, time and again, having engaged with hundreds of them on Zoom calls and online in recent weeks, is that they do not feel valued, listened to or respected. They ask us to convey to the Minister in the strongest possible terms that now is the time to stand up for carers and to make sure that the income supports for them and for the people they look after, as well as all of the other justifiable demands that they have, are actioned by the Government. That falls to the Minister and to others in Government.

They feel that they have been wronged and treated with suspicion. We saw last week the exposure of the secret collection of data about vulnerable children and their families. I am talking about the “RTÉ Investigates” programme. It was about children with special needs, whose families were taking the State to court to ensure that their children got the access to services and the education they needed and deserved. The State collected graphic and sensitive data about those children, which has really horrified those people and their families, many of whom are carers. We will deal with that issue tomorrow but it is unacceptable. The Minister has to make sure, as Minister for Health, that that practice is stopped and that there is full open disclosure, and that those children and their families, some of whom are carers, are given full access to all of that information.

They also feel and it is a reality that they were excluded from being a priority in the vaccine roll-out. It is unacceptable that they were not recognised as a distinct cohort. What we saw from the Government yesterday was a clear admission of failure when it abandoned all of the allocation groups over the next weeks and months. It is an admission of failure and that its system was not fit for purpose. It simply was not able to roll out the vaccine in a fair and efficient way because it has not made the necessary investments. Childcare workers, teachers, special needs assistants, SNAs, carers, members of the Garda and many more key workers, including those who work in supermarkets and in retail, who have been real heroes, will now be shafted because of the inability of the Government to get its act right. Family carers will also be sacrificed as part of that. It is unacceptable that key essential workers, including carers, are being abandoned because the Government has not made the necessary investments and has not got its act together.

There are many requests in this motion. My colleagues will deal with income supports and

the need for real investment in the new national carers' strategy, as well as issues with respite and access to services. I appeal to the Minister to listen to what is being said, to engage with family carers, and to please put in place all the supports that they need to get them through what has been a difficult time up to now. When services are resumed, it cannot be on the basis of what went before but has to be on the basis of having properly resourced services and valuing the work that carers do.

Deputy Claire Kerrane: While preparing to bring forward this motion, I thought about the many carers whom I have met and know. We all know many carers in our own communities and perhaps even in our own families. We know carers who are on their own, lone parents who look after a child and who battle to get domiciliary care allowance for that child, for which it can take years to qualify. Last year, the appeals took between 23 and 30 weeks. That is how long parents were left battling to get this allowance for their children and trying to prove that their children had additional needs compared with other children of the same age. That battle is totally unfair and has to be looked at. Carers who are waiting for the bin waiver contribution that was promised in 2017 worry when the bin is collected if they will be able to afford to cover the costs of the disposal of incontinence wear for their loved ones. Older carers are struggling to keep going and are relying on respite which, nine times out of ten, is not available. When they get to the point where they possibly have to look at long-term residential care, they face waiting lists and increased costs. In fact, I understand that tomorrow the cost of long-term residential care will increase yet again.

Carers continue to lose out. Many family carers were struggling financially long before Covid-19 ever hit. The Minister of State will be aware of the survey of 1,250 carers carried out by Family Carers Ireland in late 2020. Some 70% of respondents were struggling to make ends meet, 57% were either experiencing or likely to experience debt as a result of their caring and over half felt that their financial circumstances were affecting their health. All of that was pre-Covid. Imagine what it must be like to be a family carer looking after a loved one day in, day out, 24-7, and at the same time to be worrying about paying bills, increased costs and just keeping the home warm and food on the table?

Carers are unique in our social welfare system because they are expected to work full time for a very low payment. It has been blatantly obvious for a long time that we need to address the means test, the income disregard in particular. It is not reflective of wages, which have increased since 2008, or the increased cost of living. That has not been recognised because the income disregard has not changed since 2008.

In the budget before last, the Government increased the hours that carers can work from 15 to 18.5 hours per week. It told carers they could work more outside the home if they wanted to. Of course, that meant earning more, which immediately had an impact on, and reduced, their carer's allowance. At that stage, which was well before Covid when more money was available, the income disregard should have been increased in line with the additional hours. It was a grave mistake that that was not done. Will the Minister of State indicate whether Fine Gael's commitment to family carers is still that set out in the Towards 2016 plan, under which it is proposed to increase the earnings disregard to allow people on the average industrial wage to qualify for carer's allowance?

On the payment rate, a person who leaves work and goes on to receive carer's benefit of €220 per week may be leaving a job that pays €400 or €500 a week. He or she will experience a huge drop in income. We know that over half of people on carer's allowance are on a reduced

rate, so they are not even getting that maximum payment of €219. This means that far too many of them are living in poverty. This motion commits to an increase, in the next five budgets, in the carer's allowance and benefit, which is most important for family carers.

On the carer's support grant, I proposed an amendment to last year's Social Welfare Bill to provide that payment be made in two instalments this year. This had been called for by Family Carers Ireland. The support grant needs to increase to €2,000. The Government should consider the option of having it paid in two instalments. That would have gone a long way to recognising and giving carers some help in the midst of the Covid pandemic.

On State pensions, I hope the total contributions approach will do what it is supposed to do, but we need to make sure of that. The national carers' strategy of 2012 has not been reviewed since. We are still waiting on the review. Today, in implementing these proposals, every Deputy has an opportunity to give carers who provide loving care to a loved one every day the respect they deserve.

Deputy Pauline Tully: It is estimated that family carers in Ireland number in excess of 500,000. Our carers do incredible work. They look after family members who are ill, have dementia or have a disability. It is estimated that carers save the State €20 billion every year. However, our family carers feel forgotten about, ignored, taken for granted and, in many cases, worthless.

The past year has had an unprecedented negative effect on carers. This time last year, when schools and day services for elderly people and those with disabilities closed, the full burden of care was left with family carers. Due to the restrictions and the limitations placed on family interaction, family carers were left in the position that they could not even rely on other family members to help out. After a tremendously difficult year, when the invaluable work carers do could be recognised by their inclusion in the prioritisation groups for vaccination, they are left out again. Every year, when the winter flu jab is administered to elderly and medically vulnerable people, family carers are offered the vaccine at the same time. Why could that not be done in the case of the Covid vaccine? It is imperative that it be offered to all family carers. If carers contract Covid, they will not be in a position to provide care. Who then will look after the people who need care?

Respite for carers is vital but its provision varies greatly from place to place throughout the country. In many cases, it is very limited, if available at all. Respite needs to be tailored to meet the needs of the family as one size does not fit all. This could vary from weekend to evening care and include in-house assistance. Many carers tell me that their respite is booked only for it to be cancelled at short notice if an emergency case arises. This should not be allowed to happen. Sufficient spaces must be made available to cater for emergencies and those who are booked into respite.

The application process for the carer's allowance takes far too long, with carers sometimes left waiting for months for a decision on the allocation of the payment. That needs to be addressed. Carers should not have to go searching for, or inquiring about, what supports are available to them and their family. They should be provided with that information as soon as they begin working as a carer. I have met carers who did not know, for example, that they could claim the domiciliary care allowance. One woman did not know about it until her son was in his 20s. Parents of children with autism should not be denied the right to the domiciliary care allowance. Every case must be adjudicated independently. It is imperative that training is

provided to all carers in order that they know what to expect from certain conditions and disabilities and are best placed to provide the support needed.

Day services for people with a disability, who are often older people, must be resumed at full capacity as soon as possible. Transport to the services must be provided free to all with a travel pass who use public transport, including Local Link services.

Income supports for carers are totally inadequate. The carer's allowance is a means-tested payment and the threshold on which the test is based has not been changed in 12 years, despite wages and the cost of living having risen substantially in that time. The threshold must be raised immediately. The carer's allowance payment is not sufficient and many of those depending on it are at constant risk of poverty. Many carers have pointed out to me that they are working for approximately €1 an hour, taking into account that they work 24 hours, seven days a week in some cases. I am calling today for an increase in the carer's allowance and the means test threshold. Carer's allowance and carer's benefit should be extended to the self-employed. In addition, there should be an increase in the respite support grant, with an option for it to be received as two separate payments.

A discretionary fund should be introduced to help carers cover the costs linked to Covid, such as the extra cost of electricity and heat due to the family being confined to the house for most of the year. What has become of the support of €75 per year to assist persons with medical incontinence, which was announced by the Government in 2017? The GP card should be extended to all carers in receipt of the carer's support grant. Emergency talk therapy funds should be provided to ensure carers have access to an accredited counsellor on referral from a GP.

Finally, the national carers' strategy was introduced in 2012 on a cost-neutral basis, which has meant that no funding was allocated to its implementation then or since. The excuse given at the time was that we were coming out of a recession. Nine years on, the strategy is still not implemented. The Government has made a commitment in the programme for Government to do so and it must be held to account on that promise. Update and implementation of the strategy is imperative.

Deputy Pearse Doherty: Ar maidin, tá cúramaithe teaghlaigh ar fud fad na tíre seo ag tabhairt aire, cuidiú agus cúram do dhaoine atá an cúram de dhíth orthu. Ní féidir luach a chur ar an obair atá idir lámha ag na cúramaithe seo. Níl dabht ar bith go gcaithfear tacú leo agus sin an rud atá os comhair na Dála inniu.

Carers have been the unsung heroes of our society for many years. Successive Governments have undervalued, or not valued at all, the half a million carers who provide much important unpaid work in caring for their loved ones. That work is an important part of our economy. Without carers, we would have a collapse of the system of care for people in our society. That system would simply break down. In many ways, carers have been the forgotten people of this pandemic. In fact, they were forgotten by the Government and undervalued and taken for granted by the State well before the pandemic ever began. Their work and value must be recognised and this motion does just that. It commits the Government to prioritising carers in the vaccination programme, providing financial support for carers in key areas and giving respite for carers who are exhausted and need a break. Every Deputy in the House knows carers, the work they do and the needs they have for respite.

I appeal to the Minister today on behalf of carers and others like carers who are unsung he-

roes. We have stood in this Chamber and given rounds of applause to these key workers. No matter how bad the pandemic was, we asked these people to provide a service and ensure we could put food on the table, our loved ones were cared for, communities were safe, children were educated and children with special needs had assistance in their classroom. The Government's decision yesterday to deprioritise those individuals because it simply has not done its own work over the past year to identify those individuals was shameful. Those people were in classrooms and communities, keeping us safe and providing care for loved ones. They deserve to be prioritised in the vaccination programme. I ask the Minister to reverse the awful decision taken by the Government last night.

Deputy John Brady: This morning, we will hear Ministers and Deputies praise carers for the fantastic work they do and although that praise is justified, carers have, unfortunately, heard it all before from the Government. Carers do not need any more sympathy, kind words, empty rhetoric or plamásing from the Government. They need recognition, support and active help. Carers rightfully feel they have been abandoned by the Government for far too long. Over the past year, many of the supports that were in place have been withdrawn, despite family carers providing increased levels of care. Carers have not had a break or any respite whatever.

Carers are the backbone of our society and the 500,000 family carers provide care to some of our most vulnerable citizens. In doing so, they ensure the person being cared for stays in his or her own home, saving the State approximately €20 billion per year.

This week, I was contacted by a constituent who cares for her husband. She told me she brought him to the Aviva Stadium for his vaccination last week as he could not get there himself. She said the majority of other people there receiving their vaccinations were also family carers. All the staff at the Aviva are vaccinated but despite this woman being her husband's vital support system as a family carer, who brings him for many CT scans and arranges his many medical appointments and for him to take his daily medication, she, along with all other family carers, has been completely overlooked and has no idea when she will be vaccinated. The Government must prioritise family carers in the Covid-19 vaccination roll-out.

It is time to stop taking family carers for granted. They are exhausted and need a break. We must see the resumption of day services providing crucial support and relief for families. We must also build up respite capacity, including overnight facilities, and create an emergency talk therapy fund. It is also essential to provide family carers with the financial support they need. It is time to stop talking in platitudes; it is time for action.

Minister for Health (Deputy Stephen Donnelly): I welcome the opportunity to address the House on matters of concern to family carers. All over the country today we have carers looking after children, parents and in-laws. There are young carers caught between commitments to their nearest and dearest and their future life choices. The carers I know describe lives that are both enriched and yet confined by their commitments.

Family carers are the backbone of care provision in our country, whether caring for a child or a parent with a disability, somebody with an illness or an elderly family member. Carers, through their selfless hard work, knowledge and compassion, enhance the quality of life of the most vulnerable in our society on a daily basis. That is why the Government is not opposing today's motion.

Ireland's army of carers give up a lot to look after their loved ones and they have cared for

the most vulnerable during this pandemic. There is no doubt that the burden on carers has increased as a result of the pandemic. A survey commissioned by Family Carers Ireland in July 2020 found that one third of respondents were worried about becoming more socially isolated and 60% were concerned about a decline in their own mental health and well-being. I thank them sincerely for everything they have done during the pandemic.

I understand why family carers are seeking to be prioritised in the vaccine programme. There is nothing we would all like more than to be able to vaccinate all carers immediately. I asked the national immunisation advisory committee, NIAC, and the Department of Health to look carefully at this case and many other cases. As I hope we all agree, the priority for the vaccination programme is to reduce the risk of serious illness and death from Covid. This is the basis for the advice from NIAC and the National Public Health Emergency Team, NPHET. This is why so many who are being cared for have already been vaccinated or are in one of the cohorts to be vaccinated soon. Two of the biggest risk factors for Covid are age and underlying conditions. This is why we are now vaccinating those aged 70 and older, as well as those with underlying conditions that put them at very high risk from Covid. It is why NIAC recommended vaccinating according to age and underlying condition. By following this approach, we are vaccinating those being cared for as quickly as possible. It also means that we are vaccinating carers, along with others, according to the level of risk they are themselves at from Covid.

It is the ambition of our programme for Government to prioritise policy actions that protect the most vulnerable and put in place new measures for economic decision-making that reflect the welfare and quality of life of those living in Ireland, as our economy returns to growth in the aftermath of the pandemic. In relation to health and social care, the Government has provided an unprecedented level of investment in the 2021 budget to improve access to primary care services, older people's services, specialist disability services, mental health services and well-being.

We recognise that waiting lists for accessing therapy services in some parts of the country are unacceptably long and that this is a matter of legitimate concern for individuals and their families and carers. In response, budget 2021 has provided €150 million in new development money, plus additional Sláintecare funding, to support the roll-out of the enhanced community care programme. This level of investment in primary care reform is unprecedented and is intended to address historic capacity deficits in the sector. It forms part of wider efforts to deliver the promise of care being delivered in the right place at the right time and as close to home as possible.

Under the enhanced community care programme, over 2,000 staff will be recruited to community health networks, with a particular focus on nursing and community therapists such as physiotherapists, psychologists, occupational therapists and speech and language therapists. The investment in community healthcare networks, together with wider reform and policy initiatives to support integrated community care services, will improve access to the therapies that individuals, families and carers need and deserve.

The Ministers of State, Deputies Rabbitte and Feighan, will shortly outline the significant work they are leading to build the capacity of our specialist disability services, the arrangements in train to resume day and respite services and the highly ambitious plans in train to progress wellness and other supports which are valuable in the community and which will be very important to family carers and those for whom they care.

At the same time, we are progressing a highly ambitious plan to greatly increase home care. Home support is vital to enable older people to remain in their own homes for as long as possible and to support family carers. An additional 5 million home care hours will be provided this year. We are also introducing an assessment tool to ensure that the services provided are matched to the needs of each individual. I have spoken with many carers who believe this will bring much-needed improvements to home care, to the people being cared for and to the lives of carers.

Work is ongoing within the Department of Health to develop a system for the financing and regulation of home support services, in addition to the introduction of a reformed model of service delivery that will ensure the provision of home support in a transparent and equitable manner. I expect to be in a position to announce some very positive developments on this in the near future.

I will conclude by again acknowledging the enormous benefit family carers provide every single day to their loved ones and our society. It is essential that we bring in these reforms to support family carers and make their work and lives easier. The past year has been difficult for everybody, for every family. This is particularly true for family carers and those for whom they care. As a result of the efforts the nation has made to suppress the virus and the extraordinarily positive impact of the vaccination programme, we were able to share a plan yesterday by means of which we can take Ireland out of this pandemic. Subject to vaccines arriving, four out of every five adults can be offered a vaccine by the end of June. As we move through April and supplies increase, more people, including more carers, will be vaccinated and protected and will be able to begin returning to the normality we all crave.

Deputy Michael Moynihan: I welcome the opportunity to contribute to this debate. This matter is extremely important to me. It is crucial that we send out a clear signal that the carers who provide such great care in our communities are valued and supported.

I wish to address a number of issues in the short time available. The first of these is the means test for carers, a matter about which I have spoken many times in the Dáil. I refer to cases where people give up full-time jobs in order to care for an elderly relative, a sibling or a child and are paid carer's benefit for two years. After that period, because one partner in a relationship is working, the person providing the care is no longer eligible for carer's allowance. We have to look at the care that is required in such situations. We need to review carer's allowance. What is needed by the person who is receiving care is fundamentally important as we move forward. Many people find themselves in the circumstances I have just outlined. There has been a great deal of discussion about the matter and some people in the Department have stated that it is being considered. Care need must be the most important piece in terms of the structures relating to carer's allowance as we move forward.

We also need to change the attitude in terms of carers. Last week's "RTÉ Investigates" programme certainly brought home to me that there is almost an ingrained culture within society in terms of begrudging the person who needs care the full support of the State. I took from the programme that this is inherent in the State. We must be robust in the context of how we protect the most vulnerable. Much has changed over the past number of years in terms of carer's allowance, the carer's support grant and the half-rate carer's allowance. They were all great initiatives almost a generation ago. It is time to take matters further and ensure that the State accepts the massive contribution made by those who provide care within communities for their families and loved ones. The review of carer's allowance should consider what is barring these

people from getting supports from the State.

I could also speak about the issues to which the Minister referred in the context of occupational therapy and speech and language therapy. Services in this regard are simply not available within the public sector right now. We should look at that because a massive difficulty is building up.

Debate adjourned.

Teachtaireacht ón Seanad - Message from Seanad

An Leas-Cheann Comhairle: Seanad Éireann has passed the Residential Tenancies Bill 2021 without amendment.

Estimates for Public Services 2021: Messages from Select Committees

An Leas-Cheann Comhairle: The Select Committee on Finance, Public Expenditure and Reform, and Taoiseach has completed its consideration of the following Revised Estimate for public services for the service of the year ending 31 December 2021 – Vote 13. The Select Committee on Transport and Communications Networks has completed its consideration of the following Revised Estimates for public services for the service of the year ending 31 December 2021 – Votes 29 and 31. The Select Committee on Justice has completed its consideration of the following Revised Estimates for public services for the service of the year ending 31 December 2021 - Votes 20, 21, 22, 24, 41 and 44.

Message from the Standing Business Committee of Dáil Éireann

An Leas-Cheann Comhairle: The Standing Business Committee has completed its consideration under Standing Order 30 of the request by the Minister for Justice to waive the requirement for scrutiny of the Children (Amendment) Bill 2020 [Seanad] by the relevant committee under Standing Order 178 and has agreed thereto.

Caring for Carers: Motion (Resumed) [Private Members]

Debate resumed on the following motion:

That Dáil Éireann:

notes that:

— for too long family carers have been taken for granted and denied the supports that they and their loved ones need;

— family carers have been wrongly forced by Government after Government to fight for their children's basic rights to education and vital therapeutic supports, and as the abhorrent practices uncovered by RTÉ Investigates demonstrated, the State does not

fight fair;

- the failure of the Government to prioritise family carers in the Covid-19 vaccine rollout programme shows they have yet again been forgotten and forced to fight to ensure the wellbeing of their children and loved ones; and

- carers have been stretched to the limit over the past year due to the Covid-19 pandemic, providing increasing levels of care with less support or respite;

further notes that:

- the income supports in place for family carers are not adequate;

- the income disregard for Carer's Allowance has remained the same rate for the last twelve years, sitting at €332.50 (€665 per couple), despite steady increases to average earnings and the cost of living in this time;

- the self-employed are currently deemed ineligible for Carer's Benefit;

- many carers do not currently qualify for free general practitioner (GP) care;

- current waiting lists for counselling in Primary Care extend to over 10,000 persons in need of help;

- the closure of respite, day and overnight services has had a profound negative effect on the wellbeing of carers; and

- the inequitable treatment of carers in respect of transportation services to these vital supports are currently free in some Health Service Executive Community Healthcare Organisations areas, but not in others;

welcomes:

- the renewed commitment in the Programme for Government: Our Shared Future to 'review and update the National Carers' Strategy', and calls for immediate action to do so; and

- the limited Budget 2021 increase to the Carer's Support Grant; and

calls on the Government to:

- prioritise family carers in the Covid-19 vaccine roll-out;

- work with family carers to deliver the services and supports that their loved ones need and immediately end the practice of compiling and storing secret dossiers on children using information gathered by health, education and social care professionals, shared without the express consent of their parents;

- relax the Carer's Allowance means test, by raising the income disregard thresholds in order to increase eligibility and payments;

- further increase the annual Carer's Support Grant;

- increase Carer's Allowance and Carer's Benefit in every budget over five years;

- establish a discretionary fund for Covid-19 utility debt to aid carers and people living with a disability struggling with heating and electricity costs;
- extend eligibility for Carer's Benefit to the self-employed;
- extend an automatic GP visit card to all recipients of the Carer's Support Grant;
- create an emergency talk therapy fund, to provide sessions with an accredited counsellor or therapist in the private system for carers on referral from a GP;
- ensure that family carers get the respite they need by building up respite capacity, including delivery of hours and overnights through a doubling of public expenditure;
- prioritise the full resumption of respite Day Services in the re-opening and implement the standardisation of the provision of free transport to and from these vital services; and
- update and publish the National Carers' Strategy in 2021, with a dedicated budget and timeframe to ensure the implementation of all actions.

Deputy Denise Mitchell: I welcome the opportunity to speak on today's motion. I am sure many of the 500,000 carers in this State are watching this debate, hoping that they finally get the recognition they deserve. They are sick and tired of meaningless words, along with pats on the back. They are doing the work of the State and are in dire need of a break. As some Members have already said, they have been largely ignored but their value to this State is unquestionable. Carers' goodwill, however, is used against them and they have been taken for granted.

Today's motion seeks to change that to give them the recognition and the supports they deserve. I have spoken to many carers in recent months. All of them told me how much the lack of respite and general supports have put a strain on them. They told me about the feeling of isolation they felt in recent months. They also told me how they have to be more cautious about their every move because of the complex condition of some of the people for whom they care. I had one case where a mother reached out to me. She has three children with exceptional care needs but has absolutely no supports. She is at her wits' end. I have had carers contact me who applied for the carer's payment but who have been waiting months. The list goes on and on.

It is estimated that family carers save the State approximately €20 billion a year. They deserve to see the good they do reflected by the State. The implementation of Sinn Féin's carer's charter would cost a fraction of that with carers and those they care for benefiting as a result. We need to do right by carers. This motion is an opportunity to do that. I especially hope it has the support of those Government Deputies who have spoken out on behalf of carers recently. We hope their words are not meaningless too.

Deputy Chris Andrews: Who is going to care for the carers? It is not this Government it seems. The strain on carers and families is horrendous at the best of times. During this pandemic, however, it has been unbearable. We need to invest in carers. Doing so would be a win-win for both families and the State. It would take pressure off hospitals, nursing homes and GP services. Investing in respite should not be seen as a cost because it is not. The savings would be immeasurable. The State would save on many levels. Financially, there would be a saving for the health system, a saving much greater than what is spent on carers. We need to give more to make their lives bearable because they currently are not.

Last week, we heard about the State putting together secret dossiers on families of children with autism to use against them. That is what the State thinks of families who are already struggling and caring for loved ones. I have spoken with carers from Ringsend to Rathmines, from Kevin Street to Kimmage. They are all saying that they are hanging on by their fingertips.

This Sinn Féin motion will prioritise carers in the vaccine roll-out. Carers are caring for highly vulnerable people but, as they are not considered as a group, they fall through the net. It is possible that some carers, despite the huge strain they are under, could be among the last to be vaccinated on an individual basis. Each day carers are not vaccinated is another day they play Russian roulette with loved ones. The stress and anxiety this leads to is having a hugely negative impact on carers and their mental health.

Carers are vital but they are not valued. This motion makes provision to support carers financially, improve the level of respite available and ensure that the compilation of secret dossiers on families challenging the State will end. Day services would also be resumed. Carers do not need any sympathy or rounds of applause. They need action and support. Our motion would deliver the change carers deserve and give them the support they desperately need. Let us not just recognise carers as being vital, let us value them. Let us give carers a break.

Deputy Johnny Guirke: I commend my fellow Deputies on introducing this motion. Some 500,000 family carers across the country provide in-home supports every week. They are loyal and dedicated and save this State up to €20 billion each year. In most cases, they work 24 hours a day, seven days a week, with the majority not getting paid for half the hours they have worked. The latter equates to up to 19 million hours per week unpaid. We need to acknowledge the care they provide for the most vulnerable people in our society.

Family carers are not currently scheduled to be vaccinated any sooner than the general population, even though they play a vital role as primary caregivers to people who have very vulnerable immune systems. Since the pandemic began, they have not been offered any personal protective equipment, PPE, or financial support. Family carers are exhausted. A constituent of mine from Navan was in touch with me about this matter. She is looking after a loved one who is sick and who needed to be transferred to the hospital for more in-depth care by doctors. The Department cut this person's family care allowance even though she still travels up to her loved one every day, feeding them, bringing changes of clothes back and forth and tending to their everyday needs.

Family carers need financial supports. We need to look at the eligibility criteria for applications and extend them to help struggling families. Family carers should be needs tested, not means tested. A few weeks ago, I called the local district nurse about an elderly lady who is waiting on home care. I was told that there were 300 people on the list and that the woman about whom I was calling was 80th on it. There is no point in approving people for home help if there is nobody there to provide it. There are not enough HSE carers and private companies are not providing the hours that are sanctioned. The elderly and people's carers are being left out on a limb. The sad thing is that this Government does not recognise that every carer in the country is an unsung hero.

Deputy Rose Conway-Walsh: Today, Sinn Féin is providing the Minister and his Fianna Fáil colleagues, as well as Fine Gael and the Green Party, with an opportunity to clearly demonstrate that this Government cares for family carers. Family carers have been severely impacted by Covid-19. Many of them have not had a break for over a year now. As always, they are tak-

en for granted. It is also taken for granted that family carers will just keep going regardless. We must remember that many of these family carers have families themselves. They have children who are put to the back of the row because of their struggle to care for their loved ones. Those children have to watch their mums and dads struggling to keep going financially, physically and emotionally. This struggle is compounded by the lack of respite, the hidden costs of caring and, above all, the fight for services such as physiotherapy, occupational therapy, chiropody and the other therapies these people require.

I am glad to hear the Minister say that €150 million will be provided for community care in the right place at the right time. Those are fantastic words but I got a call this morning to say that our local hospital, the district hospital in Belmullet, is being cut down to 12 beds in the middle of a pandemic. This hospital had 41 beds before Fianna Fáil got its hands on it. This is what the Government is doing to this community. I get so angry when I hear the Minister state that we are providing care in the right place at the right time. Is Belmullet not the right place and is this not the right time?

I watched the “RTÉ Investigates” programme on carers last week. I was shocked - I am always shocked about these things - but I was not at all surprised. The reason I was not surprised is that I have seen again and again the culture of protectionism that exists within the system the Minister heads up. It is all about protecting the institution and the people who should be at the centre of it come last. The Minister needs to fix this. I was contacted yesterday by a person who is 85 years of age and living in Swinford who does not know when they are going to get the vaccine and their GP cannot tell them. When they ring the helpline nobody can tell them when they will get it.

In the same way the mother of a youngster with multiple disabilities does not know when they will get the vaccine. They have to watch what is happening at the Beacon Hospital.

Has the Minister done an audit of all of the vaccines that have been distributed? I know this for a fact, having written to the HSE in late January, and told it about this problem where friends, cronyism and vaccine fraud were rampant in this country. Has such an audit been done?

Deputy Duncan Smith: I thank Sinn Féin for bringing this motion to the House. It is very important that we get an opportunity to discuss in detail the contribution that our carers and family carers give to the people that they care for and to society as a whole.

Covid-19 has been a disrupter for us all but especially for carers who look after people with underlying health conditions, with severe illness, and people who are particularly vulnerable to the impacts of this pandemic. Ireland has changed so much since Covid-19 arrived on our shores a little over a year ago but for our family carers the change has been monumental. Any supports that may have been there for them previously by way of health supports for those that they are caring for, or perhaps opportunities for respite, have diminished if not totally disappeared. Many people who need the support of a carer have seen their healthcare diminish in the past year and younger people have seen their own progress regress. This type of regression has been very hard for carers to witness over the past year.

Family carers have played a role of great significance in lessening the spread of Covid-19. This can probably never be quantified, such is its size, and their support for the Irish health system is unbelievable. When services were shut down or curtailed family carers continued to care around the clock to ensure that loved ones stayed safe and at home and that they stayed

out of hospital.

According to a survey published by Family Carers Ireland last May, 74% of family carers felt that the Government had not responded well to the needs of family carers during the initial stages of the pandemic. I imagine that that figure has not gone down but has gone up. Carers remain greatly worried about the lack of contingency planning should family carers themselves have to self-isolate. Many simply do not have anyone else to take over their caring responsibilities.

Our party has always been a strong advocate for carers and it is very clear in our party that we need to address the outstanding issues impacting the daily lives and well-being of carers, such as the means testing attached to eligibility. We also ask the Government to conduct a study of the income and living costs of carers to ensure that income supports are sufficient for all carers to attain a decent minimum standard of living. No carer should have to live in poverty while providing such an essential service for their loved one and for the State.

The Labour Party has sought to give a voice to carers, as all too often people who care for a loved one do so in isolation while facing a daily struggle. That is why we need a national carers' strategy that recognises the value of carers and what they contribute. It must recognise how much the State benefits from them and how much carers save the State. It is difficult to quantify how many carers there are in Ireland at any one time. We all know at least one person who is providing full-time care to a loved one and it is very likely that we know more than one such person.

In 2020 the Irish Health Survey 2019 study by the Central Statistics Office, CSO, estimated that one in eight people aged over 15 is a family carer and that this will increase to one in four by 2030, given the ageing demographic of our country.

This is not just a cohort of our society. This is our society. We are a society and nation of carers but our policy does not reflect that.

A 2020 report, *Young Carers in Ireland*, by NUI Galway, has shown a significant increase in the number of people under the age of 18 who are providing regular care to adults in their families. The report estimates that up to 67,000 children are in caring roles right now, which represents 13.3% of young people in Ireland, that is, one in eight. These brilliant young people have taken on a role that is far beyond their years and they need proper support from the State. When we speak about carers we are referring to people who work daily to ensure that someone else can meet his or her basic need or function in daily life. There is no greater work done. People become carers in different ways. Sometimes it is because of an accident or the onset of a condition that requires care. In other cases the process is gradual, perhaps because of a health issue as a result of a physical disability, dementia or something else. This is why it is so important as a society that we and the State recognise the existence of carers as a distinct, unique and plentiful group in the country.

Carers do not want our sympathy and they do not want our pity. They also do not want to be put on a pedestal or canonised. They are ordinary people working to care for their loved ones without the support they desperately need and deserve. Carers are people who have chosen to look after their loved ones and they need that help. What they want and deserve is respect. They need practical help. More importantly, what they often need is acknowledgement of their role, which is often disregarded. This is why the motion is so important. This is what the State

should be doing and how the State should intervene. It is what the State has to do better.

Carers need respite. Some may need support and some may need training. Some need downstairs bathrooms at a critical time or an extension to ensure that there are bed facilities. The delays that occur through the local authority infrastructure can last for years, not just weeks or months, and this gives rise to further despair and discomfort for those who operate as carers and those who need care. No matter what side of the House we are on, we can all agree that the system is cumbersome to try to navigate. Absolutely everything is a fight and there is always a long list. Everything lacks transparency and, fundamentally, there is a lack of decency. It is no wonder that our carers are at breaking point. Some feel absolutely burnt out and exhausted but they cannot take a day off. They cannot even take an hour off. They have to continue working and caring because they are doing so for someone they love in order to ensure that person does not have to attend a primary care facility or a hospital. This is why we need a new carer's strategy with short-, medium- and long-term perspectives.

As a society, we must make a strong and unambiguous statement of solidarity and appreciation regarding the work done by all carers but it must be followed up with a resource strategy that can be implemented as soon as possible. We need to say to carers loud and clear that they are not alone and that they are cherished, and this needs to be backed up. As a decent democratic society we should commit to working together to ensure that people who need care receive all the support they can be given and that those who provide care will be valued and assisted. We must also ensure that carers receive paid leave. Five days of paid leave would not be too much to ask. It would be a bare minimum.

The existing system of State support is too rigid and there are too many rules. The requirements are unnecessarily onerous and restrict people's ability to balance care with work, study, paid work or caring for their families. Too many carers are suffering burnout, as we in this House have all witnessed, and serious ill-health caused by the stress and strain of their care work. These proposals must be implemented.

We are learning an awful lot from this pandemic. We are learning an awful lot about what our health system is capable of, or indeed what it is not capable of. People and workers are extending themselves beyond levels they never thought they could. Carers are doing the job they have always done. They have always had to extend themselves 100% every day. We cannot let the pandemic pass without ensuring we finally and fully acknowledge this and support them with a proper strategy of care. We should treat them with the decency and respect they deserve. Too many carers are suffering from burnout. Too many are living on or below the poverty line. This is something we cannot stand over as a State. It is fundamentally indecent and must change. I thank the proposers of the motion and I look forward to hearing the rest of the debate.

Deputy Gary Gannon: I move amendment No. 1:

(a) To insert the following after "with less support or respite":

— despite promises from previous Governments to find a solution, many carers fall between the cracks in the Irish State Pension system and face a retirement characterised by financial uncertainty;

— the Programme for Government commits to finding a 'pension solution' for carers;

and

— there is a need to ensure that no carer is denied a pension, or receives a reduced-rate pension, due to significant periods spent in caregiving;

acknowledges that:

— there is no economic or social argument that should deny people who spend significant portions of their working lives in caring roles financial security in their old age; and

— whatever the cost of the benefit to the Exchequer, it could never equal the economic and social benefit to the State from the work of long-term carers;”

and

(b) To insert the following after “timeframe to ensure the implementation of all actions”:

“— implement a pension solution for carers that ensures people who spend the majority of their working lives in caring roles can look forward to some element of financial security from the State;

— remove the 20-year limit on credited Pay Related Social Insurance (PRSI) contributions for carers;

— disregard the need for 520 paid PRSI contributions for carers who have spent in excess of 25 years in a caring role, and treat credited contributions the same as paid contributions for the purpose of calculating State Pension benefits; and

— make a statement of its commitment to caring for carers by the institution of a dedicated long-term carer’s pension scheme to ensure the removal of other anomalies in the PRSI and social welfare system which leave many people (the majority of whom are women) without access to financial security in retirement as a result of spending the majority of their working lives in caring roles — this would involve a pension payable at the same rate as the maximum State Pension (Contributory) which would not be means tested.”

I thank Sinn Féin for tabling this motion. The Social Democrats will fully support it. Family Carers Ireland estimates that family carers save the State €20 billion a year. This is an astronomical figure. Despite the indisputable value and worth that family carers provide the State, they have never been afforded proper respect, dignity or remuneration for their work. How we treat carers directly reflects and affects how we value those who need care.

People with disabilities and illness who are outside the workforce are consistently the most at risk of poverty. This motion has many merits and is actively trying to undo some of the long-term damage of family carers’ work being taken for granted, ignored and significantly undervalued by our State, as well as more recent issues arising from the pandemic and the recent scandal involving the Department of Health compiling and storing private and intimate information on children and families.

I have stated many times that Covid has exacerbated pre-existing inequalities and made visible inequalities that we should never be allowed to unsee. To go back to “normal” would be a

failure of the State. Let us remember what normality means. For many family carers, it means fighting tooth and nail for basic rights to education and services for their children. Earlier this week, I am sure we all heard of seven-year-old Lexi Forde, whose family was told she would not be seen by the HSE school-age support services until late 2026. Though this seems to have been a mistake, we have all heard and made representations for children and families in similar situations across the country. Normality for these families also means potentially having their privacy invaded by the State when fighting to keep these rights, as we learned from the courageous action by Shane Corr. Normality for carers means greater financial hardships and instability, and poorer mental health, with carers more likely to report a form of depression than non-carers, according to the Irish health survey of 2019.

I take this opportunity to read some quotes from carers who responded to Family Carers Ireland's survey, *Caring Through Covid*. One respondent said: "I was already burnt out from caring 24/7 but now doing it without school, respite, home support and night nurses I'm totally exhausted and since we can't see any other family I feel forgotten." Another said: "My mental health is suffering, I have always been strong and a solid 'coper'. I have navigated many challenges in life but this is by far the most difficult." Another said: "Having no break or support is affecting my own well-being which affects the level of care I can give." These experiences of family carers were gathered between 14 April and 5 May 2020. Burnt out, exhausted and forgotten: nearly a year on, these feelings are only amplified.

I want to particularly mention the urgent need for the emergency talk therapy fund, referenced in the motion, which would provide family carers access to sessions with accredited counsellors and therapists, as well as the need for increased respite capacity and full resumption of day services. I also reiterate a call to reconvene the NPHET vulnerable people subgroup, a point I raised with the Tánaiste back in late January but which is still to be acted upon. Members of this group have been calling for family carers to be included in the vaccine roll-out for some time and their expertise and insight was invaluable prior to it being disbanded in August 2020.

Despite the merits of this motion, of which there are many, I want to discuss two amendments which the Social Democrats have put forward with the aim of addressing the pension gap for carers. The result of this gap is that thousands of carers neither qualify for a contributory State pension due to significant periods out of the workforce while they are providing care, nor a non-contributory State pension due to it being means-tested. As we can all appreciate, there can be a stark difference between what one qualifies for and what one deserves. Currently, these carers who slip between the cracks do so because they do not qualify for a State pension payment, not because they do not deserve or have not earned such a benefit. It means financial insecurity for many family carers in later life and the only reason for this is that they have dedicated significant portions of their working lives to their caring role.

I would like to include the voice of family carers and will read in to the Dáil record statements from family carers about this very issue, sourced from the *State of Caring 2020* by Family Carers Ireland. One said: "If I wasn't caring, I would be working full time and eligible for a pension when I get older. But because I'm an unrecognised carer my entitlement to a State Pension may be at risk." Another said: "I had to give up my career to care for my son full-time. It's been years now. No career. No income. No pension. Nothing left." Another said: "I will have no pension due to years of caring. I'm worried to the point of anxiety/panic about my future years." All of these statements from family careers are harrowing. It should not be the case that carers are literally losing sleep because they may not be able to qualify for a pension

later in life due to them performing necessary and valued caring work to the benefit of the State.

11 o'clock

Not only are we guilty of not supporting carers in their present-day situation, we are also guilty of putting their future at risk by not committing to a State pension for carers. We must care for carers both now and in the future, when they reach old age. This is what the amendments put forward by the Social Democrats are trying to ensure through the institution of a dedicated long-term carer's pension scheme.

Family carers who are the parent of a child with a disability or illness can be particularly vulnerable and disadvantaged when it comes to the arbitrary rules relating to qualifying for State pension benefits. The awarding of 20 years of credit for periods of caregiving as opposed to having that time disregarded is welcome and very helpful for many carers. However, it is practically useless if the carer does not have a minimum of 520 paid contributions, the equivalent of ten years in the workforce. In cases where a parent may not have worked for ten years prior to caring for a child, this can be incredibly difficult to make up. We must remove this bizarre 20-year limit so we can acknowledge the contribution of people who have spent sometimes twice as long caring, and disregard the need for 520 paid PRSI contributions.

Family carers who are the parent of a child with a disability or illness can also be disadvantaged when applying for the non-contributory State pension due to their partner's income or in some cases, land owned by their partner. I will use a fictional case study to illustrate how arbitrary and unfair the State pension scheme can be. Mary is 69 years old. She entered employment at the age of 17 in 1969. Nine years later, she gave birth to her first child who was born with a disability which resulted in him needing full-time care. Mary did not return to her previous employment but instead became a carer for her son. When Mary reached the age of 66 in 2018 she was advised by the Department of Social Protection that, as she had only 460 paid contributions, she would not qualify for the contributory State pension. Despite having contributed so much to the State by caring for her son, Mary was rendered at risk of poverty in her later years. Mary's husband was employed as a civil servant and paid a class B stamp prior to 1995 so his Civil Service pension was fully assessable in the means test for the non-contributory State pension. Therefore, Mary did not qualify for the non-contributory State Pension, was unable to receive an increase for a qualified adult and could not make voluntary contributions. Despite caring full-time for her son for 43 years and making a significant contribution to the State, Mary was not entitled to any State pension. This situation is replicated in families all over this country. Being able to guarantee a pension for all family careers, regardless of how long they have spent in the workforce or other PRSI and social welfare anomalies which are complex and nuanced, is not such an insurmountable task. It could be done through a dedicated, long-term carer's pension scheme which we are calling for in our amendment. This would go a long way to respecting the worth and value of all family carers.

Given the value of the care provided by family carers, estimated at €20 billion per annum, no carer should be denied a pension or receive a reduced rate pension for dedicating part of his or her life to providing much-needed care for another. Previous Governments have promised to find a solution for these cracks in the pension system for family carers and there is a commitment to finding pension solutions for carers in the current programme for Government. It is past time these promises were fulfilled. There is no economic, social or moral argument for denying carers financial security in their old age. Whatever the cost to the Exchequer, it could never equal the economic and social benefit to the State from the work of carers.

I commend our amendment.

Deputy Paul Murphy: I support this motion and thank Sinn Féin for tabling it. For too long, the hard work of carers has gone largely unrecognised, unsupported and unpaid by the State. The State and the Government have failed to care for the carers in our society. Every day, carers do crucial work supporting our most vulnerable but this and successive Governments largely view their work as a way to save money and for the State to outsource its responsibility to families, while providing those on the front line with very limited support. The closure of respite centres and day services hit them hard in the past while, as did the previous cutbacks to these services. Despite promises, they continue to be left in limbo when it comes to pensions. Carer's allowance and carer's benefit are simply inadequate, with low income disregards and unnecessary barriers for those who are self-employed. It is very simple: they need their work to be recognised as work. They deserve a living wage for the work they do, complete with proper entitlement to a pension.

This motion also correctly condemns the actions of the Department of Health in putting together dossiers on children, as exposed by "RTÉ Investigates" last week. Why is the State creating secret dossiers on children with autism whose parents are involved in legal action with the State? Why, instead of helping these children, is the State interested in spying on them in order to try to defend itself? Which Ministers for Health were aware of this? Did they sign off on it? Did the Tánaiste, Deputy Varadkar, know of this when he was Minister for Health? Did the Taoiseach, Deputy Micheál Martin, know? How on earth can it be justified to compile private information on vulnerable children from health, education and social care professionals, in order to block or damage their legal cases, without any consent from the parents? Rather than supporting these families, the State was engaged in alarming and sinister covert surveillance. We now hear that the head of the Department has refused to address the health committee next week and that the Government is refusing to address the Dáil on this matter for weeks. This cover up will not wash and will not be accepted by people. The families who have been monitored by the Department should be notified immediately. The Ministers and senior officials who allowed it to take place should be named and made to account for themselves.

This motion also refers to the vaccine roll-out and the campaigning by family carers to get access to the vaccine as soon as possible. Obviously, this is now all up in the air in light of the Government's latest change of tack on the roll-out. What is most striking about this change of tack is the lack of public health infrastructure to be able to implement the roll-out that was previously agreed. One year into a pandemic and the Government is not able to target particular groups, which it had previously said was best practice. It is shocking.

It is also very galling to carers that while they are none the wiser about when they will get the vaccine, the head of the Beacon Hospital seems to be distributing vaccines to whomever he wants. The idea of it being left to the Beacon Hospital to hire someone to investigate what happened there is simply not good enough. The Garda should be involved to establish if a crime was committed and there should be a rapid public audit, involving the Irish Medical Organisation and patient representatives, to see if there was other misallocation or misappropriation of public resources. The CEO of the Beacon Hospital, which is a private hospital, has been caught red-handed and he must go. He used his position of power to steal at least 20 public vaccines and use them as if they were his personal property. If a cleaner went in and robbed 20 vaccines, he would be arrested for theft. It should not be any different because it is the CEO of billionaire Denis O'Brien's private hospital. It is the same hospital, let us remember, that in January was refusing to sign up to allow its facilities to be used for surge capacity. Again and again, private

hospitals have put their profits and greed before public need. This underlines the need to end the two-tier health service and bring the private hospitals into a quality, single-tier national health service.

Deputy Bríd Smith: I thank Sinn Féin for bringing forward this very important motion. I also thank the carers in our State who have done an amazing job of looking after their loved ones, year in and year out for long periods. My sister gave 20 years of her life to looking after my mother, and she did it 24-7 without question. It is not an easy thing to do. All of the statistics show that making this sacrifice comes at a high price in a person's life.

In dealing with families and people who are challenged mentally or physically, people who have visual and auditory challenges and those who become old, the legacy of the State is the tradition of outsourcing, which is disgraceful. Some people believe outsourcing is a relatively new process that capitalist societies do but the Irish State has been brilliant at it since its foundation. In the past, it outsourced to charities attached to religious institutions and the legacy of that is section 38 and section 39 workers, many of whom also are not paid properly or are not in receipt of decent pensions.

That outsourcing has also been to the family. The family in Ireland has a strong tradition and culture but it comes at the high price of the State ignoring carers. As has been said already, who is going to care for the carers? That is why we should not only pass this motion but we should pursue every aspect of it with vigour over the next few years in order to ensure that carers get the justice they deserve. Carers often work 24-7. They get a respite payment annually but many of them are not able to do much with it, especially since cutbacks in respite have been prevalent, particularly in HSE settings, in recent years. We ran three or four campaigns in the past ten years to stop respite wards in Cherry Orchard Hospital being closed. We won some of them but we lost others. That has meant a reduction in the availability of respite beds to people in our communities who do a tremendous job of looking after the elderly, the frail, the disabled and those who are challenged or suffering from dementia at home.

The savings to the State resulting from people being cared for at home are estimated in one record at €10 billion a year and in another at €20 billion a year. The CSO reckons there are more than 500,000 carers, not all of them in receipt of benefits or allowances. In a country of 4.5 million people, we are talking about one in eight or one in nine members of the population, from the age of 15 upwards, engaged in home caring. This tells me that the Government should begin to recognise the very valuable contribution of that cohort of people no matter who they are or where they are. Two in three provide 100 hours' care a week. One in four provide 50 hours a week without any allowance or benefit. One in three have been diagnosed with depression, four out of ten with anxiety, two thirds suffer with their own physical ill-health and two out of three say their health has suffered as a result of caring for their loved ones. Access to routine supports have been seriously reduced since austerity began in 2009. Many of them do not receive home help or training in how to shower somebody, move them in the bed, lift them, carry them from their wheelchair into the bed or to toilet facilities. That is a complete neglect of those people who do an amazing job.

There is a massive heap of issues that have to be addressed. Like others, I want to read what Donna, who is aged 34, has to say about caring for her husband who has had multiple sclerosis for the past three years. She asked me to do that. She stated:

I have sat and watched over the last 12 months as profits from airlines and travel have

been prioritized over my life and everybody else's in this country. I have not received [any] extra money for PPE, sanitizer, [extra] electricity for being in the house ... I have done my bit, I have singlehandedly, without any home help, looked after my husband for the last 3 years.

What does the Government tell carers? It tells them that they can go to hell and look after themselves.

We have to ensure that issues such as the supports that are available, the training that should be available, an increase in the payment for a job that is saving this State billions of euro a year and an assurance that every single one of those people will be entitled to a proper pension are dealt with. Nobody really understands until they do the job or have somebody close to them doing it what enormous sacrifices carers make. They are completely undervalued. We need to care for our carers.

Deputy Seán Canney: I am delighted to be able to come into the House and support the motion tabled by Sinn Féin. It is very important that we put in place measures for family carers once and for all. Carers will tell one that this is not about them but about the people for whom they are caring. Carers are not selfish people. They are not seeking sympathy. They are not seeking platitudes and soft talk about how good they are. They are quiet, loyal and loving. They care for people and they believe that they are being neglected and left alone.

Figures of between €10 million and €20 million have been bandied about in terms of what this support means to the State. It does not matter because the State is saving an enormous amount of money and a major service is being provided on its behalf.

We have to do some very simple things to help family carers. I am sure the Minister and the Minister of State who are present have received many queries about people who applied for carer's allowance but who have had to wait 15 to 18 weeks for decisions on their applications. If the decision is to refuse an application for carer's allowance, there is a review and an appeals process. The person spends approximately six months without any income wondering whether he or she will get one. Meanwhile, he or she provides the service. That is wrong. If there is one action we must take after this debate it is to make it binding that the process of evaluating an application for carer's allowance is concluded within four weeks. If we did that, we would be doing a service to family carers. There is no excuse for the process to which I refer. It is just one that has built up.

The other issue that has come to my attention relates to parents who are caring for children and the fact that there are no overnight respite services in County Galway. If a family member or parents need to get a break away for one night, they might have to bring their child to Limerick for the night and then take the rest of the night off. However, there is no respite in having to drive down, get everything sorted out and drive back again. I am aware that the HSE is looking at this matter. I urge the Ministers to make sure that it is not just looked at but that we put in place overnight respite services for children in Galway as a matter of urgency.

Last night's announcement in respect of vaccinations was probably a kick in the teeth to family carers. Without any warning or consultation, their entire vaccination process was taken away under them. No more than that relating to teachers or gardaí, this issue has been dealt with in a poor way. It should have been communicated to those people and to Family Carers Ireland before journalists put the news out and informed them. I do not agree with it. What was

being done for those cohorts needed to be done, and still needs to be done.

I wish to refer briefly to the “RTE Investigates” programme . There is a bad smell from all of that. I believe that what was shown reflects the attitude that prevails within Departments about children with autism. I deplore what is going on because it breaks the confidentiality aspect and wrecks the GP code of ethics and the professional nature in which they are supposed to work. It should not be tolerated. We should not have to defend it. We should stop it and apologise for it immediately.

Family carers are at the heart of our discussion but if we simply talk about them, we are not doing anything other than offering soft talk. As politicians, there is an onus on us to make sure that we leave a legacy to family carers by treating them with the respect that they, and the people they are caring for, deserve.

Deputy Michael Lowry: Family carers across Tipperary and the country in general are one of the greatest assets to healthcare. They are undervalued, unappreciated and all too often overlooked. Despite the service they provide, they consistently remain on the bottom rung of the ladder when it comes to recognition. We can never hope to pay family carers their true worth. No price can be placed on love, compassion and selflessness. However, we can grant these people the recognition they deserve. The decision not to prioritise carers in the vaccination roll-out has been the ultimate snub. Carers are the Cinderella of front-line workers. Family carers across Ireland save the State an average of €10 billion every year. By giving their time to care for a loved one, they keep hospital beds free for others and reduce the need for State-funded care facilities. The actual work that family carers do is not reflected in this figure. The truth is that their work is priceless. One cannot put a value on the love and dedication that carers give. Equally, it cannot be forgotten or go unnoticed.

Since this pandemic began, family carers have been left in absolutely no doubt that their contribution to healthcare is not fully appreciated. Their plight has been raised on numerous occasions. I have raised it myself. There have been compassionate responses but nothing has changed. A small increase to the carer’s support grant and a commitment to review and update the national carers’ strategy does not address the needs of people who give their lives to caring for the needs of a vulnerable loved one. Some 10% of Irish adults are family carers, who provide 18 million support hours annually. Some 86% of family carers care for an ageing parent or a child with high dependency. A mere 6% of the overall Department budget is spent on income support for carers. The Trojan work of 10% of Irish adults is valued at this paltry amount.

Prior to the pandemic, 68% of carers reported that they felt their own health had suffered as a result of caring, 48% had been diagnosed with ill mental health and there was a shocking 70% increase in the number of carers diagnosed with depression. This was before Covid struck, which has added significantly to an already serious situation. Statistics on the mental health impact of the pandemic on family carers are not available. However, there is sufficient information in the public domain to prove that it has had a devastating impact. The primary concerns are that the carers themselves will contract Covid and will be unable to care for the people who depend on them. There is an ongoing fear that the vulnerable person would contract Covid and end up in hospital. In that situation, the carer is not permitted to visit to offer reassurance or support.

The Covid pandemic has led to the almost total isolation of carers and their dependants. It is far too risky to allow anyone into the house and equally dangerous for the family carer to

leave the house. Some family carers who had the back-up of hired carers contracted by the HSE to provide assistance lost this support during the early months of the pandemic when the contracted carers were redeployed. They were simply abandoned for weeks on end. The majority lost respite services, which provided their only break from caring. Family carers continued to carry out their work. They continue to do so every day, every night and every week. They struggle on to do their very best. They suffer their worries and fears in silence. Most learned a long time ago that a listening ear is hard to find.

I support the content of this motion. In particular, I wholeheartedly support the call to vaccinate family carers without delay. There is nobody who could honestly deny them that peace of mind for themselves and for those to whom they dedicate their lives. Knowing that their risk of contracting Covid is reduced would mean more to carers than anything else. I support the call from carers to increase carer's allowance, carer's benefit and to further increase the carer's support grant. Family carers can be on call 24 hours a day. They seldom know the day or the hour when a crisis may occur. No other healthcare worker in the country is expected to be on call all day, 365 days a year. If they were, they would demand and deserve to be compensated for it.

Despite saving the State €10 billion annually, carers ask for very little in return. It falls on us, as Members of this House, to identify and recognise their needs and to be their advocate in ensuring that they are treated fairly and equally. It falls on us to be their voice and to ensure that they are treated with dignity and respect.

Deputy Michael Collins: I welcome this motion about carers. I have been vocal in my support for carers in west Cork, especially in the times that we live in with Covid-19. Carers are unsung heroes. Many carers give up their everyday lives so that they can care for their family members. This often means leaving them with no time for themselves. The very least that we can do is support them in every way possible.

The Government has failed to prioritise carers in the roll-out of the vaccine. Last night, it changed the goalposts yet again. Income supports that are available for family carers are simply not good enough. Some of those being cared for are over the age of 80 and are not able to go to their doctors for their vaccines. This was meant to be rolled out by the National Ambulance Service. We have been left with elderly people stuck inside their homes and in no way able to get their vaccines. More than 2,000 housebound people in Cork and Kerry should have been vaccinated. This was meant to be carried out by the National Ambulance Service. However, only 5% of these people have been vaccinated. Some of them are in their 80s and 90s and they or their families have been in contact with me. They have not been vaccinated. It is not good enough. We lost enough of our elderly generation during the initial stages of the Covid pandemic and we are still losing them.

Our family carers should be given more credit and more financial support. We need to focus seriously on what payments are made to carers. These payments need to be significantly increased. The way we are working is penny wise and pound foolish. If many of these elderly people had their loved ones to care for them, they would be at home and maybe not in nursing homes or community hospitals, costing far more money. We need to give more serious consideration to giving more decent contributions to carers, because it is a 24-7 matter. The way that elderly people are being treated is shambolic, including how the fair deal scheme has been dragged out, bleeding people of their bit of savings that they worked hard for over the years.

We have had the longest lockdown in Europe and it looks like it is set to continue. It is due

to years of mismanagement by the HSE, failure to add ICU capacity in the pandemic and the vaccine roll-out being a shambles. Now, newly trained doctors are being let go. The Government needs to work with family carers to deliver supports and services to their loved ones and it needs to prioritise family carers for vaccination.

Deputy Michael Healy-Rae: I thank Sinn Féin, especially Deputy Cullinane, who is an excellent public representative and spokesperson on health issues for Sinn Féin. This is a timely motion. The one thing that people who provide care for older and vulnerable people in their homes do not want is lip service from the Government. The most frightening statistic is that over the past three years, there have been 52,000 applications for carer's allowance with 24,000 of them being refused. This means that almost one in every two applications is refused.

In my office in County Kerry, I deal with many people who want to care for older people in their homes. They are saving the State, the taxpayer and all of us thousands of euro every week by providing that care and service. Where would any one of us like to be if we were older, incapacitated or in need? The one place that everybody would rather be than in any other place in the world is in their own house, in their own corner of the world and in their own bed at night. Whatever bed we get into in any part of the world, the best bed to get into is one's own, if it is at all possible to do so. We have to acknowledge that. By putting hoops and obstacles in the way of the people who are looking to provide this care, we are doing a great disservice to older people, vulnerable people and to the State. In other words, we are shooting ourselves in the foot.

What is the alternative? I am grateful to the nursing homes in County Kerry, which are excellent. I am grateful to nursing homes because there are cases of people who are beyond being able to be cared for at home and they need a level of care that is only available in a nursing home or perhaps in a long-stay bed in a community hospital. That is more expensive and there are only so many places in those nursing homes, so that is why we have to try to streamline the processing application and grant people the different allowances that they need to achieve what they want, which is to take care of a loved person in their own house, in their own time.

Deputy Richard O'Donoghue: I support this motion. I cannot thank carers enough for the work they do in their own homes and the homes of others in Limerick and around the country. Since coming into the Dáil, I have continuously spoken about the rural-urban divide and today, I want to highlight the issue again.

Take, for example, the situation in a typical rural setting in which a tender goes out for the care of an elderly man of 82 years of age, who is country-based, 5 km to 10 km away from a rural village, and who requires ten hours of care per week. The provision of care in this situation would amount to a fraction of the cost of the elderly man going to a nursing home and the patient would be happier at home. If the family was to get a carer living nearby in to care for the man for one to two hours per day, this carer's social welfare would automatically be cut off as he or she is only permitted to work three days per week while in receipt of social welfare payments. Common sense would tell us that this could be changed. There are people with different circumstances who are in receipt of social welfare payments but if they work one hour a day over five days, they are cut off. We could change the regulation in order that carers could do two hours a day, which could be worked into two days per week. We would then have local people in local areas who could care for people in their areas.

In the example provided, the care of the elderly man would be the only work that this carer has, yet social welfare schemes make it too complicated for the carer and the provider. This

situation needs to be highlighted as a matter of urgency. I understand that there are huge difficulties in getting carers at present. Surely, common sense should prevail in a situation such as this.

I am heartened to see that the HSE has undertaken a massive recruitment drive for more carers. This will be of huge benefit. However, were the above example to be borne in mind, it might not be so difficult for carers to care for people in their own homes.

The fact that all carers have been vaccinated has made a huge difference to vulnerable people. I am appealing for the same to apply to family carers. When a parent or a partner is caring for his or her own family member, he or she should also be vaccinated.

Deputy Mattie McGrath: I too compliment Deputy Cullinane and Sinn Féin on putting forward this motion. We could not talk about a more sensitive, deserving and needy group of the population. They give all they can to those they care for, who are normally elderly but can also be vulnerable young people. I salute the carers and Councillor Richie Molloy, an independent councillor in Clonmel, and his team who manage the carers in County Tipperary. I also thank Ms Vivienne Kenneally in my office who deals with it as best she can, and the officials in the carers section. However, the guidelines need to be changed. It is the borderline issues. Nearly one out of every two requests for care are refused.

In the main, people do not look for carers unless there is a real need for them. They do the work themselves anyway. There are so many child carers who are not even recognised. The statistics are there to prove it. There are hundreds of children who are caring for adults because of the neglect of the HSE. That is not fair or right. Those children should be enjoying life, ag súgradh agus ag foghlaim. They should be learning and playing, not caring.

The issue must be looked at sensitively. There are a number of Ministers here today. They know about the issue and spoke about it when they were in opposition. These anomalies, guidelines and caps are there. People are being sent trasna na tíre, across the country, to meet others for half an hour here and 20 minutes there. They do not even get time to help the carer even to be in the room long enough to do the things they need to do. Consider the money that has been saved by keeping them at home in their own leaba and house. They are more content there and will recover better and enjoy a better quality of life there, rather than being in hospital. This is particularly the case at this point in time, when hospitals are cruel places because visitors are not allowed because of the lockdown. It is most cruel. People want to be at home, enjoy being at home and have a better standard of health at home, both mental and physical. I salute the army of carers who sign up for this work. I also salute those who are at home and who cannot access carers and the care they give their loved ones because of love and support and family. It is tremendous.

Many examinations need to be carried out in this area. The whole system needs to be examined and dealt with clearly. It must be more compassionate.

I must say that I am shocked at the further change made to the pecking order for carers in respect of the vaccination programme. It is idiotic at this stage. I used to say that it was sham-bolic but what is going on and the way the carers have been left out of this again is idiotic. It was shocking that they were not even mentioned last night, as if they did not exist. We will pay in pious platitudes but we will not pay them or respect them.

Deputy Thomas Pringle: I fully support both this motion and the amendment put forward

by me and Deputies Harkin, McNamara, Fitzmaurice and Joan Collins.

Carers are overworked and undervalued and the State is completely over-reliant on the unpaid caring work done by family members around the country. The fear that the Covid-19 pandemic has brought to carers has been palpable in our communities. People caring for vulnerable family members have been terrified that Covid could get into the home and that they themselves could get sick and be unable to continue to provide care. Those lucky enough to have home help have been nervous about staff bringing in Covid, especially because of the lack of PPE at the start of the pandemic.

Since the first announcements of the vaccine roll-out plans, I have been asking for family carers to be prioritised. The Minister's responses to where carers are in the national Covid-19 vaccination programme implementation plan sequencing table has been beyond disappointing and worrying. The national immunisation advisory committee, the Department of Health and the National Public Health Emergency Team approved the roll-out plan. The HSE is responsible for the roll-out of the vaccines. Yet, the Minister cannot wash his hands of his responsibility in all of this. His replies to parliamentary questions I have submitted on the need to vaccinate family carers urgently have consistently stated:

The priority is to first vaccinate and protect directly the most vulnerable amongst us, that is, those most likely to have a poor outcome if they contract the virus ... hence the focus on the over 65-year-old cohort in long term residential care facilities, and healthcare workers in frontline services often caring for the most vulnerable.

The Minister's replies have noted that "Persons being cared for in the home are a diverse group, therefore, each individual will be vaccinated in the group that is appropriate to them." In addition, they have stated:

Frontline healthcare workers (HCWs) in direct patient contact roles will be vaccinated in Group 2. This includes HCWs working in public, private, and voluntary settings. Other HCWs, not in direct patient contact, will be vaccinated in Group 4.

Other replies have noted that "Family carers are a diverse group, therefore, each individual will be vaccinated in the group that is appropriate to them." They are doing the work that hospital workers and other front-line workers do but they are being left behind.

Is caring for a family member at home not front-line work? Carers are that person's lifeline, his or her connection to the outside world, often administering medication, transporting them to and from medical appointments, and all and every other necessary task that comes with being a carer, depending on the needs of the person. Family carers may be part of a diverse group and people receiving care are also in a diverse group but there is a common theme here, namely, vulnerability. Were carers working in hospital settings, they would be classed as front-line healthcare workers and would have been among the first to be vaccinated.

I welcome the motion before us and note the urgent need for the motion.

Last year, between 14 April and 5 May 2020, Family Carers Ireland undertook a national survey on family carers' experience of caring during the Covid-19 pandemic. At that point none of us could have expected the pandemic to have continued for so long. The report was an online survey and was completed by 1,307 family carers. The respondents were from a range of different caring situations, such as parents caring for children with a disability, people caring

for an adult, carers of older people and people caring for two or more people. It was open to respondents aged over 18 years. However, we do know that there are many carers under the age of 18 years and probably more since the beginning of the pandemic. In the census of 2016, there were 3,800 children under 15 years of age providing care to others, which at that time constituted 1.9% of all carers. The report is very informative and some of the findings were that the average age of respondents was 46 years, 95% were women and 3% became carers due to the Covid pandemic.

With an estimated 500,000 carers across Ireland, the online survey of 1,307 responses is just a very small snapshot. However, it does provide some evidence around what we have been hearing anecdotally in our constituencies. Family Carers Ireland estimate that carers save the Exchequer around €20 billion and that around 19 million unpaid hours per week are provided by carers.

At the end of February this year, Family Carers Ireland put out a strongly worded press statement on the exclusion of family carers from the early roll-out of the vaccine. It said that it was “devastating” that carers were once again ignored. It stated:

They were cast aside for PPE, they were ignored for priority testing and now they are being ignored for vaccinations ... The programme for Government clearly states “*Family carers are the backbone of care provision in Ireland. They deserve support and recognition from Government*”. Sadly actions speak louder than words and today our Government has failed family carers.

Deputy Catherine Connolly: Gabhaim buíochas leis an gCathaoirleach Gníomhach agus le Sinn Féin as an deis an t-ábhar seo a chur os comhair na Dála chun é a phlé. Tá an t-ábhar seo an-tábhachtach agus tá gá orainn beart a dhéanamh anois ar son na mban agus na bhfear atá ag saothrú ar ár son ar an talamh ionas go bhfuil cúrsaí eacnamaíochta go maith.

I appreciate the opportunity to speak on this motion. I welcome the Minister’s statement and look forward to hearing what the Minister of State, Deputy Rabbitte, has to say about the actions she intends to take to address the issues raised.

A number of figures have been referred to this morning and it has been said that we cannot put a value on the work done by carers. However, I understand work is, in fact, in progress by the CSO and local organisations to arrive at such a valuation. The figure of €20 billion has been mentioned repeatedly. It is amazing that we do not have an official valuation and that no Department has seen fit to put a monetary value on the contribution of carers. We put a monetary value on many things but not on this. Can the Minister of State tell us what carers are saving the country? Is it €20 billion, €18 billion or €22 billion? The amount being saved is certainly astronomical but the Minister could not provide an exact figure.

We hear a great deal of talk about having a thriving economy outside of the Covid challenge but there never seems to be a value placed on the work that goes into making that economy thrive. A huge segment of the success in this regard has been achieved primarily on the basis of unpaid work, including that done by carers. I welcome the motion introduced by Sinn Féin and the amendment put forward by a number of Deputies, including one of my colleagues. I will return presently to the “RTÉ Investigates” report, which is referred to in the motion.

Will the Minister of State confirm whether it is the case that there is no respite provision, and has been none for more than a year, for people in Galway caring for loved ones? I can

think of many such examples throughout the county, as I am sure the Minister of State can in east Galway. One year on, I am asking the same questions. It is beyond my comprehension to understand how NPHET and the other sub-committees have not prioritised respite care. That should have been the first thing they did. We cannot let people struggle on, saving ourselves money while not giving them care and watching them go under. We do not need organisations to tell us this is happening because we can see it with our own eyes. We know what is going on and the Minister of State knows it. Why has respite provision not been top of the list for NPHET and NIAC? Why has it not been a priority to consider how respite services can be made safe? I would love an answer from the Minister of State on that question today or, if not today, in writing.

The Sinn Féin motion refers to the “abhorrent practices” uncovered by RTÉ, a reference I welcome. I do not know whether the Minister of State was shocked by what was shown on that report. I thought I was beyond being shocked before I learned about the abhorrent practice of taking up civil servants’ time to build up dossiers on cases that were apparently dormant with a view to doing the families in. I will change the language I have used. It was done with a view to catching the families out when they were at their most vulnerable in the hope of securing a lower settlement and saving costs for the State. All the time that energy was being put into this effort, it was not going into providing services or doing analysis of the cost saved to the State by carers.

I want to say a public thanks to the whistleblower who revealed what was happening. Without his courage to come forward, we would not know the truth. I am sure his life has not been easy since he disclosed what he knew. The Minister of State is nodding and I appreciate that. I appreciate that she is a proactive Minister of State. However, it is unacceptable that we had to rely on a whistleblower to reveal this information and that he has been threatened with the Official Secrets Act, as has RTÉ, as I understand it. What I found most annoying and abhorrent was the reaction from commentators such as the former Attorney General, who did not seem to see too much wrong with what happened and, in fact, noted that it was normal practice to exchange reports. The comment by the head of the body representing psychiatrists in Ireland floored me. I really could not understand what he was saying last Sunday. It is worth listening to his statement again.

As a person with limited experience in this area - but some experience, nevertheless - it is obvious to me that it would, of course, be usual practice for medical reports to be exchanged. However, that should be done in an open and accountable way and there are rules guiding such exchanges. Both sides know the rules of the game, so to speak. It may be a game on occasions but it is never a game when one is dealing with a child with a disability. When I talk about a game, I am referring to the law. There were no rules adhered to in this instance. A collection of documents and information was exchanged on a secret basis to build up a dossier and have the advantage if the families ever came to settle the case. There is no need for dormant cases; both sides can bring them to a conclusion. The comments from the former Attorney General were a bit disingenuous in this regard.

Minister of State at the Department of Health (Deputy Anne Rabbitte): I thank all the Deputies who contributed to the debate. I intend to address two issues that are referred to in the motion, namely, day services and respite provision. I will also speak about the “RTÉ Investigates” programme and address some of the points raised by Deputy Connolly.

As a Member of this House, I have spoken with numerous carers and, more recently, I have

done so as Minister of State with responsibility for disability services. Many of them have told me about the struggles they face in looking after the most vulnerable. The pandemic has worsened the situation for many carers. I take this opportunity to thank them sincerely and to restate the Government's commitment to supporting people with disability and their families and carers at this time. As I said, I want to use my time this morning to address points raised by Deputies regarding respite provision and day services.

I am very aware of the delay in some local health authority areas in the provision of respite services and the stress this is causing for people with disabilities and their families. The HSE regards the provision of disability services as essential to maintaining a response to people with disabilities. I have brought about some changes in this regard since last September. In the first wave of the Covid crisis, disability services were not deemed to be essential services. Disability provision is now deemed to be an essential service for adults. As a consequence of the Covid crisis, centre-based respite facilities are generally providing services at a 40% to 60% occupancy level due to the precautions necessary to maintain physical distancing and adhere to infection prevention and control requirements. The majority of centres are open on a reduced capacity basis due to the physical distancing requirements.

In a very small number of cases, certain centres remain closed or continue to be used for isolation purposes, subject to the prevailing local indices of infection. The HSE continues to work with service providers locally to maximise both centre-based and alternative non-residential respite and support options in order to provide services wherever possible. Targeted, one-to-one home support hours are being offered in lieu of respite in certain circumstances, subject to appropriate risk assessments and in line with the prevailing infection and prevention control guidelines. In 2021, the HSE will provide 214 intensive respite support packages to children and young adults.

We all hope that Covid rates will fall and that improved services can be offered. In budget 2021, I committed to providing funding to the HSE to develop nine additional respite services across the country, which is one for every community healthcare organisation, CHO, in the State. The purpose is to ensure that where we do not have proper respite services, we will, at a minimum, have one functioning respite house in every CHO. That provision is predominantly focused on children's respite but will also provide for adult need. The HSE is engaging as a matter of priority with service providers to develop these services in each CHO and I hope to be in a position to confirm the locations of other facilities in the coming months. Three weeks ago, St. Gabriel's Centre in Limerick was the first of these centres to which funding was allocated and facilities and staff are being commissioned and recruited as we speak.

This time last year, day services had to close due to the unprecedented threat of Covid. In August, we succeeded in having them deemed to be essential services. When the services resumed in August, they were coming from a very low base. By September, we had got the quantum of service up to 31%. Today, it stands at 55%. The additional investment in disability services secured under the Covid action plan and budget 2021 will build the capacity of our adult disability services and is enabling us to increase day services provision by one day a week. It will also support approximately 1,700 young people who will leave school and training programmes in 2021. I commend service providers and staff on their commitment and flexibility in maintaining this level of service in very difficult circumstances. Additional guidance has been circulated to all service providers to ensure that they maintain regular contact with service users who are not attending the locations.

I cannot see a clock but I have no doubt the Acting Chairman will tell me when to stop.

There are two other matters, including the important question of a carer needs assessment, CNA, commitment in 2021. There is €180,000 in funding for the roll-out of carer needs assessment as part of the single assessment tool project that has been secured from the dormant accounts fund. The CNA has been done and was due to begin in 2021. It is starting in 2021 in CHO 2 in order to provide a mechanism to assess family carer needs better with a view to linking them to relevant services and support, which is really welcome. We know the tool used for carers to access supports is not very clear.

There have been 27,000 hours of emergency respite made available through Family Carers Ireland to ensure the immediate care needs of care recipients could be met in the event that a carer would be no longer able to continue in a role.

There was a question on the “RTÉ Investigates” programme and my understanding is there shall be statements on that tomorrow afternoon. I do not have the full facts to answer all the questions but I will come before the House, perhaps with the Minister, Deputy Donnelly, to answer questions on those matters.

Minister of State at the Department of Health (Deputy Frankie Feighan): In the concluding stages of this debate it is right to acknowledge the admiration held by all Members of this House for family carers. Every day tens of thousands of people provide care for relatives, friends, neighbours and others. They may come from various walks of life and begin caring responsibilities at different points in their lives but these people share a common love for the person for whom they care. Their noble commitment to provide the best quality of care for their loved ones in the comfortable and familiar surroundings of their home is rightly worthy of our praise and admiration. It is also proper that we recognise the value and contribution made by family carers in our healthcare system.

The national carers’ strategy 2012 is a whole-of-government strategy containing high-level goals and objectives to address a range of priority areas of importance to family carers, including health and personal social services, income support and respite. Progress has been achieved under the strategy but further work remains, as reflected by this Private Members’ motion. In budget 2021, the Government increased funding to improve access to health and social care services in the community, which benefits caregivers and those for whom they care.

The Minister of State, Deputy Rabbitte, highlighted significant additional investment in disability services for 2021 and a further area I will mention concerns the ongoing work to improve access to GP care for family carers. GPs are often the first point of contact for carers when seeking advice and information. Since September 2018, individuals in receipt of either a full or half-rate carer’s allowance or carer’s benefit have been automatically eligible for a GP visit card. This measure was introduced to enable approximately 14,000 people at the time in receipt of carer’s allowance or carer’s benefit who did not qualify for a medical card or GP visit card on means or age grounds to be eligible for GP services without fees.

The Minister, Deputy Donnelly, has already referred to how we are improving health and social care services for older people and this year an additional 5 million home support hours will be provided to support older people to remain in their homes for as long as possible. This includes an additional 250,000 hours for people with dementia and an additional 27,000 hours in emergency respite to ensure the immediate care needs of care recipients are met where a carer

is no longer able to continue in a caring role.

Looking forward, the programme for Government commits to reviewing and updating the national carers' strategy, developing a pension solution for carers that recognises their important work and developing a carer's guarantee proposal that will provide a core basket of services to carers across the country, regardless of where they live. There has been a €2 million allocation to the HSE in 2021 to improve equity of access in supports for carers across the country.

It is the duty of the Government to meet the needs of family carers and foster a climate in which they feel valued and supported to continue in caring roles. Our commitment is laid out in an ambitious programme for Government. We will work with family carers and representative organisations to deliver this.

Deputy Mary Lou McDonald: I will be sharing some time with Deputy David Cullinane. At the beginning of this debate the Minister for Health described family carers as the "backbone" of caring in our State. I will put on record some of the words of the backbone of care in our State:

I am so fed up and worn-out from fighting for the basic rights of my daughter.

With so little support, I live in a constant state of distress and worry for my child. I regularly cry myself to sleep at night.

I do not get a break but I am at breaking point. Who will look after my elderly parents if I get Covid?

At the end of the day carers are not part of the old boys network, so we do not get the deals and bonuses that the Government seems happy to hand out to [its] buddies.

These are the words and experiences of family carers who are among the very best and most decent people in our society and yet for far too long they have been abandoned by the State and certainly forgotten during this pandemic.

It has been a very difficult year for everyone but now is the moment to turn the page on how family carers are treated by the State. Our plan, proposed in this motion, is simply designed to give carers a break by ensuring that they are prioritised for vaccination, increasing access to respite and improving supports, including financial supports. The work that family carers do is tough and exhausting. There is no clocking in or out and they are at work every hour of the day. There are no words to describe the importance of the work, which is done with such dignity and love. Behind closed doors they move mountains and perform small miracles every day.

Although the work that family carers do is the work of compassion and kindness, family carers are workers. They are front-line health and social care workers who save the State as estimated €20 billion per year. Nevertheless, they are left behind and ignored. They have much tea and sympathy but when it comes to real respect in the form of support and services, family carers are forgotten by the Government time and again.

This constant neglect comes from a fundamental dysfunction and the cruel way the State treats its most vulnerable people. Instead of the Government prioritising vulnerable citizens and their families, what we get is hostile Departments compiling dossiers on them in an effort to undermine legal cases against the State. When the State has such warped priorities, is it really any wonder people with disabilities and their carers have to fight tooth and nail for proper

supports and services? It is no surprise at all.

During the pandemic, when services were either withdrawn or curtailed, as the virus cut off the support of family and friends, family carers were left trapped and isolated in the fight to keep their loved ones safe. As loved ones with additional needs regressed during lockdown, the frustration, worry and fear has been tangible for these families. This sense of abandonment has crystallised around the question of vaccination. After months of hardship, the news of vaccines brought a chink of hope and relief for many family carers. It came as a punch in the gut for family carers that they would not be prioritised for vaccination.

12 o'clock

The refusal to afford family carers priority boggled the mind and begged fundamental questions of this Government. Carers asked, very reasonably, who would care for their loved one should they become sick with this virus. Yesterday, we discovered that family carers definitively will not get the priority they deserve. This has been a kick in the teeth to them. They will be joined by childcare workers, special needs assistants, teachers, gardaí and those working in retail and transport, in other words, the front-line heroes who went above and beyond over the past 12 months. The people we have saluted and acknowledged for keeping society on the move and keeping us safe are now to be set aside.

Is cinneadh náireach é. Tá cúramóirí, múinteoirí, cúntóirí riachtanas speisialta agus gardaí go léir fágtha ar gcúl gan aon rannpháirtíocht. Tá ár dtacaíocht tuillte acu. Is laochra túsline iad. Tá a gcuid déanta acu. Choinnigh siad slán muid go léir. Is slap san aghaidh é do na hoi-brithe seo.

This is a slap in the face. The Government changed its vaccination strategy simply because it did not have its work done. The Government and the State failed to provide the correct mechanisms to roll out an effective and safe vaccination strategy. That is the truth of the matter and front-line workers will pay the price for that. Family carers will again be set aside and left aside.

The Minister has indicated that the Government will not oppose the motion we have brought before the House but we ask much more than that. We want the Government to support the motion and go further than that again by ensuring all the provisions set out in our plan are realised. It is time to change the present and the future for the hundreds of thousands of family carers in Ireland. If we are prepared to work together, we can do that. We can move from a situation of neglect to one where family carers are truly valued. When somebody asks who cares for the carers, the answer should simply be that all of us do.

I ask every Deputy to back this plan and ensure it is implemented. I ask Government Deputies, in particular, to show up for family carers by urgently implementing the measures that we as a Dáil will agree this morning.

Deputy David Cullinane: Covid has shone a spotlight on many sections of society and the vulnerabilities of some of them. Family carers are one of them. This has to be the start of finally delivering a new beginning for carers. I do not have confidence in this Government or any of the main conservative parties in this State to deliver that new beginning. They have been in government for decades. All the carers I have talked to are sick and tired of false promises and of hearing from the same politicians from the same parties, who tell them what they want to hear outside and, when it comes to budgets, resourcing and putting plans in place, it does not

happen.

I say to the Minister and, more importantly, to family carers that this will not happen under a Sinn Féin-led Government. We will put carers first and put in place the services and supports they need. We would make sure they were prioritised in the roll-out of the vaccine. We will attempt to clear waiting lists for disability assessments, speech and language therapy, physiotherapy, counselling services and healthcare across the board. We would expand eligibility for carer's benefit and GP visit cards. We would relax the means test for the carer's allowance and establish a discretionary fund for Covid utility bills for carers. We will ensure carers get the support they need and that the big state will not collect data on families of children with special needs, including sensitive and graphic information, to use that information against families to force them to drop dormant cases they took to get their children the supports and education they need.

That is what carers, children with special needs and their families can expect from a Sinn Féin-led Government. I hope it is not the case that the Government will not oppose this motion only to do nothing about it once this session is complete. Carers are watching me and my party and they are watching the Government. The Government must do more than not oppose the motion; it must deliver on what the motion has asked of it today.

Amendment agreed to.

Amendment No. 2 not moved.

Motion, as amended, agreed to.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Mary Lou McDonald: Friday is World Autism Awareness Day. This marks a moment when we should be focused on raising awareness of the challenges facing those on the autistic spectrum and discussing how best to support them. Instead, we find ourselves discussing again how badly the State treats and fails children with additional needs.

Yesterday, we heard the harrowing story of a seven-year-old called Lexi Forde, whose parents have been told she will have to wait until 2026 for school-age support. They said they have been left crying and literally begging for services for their daughter. Lexi's story is not unique and comes on the back of shocking revelations that the Department of Health was compiling dossiers on children with autism and their families involved in legal actions against the State. It is important to understand that the legal actions being taken were around the State's failure to provide these children with vital supports and services. The State set out to gather information that could be used to exert pressure, damage reputations, stall and silence these families.

On the very day the "RTÉ Investigates" programme aired, families were in front of the High Court fighting for their children's right to a school place. The truth is that the State makes families of a loved one with special needs feel like a nuisance when they look for support. They face a closed door. The truth is that the State only gives begrudgingly and withholds services and supports begrudgingly.

Those who take on the system and the State in the courts and refuse to be silenced find that the State goes on the attack and vilifies them. This is a story we know only too well. It was

faced by brave people like Brigid McCole, Louise O’Keeffe and Sergeant Maurice McCabe. The fact that this malicious behaviour on the part of this State now extends to the collection of data on the families of children with autism is scandalous and shameful. Inclusion Ireland and the Disability Federation of Ireland have condemned this practice. The Ombudsman for Children has expressed deep anger at how the State treated those whom he described as some of our most vulnerable children. However, the Secretary General of the Department of Health has sought to defend these practices. He says it acted within the law and the HSE goes so far as to describe these practices as “normal” - its word, not mine. It is alarming that they do not get that the real scandal is that these practices were happening at all. Lawful or not, this was deeply unethical. I do not believe this Government or the State has the consent or support of citizens and taxpayers to attack families and vulnerable young people in this way.

Were these practices under way when the Taoiseach was Minister for Health and Children? Will he indicate whether these practices continue today as we meet? What steps have been taken to make full disclosure to the families on whom these dossiers were compiled and kept? Can the Taoiseach answer those three very direct questions?

The Taoiseach: First, I state unequivocally that the Government I lead is one that sees as its fundamental objective advocacy for children and providing services for children in education and health in the most comprehensive way possible.

All my political life, I have fought for children with special needs in whatever capacity I have served. I do not intend to change now. When I became Minister for Education and Science in 1998, I introduced groundbreaking change to education services for children with special needs, in particular children with autism. It is hard to credit that in 1998, children with autism were not even recognised as being a specific educational category deserving of specific educational supports. We changed that. I led that change by providing pupil-teacher ratios for the first time for all children with special needs and specifically for children with autism in respect of special classes, with one teacher and special needs assistant, SNA, for every six children, and providing supports for children with autism in mainstream and special classes.

I respect the Deputy’s right to raise issues but she should not dare ever accuse me of trying to attack children with autism. That is not what I or my colleagues in government are about. The State has failed in the past and it can do better right now in terms of providing additional places for children with special needs. That is something on which I am particularly focused right now. The Deputy should cut out this kind of thing, saying she is somehow in some virtuous world and everybody else here on the Government side has no empathy or no desire or policy focus to do better for children with special needs, or children more generally. That is just not accurate or correct. There has been an explosion and expansion of services for children with special needs in education. That is incontrovertible. I would like to do more, however, particularly in terms of children having access to more therapies in a timely manner. That is something on which we are currently focused in both education and health.

I watched the “RTÉ Investigates” programme and I would not, in any set circumstances, support any Department seeking, for example, to breach patient-client confidentiality. That would be intolerable, unacceptable and unethical. The Department of Health does not accept that assertion, however, and is conducting a rigorous review of it. As I said, the Government will appoint a multidisciplinary team to assess that situation and give the full story around it. The Deputy has made assertions and damned the officials in the Department of Health without allowing them an opportunity to give their perspective on it. They are parents too and have

children as well. They are not immune or somehow unfeeling, unethical people. It is easy to brand people in that manner in this House but is it fair to do so without full knowledge of the situation?

I repeat that there should never be any attempted breach of patient-client confidentiality. No Department official or anyone in government should ever seek to approach clinicians, for example, seeking files in respect of children on which there are legal cases. I am not clear yet as to whether that happened in any systemic way. The Deputy used a phrase about compiling dossiers. That has been denied. A report was compiled on this. Perhaps we need to pause and get the full story. It is unacceptable that it would happen. I assure the Deputy that the Government's commitment and its role and function are to advocate and provide for children.

Deputy Mary Lou McDonald: As I said, on the very day this programme setting out these shocking revelations aired, families were before the court bringing the State to account for a failure to provide places for their children at school. Let me repeat my branding of the practice of compiling and holding files and dossiers on children with autism and their wider families by the HSE, the Department of Health or any other organ of the State for the purposes of facing off legal challenges as absolutely scandalous and shameful. It is a practice that should not be indulged in.

Rather than engaging in distractions, the Taoiseach might answer the questions I put to him. I asked him whether, when he was Minister for health, this practice of compiling files and dossiers of this nature was under way? I also asked him to confirm or deny that this practice continues as we meet here today. I also him to indicate, with regard to the families on whom these dossiers and files were held, whether that has been disclosed to them at this stage.

An Ceann Comhairle: I thank the Deputy. Her time is up.

Deputy Mary Lou McDonald: The Taoiseach relies heavily on the report that he cites. Can he confirm that this report will, in fact, be published? I thank the Ceann Comhairle for turning off my microphone.

An Ceann Comhairle: I did not turn off your microphone or anyone else's.

The Taoiseach: Lexi Forde, the child referenced by the Deputy earlier, will not have to wait until 2026. We will make sure that is the case. No child should have to wait that length of time. I do not want to comment on specific individual circumstances. It was raised, however, and we will see to it that that does not arise in that case.

The allegations made in the "RTÉ Investigates" programme are being taken very seriously.

Deputy Mary Lou McDonald: I asked three specific questions.

The Taoiseach: There was no practice. It was not a practice when I was Minister for health of deliberately going out either to authorise the collection of data in respect of individual children or families. From my understanding of litigation, what normally happens is that pleadings are made and in the course of the interaction between legal teams, the plaintiffs will often provide information to obviously justify the necessity for additional educational and health supports.

An Ceann Comhairle: I thank the Taoiseach. His time is up.

The Taoiseach: As I said very clearly, any breach of patient-client confidentiality or any attempt by any official or anybody to ring up a doctor or consultant, as happened - they had documentation in respect of one case - would be-----

An Ceann Comhairle: We cannot go into this any further. The time is up.

The Taoiseach: -----totally wrong and unethical.

An Ceann Comhairle: Time is up, please.

Deputy Pádraig Mac Lochlainn: A Cheann Comhairle-----

An Ceann Comhairle: You are not a leader, Deputy Mac Lochlainn.

The Taoiseach: It is not something I would condone.

Deputy Pádraig Mac Lochlainn: I wish to raise a point of order. Microphones, for the second week in a row-----

An Ceann Comhairle: You cannot raise a point of order.

Deputy Pádraig Mac Lochlainn: Why does the Taoiseach's microphone remain on when he continues to speak for 30 or 40 seconds? For the second week in a row, various leaders have had their microphones turned off.

An Ceann Comhairle: You are out of order, Deputy. Resume your seat.

Deputy Pádraig Mac Lochlainn: I ask that this be clarified.

An Ceann Comhairle: Resume your seat, Deputy.

Deputy Pádraig Mac Lochlainn: Why are microphones being turned off when the Taoiseach's microphone remains on? Why are microphones being turned off?

An Ceann Comhairle: Please resume your seat. Do not bring the House into disrepute.

Deputy Pádraig Mac Lochlainn: Who turned off the microphones?

An Ceann Comhairle: Please do not bring the House into disrepute.

Deputy Pádraig Mac Lochlainn: I asked who turned off the microphones.

An Ceann Comhairle: In more than five years occupying this Chair, I have never turned off anybody's microphone. I have asked people to abide by the time limits, which are generally ignored. Will you not ignore me and please resume your seat?

Deputy Pádraig Mac Lochlainn: That is fair enough. Will the person who is turning off the microphones please stop doing it?

An Ceann Comhairle: You are out of order, Deputy. Resume your seat. This debate is over.

Deputy Alan Kelly: The Labour Party wishes the Government well in the strategy the Taoiseach announced yesterday. The country needs it to deliver and we will play a constructive role in whatever way we can. We will also criticise where necessary. I hope and pray that the

Government delivers with regard to the changes it made regarding the vaccine prioritisation. If not, gardaí, special needs assistants, teachers, carers, retail workers, etc. will feel very let down. Everything that has been done and announced yesterday is based on underlining data relating to vaccines. The Government has put all its eggs in the vaccine basket. I just want to dig into the details of this data.

The statistics we have been given to date are that approximately 800,000 vaccines have been administered, with approximately 578,000 first doses and 225,000 second doses. We have also been told that all over 70s will be vaccinated by the end of May. This was meant to be the middle of May but it slipped by two weeks. Allowing for that, it will now be the end of May. This is great news but I just want to dig into the data.

We have now been told that, by the end of June, 80%, approximately 3.8 million of the population over the age of 16, will be “offered” their first vaccine. How many of them will actually get it? My wedding anniversary is in July. I am going to offer to take my wife out for dinner in a restaurant she chooses. I do not know, however, if I am actually going to be able to take her out to a restaurant in July because I do not know if they will be open.

Deputy Michael McNamara: I am sure the Deputy will.

Deputy Mattie McGrath: He could bring a flask.

Deputy Alan Kelly: Having said that, in all seriousness, I want to ask the Taoiseach about the word “offered”. By the end of June, will 80% of the population have received a dose of vaccine? Will they, at least, be in a position where they would have received it? It is a key question.

I was thrilled and delighted to hear the Minister for Housing, Local Government and Heritage, Deputy Darragh O’Brien, say earlier on “Today with Claire Byrne” that in April a portal will be offered to everybody to apply for their vaccine. That means all the further cohorts and various different age groups can do this. Will the Taoiseach confirm that this will happen? Will he confirm that everybody will be able to apply for vaccine in April?

Considering that everything depends on the volume of vaccines and that we are getting 1 million doses in April, May and June, will the Taoiseach tell us how many vaccines will be given to Ireland over the three months by the four companies, AstraZeneca, Pfizer, Johnson & Johnson, and Moderna?

The Taoiseach: I thank the Deputy for raising those issues.

The vaccination programme is a key part of exiting Covid-19 and endeavouring to bring life back to some degree of normality. The measures we adopted yesterday were essentially designed to continue to keep the pressure on the virus, particularly over the next four weeks, in order to reap a bigger dividend later in the summer, rather than taking risks now, which would have the consequence of increasing the prevalence of the disease and creating more pressure on our hospitals before the summer even starts. Such a scenario could potentially mean the rest of the summer would be mopping up if there was an escalation of cases and so forth. That is the thinking behind it, particularly as we are rolling out the vaccination programme.

We are into a different era in terms of the first three months. We always knew the volumes would be low but even that knowledge was compounded by the fact that we had difficulties with

delivery schedules. AstraZeneca's supply and manufacturing issues are well known in respect of not fulfilling the European Union contracts.

That said the data is much stronger for the second quarter, April, May and June. The target is to have 80% not just offered vaccination but to get vaccinated by the end of June. The European Union has a figure of 70% across Europe, on average, to be fully vaccinated by the end of July. There will be an intense vaccination programme during the summer months. The situation is improving for the companies involved. The Halix plant has been authorised by the European Medicines Agency, EMA, which is significant for AstraZeneca's capacity to provide vaccines. Moderna has stronger manufacturing capacity within Europe, particularly in Switzerland. Pfizer-BioNTech has its Marburg plant in Germany. Johnson & Johnson's supply chain is independent of the US in terms of its contractual commitments to Europe. It means the national task force on vaccines is more confident in terms of supply lines and the delivery of vaccines. That focus will switch to the administration of far higher volumes of vaccines in the coming while.

With the evidence the national immunisation advisory committee, NIAC, has put together, it and NPHEt are saying that the biggest factor in mortality and in severe illness arising from Covid is age. The change announced is about getting the most vulnerable in our society vaccinated as fast as we possibly can. It is about having no barriers or obstacles in the way of getting mass vaccinations done.

Many older teachers and key workers more generally, as well as the more vulnerable, will now be vaccinated more quickly.

Deputy Alan Kelly: I thank the Taoiseach for answering one of the three questions. I am delighted to hear that 80% of the population over 16 will be vaccinated by the end of June. That will be an incredible achievement and I look forward to it.

The Taoiseach: That is a first dose.

Deputy Alan Kelly: Yes, but it will be a vaccination received.

Will the Taoiseach confirm that the portal will be in place in April? Will he confirm that everybody will be able to apply for it? What number of vaccines from the four companies will be arriving here in the three months of the second quarter?

On what happened in the Beacon Hospital, the old private school club of access to whatever one wants, whenever one wants, was at play again. The Beacon got access to vaccines and became a vaccination centre early on. There were issues about it vaccinating its own staff above some who should have been prioritised in January. Then there was the fact that it would not sign up to the national ICU plan. Then there was what happened over the past number of weeks which was brought to light by Craig Hughes.

Why did we offer the Beacon as a hospital for vaccinations? Who decided that?

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

Deputy Alan Kelly: I know the hospital did it for free. Considering it had the privilege of doing this and the way in which it administered State product, who made that decision? We need to know.

An Ceann Comhairle: Deputy, please. I call the Taoiseach.

The Taoiseach: The national task force envisages having the portal up and running in mid-April, perhaps the third week in April. I will get the specific dates for the Deputy. That is the intention.

On the specifics of each company, I will get the details on each of them for the second quarter for the Deputy. On average, between April and May, we are looking at 2 million doses with a higher amount in May over April. It is 860,000 by the end of April with a higher amount in May. Delivery schedules will determine the weekly administration. There will be higher figures again in June and July.

An Ceann Comhairle: Thank you, Taoiseach. Time is up.

The Taoiseach: The Beacon is a good vaccination centre. It was facilitating vaccinations, particularly for the people in that area, as efficiently and effectively as it could.

An Ceann Comhairle: Thank you, Taoiseach. Time is up.

We move next to the Rural Independent Group and Deputy Michael Collins.

Deputy Michael Collins: I want to raise the fishing deal the Government agreed to which is now seen as the greatest political sell-out of any industry that any Government has ever agreed to in the history of our State. This sell-out has angered fishing communities beyond words from Union Hall to Castletownbere, all along the coast to Donegal. New evidence in replies from a series of parliamentary questions confirms that the Government blindly supported the EU negotiation mandate in respect of the Brexit negotiations. In doing so, the Government betrayed not only the sector and coastal communities but the entire country.

This provides infuriating confirmation that the Irish fishing industry must now pay a huge price for our Government and Ministers opting to tow Brussel's line in these Brexit negotiations. The shocking and utter lack of engagement and dialogue with the EU side, on behalf of the Irish fishing sector, by the Government and the Minister in the months leading up to the Brexit deal is now glaringly obvious. In fact, at his first EU Agriculture and Fisheries Council meeting on 21 September last, the Minister failed to raise the Irish fishing sector's pre-Brexit concerns. At his second meeting since becoming Minister, on 19 and 20 October, he again failed to table or raise the implications of Brexit for the sector. Instead, he chose to engage in a rather meaningless three-way bilateral meeting with fisheries ministers from France, Denmark and the Netherlands. Astonishingly, at the third Council meeting on 16 November 2020, weeks before a deal was to be struck, no fisheries items were raised. One would be forgiven for wondering what was being discussed at such meetings.

Further meetings attended by our Minister on 27 November and 15 and 16 December, at which the fisheries element of the Brexit negotiations was discussed, point to the Minister acting as a protector of European quota interests rather than the protector of the Irish share of the quota. All in all, this new information about the Minister's and the Government's activities in protecting Irish fishermen's rights illustrates the complete blindness with which the Taoiseach and the Minister trusted the EU negotiators. It also clearly demonstrates that the Minister and the Government strategically and deliberately chose not to stand up for Irish fishing interests. Instead, they sought praise from the Brussels elite. Sadly, at a time when Irish fishermen and women were depending solely on the Government to protect their interests, that did not occur.

In an overall context, data from Dublin City University estimate the Irish share of total fish catch in the Irish maritime zone is only 20%, which means that the other 80% is caught by foreign vessels. The Brexit fisheries deal means that Irish vessels operating in UK waters were hit with massive quota reductions while other EU countries got sweet deals. Despite the fact that foreign vessels continue to extract 80% of the fish from Irish waters, we have a Government and a Minister who are hell-bent on forging ahead with wide-scale decommissioning of the Irish fleet. This is being dressed up as some sort of review process. All the while, foreign vessels will be allowed to continue fishing in our waters. The sector was only seeking a fairer distribution of quota - nothing more, nothing less - and it was betrayed in that regard. The Government should have made the decision to adopt a much tougher stance during the Brexit negotiations. Why did it choose to let the Irish fishing sector down? Instead of forging ahead with decommissioning, will the Taoiseach give us a guarantee that he will seek a greater share of the quota for Irish vessels in the Irish maritime zone in order to make up for the mess created by the Government's own inaction?

The Taoiseach: I reject what the Deputy has said. He accused the Government and the Minister for Agriculture, Food and the Marine, Deputy McConalogue, of not negotiating or engaging on the issue of fisheries during the Brexit negotiations. I consulted with fisheries representatives and so did the Minister for Foreign Affairs, Deputy Coveney, who had ongoing engagement with Michel Barnier. The Minister for Agriculture, Food and the Marine also had an ongoing alliance with counterparts from like-minded countries in respect of the fisheries issue right up to the end of the Brexit negotiations.

Deputy Mattie McGrath: Sell-out.

The Taoiseach: Everybody knew that a no-deal Brexit would have been the ultimate disaster for fisheries because of the historic catch we have in British waters. Everybody knew from the moment Brexit was announced and was later passed by referendum, that we were in difficulty as regards fisheries. Deep down, the fishing industry realised that. I recall meetings four years ago at which the consequences of Brexit for fisheries, and Irish fisheries in particular, were well known.

I have never thought Brexit was a good idea. The Deputy is blaming the Government as opposed to looking at the real issue here, which is Brexit and the decision to forge ahead with it.

Deputy Mattie McGrath: It was meant to be-----

The Taoiseach: We certainly had to avoid a no-deal Brexit. I am sure the Deputy will accept that a no-deal Brexit would have been a disaster for fishing. In that context, we fought for as high a share of quota for the Irish fishing industry as we possibly could in order to ensure we can create viability into the future.

It is an extremely difficult deal for fishing. We are not at all happy with Brexit and its implications for fishing but neither would I do as the Deputy has done, which is to try to make this a simplistic issue. He has not really created any alternative ideas other than suggesting that we adopt a much tougher stance, whatever that means in practical terms. I do not think it means a whole lot and is nothing much other than rhetoric. There comes a time in negotiations or planning for any industry where, in trying to ensure and protect livelihoods, we need to go beyond simplistic rhetoric and concentrate on a solutions-based approach. The Minister engaged energetically on this issue, as did his Department, with other EU member states whose fishing

industries were likely to be most affected by it. They had a strong alliance on this matter up to the very end. It is regrettable that the UK Government adopted the aggressive position it took in respect of fisheries. That was obviously a factor as well.

Deputy Michael Collins: I thank the Taoiseach for his reply. He said he consulted with the industry but he obviously did not listen to it or to the fishermen's groups. Listening to his reply, it is clear he has no future vision for the fishing sector in Ireland beyond decommissioning. He has no honest answers for the Government's shambolic handling of the Brexit negotiations, from which we came out the worst in Europe.

I welcome the Taoiseach's sudden change of heart in setting up a fishing task force in February. A few months previously, in November, when I requested a task force for west Cork he more or less called task forces a waste of time. Why has the Government not been able to secure a bluefin tuna quota for the Irish fishing industry? Other EU countries are negotiating quotas additional to those they have already and we have none. The crisis this fishing sector is going through is not only affecting the larger fishermen. It will also have serious implications for the inshore sector in this country. If the Government's only solution is a decommissioning process that will lead to numerous job losses along our coastline and west Cork in particular, what is its solution in respect of these job losses? I have spent years in the Dáil pleading with this Government and that which preceded it to fight and save our fishing industry from Brexit. I pleaded with the Taoiseach during the negotiations to form a Government to appoint a Minister for fisheries and he refused. In layman's terms, if this Government was a company that dealt with its affairs the way the Taoiseach and his Government have dealt with the fishing industry in Ireland, both he, as CEO, and his board would have been fired months ago for their incompetence and shocking handling of our most precious resource.

The Taoiseach: The Minister has established a task force on the Irish fishing industry and creating a sustainable future for it. Resources will be allocated to ensure that and to continue to fight for and ensure balance in quota distribution. I wrote to the President of the Commission in the aftermath of the deal pointing out the disproportionality of the deal on fisheries with the United Kingdom and its implications for the Irish fishing industry and the need to quickly restore balance to the member states' fishery quota shares. The Minister continues to pursue the matter actively and raised it again at the EU Agriculture and Fisheries Council meeting on 25 January. The cost of the final quota transfer by Ireland will be approximately €43 million, which is about a 15% loss of the overall value. That is serious. This is obviously something to which the Government will respond as strongly as we possibly can as regards the allocation.

Deputy Michael McNamara: The shortage of vaccine supplies relative to the demand is well known, as are the reasons for it. I have no doubt that if the Taoiseach could source more vaccines, have vaccines manufactured in Ireland or even make vaccines himself, he would do so. Given that Dr. Mike Ryan talked about the ethical dilemma of administering vaccines to healthy young people when healthcare workers and elderly vulnerable individuals across the world need it, why are we administering them to healthy young people who have immunity and antibodies arising from previous infection? The latter can be proven by means of an antibody test. HIQA accepts that immunity following infection lasts for at least six months. We do not know that the immunity resulting from a vaccine will be much longer than that. It is certainly hoped and expected that it will be longer but we cannot say that with certainty, any more than we can say with certainty that there is immunity from having contracted the virus. That is generally accepted and it informs the approach of Israel, which is considered to be a world leader in vaccination. Israel afforded certain additional freedoms to people who had been vaccinated

or who had immunity arising from infection and recovery. Likewise, it informs the EU digital pass, which, depending on its detail, may prove to be a good thing or a bad thing in facilitating freedom of movement. Why are we using such a scarce resource, that so many people want, and giving it to young, healthy people working in medical settings or who just happen to work for an NGO or a body that has front-line workers, even if they are not front-line workers themselves? Unfortunately, that scenario is commonplace.

My second question is that the Taoiseach informed the Dáil and Deputy Naughten categorically that there would be no compulsory vaccination in the State, that that was never our approach and that this was based around bodily autonomy and informed consent. Given that, why are student nurses in Ireland now being told that they have to be vaccinated to be able to finish their placements and thereby finish their degrees? We need these people. These are nurses who have been on the front line all along. They have put their health and their bodies on the line for this State. Many of them are delighted that they are going to be given the vaccine but there are some who simply do not want it. The Taoiseach has acknowledged that there will be no compulsory vaccination.

The Government's Minister for Health categorically denied in the Dáil that Mass going would be a penal provision and we now know that the State has adopted a contrary approach. He needs to correct the record of the Dáil in that regard for the sake of parliamentary democracy. That is a different issue, however, and I ask the Taoiseach to respond to the questions I have raised.

The Taoiseach: On Covid-19 Vaccines Global Access, COVAX, and what Dr. Mike Ryan has said more generally, Ireland and indeed the European Union is the strongest contributor to COVAX and, as we know, given the EU's strong manufacturing capacity with manufacturing sites across Europe, it is one of the biggest contributors globally to the distribution of vaccines which are paid for by other countries but are manufactured within the European Union geographically. Funding and policy-wise Europe is contributing hugely to COVAX because no one is safe until we are all safe.

We take our advice on vaccination policy from the national immunisation advisory committee and from NPHE. Notwithstanding people having antibodies I support that advice and I do not think that the evidence is strong enough not to vaccinate those who currently have antibodies. For example, the level of antibodies could differ where some could have a higher level of antibodies than others. The advice is to vaccinate.

Again, as has been outlined earlier, we want everybody over 70 to be vaccinated, so we are still predominantly dealing with those more senior in society in age terms, and for them to have a first dose by mid-April. Those with underlying conditions of all ages should be vaccinated as quickly as we possibly can. The HSE is operationally going through that fourth cohort, which is challenging in itself in identifying individuals via GPs, consultants and so forth.

On compulsory vaccination, there is no mandatory compulsion on people to vaccinate in the country. Within the health service I would argue that there are particular obligations in terms of collective solidarity and preventing the spread of the disease. We know from the last wave that the numbers of healthcare workers who got Covid-19 were very challenging, for example, in respect of the number of staff members working in nursing homes. Thankfully, with the vaccines the impact has been dramatic. The serial testing in nursing homes is indicating 0.3% which is very low. This is a very good vindication of the vaccines and their impact on reduced

infection as well as reducing severely the incidence of mortality and this has likewise been the case in the hospital setting. For the overall good, we have to do everything we possibly can to prevent the spread of Covid-19 and to protect people within the hospital setting and the health setting more generally.

I fully respect religious worship and the right for people to attend services and the extent to which this is impacting on them but Covid-19 is the enemy here, not the Government.

Deputy Michael McNamara: The issue for the Taoiseach is not whether he respects public or private worship but is whether a Minister correctly informs the Dáil when he is bringing in legislation, which he specifically signed off on, which was not made by the Dáil but by the Minister. That is the issue. He specifically said that it was not a penal provision and that it would remain thus. Now the State is adopting a contrary position down in the courts and it is that that needs to be clarified.

Going back to my initial question, the Taoiseach is saying that notwithstanding what the European Centre for Disease Prevention and Control, ECDC, has said, what HIQA has said and what most scientists around the world agree upon, healthcare professionals who have had Covid-19 because of their work and have put themselves on the line, have recovered and have antibodies, have to take a vaccine to get antibodies that they already have or be fired at a time when we need them most. These are in circumstances where there are elderly and vulnerable people across this State crying out for that self-same vaccine, who have no immunity, and for whom Covid-19 poses a very significant threat.

The Taoiseach: I always defer to the clinical advice on this. The Deputy is aware of reports from Brazil on massive reinfection in parts of-----

Deputy Michael McNamara: And vaccine resistance.

The Taoiseach: It is mainly massive reinfection-----

Deputy Michael McNamara: And vaccine resistance.

The Taoiseach: ----- from people who had felt that they would be protected-----

Deputy Michael McNamara: And vaccine resistance.

The Taoiseach: -----from antibodies. We cannot ignore that reality. I prefer the cautious approach and when we said we wanted to vaccinate healthcare workers, it was, incidentally, warmly received in hospitals and the relief there and in nursing homes was overwhelming and could be seen when people were vaccinated. I am not sure we are talking about a huge cohort of people here in any event.

There are the two issues: the compulsory issue and the issue on antibodies. I would err on the side of caution on the antibody question and defer to medical advice and vaccinate, particularly people working in healthcare and particularly in front-line healthcare settings. We are still learning about this virus, about its new variants, and so on.

An tOrd Gnó - Order of Business

An Ceann Comhairle: The House has agreed that, for the duration of the Covid-19 emergency only, the rapporteur's report of the Business Committee shall not be read out but shall be taken as read. Arising from it there are just two proposals to put to the House. Is the proposal for dealing with today's business agreed? It is not agreed. I call Deputies Barry and Pringle.

Deputy Mick Barry: We have arranged for a debate to take place about the keeping of files on the families of children with autism who had the temerity to take legal action against the State and I welcome the fact that we have a debate. To have a proper session on that, we need to have - if the Deputy speaking now might excuse me - a situation where the Ministers who are in the Cabinet who are or have been Ministers for Health, namely the Minister for Health, Deputy Donnelly, the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, the Taoiseach and the Tánaiste, available to answer questions in that debate. That is not part of the arrangements and needs to be which would mean that the debate would need to be a bit longer. I am also not in favour of shunting Deputy Pringle's very important motion on direct provision off the agenda as it should be included in it. I propose that the Business Committee would meet today and arrange the debate in such a way. On that basis we do not accept the proposal as it stands.

Deputy Thomas Pringle: There are two issues I wish to raise. The first is the changes in the Covid-19 arrangements which were announced last night on television by the Taoiseach and which should be debated in the Dáil here as well, particularly the changes in the vaccination programme. Time should be made available for that.

The debate on the "RTÉ Investigates" programme last week is vitally important. I note that the Government has accepted that the debate will take place and have shunted the asylum seekers' debate to tomorrow because of that. Time should be made available today for that debate and I have made a submission under Standing Order 42 on that, as I know other Members have also done. This debate should be taken today as a priority because it is very important, as should the other debate. I thank the Ceann Comhairle.

Deputy Mattie McGrath: I too want to look for change to have time here to discuss the very serious situation of An Garda Síochána not being given the vaccine. It was number ten on the list and now it has gone way down below and we do not know where it is on the pecking list. An Garda Síochána is our front line. I also want time to be made available for the Minister, Deputy Stephen Donnelly, to come in to correct the record of the House, as Deputy McNamara has asked for. The Minister told us there would never be penal provisions with regard to public worship offered by a priest and that a priest could not be summonsed, fined or imprisoned. Now we are told the opposite by the Taoiseach, the Garda and others. I want time for the Minister to come in to correct the record of the House and not have us told lies in the House.

Deputy Denis Naughten: I support my colleagues who have raised the issue of the "RTÉ Investigates" programme. It is bad enough that individuals were forced to go to the courts to vindicate their rights but it is immoral that there is any assertion that information was being collected that would force them to withdraw those particular actions. There is huge concern among people who have taken a case against the State to vindicate their rights or to address issues of misdiagnosis or malpractice that such files exist, not just in the Department of Health but in other Departments. It is imperative that this issue is fully clarified, not just with regard to autistic children but to the Pandemrix narcolepsy cases, the audiology misdiagnoses in the west

of Ireland and even with regard to cervical cancer cases. We need absolute clarity on this and we need the Minister to come before the House today to clarify it.

Deputy John Lahart: With regard to the “RTÉ Investigates” issue, as a member of the Oireachtas health committee, and without wanting to pre-empt what the Taoiseach might say, nobody in the House has a monopoly on the sense of disgust, alarm and shock at what unfolded and emerged in the documentary. Interestingly, it is safe, genuine and sincere for me to say the Oireachtas health committee has adopted a very non-partisan approach to this. We are seeking every relevant witness to come to address the committee and be interrogated by it on the details of what happened, whether it be a Minister or a senior official. This will happen. Our objective on the Oireachtas health committee is an objective shared with every Member of the House, which is that we get to the bottom of the issue and get as much truth and as many facts as possible. I also acknowledge this will take a little bit of time. I assure the public and all those stakeholders in the autistic position, whether parents or children, that the House and committees of the House could not be taking this matter more seriously.

An Ceann Comhairle: I thank Deputy Lahart. For the sake of accuracy-----

Deputy Mary Lou McDonald: I am not sure that it is appropriate for a Government Deputy to speak, mar dhea, on behalf of everybody in the House when it is abundantly clear that the will of the House is for statements from the Ministers, including previous occupants of the Department, to establish facts, publish the review report to which the Taoiseach referred earlier, for us to have full disclosure of the facts and to have an assurance that the families and children on whom these files are held have actually been informed of that fact and have access to those files.

An Ceann Comhairle: Again, for the sake of accuracy, I did not propose or make any alteration for the proposed agenda for the week. The Government amended the agenda, I would have thought in an attempt to take on board the request from Members to have a particular debate. Does the Taoiseach want to address this matter?

The Taoiseach: There will be statements tomorrow on the “RTÉ Investigates” programme and the issues raised in it. There will be 100 minutes provided for the debate tomorrow, in accordance with the wishes of the Business Committee and the House. Again, I say to the House in respect of Deputy Barry and others, and I am very clear on this, the role of government is to act as advocates for children. In my role as a Minister with responsibility for education and health my objective was always to prevent litigation and to provide the services, particularly in education. We made huge progress at the time. Relative to the time it was groundbreaking with regard to the mainstreaming of special education. We can see this in the numbers of special needs assistants and resource teachers. It was a big change in itself. My impulse, and as leader of the Government I can say the approach of the entire Government, is designed to provide services for children in education and health, to advocate for children and to do better because we can do better and we need to do better. Things are far from perfect and I do not like situations where families of children with special needs are constantly in a position of fighting for additional services. This is something we will continue to work on.

I take some issue with Deputy McDonald’s dismissal of Deputy Lahart’s genuine contribution that we just heard. Just because he is a Deputy on the Government side of the House it does not invalidate his objectivity on this question or his sincerity. Sometimes Deputy McDonald’s party leaves the mask slip and loses any sense of its democratic impulse and endeavours to suppress other people in the House who have a legitimate perspective on these issues.

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: I would welcome the Oireachtas Committee on Health assessing it. This is an important point with regard to examining this issue in its entirety and bringing forward witnesses. I want the full truth on this out there. I have no issue with that happening.

An Ceann Comhairle: We cannot get into a lengthy debate now. I thank the Taoiseach.

The Taoiseach: The Department itself is preparing an urgent brief that will facilitate Deputies also. This is an important point because assertions are being made. I welcome the fact that objectivity is being brought to this also.

I take what Deputy Naughten has said, that this is a broader issue with regard to other litigation relating to vaccines and other issues. The debate will be held tomorrow, with statements and questions and answers in the House. This has been facilitated.

Deputy Pringle raised issues that we discussed on Leaders' Questions earlier, with regard to some aspects of yesterday's announcement. There are time constraints on what can be achieved.

Deputy Thomas Pringle: As I understand it, on Monday the Ceann Comhairle received requests from a number of Members for a Standing Order 42 debate on the adjournment on this issue. Subsequently, the Government proposed changing the agenda for tomorrow. The Business Committee had agreed the agenda for tomorrow last Thursday. I would like clarity on how this has happened. We requested the Ceann Comhairle to provide a debate and he came back and said there was no need because the Government was giving time for a debate. When did the Government actually propose to do this? Was it on foot of the motions going in and the Ceann Comhairle's request to the Government or was it totally independent?

An Ceann Comhairle: I do not liaise with the Government on these matters. What happened was quite clearly this. Under Standing Order 29, the Government's prerogative is to determine the business of the week and how it will be taken. This is what the Government has done. I considered carefully the two requests from Deputies Naughten and Pringle under Standing Order 42 for a special notice question on this matter. Since the Government had at that stage already agreed to have a debate, it was not in order or appropriate to have Standing Order 42 special questions accommodated also. There is no need to have two debates on one issue. We are trying to make the best use we can of very scarce time.

I call Deputy Tóibín and I ask him to be very brief.

Deputy Peadar Tóibín: This issue is of such import that 100 minutes is absolutely not satisfactory. It goes to the heart of what is happening in the HSE day in and day out, where the HSE is in combat with patients and the only way people can get justice is through the court system. It also goes to the heart of ministerial responsibility. We need to know what former Ministers with responsibility for health knew about this. How can something like this happen without Ministers knowing about it? Last week, the Minister for Justice, Deputy McEntee, said this issue was raised a couple of times in the Department. The democratic mandate has been mentioned. Only six minutes are being allotted to groups such as ours. Surely we have a democratic opportunity to question the Taoiseach and former Ministers with responsibility for health on this issue.

An Ceann Comhairle: Everyone will have the opportunity to question when the debate

takes place. I am conscious that I have a list of 36 people who want to ask questions on promised legislation. They are having increasingly less possibility of doing so because we are eroding the time.

1 o'clock

Is the proposal for dealing with it agreed? I call the Taoiseach.

The Taoiseach: I ask Deputy Tóibín to withdraw the statement he just made to the effect that the HSE is in combat with patients.

Deputy Peadar Tóibín: Yes.

The Taoiseach: Let us get a sense of perspective here. The HSE and the many people who work for it day in and day out are working to protect the lives of people. That needs to be acknowledged. It is outrageous that a Deputy would say that. The Deputy made a general statement that the HSE is in combat with patients. That is an outrageous statement.

Deputy Peadar Tóibín: It is not outrageous.

The Taoiseach: It lacks perspective. It lacks any balance. We are talking about people who are on the front line, working every day to protect people.

An Ceann Comhairle: The Taoiseach has made the point. We do not need to have a debate about it.

The Taoiseach: I think that should be withdrawn.

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

Deputy Mick Barry: Níl.

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

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

The Taoiseach: Agreed.

Deputy Mick Barry: It is not agreed. I want to see all the former Ministers for Health in the Cabinet taking questions in the debate. I want to put the matter to a vote if that is not agreed.

An Ceann Comhairle: Precisely how many Ministers would the Deputy like to see? If we are going to vote on something, we need to be sure what it is we are going to vote on. How many Ministers and going back over what period?

Deputy Mick Barry: The four Ministers in the Cabinet, namely, the current Minister for Health, Deputy Stephen Donnelly, the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, the Taoiseach and the Tánaiste. The latter three are all former Ministers for Health.

An Ceann Comhairle: I thank the Deputy. Is it agreed that the Government will facilitate that?

The Taoiseach: The Government has laid the order before the House. This is apportioning blame in advance. There is an Oireachtas committee that can examine everything, and there is no issue there. Again, in the context of the assertions that have been made, I stated earlier that I never authorised anything. Innuendo, of course, is Deputy Barry's favourite pastime - to damn people by innuendo and by making assertions he cannot stand over.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: It is outrageous carry-on but it is nothing new from the Deputy. I say again for the record what I said earlier, namely, under no circumstances would I ever authorise any breach of patient-client confidentiality or the collection of dossiers on people or children in terms of their rights. The opposite is the case in terms of my political record. I fought for children's rights from the very beginning. Since I became a councillor or a Deputy, that is what I have been about in politics, with varying degrees of success, that I acknowledge. The bottom line is my commitment has been very clear. I would not stand over some of the assertions that were made in the programme, if they happened, particularly the documentation relating to a psychiatrist apparently being contacted. That is wrong and I certainly would not authorise that.

An Ceann Comhairle: We cannot have a debate on the floor of the House.

The Taoiseach: No one can justify in any way the breaching of patient-client confidentiality.

Deputy Mick Barry: To be clear, the proposal is merely that the former Ministers for Health in the Cabinet answer questions in the course of the debate. It is a simple democratic point. The Taoiseach doth protest a bit too much, methinks.

An Ceann Comhairle: Strictly speaking, it is a matter for the line Minister. There is no precedent of which I am aware for retired or former Ministers to come in and answer to the House. In any event, the proposal for dealing with tomorrow's business has been challenged and I am going to put the question.

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

<i>The Dáil divided: Tá, 27; Níl, 18; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bruton, Richard.</i>	<i>Andrews, Chris.</i>	
<i>Burke, Colm.</i>	<i>Barry, Mick.</i>	
<i>Byrne, Thomas.</i>	<i>Brady, John.</i>	
<i>Cahill, Jackie.</i>	<i>Cairns, Holly.</i>	
<i>Cannon, Ciarán.</i>	<i>Cullinane, David.</i>	
<i>Chambers, Jack.</i>	<i>Gannon, Gary.</i>	
<i>Connolly, Catherine.</i>	<i>Gould, Thomas.</i>	
<i>Costello, Patrick.</i>	<i>Guirke, Johnny.</i>	
<i>Durkan, Bernard J.</i>	<i>Kelly, Alan.</i>	
<i>Farrell, Alan.</i>	<i>Kerrane, Claire.</i>	
<i>Griffin, Brendan.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Haughey, Seán.</i>	<i>McDonald, Mary Lou.</i>	
<i>Higgins, Emer.</i>	<i>Naughten, Denis.</i>	

<i>Lahart, John.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>Lawless, James.</i>	<i>Shanahan, Matt.</i>	
<i>Leddin, Brian.</i>	<i>Smith, Duncan.</i>	
<i>McAuliffe, Paul.</i>	<i>Tóibín, Peadar.</i>	
<i>McGrath, Mattie.</i>	<i>Tully, Pauline.</i>	
<i>McHugh, Joe.</i>		
<i>Nolan, Carol.</i>		
<i>O'Connor, James.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Pringle, Thomas.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		

Tellers: Tá, Deputies Brendan Griffin and Jack Chambers; Níl, Deputies Mick Barry and Pádraig Mac Lochlainn.

Question declared carried.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Mary Lou McDonald: I want to raise the change the Government has made to the vaccination plan, as announced yesterday evening. This is both a huge and an astonishing decision that was made without prior notice and, it seems, without any consultation with the groups of front-line workers who will be affected by it. It has come as a great shock and has caused great anger for SNAs, childcare workers, teachers, gardaí and workers in retail that the Taoiseach has now decided they should not be afforded some level of priority in recognition of the real exposure and heightened risk they face in contracting this virus. It is abundantly clear that the Government has changed tack because the system it has in place is not fit for purpose. We have seen many instances of the flaws and fault lines in the Government's approach but this is the most astonishing admission of failure on its part. More importantly, it has caused huge anxiety among those front-line workers. I do not know how the Taoiseach can defend or explain away the removal of priority from those groups. It is wrong and it will cause unnecessary anxiety and real worry and fear among those workers. I ask the Taoiseach to reverse the decision in this regard.

The Taoiseach: It is incredible that the Deputy can stand up and speak in the manner in which she has done. This is exactly the scheme that was designed in the North, to which Sinn Féin was a party and which it implemented. The latter is a scheme based on age. We are taking medical and clinical advice in respect of this change. We want to vaccinate people as fast as we possibly can. We are in the middle of a pandemic. Higher volumes of vaccines are coming in. We want to make sure that the most vulnerable of all workers and key workers are vaccinated first. It must be remembered that the prioritisation of the different categories of key workers had not been identified. Such workers range right across the board, from childcare workers to

bus drivers, to taxi drivers - you name it. The Deputy should not pretend that it is all simple and easy. It is more important to take the clinical advice which, on the basis of the reviews taken, is telling us that age is the most determinant factor in whether a person gets sick or severely ill or can die. We can get older childcare workers and older teachers, for example, vaccinated much faster in this way.

Deputy Alan Kelly: The news that 14 days after people are fully vaccinated they can meet indoors is both great and to be welcomed. I have seen directly the impact this news has had on elderly people. It does, however, raise issues about where we go from here because this circle of people will get wider. Where are we going regarding vaccination passports or certificates, green certificates or whatever they will be called? The UK is contemplating the introduction of these, as are Denmark, Iceland, Sweden, Greece and Cyprus, who are all rolling along with producing vaccination passports. What work has been done in Ireland in this regard? Where does the Government stand on this matter? There are obvious moral and ethical questions and legal issues involved. Where does the Government stand on vaccination passports and what work has been done to date in respect of them?

The Taoiseach: We have established a senior officials group under the stewardship of my Department to consider the policy implications of such certificates. On the technical side, we are progressing work to make sure that we develop a technical solution that would be interoperable with an EU-wide system for certification, once a person has received a vaccination. The EU is also talking about negative PCR test results and evidence as to whether a person has recovered from Covid. The policy implications are, as the Deputy stated, more significant and need to be teased out. Again, we would be happy to take any submissions from Members of the House or the various parties.

Deputy Gary Gannon: While I accept that a rationale was outlined yesterday, there was considerable moving of the goalposts in the context of our vaccination programme. That will have ramifications. Can the Taoiseach guarantee that all of our educators, SNAs, home school liaison staff and teachers, particularly those in primary schools who would be a younger cohort, will be vaccinated by September in order to ensure that we can fully reopen our schools safely?

The Taoiseach: That is a fair point in the context of the beginning of the next academic year. The target is to administer the first dose of the vaccine to 80% of adults by the end of June and that 70% will be fully vaccinated by the end of July. By July and August, therefore, we will be dealing with the latter end of the vaccination programme. With the supplies coming in we are in a good position to achieve that. The more important point is that those who are older or who may be vulnerable due to particular conditions - I refer here to teachers, childcare workers, bus drivers, factory workers, retail workers and a range of other key workers - had not yet been prioritised one over the other. There is a great deal of merit in saying that those who are most vulnerable in those key worker categories will be brought up the queue now and vaccinated earlier. This is one of the outcomes of this. This is the advice from NIAC.

Deputy Mick Barry: Will the Taoiseach confirm that it is the Government's intention to let the blanket ban on evictions and rent increases fall just ten days after the 5 km restriction is lifted, in other words, on 22 April? Does the Taoiseach have any concerns about a tsunami of evictions this summer if the blanket ban is lifted on 22 April and the ban more generally is lifted three months later on 22 July? Given that rents rose nationally during a year when a ban on rent increases was in play, for example, 4.5% in our city of Cork, is the Taoiseach in any way concerned that lifting the ban on rent increases will result in very sharp rent hikes right across

the State in the second half of this year?

The Taoiseach: To be fair to the Minister for Housing, Local Government and Heritage, Deputy O'Brien, the protection of tenants has been a cornerstone of his policies so far. He has brought in very strong protective legislation, obviously, within the bounds of what the constitutional framework permits. We are obliged to operate within constitutional parameters in the context of what we do. The Minister has pushed matters to the limit in terms of the degree of protection he can provide and that he will continue to provide even in the aftermath of the 5 km restriction being lifted.

Deputy Mick Barry: I want clarity on one point.

An Ceann Comhairle: No, we do not have time.

Deputy Mick Barry: A direct question was asked, namely, do the rent protections extend beyond 22 April.

An Ceann Comhairle: The Deputy is not asking the question.

Deputy Mick Barry: I asked a direct question and could not get a straight answer.

Deputy Richard Boyd Barrett: It was a direct question.

An Ceann Comhairle: The Deputy is not asking the question. Will he resume his seat?

Deputy Mick Barry: This is outrageous.

An Ceann Comhairle: I call the Regional Group.

Deputy Mick Barry: Outrageous.

An Ceann Comhairle: Will the Deputy please respect his colleagues?

(Interruptions).

Deputy Matt Shanahan: In 2016, the Taoiseach stood in the grounds of University Hospital Waterford and pledged that he and his party would deliver 24-7 cardiac care to the people of the south east. In recent days, he and his Minister for Health took a significant step in honouring that pledge by committing funding to a cardiac cath lab at University Hospital Waterford. I thank the Taoiseach for that step, which he and I have discussed many times. Now I ask that he finish the journey. First, will he commit his office's oversight of and support for the immediate recruitment of the cardiology team required to open this second cath lab? Second, will he commit the HSE to expand funding to provide a 24-7 cardiac care service for the south east once that new laboratory is operational? In so doing, he will restore the faith of 500,000 people in a politician's promise, and in the promise of a Fianna Fáil Taoiseach.

The Taoiseach: I thank the Deputy for raising this issue. As he pointed out, the main construction contract was awarded and the second cath lab is included in the programme for Government and the resources provided. The current funding, in terms of the recruitment of staff and so on, will also be provided with regard to ensuring the successful operation of the cath lab and the vital diagnostic services it will provide. HSE estates has also confirmed that the equipment for the second cath lab will be of the same type as that in the newly upgraded existing cath lab and will have full interventional capabilities in the event that the existing cath

lab is not available. It will mean a significantly increased level of interventional services that can be provided now-----

An Ceann Comhairle: Thank you, Taoiseach. The time is up.

The Taoiseach: -----and into the future. We will continue to engage with all of the Deputies on the issue.

Deputy Mattie McGrath: Hundreds of young and not so young farmers in the south east have invested hugely in agriculture by buying land, increasing the cow herd and investing in magnificent buildings for animal welfare. Glanbia, with a Dutch company, Royal A-ware, is investing in a factory to make Cheddar cheese. It has gone through the county council and An Bord Pleanála planning processes but now An Taisce is on its back like a monkey. It is in the High Court for judicial review and is threatening to go to the European court. It will be disastrous for hundreds of young farmers, the farming economy and the economies of the south east if that happens. Can we not do something to stop that frivolous behaviour by An Taisce? The system the farmers are using is best practice. This is simply a case of idealistic people in An Taisce acting the maggot, which is damaging our economy and causing devastation for young farmers.

Deputy Carol Nolan: On the same matter, I find this very serious. An Taisce is completely overstepping the mark. It is trying to dictate a Government agenda. It is also trying to dictate Government policy. Time and again, it has painted farmers as the scapegoats. That is not right. All of us here have spoken about the need for job creation in rural towns and villages. We cannot let this continue. We need strong intervention with An Taisce. Also, there must be collaboration between An Taisce, farmers and Glanbia. What is happening is wrong and I condemn the actions of An Taisce.

Deputy Jackie Cahill: This plan to produce 50,000 tonnes of Gouda cheese would greatly reduce our dependence on the British Cheddar cheese market, which is exactly what we want to do post Brexit. It is extremely regrettable from that point of view. Farmers have made many commitments and it is extremely disappointing that An Taisce, following An Bord Pleanála's decision, can get a judicial review and delay this project for many years. That has the potential to make the project economically unviable. It will have huge repercussions for both the company itself and the milk producers supplying Glanbia.

The Taoiseach: I thank the three Deputies for raising the issue. Deputy Cahill has been speaking to me about this issue on an ongoing basis and articulating his concerns. There is a balance to be struck in terms of objecting to significant facilities. People have rights to object but on the other hand the increasing use of judicial review is something on which we, as a society, will have to reflect. There is an independent planning process. It is rigorous and it should be respected. There is a growing sense that the judicial review is becoming a new mechanism to frustrate and delay projects hoping that they may not develop. That is creating challenges on the investment side and in terms of the creation of jobs. That has to be acknowledged. What the Deputies are saying is problematic. We saw it in forestry in the past while where there were consistent interventions, which were designed to stop any licences from issuing, and we had to deal with that legislatively. There are significant issues as we prepare the national development plan, for example. We have reviewed this. The range of projects, be they infrastructural or production, that are held up now has to be a cause for concern overall.

Deputy Catherine Connolly: I want to place something on the record. In the recent past, Ipsos MRBI carried out a poll on who people trust and of 27 professions, politicians are third last. Only 24% of people have trust in politicians. Even bankers are higher than us. I am a politician and I have to say that I had that same feeling yesterday as I listened to the Taoiseach's plan to open up the country. I want to place it on the record that I have lost all trust in the way we are dealing with the pandemic. I ask the Taoiseach to commit to having an item on the Dáil agenda every single month from now on to allow us look at how we are dealing with the pandemic in its totality-----

Deputy Michael McNamara: Hear, hear.

Deputy Mattie McGrath: Hear, hear.

Deputy Catherine Connolly: -----in respect of vaccinations, an overall policy, which should be zero Covid and control, and giving power back to the people. Talking about a passport for those who have been vaccinated or that I can eat indoors if I have been vaccinated but I cannot if I have not is extremely divisive. At this point, all I ask the Taoiseach to do is commit to having an ongoing item on the agenda every single month in this Dáil as part of the bargain in return for our support for draconian legislation.

Deputy Thomas Gould: Politicians have to be responsible for our actions. When the Taoiseach speaks to the nation, as he did yesterday, people look for leadership and hope. I refer to the last-minute announcement about the change in the vaccine roll-out. I am dealing with carers, teachers, child support workers, members of the Garda and bus drivers. A man told me on the train from Cork yesterday that one of the workers in Iarnród Éireann had died of Covid-19 and asked me where the roll-out was for them. The Taoiseach has to bring people with him. If the medical advice is the medical advice, we support that but he should have discussed that change with the unions and other representative bodies. There should have been inclusion, not an announcement out of nowhere.

Deputy Michael Collins: I completely support Deputy Connolly in what she said. There is and continues to be a great deal of confusion among the public about many of the announcements that have been made. There is now a change to the vaccine roll-out. We are told that we can visit people if we have been vaccinated but we cannot if we have not been vaccinated. People are angered by that. The feedback on social media yesterday was to express anger, annoyance and frustration. Carers are ringing us asking if they have gone down the list in terms of getting the vaccine. Members of the Garda are seeking to be vaccinated. They have been on the front line for more than 12 months and have been completely forgotten. It is time for the Taoiseach to put proper action in place.

The Taoiseach: In respect of Deputy Connolly's remarks, I regard them as somewhat disingenuous. Politicians are elected in general elections. People elect politicians. I have been elected in quite a number of general elections. That is what I go by; nothing else. We are in a parliamentary democracy. People may not like us sometimes but that is acceptable. I salute and respect anybody who goes before the people in elections and gets elected because that is fundamental to what we are about as a society and has been since the foundation of the State.

It is also disingenuous of the Deputy to say that she wants me to commit to discussing Covid once a month. We have been discussing it every single day in this House since the pandemic began.

Deputy Catherine Connolly: No. We are not.

Deputy Mattie McGrath: Hear, hear.

The Taoiseach: We most certainly are discussing it. If she goes through the Order of Business for the past number of weeks she will see sessions on vaccinations, mental health and Covid, childcare and Covid and education and Covid. It is extremely disingenuous to suggest that once a month would be some sort of a commitment on Covid when the reality is we have been discussing Covid day in and day out in this House and at committees of the House also. That is the case.

I have met groups which represent the zero Covid philosophy and had a good exchange of views with them. I do not dismiss any perspectives that people have on Covid. On a regular basis we will continue, as we have been, discussing policies on Covid, aspects of Covid and different perspectives on Covid.

In response to Deputies Gould and Michael Collins, the evidence was based on clinical and medical advice, and on getting vaccines out as fast we possibly can in the middle of a global pandemic. That is what we are endeavouring to do.

An Ceann Comhairle: That concludes questions on promised legislation. The 30 or so Deputies we have not reached will be given priority tomorrow.

Electricity Regulation (Amendment) (Prohibition of Winter Disconnections) Bill 2021: First Stage

Deputy Darren O'Rourke: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Electricity Regulation Act 1999, to include explicit provision for the Minister to provide policy direction to the Commission for Regulation of Utilities, to introduce a moratorium on disconnections of gas and electricity supply to domestic customers for non-payment during the annual fuel allowance season or during other periods of time the Minister may deem appropriate.

This is a simple, straightforward Bill that tackles an important issue. The Bill would give the Minister for the Environment, Climate and Communications the power to introduce a ban on gas and electricity disconnections over the fuel allowance season, which runs from October to April each year. The Commission for Regulation of Utilities, CRU, is the independent regulator in this area. While it is independent, section 10(1) of the Electricity Regulation Act 1999 allows for the Minister to give it policy direction.

This Bill inserts a new section to make it explicit that this policy direction can extend to the introduction of a moratorium on disconnections during the winter months. While there is a voluntary code and the CRU has introduced a disconnection ban throughout level 5 restrictions, which is welcome, we want to ensure that these protections are afforded to people every winter. In the same way that workers and families are facing financial difficulties during the current pandemic and should not have their power or heating cut off, thousands of households find themselves in the same difficult financial position each winter and they deserve the same protections.

In 2019, a total of 5,008 households had their electricity disconnected for non-payment and 2,424 gas customers were disconnected. At a time when utility charges, including gas and electricity, are increasing, and public service obligations, carbon taxes and the price of fuel are increasing, household incomes are not keeping pace. Our Bill would give households breathing space and allow them to come to a payment arrangement with their supplier while ensuring they do not have their heating and lights cut off. Even having the threat of disconnections hanging over families is incredibly stressful. Other European countries, such as the Netherlands, Finland and Belgium all have similar disconnection bans. This vital protection should also be introduced here.

Deputy Réada Cronin: I welcome the opportunity to present my first Bill to the Dáil with my colleagues, Deputies O'Rourke and Kerrane. I welcome that it is to the benefit of people living with the dread of disconnection from gas and electricity. These are not the days of the glimmer man. This is 2021. We have a seat on the United Nations Security Council. Heat and light are basics of security for life in this modern State of ours. Every year, thousands of hard-working families and pensioners face disconnection in the middle of winter. This must be stopped. In 2019 alone, we had almost 7,000 disconnections, leaving people unnecessarily cold, distressed and humiliated. This Bill will give people certainty and security that they will not be cut off in the winter months when their need is greatest and their fear deepest. People in financial distress need security that they will not be disconnected. Disconnection from gas and electricity brings embarrassment and wholly unnecessary shame on families.

Energy poverty is experienced by too many. That it exists at all impoverishes us all as a people and a State. The sudden inability to pay utilities can happen to any of us and we must be assisted and not punished when it happens. I am extremely grateful that this Bill will give those people dignity.

Deputy Claire Kerrane: We all know that we have a growing problem with energy poverty in the State, with approximately 28% of households living with and experiencing fuel poverty every single day. Our primary concern is older people and those who live alone, and also lone parent families. St. Vincent de Paul spends millions every year to assist families to meet their energy costs. It tells us that one in seven lone parents is in severe energy poverty. Some 31% of lone parents spend more than 10% of their income on energy. More than 140,000 children live in homes that have issues with leaks, damp and rot. Carbon tax increases will, according to a Department of Social Protection report, have a disproportionate impact on low-income families and households. The continued increase of carbon taxes will increase energy poverty across the State, and it will continue to grow. One small way in which we can protect these families from being cold in their own homes, especially in the depths of winter, is by giving the Minister the power to introduce a ban on such disconnections over the fuel allowance season. I hope this Bill will progress and will be supported by all.

An Ceann Comhairle: Is the Bill opposed?

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

Question put and agreed to.

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

Deputy Darren O'Rourke: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Protection of Young Persons (Employment) (Exclusion of Workers in the Fishing and Shipping Sectors) Regulations 2021: Referral to Joint Committee

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

That the proposal that Dáil Éireann approves the following Order in draft:

Protection of Young Persons (Employment) (Exclusion of Workers in the Fishing and Shipping Sectors) Regulations 2021,

a copy of which has been laid in draft form before Dáil Éireann on 3rd March, 2021, be referred to the Joint Committee on Enterprise, Trade and Employment, in accordance with Standing Order 95(5), which, not later than 12th May, 2021, shall send a message to the Dáil in the manner prescribed in Standing Order 101, and Standing Order 100(2) shall accordingly apply.

Question put and agreed to.

Online Advertising and Social Media (Transparency) Bill 2017: Restoration to Order Paper

Deputy James Lawless: I move:

That, pursuant to Standing Order 198, the Online Advertising and Social Media (Transparency) Bill 2017, which lapsed on the dissolution of the 32nd Dáil, shall be restored to the Order Paper at Order for Committee Stage.

Question put and agreed to.

Ceisteanna - Questions

Cabinet Committees

1. **Deputy Mick Barry** asked the Taoiseach if he will report on the Cabinet committee dealing with education. [1594/21]

2. **Deputy Alan Kelly** asked the Taoiseach when the Cabinet committee on education last met; and when it will next meet. [14480/21]

3. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on education will next meet. [15523/21]

4. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the Cabinet com-

mittee dealing with education. [15559/21]

5. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on education last met; and when it will next meet. [16823/21]

6. **Deputy Mick Barry** asked the Taoiseach if he will report on the Cabinet committee dealing with education. [17192/21]

The Taoiseach: I propose to take Questions Nos. 1 to 6, inclusive, together.

The Cabinet committee on education oversees implementation of the programme for Government commitments in the area of education, including preparing for post-Covid education. This Cabinet committee last met on 17 February and will meet again shortly. I have regular engagement with the Minister for Education and the Minister for Further and Higher Education, Research, Innovation and Science at Cabinet and individually to discuss priorities for the education sector, especially the management of the impacts of Covid on primary, secondary and third level education. Similarly, I also have regular engagement with the Minister for Children, Equality, Disability, Integration and Youth on priority issues relating to early years education and childcare.

Deputy Mick Barry: Does the Taoiseach think it was a good idea to break a commitment to teachers about vaccinations less than two weeks before the full reopening of schools? Does his breach of trust put the full reopening of schools in any kind of jeopardy? Will he send teachers and students back into the schools on 12 April if the reproduction number remains above one or will he do it if the reproduction number rises above 1.5? Fifth year students will have missed 14 weeks of classroom teaching time by 12 April. These students will have lost more classroom teaching time than any other leaving certificate cohort in the history of the State bar one. The leaving certificate should be abolished and a policy of open access to third level education should be introduced. What changes is the Taoiseach prepared to make to take into account the substantial loss of classroom teaching time that these students have suffered?

Deputy Alan Kelly: When it comes to special education, the decision by the Department of Education to freeze current special education teacher levels at this year's level will mean that education in developing schools that are expanding will see a reduction in support. This is not fair. It will leave vulnerable children without vital supports for a prolonged period. School patrons have already raised this with the Minister. There are also problems with HSE school-age support services. We saw the case of seven-year-old Lexi Forde, whom the Taoiseach is aware of, on Monday night. Her parents were told she would be seen in November 2026. Was the decision to restrict supports for this cohort of vulnerable school children discussed at the Cabinet committee? What will be done to address it?

Furthermore, the issues that have been raised in relation to the Beacon Hospital and the vaccination of private school staff has brought to the fore once again the two-tier system that is perceived to exist in respect of education. Looking at the figures of students who go from private schools to third level education in comparison with those who go from DEIS schools to third level, there is a huge differential. If we have learned anything from Covid being the biggest disrupter, it is that it is time for a single-tier approach to both education and healthcare in this country. What moves will be made in the education sector in order to deliver that?

Deputy Mary Lou McDonald: In July last year, my colleague, Deputy Quinlivan, was told by the Taoiseach that he hoped to give a timeline for the rolling out of a new redress scheme for

the victims of historical abuse in day schools. I am sure, or at least I hope, that the Taoiseach is as frustrated as I am that the Department of Education's review of the *ex gratia* scheme appears to be stalled. That frustration is nothing by comparison with the deepened hurt and anger felt by the survivors of Creagh Lane National School at the lack of progress made by the current and former Governments on this matter.

At every stage of this sorry saga, the State has actively sought to evade its responsibility. The Taoiseach was right in describing the previous Government's treatment of the victims as shameful, cynical and cruel. Mr. Justice O'Neill described the preconditions set for victims to access the scheme as an "inversion of logic" and fundamentally unfair. July 2021 will mark two years since the former Taoiseach apologised to the survivors. Yet, these men of Creagh Lane and so many others who were wrongfully excluded from applying to the scheme, continue to be left out in the cold.

Officials in the Department have been reviewing the scheme for 18 months now. At no stage have they, or Government past or present, given a clear indication as to when this review will be completed. I would like to know, in a direct answer, when the Department will conclude its review and when the Government will amend and reopen the scheme for those who have been excluded from it to date.

Deputy Richard Boyd Barrett: Before I came in here, I spoke to the principal of a DEIS band 1 school in my area, Scoil Cholmcille, which was one of 281 schools that applied for the new hot school meals programme. The school was most disappointed not to have been selected for the programme. It is in a highly disadvantaged area. It seems that quite a few non-DEIS schools were approved for the hot school meals programme, but not schools in areas of extreme disadvantage which, let us be clear, have been hit very significantly by, and have felt the impact more acutely of, school closures due to Covid, and so on. The school principal reported that hot school meal pilot programmes run by the school made a huge difference to attendance and the ability of children to focus. Yet, such schools have been denied access to the programme.

For the sake of 90 schools, could the Government not come up with the money to give all the schools that applied access to the hot school meals programme? The principal I spoke to told me that the additional cost of the programme would be 80 cent per student. He also reported to me an answer from the Department that €5 million is unspent in the school meals programme. In other words, it is likely that a fraction of that unspent money would actually allow those 90 schools that were refused access to the programme to get it. I ask the Taoiseach to do something about it.

Deputy Paul Murphy: In countries that followed a zero Covid strategy, the schools were largely able to stay open after the first lockdown. The same could have been done here last summer, but instead the Government decided on a yo-yo lockdown strategy that has seen schools having to close repeatedly.

There is hope and the target of opening schools fully again, but with case numbers so high and the risk of a fourth wave that is underlined by NPHET, there are serious doubts and concerns. In the next ten days before schools are due to reopen, we need to bring down the case numbers and provide the investment to make schools safe. Instead, the Government is making decisions which jeopardise that possibility.

One year on, the Government has still not put in the investment to ventilate our schools

properly. Instead, it promised teachers that they would be prioritised for the vaccine, but that has now been taken off the table. It has still not tackled the Covid outbreaks in the meat plants and the actions of private companies unnecessarily forcing workers to come into the workplace when they could safely work from home. It has gone against the NPHET advice by bowing, once more, to private business lobbying and agreeing to reopen construction and it has not implemented the 14-day backward contact tracing that is necessary.

Will these things be put in place in the next ten days so that schools are able to reopen safely?

Deputy Gary Gannon: I would like to raise two issues briefly.

I wish to remind the Taoiseach, with the restructuring of the vaccination programme, of the importance of the July provision programme. I also wish to acknowledge that many of the educators who take part in the July provision programme are younger educators who are seeking to supplement their income. They will need to be vaccinated. While I appreciate that there has been a change in the rationale for the vaccination programme, I ask that it be ensured that educators taking part in the July provision are prioritised so that important programme can take place.

I also want to highlight that students who have not been able to return to school because they have a family member with an underlying health condition still do not have access to remote learning options. I strongly encourage the Taoiseach to prioritise both of those cohorts in terms of creating remote learning options for students who cannot return to school and prioritising the educators who take part in the July provision scheme as part of the vaccine programme.

Deputy Peadar Tóibín: In the last 24 hours, the Government has changed from a risk-based vaccine distribution system to an age-based vaccine distribution system. Last week it said that the vaccination system was based on public health advice. This week it has stated that it is based on public health advice, even though they are mutually exclusive systems.

Now, a 46-year-old who is working remotely will be vaccinated on the same day as an SNA who is working with children with special needs, as a garda who is arresting people in a riot, as a carer on whom a person depends completely and as a teacher.

It is important to be honest here. The reason is because the system that was in place previously was based on GP and consultant lists. As a result, many people were slipping through the cracks. There are people with stage 4 cancer who have been bounced back and forth from GPs to consultants and have been unable to get the vaccine.

The reason that lists were used is because there is no central patient database in the country. Even though the Government had six months to organise a central database, the Government did not get it together. It is incredible to hear. Last week, the Government said that one of the biggest risks in respect of Covid is people's actions and their mobility. Now it is saying that is not the case, and the biggest risk is age. It is saying that people's professions, that is, their mobility and actions, are no longer a sufficient reason for them to be prioritised.

The Taoiseach: First, in terms of the issues raised by Deputy Kelly in relation to special education, I will have the issue of developing schools and special needs provision looked at again, to ensure that there is an adequacy of provision for children in that context.

On the issue around the Beacon Hospital, what happened there was a fundamental breach of trust in the administration of vaccines. It was wrong and against the prioritisation that had been laid down, that the most vulnerable should get the vaccines first.

In our democracy and within our constitutional framework, people have entitlements to pursue the education that they wish to pursue. We must ensure this happens, as we do, particularly at primary level. We are much stronger at primary level in terms of the single-tier approach in respect of the provision of education - not so at post-primary. It is more regionally spread as well. Dublin is particularly strong in terms of private education as opposed to State-based education.

2 o'clock

There is a higher concentration in Dublin. Overall, our second level system has achieved a lot relative to our European peers in terms of school completion. I favour stronger resources going into DEIS schools and into the area around school completion and attendance to make sure we can assist in every way we possibly can school completion by students, which would enable them to progress further and get greater opportunities in life more generally.

Deputy McDonald raised the redress scheme for survivors. I am very keen to see the review into the scheme concluded. I do not have a date for that right now but I certainly will revert back to the House on it at a later stage. I have pursued this issue both in opposition and in government. We have made progress as a result of some of the efforts we made and that I was involved in, but some people are still excluded, as has been noted, particularly the survivors of Creagh Lane National School.

Deputy Boyd Barrett raised an issue regarding the hot meals programme. It is a good programme, the objectives of which are to be commended. I will examine the situation he has raised. I take it he is talking about 90 schools in DEIS band 1 that are apparently not eligible. I will get answers in that respect from the Minister involved and revert to the Deputy.

Deputy Richard Boyd Barrett: The scheme costs very little.

The Taoiseach: Deputy Paul Murphy raised a number of points. The NPHET recommendations we have adopted are, in effect, to have a very slow, steady and safe reopening and to give people some relief in respect of, for example, the 5 km restriction and other matters. We have dealt with outbreaks in meat plants. From the Deputy's political perspective, he can identify meat plants as the great evil. As far as we are concerned, they have been dealt with and there is antigen testing and serial testing in place. There is also support for workers in terms of illness pay and so on.

Regarding bringing down case numbers, that is an objective in terms of schools returning. No one expected vaccinations before 12 April. Let us all be honest in this House and not suggest that people had an expectation there would be vaccinations beyond the over-70s and the cohorts with underlying conditions. The target is to get all over-70s and the underlying condition cohorts given a first dose by mid-April and to have them all fully vaccinated by mid to late May. We are leaving nobody behind in the vaccination programme.

In respect of the points raised by Deputy Tóibín, it is not a case of moving from risk to age. Age is risk; that is the point. We can play with language but the reason NIAC has decided on age, having looked at the reviews, is that it does not determine huge differences between oc-

cupational categories but it does unequivocally say that the international evidence is now clear that the older one is, the more vulnerable one is to severe illness and death if one gets Covid. There is no contradiction, as the Deputy asserted, between the behavioural issues and how one avoids getting Covid in the first instance.

On the issue raised by Deputy Barry, I again make the point that there was no expectation that people would be vaccinated before 12 April. It is wrong to suggest there was. We are not breaking any commitments in respect of the full reopening of schools on 12 April. Deputy Gannon made a fair point that before the next academic year, which is probably the more relevant timeframe, we should do everything we possibly can to ensure we have the bulk of our vaccination programme completed. I am confident of achieving that. In response to Deputy Gannon's other point, age is now the determining criterion governing the allocation of the vaccine, as I said.

Cabinet Committees

7. **Deputy Mick Barry** asked the Taoiseach if he will report on the meeting of the Cabinet committee on Covid-19. [1593/21]

8. **Deputy Alan Kelly** asked the Taoiseach when the Cabinet committee on Covid-19 last met; and when it next plans to meet. [13095/21]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on Covid-19 will next meet. [13268/21]

10. **Deputy Bríd Smith** asked the Taoiseach when the Cabinet committee on Covid-19 will next meet. [13271/21]

11. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on Covid-19 will next meet. [13274/21]

12. **Deputy Mick Barry** asked the Taoiseach if he will report on the Cabinet committee on Covid-19. [13300/21]

13. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on Covid-19 will next meet. [15524/21]

14. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on Covid-19 last met; and when it next plans to meet. [16824/21]

The Taoiseach: I propose to take Questions Nos. 7 to 14, inclusive, together.

The Cabinet committee on Covid-19 was re-established by the Government on 29 June 2020 to continue to assess the social and economic impacts of the potential spread of Covid-19 and oversee the cross-Government response. The committee met this week on Monday, 29 March. The date of the next meeting has not yet been set.

On 23 February, the revised plan for managing the virus, Covid-19 Resilience and Recovery 2021: The Path Ahead, was published. The plan sets out our approach to the next phase on our path forward. The objectives of the revised plan are to make steady progress, starting with childcare and schools, while avoiding a further wave of disease or reimposition of restric-

tions, protect the most vulnerable by an efficient roll-out of the vaccination programme, remain vigilant and agile regarding the uncertainties in the face of new variants, capitalise on emerging evidence on available vaccines, and lay the foundations for the full recovery of social life, public services and the economy.

Any easing of measures should be slow and gradual, with sufficient time between phases to assess their impact and respond if the epidemiological situation were to deteriorate. We will take account of emerging international and national evidence and experience and have a specific focus on supporting mental health and well-being. In-school education and childcare services recommenced in a phased manner from 1 March, with the staggered return throughout March to be concluded after the Easter break on 12 April.

Yesterday, the Government agreed further easing of measures, including, from 12 April, allowing two households to meet up with one another outdoors for social and recreational purposes. This does not include private gardens. Any meetings outdoors should be done safely, with continued practising of social distancing and other safe behaviours. Masks should be worn in crowded outdoor places. Travel restrictions will be relaxed to enable travel within one's own county or within 20 km of residence if crossing county boundaries. The message is moving from stay at home to stay local.

From 19 April, there will be an expansion of elite sports activity, to include training for, and playing of, national governing body-sanctioned and organised adult intercounty national GAA league games, not including under-20s and minor competitions, and activities by certain high-performing athletes, as approved by Sport Ireland, in a range of sports.

Subject to the prevailing disease situation, from 26 April, outdoor sports facilities can reopen, including pitches, golf courses, tennis courts and other facilities, as appropriate. Activities should take place between a maximum of two households and there should not be any return to team sports or training activities. Outdoor visitor attractions can reopen, including open pet farms, heritage sites and zoos. This does not include amusement parks. Indoor areas should remain closed and hospitality should only be open for takeaway services.

Additional information not given on the floor of the House

Robust protective measures, including appropriate capacity limits, should be in place. Underage non-contact outdoor training in pods of 15 can recommence, with strict protocols. Also from 26 April, maximum attendance at funerals will increase to 25 on compassionate grounds. Linked gatherings should not take place before or after funeral services.

Regarding construction, from 12 April, all residential construction projects can recommence. Early learning childcare and school-aged childcare services will be added to the list of essential services for construction activity.

For those fully vaccinated, current guidance for vulnerable persons will be aligned to that of the general population, which means there will be no requirement to cocoon. Those who are fully vaccinated may visit other fully vaccinated people, from one other household only, indoors from two weeks after second dose.

Subject to the prevailing disease situation, areas for consideration in the next phase, after 4 May, include a full reopening of construction activity, a phased return of non-essential retail, commencing with click-and-collect and outdoor retail, such as garden centres and nurseries,

recommencement of personal services on a staggered basis, reopening of museums, galleries and libraries, and recommencement of religious services on a staggered basis.

Many of the level 5 public health measures are premised on the need to reduce congregation and interactions between people in order to reduce transmission. Therefore, everyone is being asked to stay local and comply with all public health measures. We continue to have an unacceptably high level of disease in the community. It is imperative that we continue to suppress the disease over the coming period.

Deputy Mick Barry: The Beacon Hospital gave vaccines to staff of the private school attended by the children of its CEO. The hospital gave the jab to staff of Park Academy crèches and the CEO of the VHI. The *Irish Daily Mail* reports that at least one other senior manager with no clinical role at the VHI was contacted by the Beacon Hospital and offered a Covid-19 jab at the start of March. I am told there is a 1990s revival going on at the moment. Certainly, it seems that the golden circle of that decade has not gone away. It used to be about contracts and money, and ordinary people suffered as a result. Now it seems to be about life and death, and ordinary people may get sick or even die as a result of this kind of carry-on.

I agree with the statement by the Irish Nurses and Midwives Organisation, INMO, that private health facilities should be brought into public ownership. The case for that has been strengthened by the events of recent days. How can the Taoiseach oppose that proposal in the light of recent events?

Deputy Alan Kelly: Will the Taoiseach confirm to the House that children's shoes will be added to the essential retail list? Given the time period of lockdown and retail being closed, everybody knows that this issue is causing serious problems for children in many families, particularly children of a very young age. I ask the Taoiseach to confirm that this issue will be addressed.

Antigen testing is finally being rolled out and I very much welcome it. The Taoiseach knows I was the first to raise the question of those tests in the House well over six months ago. I do them regularly when going to and from Dublin. Why is the process taking so long and will the Taoiseach outline the process?

Why has the Government now decided to do PCR tests on arrival from airports? My colleague, Deputy Duncan Smith, has been raising this for six or seven months, so what has changed? Will the Taoiseach please inform the House the process by which decisions will be made to add countries to the mandatory hotel quarantine list? It is quite obvious the Minister for Health jumped the gun in announcing that the US and three or four countries from Europe would be included. If I say the Minister for Foreign Affairs was mildly annoyed by that, I am being polite. What is the process for making these decisions, as the current process certainly cannot be used in future?

Deputy Richard Boyd Barrett: I have just read the NPHET letter. It correctly states we are in a very fragile and precarious position, as a result, in my opinion, of the Government refusing to impose the mandatory quarantine that NPHET asked to be introduced. The Government still refuses to do it for a majority of countries. Whereas the vast majority of people adhered to public health guidelines, enduring immense hardship in doing that, the Government has allowed certain favoured sectors off the hook. As a result, we still have dangerously high levels of transmission of the virus, most notably with the beef plants and other non-essential

sectors that clearly have the favoured ear of the Government.

Interestingly, NPHE does not mention construction in its letter or ask for the reopening of non-essential construction. Why has the Government done this, given the fragile position described by NPHE? Yet again, it seems another reckless move as the Government kowtows to the Construction Industry Federation, including Mr. Tom Parlon, and similar interests.

There are people who will continue to suffer economically and I have raised many times the grant supports that have been denied to taxi drivers. The Taoiseach often makes comparisons with the North, where taxi drivers are being given £3,000 to cover ongoing fixed costs. We have not given them a cent. Will the Taoiseach consider supporting our taxi drivers during this difficult time?

Deputy Bríd Smith: I ask about the vaccination programme. I listened carefully to the Government's announcement yesterday and again this morning when it was replayed during a radio interview. To put it mildly, the Government's plan to reopen the economy is almost 100% dependent on a successful roll-out of the vaccination programme. One could say that is fair enough because it is expected we will get a million vaccines in May, June and afterwards, so there shall be plenty of them in the country. Let us say that happens and there are no problems with distribution or imports. Will the Taoiseach clarify if we are sufficiently resourced in vaccinators, as this is where we could have a problem? I have a niece who is an unemployed midwife and who has offered to be a vaccinator. Ridiculous questions are asked by Cpl, the outsourced recruitment company, including requests for the certificate for the BCG vaccine given to people when they were six. They also ask for the junior certificate and the long version of a birth certificate. These questions are obstacles being put in front of people trained as public nurses and doctors who want to be vaccinators. How in God's name are we going to vaccinate millions of people without plenty of vaccinators? Why are these obstacles being put ahead of people's health? Will the Taoiseach explain if he has faith in Cpl to deliver the programme?

Deputy Mary Lou McDonald: I may have skipped the queue as I believe Deputy Paul Murphy is next.

An Leas-Cheann Comhairle: I crossed him out by mistake.

Deputy Paul Murphy: It is okay.

Deputy Mary Lou McDonald: It is just to keep us right. I thank the Deputy. There is a move to age-based vaccination and the Taoiseach drew a parallel with the North. Sadly, I wish we were in the same position as those in the North, where vaccination is moving ahead at pace. Of course, the Taoiseach is aware there is an occupational element to that scheme. It is why, for example, carers got priority and have been vaccinated in the North. The occupational logic was applied in the correct decision to vaccinate healthcare workers - those on the front line - first. It was not age-related but decided according to occupations.

The Taoiseach has told us the national immunisation advisory committee has advised the Government that there is no occupational group at higher risk of disease or death from Covid-19. I invite the Government to publish that advice so we can scrutinise it. There is also the question of the shenanigans at the Beacon clinic, which is the latest instance we know of where the guidelines issued by the HSE were set to one side and an individual arbitrarily chose people to be vaccinated. Apart from the elitism, this demonstrates a lack of oversight and surveillance. We heard about the Beacon clinic case because of good journalism and somebody stepping

forward, not because we have good oversight. What will the Taoiseach do to remedy this clear deficiency?

An Leas-Cheann Comhairle: I apologise to Deputy Murphy.

Deputy Paul Murphy: There is no problem. My jaw almost hit the floor during the Taoiseach's response when he said the meat plants have been dealt with. Tell that to the six meat factory workers currently hospitalised with Covid-19. Tell that to the meat factory workers in the two plants that have been added to the list of outbreaks in the latest weekly statistics. There are now open outbreaks in 27 of 56 meat plants that have supposedly been dealt with. In towns with meat plants, such as Tullamore, the rates of incidence are five times the national average and the poor conditions of meat factory workers continue. For almost a year now, NPHET and People Before Profit have been calling for proper sick pay for these workers but 90% of them still do not have it. We will introduce a Bill tomorrow that would force the beef barons to provide sick pay for all meat factory workers. Will the Taoiseach support us in dealing with this matter, as opposed to ignoring it or pretending it has been dealt with?

I will go further than Deputy Boyd Barrett. Not only does NPHET not recommend the reopening of construction, it argues that it should not happen. After outlining its list of suggestions, it states "no further relaxation of measures should [happen]". The Government is again going away from NPHET advice in bowing to the lobbying of the Construction Industry Federation. Will the Taoiseach take responsibility if a disaster results?

Deputy Peadar Tóibín: Like everybody else, I want to see the country reopened. I understand the vaccine roll-out is key to that objective. I have been pushing for many months for a timely rolling out of vaccines. However, I oppose mandatory vaccinations. Encouragement has proven far more successful than browbeating people. I received a number of phone calls from students over the past number of days who have told me they are being forced to take the vaccine against their will. One woman called me and said she was under massive stress and she cannot sleep. She indicates she has been told that if she wants to finish the two weeks of placement she has left, she must take the vaccine. In other words, she must take the vaccine to continue her career. She says she is looking at Germany and Canada, two countries that have paused the roll-out of the AstraZeneca vaccine for her age cohort, and she cannot understand why the HSE is making it mandatory for students to take this vaccine to continue with a particular career. Will the Taoiseach guarantee these students will not be forced to take the vaccine?

In the statements yesterday, the Taoiseach mentioned that people who have been vaccinated can meet. I welcome that. How will that be policed or will it be policed? Will there be occasions where gardaí will attend people's houses and ask them to prove they have been vaccinated?

The Taoiseach: I thank the Deputies, who have raised a range of matters. Deputy Barry again raised questions relating to public and private hospitals. We live in a country where people have choices. I support as strong and well-resourced a public health service as possible and will continue to do so. That is why record funding was provided this year to the HSE to develop, advance and expand the public health service system. That is my commitment to that.

I have condemned what happened at the Beacon. It was wrong in terms of personal ethics and behaviour and represented a gross breach of trust with the Irish people.

Deputy Kelly raised the issue of children's shoes, which the Government is examining. We

take the point. There have been issues in terms of children's shoes being an essential item for the growth and development of children and the need to provide for that. We are finalising specific guidance. That will be published and outlined in regulations to facilitate shoe shops and shoe-fitting services to measure children and provide for them on appointment online or by phone call. The basis will be to provide that service and the subsequent sale of children's shoes only. It is specific to the needs of growing children and we will provide for that in guidance and regulations that will be published shortly. It is a fair point that Deputies and medical personnel have raised with us.

Antigen testing is being rolled out. A report has been compiled by Professor Mark Ferguson which is with the Minister. It is being rolled out in the private sector, as well as by the Minister for Agriculture, Food and the Marine, Deputy McConalogue; by the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, in the third level sector; and by the Tánaiste in respect of enterprise and the private sector more generally. It is available in meat plants. We have done serial testing in meat plants to keep the pressure on the virus.

On mandatory quarantine and the addition of countries, the process is clear. The Chief Medical Officer assesses the situation against a range of criteria provided for within the legislation enacted by the House. He sends a report to the Minister for Health who then has to consult with the Minister for Foreign Affairs for the countries to be announced and added.

On Deputy Boyd Barrett's questions, it is a fragile situation. In terms of construction, on another day Deputies Boyd Barrett and Paul Murphy will come into this House and rail about the state of homelessness and the housing crisis. We are allowing for residential construction and not kowtowing to anybody. It is Government policy to provide housing for people, to combat homelessness and so on. We have had no housing construction, essentially, since the beginning of the year. Some 14,000 workers are provided for, that is all. That is in the context of 1 million going back to school. That is the perspective and the balance. I ask the Deputies not to overstate it.

Cabinet Committees

15. **Deputy Alan Kelly** asked the Taoiseach when the Cabinet committee on health last met; and when it next plans to meet. [13096/21]

16. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on health will next meet. [13102/21]

17. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on health last met; and when it next plans to meet. [15560/21]

18. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on health last met; and when it next plans to meet. [16825/21]

19. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on health last met; and when it next plans to meet. [17191/21]

The Taoiseach: I propose to take Questions Nos. 15 to 19, inclusive, together.

The Cabinet committee on health oversees implementation of programme for Government

commitments in relation to health, receives detailed reports on identified policy areas and considers the implementation of health reforms, including Sláintecare. The Cabinet committee last met on Monday, 14 December and will meet again shortly. In addition to the meetings of the full Cabinet and of Cabinet committees, I meet Ministers on an individual basis to focus on different issues. I meet the Minister for Health regularly to discuss priorities in the area of health and in particular our management of and response to Covid-19.

The pandemic has led to unprecedented interruption to normal healthcare activity in both acute and community settings. Since the outset of the pandemic, patients and services have been clinically prioritised and the HSE has ensured that time-critical services, along with many routine services, have been protected, meaning that people who need it currently have had access to the services.

To ensure services are restored in a clinically prioritised manner, last week the HSE published a plan for restoring health and social care services in a Covid-19 environment, entitled A Safe Return to Health Services. This plan provides an operational framework for the safe return to services at a local level. It includes an overview of the services to be resumed, the target for their safe return and some detail on the conditions and challenges that have to be met. Every phase has been informed by clinical guidance and putting patient safety first. The full restoration of health care is dependent on continuing to suppress Covid-19 to avoid another surge for our health services and the associated impacts.

Deputy Alan Kelly: I will raise only one issue and that is human papillomavirus, HPV, vaccination. We all know through the questions I asked a week and a half ago that it has dropped from 80% to 53.6%, which is deeply worrying. I am passionate about this, have worked on it for years and having lobbied to get HPV brought in for boys. What will we do to catch up? Students have gone back to school. We need to have a catch-up. There is no information coming from the HSE as to what catch-up programme will be implemented for HPV.

I suggest we put the catch-up out to pharmacies for a period, free of charge. I have been inundated with people who want to get their children vaccinated but cannot. As it looks like there will be continuous issues in schools, let us have the other option of doing it through pharmacies and potentially GPs. Laura Brennan's legacy cannot be let go like this, nor can all the work and advocacy she, in particular, did along with others. Will the Taoiseach please ensure there is a catch-up programme so we can get back on track in relation to HPV vaccinations?

Deputy Mary Lou McDonald: I too refer to the plans for a safe return of health services, as published by the HSE. I specifically focus on cancer services, which will not be fully restored until the end of the year, with 90% scheduled by the end of September. All of this is reliant on a successful vaccination roll-out. We cannot afford to miss these targets. The prioritisation of early diagnosis and screening services is central and the Irish Cancer Society has made a call for additional investment and workforce planning to increase low take-up and extend existing programmes to wider populations. Will the Government and, specifically, this sub-committee of Cabinet engage directly with the society on the priority actions it has identified?

Deputy Richard Boyd Barrett: Covid-19 has further underlined the need for proper mental health services. We have thousands of adults and children waiting for assessments and services. I spent an hour on the phone last night to a young student studying to be a psychologist. She told me a tale of woe about the plight of people studying to be psychologists and trying to get on doctorate training programmes to be psychologists. In their MA programme, they pay

€8,000 to €15,000 in fees. The number of places for psychologists in doctorate training has fallen in the last year and they are not funded. Some of them are funded somewhat but not sufficiently. In education and counselling psychology, they are not funded at all. To make a long story short, she said that working-class people who want to do psychology have virtually no chance of getting doctorates because of the cost, fees, hurdles and obstacles put in their way.

Deputy Paul Murphy: The CEO of Beacon private hospital was caught red-handed essentially stealing public vaccines, treating them as his personal property. He should not get any special treatment just because he is the boss at Denis O'Brien's private hospital and part of the golden circle. The Taoiseach says it was wrong and a gross breach of trust. I agree. The question is whether there will be any consequences. Does the Taoiseach agree his actions should be criminally investigated by the Garda? Does he agree there should be an independent audit involving representatives of the INMO and patients to see exactly what happened? Concretely, does he agree the CEO of the Beacon should resign or be sacked for his disgraceful misappropriation of public vaccines?

Deputy Mick Barry: SouthDoc is paid €7 million annually by the HSE to provide out-of-hours GP care for public patients. Despite this, their centres in Blackpool on Cork's northside and Listowel in County Kerry are shut. The Blackpool centre has been shut for over a year. The HSE has expressed grave concern about this situation. The health needs of the people of the northside must not be shoved to one side. When will the Taoiseach and Minister for Health intervene to make sure those doors open again?

Across the country, the State is failing to meet the needs of children with autism spectrum disorder. In Cork, at least 50 children are without a place in Cara Junior School next year. At least a further eight Cara Junior School students are without a special needs secondary school for next September. Will the Taoiseach speak with the relevant Minister to ensure places are immediately found for these eight students and plans are explored for a new school in Cork for schoolchildren with a dual diagnosis? Apologies, a Leas-Cheann Comhairle, I know this question would be more appropriately addressed to the Department of Education but the parents asked me to make sure it was posed.

An Leas-Cheann Comhairle: I thank the Deputy. We are running out of time. Deputy Tóibín wanted to contribute briefly.

Deputy Peadar Tóibín: Today, 480 people will get cancer and, tragically, more people will likely die of cancer. Late diagnosis and treatment will lead to much more advanced cancers coming into the system, which will lead to greater levels of morbidity and death. Why has the Government reduced cancer services when the need is so great at the moment? Will the Government guarantee that full cancer services will return immediately?

The Taoiseach: I find some of the rhetoric here extraordinary. I take it Deputy Tóibín realises we are in a global pandemic. No Government premeditatedly decides to reduce cancer services. The Deputy should get bloody well realistic. Excuse me, I should not use the word "bloody" but I genuinely think it is a bit much. We want to provide the maximum level of cancer services. There have been backlogs because we are in the middle of a global pandemic, which has had a terrible impact on front-line healthcare services. The national cancer control programme has a schedule for the resumption of cancer services. It is very important. We want to get back to 100% of 2019 levels and we are making progress in some respects in doing that. Part of the reason for the very slow reopening announced yesterday was to facilitate a resump-

tion of services in healthcare. We have provided the resourcing but there have been challenges because of Covid-19. That is obvious.

The Deputy is entitled to make comments but I have to respond. Fair is fair here; no one is reducing cancer services in a premeditated way.

Deputy Peadar Tóibín: The Government has reduced cancer services.

The Taoiseach: Deputy Kelly made a very fair point about the reduction in HPV vaccinations. That is a very important issue on which I will revert to him. I will engage with the HSE in terms of the catch-up, perhaps utilising other agencies. Again, all hands are on deck in terms of the vaccination and will be in respect of GPs in particular.

Deputy Alan Kelly: What about pharmacists?

The Taoiseach: Hopefully, pharmacists will also be involved as we move more into critical mass vaccination. I take the Deputy's point. The HPV vaccination is extremely important and Laura Brennan's legacy must be honoured in that respect. I take that point.

Deputy Boyd Barrett raised the issue of pathways for those studying for a PhD in psychology. I am certainly of the view that we must do everything we possibly can to facilitate better progression through postgraduate education, particularly for people from disadvantaged financial or income backgrounds.

Regarding Deputy Murphy's question, I have been very clear on the Beacon Hospital issue. It was absolutely wrong but it is not for me to determine. I do not set myself up as judge, jury and executioner, and I never have, for example, in terms of criminality in that regard, as the Deputy has asserted. He raised that issue. No one should get any special treatment with regard to any transgression such as this.

We have provided resources to the HSE to ensure the resumption of SouthDoc in Blackpool and Listowel and also for new schools in Cork. I am fully in agreement that we need to provide additional places. I have been in touch with the Minister for Education, the Department and agencies and schools locally to make sure there is a sufficiency of provision for children with special needs in the Cork region, of which there is a dearth at the moment. We need to change the system somewhat as too many schools or agencies seem to have the power within themselves to say "No".

Post-European Council Meeting: Statements

The Taoiseach: I participated in a videoconference meeting of the members of the European Council last Thursday, 25 March. Provision had been made for this meeting to continue on the morning of 26 March. This did not prove necessary, however, as we concluded our discussions on the evening of 25 March.

Our meeting began at noon with the customary exchange of views with the President of the European Parliament, Mr. David Sassoli. Following our exchange with the president, we worked through each of our agenda items, namely, Covid-19, European Union relations with Turkey and Russia and the Single Market in industrial policy, digital and the economy.

We were joined by the President of the European Central Bank, Ms Christine Lagarde, and the Minister for Finance, Deputy Donohoe, in his capacity as president of the Eurogroup, for a meeting of the euro summit in inclusive format. For the final part of our meeting, we were joined by the US President, Joe Biden, with whom we held a short exchange. The Minister of State, Deputy Byrne, will provide further detail on our discussions on Turkey and Russia in his concluding remarks. I will report now on all other matters.

As well as sharing his views on the issues on the agenda of the meeting, President Sassoli took the opportunity to express his concerns at the sanctions imposed by China on five Members of the European Parliament, the Parliament's Subcommittee on Human Rights and the Council's Political and Security Committee.

Prime Minister Costa then presented a report on the work of the Portuguese Presidency to date. As well as highlighting progress on the multi-annual financial framework, MFF, he welcomed the agreement reached on the Conference on the Future of Europe and looked forward to its launch on 9 May.

We then began our consideration of Covid-19. As expected, this was a difficult, lengthy and sober discussion given the trajectory of the disease across Europe in recent weeks and the importance of this issue for every EU leader. We discussed the epidemiological situation in our respective countries. The main focus of our discussion was on vaccines. President von der Leyen provided an overview of status of delivery of vaccines to and within the European Union. She confirmed that approximately 88 million doses had been delivered across the EU up to the end of last week. Notwithstanding disruptions to anticipated supplies, approximately 100 million doses will have been delivered in the first quarter of this year. This is expected to increase significantly to around 360 million doses over the second quarter, starting tomorrow.

As I stated in the House last week, we should not lose sight of the scale of what has been achieved in developing effective vaccines in such a short timeframe. The decision that the European Union should come together as one to order and distribute vaccines was the right one, and very much in Ireland's interests. The European Union has given us access to a portfolio of more than 2.6 billion doses, and deliveries will continue to increase as production accelerates.

In our discussion last Thursday, there was agreement on the need to further increase vaccine production, supply and distribution. Leaders confirmed the *pro rata* key for the allocation of vaccines. In a spirit of solidarity, we agreed that our ambassadors in Brussels should consider the speed of delivery of vaccines in allocating 10 million doses of the Pfizer BioNTech vaccine advanced from quarter 4 to the second quarter of this year. For my part, I emphasised that to facilitate increased vaccine supplies, we need to work with global pharmaceutical companies and protect global supply chains. Of course, it is also vital that pharmaceutical companies uphold their side of contracts that they have entered into with the European Union. We agreed on the importance of transparency around vaccine supplies, which has been assisted through the transparency and authorisation mechanism for Covid-19 vaccines.

The European Union is an important exporter of vaccines and this should be acknowledged. The pandemic is a global challenge and we must work together to overcome it. Equally, the production of vaccines relies on a range of inputs, from the elements of which they are constituted to the vials in which they are bottled, and is a global activity relying on complicated and easily disrupted relationships.

It cannot be stressed enough that until all of us are safe, none of us is safe. This is why we must continue to work in solidarity, both within and outside the European Union. We agreed on the need to accelerate work on a vaccine-sharing mechanism which will complement the work of COVAX in ensuring universal access to vaccines. The European Union will continue to strengthen its global response to the pandemic. We need to ensure fair and equitable access to vaccines right across the globe.

Looking to the future, we agreed preparations should begin on a common approach to the gradual lifting of restrictions when the situation allows. Legislative and technical work on interoperable Covid-19 digital certificates will be taken forward as a matter of urgency. We will work constructively with colleagues across the European Union as we consider this proposal further.

The Government's focus now is on avoiding non-essential international travel, keeping the number of new infections low, accelerating the vaccination programme, as well as reopening our economy and society in a phased and safe manner. The economic challenges posed by the Covid-19 pandemic highlight the importance of a strong and resilient Single Market and of policies which strengthen our competitiveness.

Integral to this is, and increasingly will be, our ability to lead and to manage digital transformation. When we met last week, EU leaders considered the European Commission's digital compass proposals. This sets smart digital ambitions for the decade ahead for digital skills, for data and connectivity infrastructure, for the digital intensity of business and for the modernisation of our public services. We also considered the social aspects of the digital transition, in particular its implications for skills and working conditions. We agreed that work on digital compass should be examined swiftly. The social dimension will be considered when we meet for the social summit in Porto on 7 May.

We endorsed the policy priority areas of the annual sustainable growth strategy published by the European Commission. These will be reflected in each member state's national recovery and resilience plan on which work is ongoing. An open, well-functioning, competitive and innovative digital economy is the essential basis for the European Union's future economic strength. Recent events have highlighted our interdependence and shown that the role of the EU as a champion of open, rules-based multilateralism has never been more important. That is why we agreed that the European Union should strengthen its efforts to promote EU digital standards and to develop global digital rules in close co-operation with like-minded partners. We agreed also that the European Union should continue to work towards a global consensus-based solution within the framework of the OECD on the issue of international digital taxation. I support that goal.

On Thursday, European Union leaders also met as the euro summit in inclusive format. All 27 EU leaders participated, not just the leaders of euro area member states. The President of the European Central Bank, Christine Lagarde, gave a presentation on the international role of the euro. We were also joined by the Minister for Finance, Deputy Donohoe, in his capacity as president of the Eurogroup. Our discussions complemented those on the Single Market, industrial policy, digital and the economy, in particular on the need for a strong economic recovery within the European Union as a necessary foundation to strengthen the international role of the euro.

We highlighted the importance of a sound financial architecture and of preserving the Eu-

ropean Union's ability to ensure its financial stability and resilience. We called for a stronger and more innovative digital finance sector and more efficient and resilient payment systems. We asked that exploratory work on the possible introduction of a digital euro be taken forward. I support the emphasis placed in our statement on the need for a strong economic recovery, integrated financial markets and payment systems and delivering on green and digital finance. These provide the basis for the strong underlying economic performance on which the international role of the euro depends.

We also emphasised the role of the recovery and resilience facility in financing the green and digital transition needed to ensure our future prosperity. We need to continue our efforts strengthening economic and monetary union, completing banking union and making further progress on the capital markets union. We will return to these issues and review progress when we meet again in euro summit format in June. We will also return to our discussion of the economic challenges for the euro area arising from the Covid-19 crisis.

The US President, Joe Biden, joined us to discuss his commitment to strengthening EU-US relations, as he did when I met with him bilaterally on St. Patrick's Day. This was the first time in 11 years that a US President joined in a meeting with European Union leaders. The European Council President, Charles Michel, warmly welcomed the US President on behalf of the European Union.

I welcome the fact that there is now real ambition on both sides of the Atlantic to revitalise our relations and to do so with energy and immediacy. The EU and the US are very like-minded on many issues, for example, climate change. We should be providing leadership to the world. Working together where we can in multilateral settings is the best way of ensuring positive outcomes for Ireland, the European Union and the world. I welcome President Biden's clear commitment to multilateral co-operation on which he has already delivered concrete action including at the World Health Organization, the United Nations and the Paris Agreement. On Covid, we would like to see the US export vaccines in particular to the parts of the world most in need. I welcome the US recognition of the need to protect global supply chains for the ongoing production of vaccines.

Last week's meeting was the third meeting by videoconference of EU leaders this year and the thirteenth such meeting since the start of the Covid-19 pandemic. What was an innovation last year is now almost routine. This is instructive of how to embrace change successfully and digital transformation when necessary. Last week, we succeeded again in advancing the EU position on a wide range of topical and pressing issues. Our very warm engagement with President Biden highlights the value and opportunities of such meetings by videoconference. However, every EU leader would prefer that the epidemiological situation was such that we could meet in person, even if it was the right decision not to do so last week.

Today's debate in the House takes place on the last day of the first quarter of this year. It has been an exceptionally difficult quarter for us all. That is why my unrelenting focus in the second quarter, and that of EU leaders, will be on the acceleration of the production, delivery and deployment of vaccines. At the end of the second quarter, we will be in a very different place.

The next regular meeting of the European Council will take place on 24 and 25 June. Before that, we are scheduled to meet in Porto for the EU social summit on 7 May, followed by an informal European Council meeting and an EU-India summit on 8 May. I look forward to taking this important agenda forward with my EU counterparts.

As I already indicated, the Minister of State, Deputy Byrne, will report on our discussions on relations with Russia and Turkey. I look forward to hearing Members' contributions to the debate.

Deputy Brendan Howlin: On a point of order, I think there is a new regime that we have to request formally a copy of a ministerial speech. It would just be helpful if we actually had a copy if there is one available.

The Taoiseach: I can organise one for the Deputy. I was told Covid was the reason for not distributing speeches.

Deputy Brendan Howlin: I asked about this last week. I was told they are available but not distributed unless one asks for them.

An Leas-Cheann Comhairle: I am going to ask for them just because there is a lot of inconsistency with different debates. Sometimes they are available and sometimes they are not. Perhaps they could be made available.

Deputy Mary Lou McDonald: The meeting of the European Council which took place last week was a crucial moment in the European Union's battle with Covid-19. Over the course of the past year, the virus has wreaked havoc across member states. The economic and social devastation caused by this pandemic has been severe. The people of the EU and Ireland have experienced months of hardship. They have endured lockdown and massive disruption to their lives as they adhere to public health restrictions in order to curb the spread of the virus.

The mistakes by the European Union in the procurement and supply of vaccines have caused an understandable level of frustration and anger among citizens. There is no doubt that citizens have played their part in the fight against Covid-19. The mess made of the initial stages of the EU vaccine strategy, however, created a sense that officials were failing to play their part. It is very welcome that the European Commission has acknowledged those early mistakes and is now focused on improving supply as we move into the second quarter of the year. It is important and welcome that a commitment to keeping Covid-19 vaccine supply chains open was affirmed at the meeting. That is the right thing to do. While we must have a realistic view of vaccine supply across all countries, especially while some steam ahead and others lag behind, the truth is that the fight against this virus has to be an international effort.

Furthermore, any potential export ban raises the menace of checks at the Border, which could have serious ramifications for the Irish protocol. That is the last thing we need, especially considering the unilateral actions of the British Government, the thoughtless thinking out loud about the triggering of Article 16 by the European Commission in January and the persistent political attacks waged by political unionism in the North. The protocol is Ireland's protection against the sharpest edge of the Tory Brexit. It protects the all-island economy, prevents a hard border on the island and ensures the Good Friday Agreement is upheld. These protections were hard won through a unified all-Oireachtas approach and they are very important to the future of our island, North and South. It is vital that the standing of the protocol and the consequences for Ireland are the foremost considerations when political decisions are made in either London or Brussels. It cannot be jeopardised in any way during this pandemic or, indeed, into the future.

I welcome that the presentation delivered by US President Joe Biden has been hailed positively as a new era in transatlantic relations. It is necessary that the EU and US work closely together to remove obstructions in the supply and delivery of vaccines and the commitment of the

US President to such an effort can only be a good thing. By working together internationally, we can strengthen the fight against the pandemic. There has been justified criticism of the EU regarding the vaccine strategy. However, it is ultimately the responsibility of the Irish Government to ensure we have enough supply here to drastically improve what has been a very slow and stuttering roll-out. Ramping up supply is especially important given that the slow pace of the roll-out directly influenced yesterday's decision to ease restrictions only very slightly.

The announcement that Johnson & Johnson will supply the EU with 200 million vaccines in the second half of April, 2.2 million of which are reportedly destined for Ireland, will undoubtedly raise spirits. However, while supplies through the EU will increase in the second quarter, it is still prudent and necessary for the Government to seek additional supply through additional deals outside of this pathway. That is, after all, what other EU member states such as Germany and Denmark have done and we should be doing the same. Furthermore, should the opportunity arise to source additional vaccine supplies from Britain, that opportunity should be seized. Everything must be done to move beyond projections and speed up the roll-out. This means not only increasing supply but also enhancing our logistical operation in order to ensure we can quickly take advantage of any increased supply. To get this right, we must be prepared. We need detailed plans for the staffing of mass vaccination centres and the system for the delivery of vaccines to doctors needs real and substantial improvement. Vaccination is the key route out of this crisis. The faster we get vaccines into people's arms safely, the closer we will get to a reopening and better days during the summer.

Fairness is key to the success of the vaccination programme, both at home and internationally. We must always be mindful that this is a global effort. The EU cannot allow profit-protecting patents on vaccines, which are medicines developed for the public, to hamper the worldwide vaccination effort. The more vaccines that are produced, the less chance there is for resistant strains of this virus to develop. The imperative and the benefits are clear. The EU should not stand in the way of vaccine production in other parts of the world. There should be no circumstances in which profit becomes the foremost consideration in this pandemic. Everyone - I repeat, everyone - deserves protection from Covid-19.

Deputy John Brady: Across the Continent of Europe, the single most important project that faces governments in this moment remains the response to the Covid-19 pandemic. It is only right and just that the European Council would focus on vaccines as the primary political issue at its recent meeting. Across Europe and here in Ireland, we have measured the impact of the pandemic across several key areas, for example, health, through the number of fatalities and hospitalisations, including ICU referrals, and infections. Financially, we have seen the impact on businesses and families and on the nation's economic outlook. In the social sphere, there has been an impact on families, individuals and various sectors of society due to the effects of isolation and much more.

The key and prevailing theme put forward by both the Government and commentators has been that we are all in this together. It was this sense of social cohesion that drove the nation's efforts at key junctures when we were all forced to dig deep as we attempted to bring the infection rates down at the moment in which we came closest to despair. It is a tragedy to witness an unravelling of this social compact from the centre of acquired privilege. It appears that a self-appointed elite in this country continues to march to a different drumbeat. Today, the doling out of Covid-19 vaccines has become akin to the dispensing of patronage. The first phase of the pandemic in Ireland was marred by "golfgate", where the cosy relationships between politicians, financial institutions, the Judiciary and the media were exposed against the backdrop of a

sense of entitlement. These links are yet to be fully explored. The latest phase is marred by the scandalous revelations regarding the Beacon private hospital, an institution that turned its back on the people of this State in the moment of our most dire need. The CEO of this hospital sees fit to behave in the manner of an Italian Renaissance prince by dispensing vaccines to the great and good at the expense of the people, some of whom may very well die as a result.

We need to know what measures will be put in place to ensure the EU funding programme to aid the economic recovery from the coronavirus will not suffer the same fate as the vaccination programme. The Taoiseach said that we will not be out of this until everyone is out of it and I agree wholeheartedly with that. Some pharmaceutical companies are attempting to profiteer on the back of this pandemic, which I absolutely deplore. I urge the Government to step up to the mark and, along with other European countries, sign up to the Covid-19 technology access pool, C-TAP, initiative, which would allow the patents of those pharmaceutical companies to be used in developing countries and countries that are less well off. I urge the Government to take the lead and sign up to C-TAP with immediate effect.

Deputy Brendan Howlin: I only have five minutes. I always complain about the time given to live up to the commitments we made to have proper scrutiny of European Council meetings. The Taoiseach left the Chamber before the first contribution was made. I know he is very busy but we need to take our responsibility to deal with the European Council seriously.

I will briefly deal with three issues. As I said last week, the most important issue by far to be addressed by the European Council was Covid-19. I refer in particular to the failures in the responsibilities we entrusted to the European Commission at the early stages of this pandemic and, more recently, the roll-out of the vaccine.

3 o'clock

I asked last week for accountability for the accepted failure that was laid out by the Commission. None of that was evident in anything that I have read. In the conclusions, the EU leaders committed to accelerate production, delivery and deployment of vaccines. I would have hoped that they had always committed to accelerate these three aspects. It is in respect of those aspects that they have failed to date. What was decided in this regard and what will flow from the meeting in the context of production, delivery and deployment of vaccines? We need to have that spelled out in detail, which is why I had asked for a copy of the speech because I had hoped to have the specifics of all of that and an acknowledgement of the lessons learned.

For those of us who are deeply committed to the European project, there is a requirement to know that when we devolve responsibilities to a central authority, that authority is as accountable as our Government is to this Parliament. We need to hear very clearly what the position is in that regard.

There are two other issues which flowed from last week's Council meeting and which I wish to touch upon. The first of these relates to the discussion on the euro and the creation, from the existing euro, of a truly global currency. Some would rightly say that it perhaps already is a global currency. It is the currency of 19 of the 27 member states but it is also used by 60 countries and territories that either use the euro as their normal currency or whose currency is pegged to the euro. After the US dollar, the euro is the second most important international currency. The commitment is to build a stronger role for the euro, benchmark international commodities, including energy and raw materials, in euro as opposed to dollars into the future

and make it more attractive as a currency of choice for investors. These are worthy aims and I hope, in the context of future debates, that we will have the opportunity to debate the specifics with regard to how what is envisioned is to be achieved.

The second and related issue is that relating to international digital taxation, which was briefly touched upon by the Taoiseach. When he talked about digitalisation, he briefly referred to international taxation and stated that he supports the OECD framework. Interestingly, in its conclusions, the Council agreed that if no agreement is reached within the OECD, the EU will then act alone. The Commission is currently preparing a digital levy proposal. That is being formulated and the Commission has stated that it is exploring a number of policy options, including: a corporate income tax top-up to be applied to all companies conducting certain digital activities in the European Union; a tax on revenues created by certain digital activities anywhere in the European Union; or a tax on transactions conducted business-to-business within the European Union. These are very profound changes and given the scale of digital company activity in our State, we need to have a clear analysis of the impact of each of the proposals. I clearly stated a long time ago that I am in favour of digital taxes. These companies need to have a clear basis for paying tax but it must be fair to all companies and not simply a transactional tax that will accrue even greater taxation benefit to the very large countries where many of the transactions involved take place. These are matters to which we need to return and on which we need to have much deeper and clearer presentations by the Government in the context what exactly is being said on our behalf.

An Leas-Cheann Comhairle: We move back to the Government side. Deputy Haughey is sharing time with Deputy Richmond.

Deputy Seán Haughey: A new wave of Covid-19 cases is evident on the Continent of Europe, particularly in central Europe, the Balkans and the Baltic states. The B117 UK variant, which is extremely contagious, is now the dominant strain. This is a matter of concern and, as the Taoiseach stated, it was considered in detail at the European Council meeting last week. As I have stated previously, the Commission's handling of the Covid-19 vaccine roll-out has been less than sure-footed. The sharp, public exchanges between the Commission and the UK are not something we are used to, especially those from the Commission. I welcome the fact that the rhetoric between the two blocs has been dialled down, so to speak, and that background diplomacy has been set in train. I am glad that a blanket ban on the export of vaccines from the EU has not been pursued, particularly in view of the interconnectivity of global supply chains, and I am of the view that the policy on this issue agreed at the Council meeting represents the best way forward.

I note what was said in the Council's statement on the EU's relations with Turkey. There is no doubt that it is in the EU's interests to have stability in the eastern Mediterranean and a co-operative and mutually beneficial relationship with Turkey. The EU needs to co-operate with Turkey on migration, particularly when one considers that Turkey is temporarily home to approximately 4 million Syrian refugees. We have a problem, however. There are difficulties in respect of the rule of law and fundamental rights in Turkey. President Erdoğan has targeted political parties and the media. He intends to proscribe the mainly Kurdish Halkların Demokratik Partisi, HDP, also known as the Peoples' Democratic Party. Recently, he sacked the governor of the Turkish central bank and has withdrawn Turkey from the Istanbul Convention, which protects women from domestic violence. While I welcome EU engagement with Turkey, as a country it is a long way off EU membership when these issues of democracy, rule of law, and human rights remain to be resolved.

The European Council briefly considered EU-Russian relations. I note that this matter will be considered further at a future Council meetings. This, of course, follows an unsuccessful visit by EU policy chief Josep Borrell Fontelles to Russia last month. Ireland, the EU and the UN need to do more about the case of jailed Russian opposition leader Alexei Navalny. There are reports that he is being subjected to torture in prison, which is totally unacceptable.

I also welcome the attendance of US President Joe Biden at the videoconference relating to the Council meeting. This new chapter in EU-US relations gives us great hope. We live in a world of free trade and subscribe to the promotion of liberal, democratic values and basic human rights. The attendance of the US President at the meeting is a further sign that the many global problems of the day, including climate change, can be best tackled through international organisations and multilateral diplomacy.

I note what the Taoiseach said on digital taxation and the fact that it will be considered following further reports from the OECD. This is of concern to Ireland. If the EU is to go it alone, we would have to do everything possible to protect our corporate taxation regime, which is the model upon which our economic development is based on. I will finish on that point.

Deputy Neale Richmond: Gabhaim buíochas leis an Leas-Cheann Comhairle agus leis an Teachta Haughey for the precise sharing of time. It is very much appreciated. We are mastering our double act on European Council statements at this stage.

There are three issues I would like to raise in the context of this debate. The first concerns a matter that the Minister or other Members may not have been aware of, namely, the very harrowing report on “RTÉ News At One” detailing the decision by the station’s correspondent Yvonne Murray to leave China due to the increased levels of surveillance. In the context of the European Council meeting, David Sassoli, President of the European Parliament, raised the serious concerns that five members of the European Parliament’s human rights’ subcommittee have been hit with significant sanctions by the Chinese Government. This is merely the latest in a series of very troubling actions on the part of the Chinese Government. One such action relates to the treatment of the Uyghur population. There is also the crackdown on democratic values in Hong Kong, the continued incarceration of Irishman Richard O’Halloran and so much more. It is about time we made it clear at European level, because it is only at European level that real impact can be made, that we will not stand for the continuing, flagrantly brutal actions of the Chinese Government domestically and internationally. We see the academic independence here in Ireland constantly being undermined by the Chinese Government. It is a truly worrying state of affairs. The situation that Ms Murray and her husband find themselves in is merely the latest example and we simply cannot stand for it.

I also want to refer to the transatlantic alliance and continued co-operation between the EU and the US. As others have correctly stated, this is so important. I was slightly disappointed, and I am willing to be corrected, that the Taoiseach did not use his opportunity in the joint videoconference to stress again and wholly the importance of the protocol in the withdrawal agreement, not just to Ireland but to the entire European Union and Northern Ireland, to ensure the many challenges that Brexit has thrown up can be overcome. This is an issue that goes quiet for a while but we know it will come back. It has a cyclical nature. Everything to do with the post-Brexit relationship is cyclical. We have to be clear that there is flexibility, patience and consideration for the troubling situation in Northern Ireland and an element of sympathy and an ability to work with those who have concerns about the protocol, the majority of whom are from the unionist community. None of this can be done unless there is effective and transparent

engagement. Unilateral action is simply not helpful. Those who seek to remove the protocol are misguided in their actions. There should be greater focus on what can be achieved.

My next point is probably the most important issue of the day, not just in the context of the European Council but regarding everything impacting on our country at every level. This is the roll-out of the Covid-19 vaccines. I have a series of questions to which the Taoiseach might be able to respond in writing. I put some of them to the Minister for Health through parliamentary questions. The new allocations are being announced. When will we know the precise amount of vaccine that will be allocated to Ireland? When will we receive these vaccines? What is the impact of the slightly truculent attitude of the Austrian Government in terms of the allocation? How can we ensure Irish citizens do not suffer as a result?

Can we see a comparison of EU member state vaccination strategies? A major decision has been made by the Government, stating it is following scientific advice. Like many, my phone and email have been hopping with members of An Garda Síochána, teachers, special needs assistants and many others who are concerned. What is the European approach? What are other EU countries doing in terms of allocating vaccines? Is it done solely by age or is it by vulnerability or cohort? I simply seek clarity on this issue because it is very important.

My final point is on ensuring the contractual obligations of drugs companies are met. This is not a new point. The ongoing reluctance of a certain drugs company to be transparent with its contractual obligations to the EU and UK has caused huge problems in recent weeks and months. These problems need to be addressed and in due course, although possibly not in the next couple of weeks, the drugs company in question needs to be held accountable for its duplicity and inability to fulfil its obligations to the European Union.

Deputy Pádraig Mac Lochlainn: The Minister of State is aware of the outrage in our fishing communities around the coast at the outcome of the EU-UK Trade and Cooperation Agreement. The cost to our fishing industry every year is at least €43 million. This is a 15% loss. In areas such as mackerel and prawn, which are crucial to particular ports and harbours, the impact is huge. The reason people are so angry is not only what has happened in the trade agreement. It has historical context. As we speak, Ireland's waters account for 12% of overall European Union waters yet in terms of fish we catch 4%. We get one-third in proportionate terms. This is nowhere near a fair share of the fish in European Union waters.

What is the impact of this? It is that every year tens of thousands of jobs are lost in our seafood sector. It is estimated that the loss to our economy is €600 million per year because we do not get a fair share of the fish in our waters or overall European Union waters. This is the context that has led to an even bigger injustice now, whereby we are taking a proportionately much bigger hit from the deal.

This is absolutely outrageous and unacceptable. What I hear from the Minister with responsibility for the marine, Deputy McConalogue, and from the Taoiseach today, is that we should be grateful that we were not entirely blocked from getting access to UK waters. They are missing the point. The historical context is that we have never got a fair share of the fish in our own waters. This is not about sustainability. This is about us getting a fair share. This was costing us tens of thousands of jobs every year and €600 million before the trade deal and now it is even worse. That is why people are so angry.

I also want to put on the record the issue of bluefin tuna. Bluefin tuna is one of the most

lucrative fish in the world. It is in abundance at present in our waters. In the past four years, there has been a 73% increase, or 8,000 additional tonnes, for the European Union fishing fleet. However, not one fish or one pound of that increase was given to the Irish fleet, even though the species is in abundance in our waters. Right now, our fishermen can only catch and release bluefin tuna but huge volumes are caught in our waters by foreign fleets. This practice is being allowed to continue. I put to the Minister of State the cumulative injustice and the example of bluefin tuna. Our fishing communities are being treated with absolute and utter contempt. I urge the Minister of State to up the game of the Government and put all of these facts on the table with our European partners and demand fair play and justice for our coastal communities.

Deputy Gary Gannon: No one is safe until everybody is safe. This is an incredible expression we have heard time and again in recent weeks. It was said with honest intent by Mike Ryan in his capacity as head of the World Health Organization and it has been repeated several times, including by the Taoiseach. As the European Council came on the horizon last week, it was not where the various countries were. In fact, they were far from it. What seemed to predate the European Council meeting was a vaccine arms race in which the only intention seemed to be who could get their entertainment industries, pubs, nightclubs and concert venues opened first by getting vaccines into the arms of their citizens quicker, with procurement and negotiation with pharmaceutical companies at the top of the agenda. Let me be first to say I have no interest in whether Wetherspoon pubs open in the UK before we get to open our pubs. That has absolutely no interest for me.

What I believe is of utmost importance when we speak about the idea of vaccinations and increasing supply is that we do so as world actors. For me, this is infinitely more important in the conversation. Thankfully, we have moved away from the conflict and vaccine arms race between the UK and Europe. I believe there is potential now for Ireland, which has always been neutral and stood for human rights and justice, to create a bigger role for ourselves in speaking about vaccine justice throughout the world. This is a part of leadership that we need to take on.

At its very heart and at its most fundamental, the EU is a project of peace. There is no greater threat to global peace at present than the pandemic ravaging the world. It is exacerbating inequalities on a global scale. Ireland can stand up for the initiatives that others are proposing, such as COVAX and C-TAP, and signing up to the Agreement on Trade-Related Aspects of Intellectual Property Rights, TRIPS, to waive the intellectual property rights of pharmaceutical companies. The phrase “nobody is safe until everybody is safe” is just words. I strongly encourage the Taoiseach to bring action and meaning to those words by allowing Ireland to sign up to COVAX and C-TAP and to allow Ireland to advocate that we sign up to TRIPS. To me, that would have meaning and it would place us on a pathway to leadership. That could be the most important thing we do this at this moment in time.

It is immoral that 75% of vaccines that have been given out in the world to date have been given out in just ten countries. That will prolong this pandemic far beyond where it needs to be. We have spent much of this morning talking about our own vaccine programme, which will see 70% of the population vaccinated by the end of the summer. If we are allowing the developing world to become an incubator for new variants, that will not mean anything in terms of making our own population safe or making the global population safe. I strongly encourage the Government to take a leadership role in terms of vaccine justice in the global world and to be a voice at a European Union level.

There are other issues at a European Union level that will be waiting for us as we, hope-

fully, begin to emerge from the pandemic, in particular, a global climate crisis that still requires a unified approach. There are also conflicts that will create massive challenges. I do not have time to speak about the presence of Russian troops in the Nagorno-Karabakh region at present but it creates a challenge for the European Union and the US in terms of our role in the world in alleviating conflict. What Russia did was simply to put troops there and nobody else had an answer to it. There is also the issue of what is happening in Tigray in Ethiopia, where an armed conflict is continuing, and even if it is stopped, there is still massive potential for famine and drought, which will be a lasting legacy of that conflict. These are real challenges for the European Union without even mentioning the continuing rise of the far right and the challenges that will pose in the coming years. I hope we can demonstrate leadership at a European Union level and, in particular, I strongly encourage that we sign up to COVAX, C-TAP and the TRIPS waiver programme.

An Leas-Cheann Comhairle: I call Deputy Brendan Smith, who is sharing time with Deputy Flaherty.

Deputy Brendan Smith: I welcome the opportunity to make a contribution on the post-Council statements. Understandably, as other speakers have said, the priority issue was the Covid-19 pandemic, which, unfortunately, has been with us for more than 12 months. Of course, the Government leaders had the opportunity to review what has been achieved and what has not been achieved in regard to the roll-out of the vaccine programme. As we discussed here on the last day, it is very disappointing that there has not been greater speed in getting vaccines sourced and distributed throughout Europe. I sincerely hope the Commission President had some answers to the legitimate questions in regard to the contracts the European Union had with the pharmaceutical companies and how strong were those particular contracts.

Unfortunately, we are witnessing a very high level of infection throughout the European Union. It is most disappointing that this pandemic is still with us and that this deadly virus is so prevalent in most countries throughout the European Union. As we all know, the variant B117 has caused particular difficulties. I sincerely hope Europe can honour its commitments and that the pharmaceutical companies will honour their commitments to the European Commission in regard to supplies. We all know how valuable, how important and how essential a successful roll-out of the vaccination programme is.

As Deputy Haughey mentioned earlier, it is very heartening that President Biden partook in this Council meeting. It is long overdue that the American President would meet with his counterparts in the European Union. We all know of the need to have good US-EU relations. As a country that has a particular interest in the United States, and as the United States has a particular interest in our island, we know strong EU-US relations will benefit both continents and that, in particular, we can be major beneficiaries. We know not just of the historic links between our two countries but also of the huge economic ties our country has with America. We often hear about foreign direct investment coming to this country and there are well over 100,000 people employed in US companies in our State. Similarly, there are more than 100,000 US employees working in Irish businesses in the United States, so it is a huge and very valued business linkage between both countries.

I value the engagement I have had with the Minister of State, Deputy Byrne, in recent months in regard to the Ireland-Northern Ireland protocol. I brought to his attention in the early days of the new year the need to have particular difficulties ironed out. I have highlighted in numerous debates in the House that we need stability and trade between Ireland and Britain and

between North and South. Thankfully, since 1998, we have witnessed the growth of the all-Ireland economy and the huge strengthening of links, North and South and east and west as well.

It is just not acceptable that Britain can make unilateral decisions in regard to an international agreement. I welcome the fact that, as I understand it from the Minister of State, Deputy Byrne, sub-committees are meeting to ensure that the protocol is implemented in a sensitive manner. There have to be workable and deliverable solutions. The engagement I have with my neighbours north of the Border, from businesses and individual citizens to public representatives, is that they want the protocol to work. Those people see the benefit there is in having that unique trading relationship with Britain and the European Union. I urge the Minister of State to urge all his colleagues in the different European Union forums in which he participates to ensure that the protocol is implemented in a sensitive manner and that it delivers for the people of both Britain and Ireland.

Deputy Joe Flaherty: The House will be aware there are a large number of small and family-run car dealership businesses in a state of turmoil post Brexit given the interpretation of the Union customs code regarding returned goods relief. There are a number of these businesses in County Longford, and they include the family-run Clonfin Car Sales in Ballinalee. This business has extensively researched the issue and clearly set out a number of anomalies in the current Revenue interpretation of the legislation. That Revenue interpretation states:

Under UCC (Art 203) goods can be exported from the EU to a 3rd country and re-imported into the EU without payment of Customs Duty The goods must have been originally exported from the EU, must not have been altered and must be re-imported within three years of export from the EU.

The Revenue Commissioners' interpretation of the article continues: "When a motor vehicle was originally moved from the EU to the UK before the end of the transition period and is imported to the EU within three years of the original movement to the UK ... the vehicle can be imported to the EU under the provisions of returned goods relief." However, a further interpretation from the Revenue states that the original date of the export of the vehicle to the UK is the date it employs to set the clock in motion for the three-year rule. Unfortunately, this erroneously fails to acknowledge or recognise that, prior to 31 December, the UK was, in fact, a member of the EU, and the vehicle in question was exported from an EU country, that is, Germany, to another EU country, as the UK then was, although it subsequently became a non-member state of the EU after 31 December. Therefore, if the clock is to be started, surely it must be started when the conditions of the article are complied with, namely, when the vehicle is exported to a third country.

I know that is all very technical and legalistic but vehicles exported from the EU to the UK prior to 31 December have been exported to a member state and, as such, no third-country status applies. The erroneous application of the article must be addressed. I have passed on details of the case to the Minister's office and I have also corresponded with the Ministers, Deputies Michael McGrath and Donohoe, as well as with the chairman of the Revenue Commissioners. It would appear Revenue is retrospectively classifying the UK as a third country for the purposes of the Union customs code but it seems there is, in fact, no authority within Article 203 to provide for this retrospective application of the legislation.

I believe it is critical for those businesses I mentioned that this matter is reviewed. The survival of small family-run businesses such as Clonfin Car Sales is in grave danger given the

current interpretation of the article, which is weighted in favour of vehicles registered since January 2018, when, ordinarily, the purchase of these vehicles is beyond the financial capacity of many of our citizens.

Deputy Mairéad Farrell: It has been reported in recent weeks that Ireland's share of the EU's pandemic recovery and resilience fund may be reduced by somewhere in the region of €321 million as a result of GDP figures over-inflating the health of the Irish economy. Unfortunately, this comes as no surprise to me and many others. I have been highlighting the inappropriateness of GDP as a measure of the condition of the Irish economy for some time. Despite the Economic and Social Research Institute, ESRI, forecasting that real GDP would decline by 12.4%, somehow this country, with the longest lockdown in the EU and record unemployment numbers, not only managed to grow but outgrew all of its EU peers. I cannot imagine that it is just me who thinks that there is something seriously off here. Lots of developed nations would not sneer at GDP growth of 3.4% in a normal year so to record that during a global pandemic certainly seems like the stuff of divine intervention.

The reality is that the ESRI, the Central Bank and even the Irish Fiscal Advisory Council, IFAC, are aware that this measure is more or less useless for international comparisons. In fact, from an Irish perspective it is worse than useless because it is proving harmful to us *vis-à-vis* the reduction in pandemic emergency funds and the oversized contributions we have to make to the EU budget. GDP is a metric that is hurting this country. Basically, the use of GDP means that we have to contribute more to the EU budget than we should and, as the example of the pandemic emergency fund shows, we receive less than we deserve. In the EU's defence, it is not singling us out here. The fact is that Ireland's distorted GDP figures are the product of the kind of economy that successive Governments have constructed. Herein lies the triumph and the tragedy of this metric that is bandied out, with which some people sense there is something amiss but most do not stop to question. It is very clear that it is simply a vanity metric at this point. I ask the Minister of State to raise and address this issue at Cabinet and at a European level.

I also want to raise the case of Julian Assange. My colleague Deputy Andrews and I raised this with the Tánaiste last month and I raise it again today because I am deeply concerned at reports about Mr. Assange's poor state of health, which is being exacerbated by harsh prison conditions. As elected representatives of the Irish people it is our democratic duty to be vigilant about human rights abuses both at home and abroad. Mr. Assange's case is of particular interest as the charges against him relate to his role as a journalist and publisher. His incarceration in a prison institution designated for those deemed to be the most dangerous in British society is of considerable concern. A country's defence or suppression of freedom of speech and of the press is a touchstone of how healthy its democracy remains. The Minister of State may also be aware that in recent days even the Pope has written to Mr. Assange. I ask the Minister of State to raise this case with the British ambassador at his earliest convenience.

Deputy Richard Boyd Barrett: The People's Vaccine campaign, which is supported by 80 countries, many NGOs, the UN Aids programme, Oxfam and others, published a survey of epidemiologists, immunologists and infectious disease specialists in 28 different countries, 88% of whom predict that within nine to 12 months, variants of Covid-19 will have evaded the first generation of vaccines. That is a very stark warning. In roughly the same timescale it is anticipated that only 10% of the population of some of the poorest countries in the world will be vaccinated. If those predictions are correct we are in deep trouble. The misery and the darkness of the last year of this pandemic could roll on for years to come if variants of Covid-19

evade the first generation of vaccines. The key to addressing this very frightening prospect is to ramp up the global production of vaccines to the absolute maximum level to get people all over the world, not just in wealthy countries, vaccinated as quickly as possible in order to prevent the development of new variants.

The science is absolutely clear on this but the European Union, including Ireland, failed to support the People's Vaccine campaign which calls for the waiving of patents, intellectual property rights and other protections for vaccine production technologies. The EU did so because it dances to the tune of the big pharmaceutical companies who do not want to waive those patents and intellectual property rights because they want to make cash from the pandemic. This is particularly disgusting in the context of the threat to public health, as well as the fact that it was public money that allowed those companies to develop vaccines in the first place. It was the advance orders of taxpayers and working people from all over the world that financed the development of vaccines in record time. It is absolutely shameful and unacceptable that the EU is not supporting the People's Vaccine campaign and is not insisting that technology patents and intellectual property rights are set aside in order to enable the open development of vaccines so we can ramp global supply. It is worth noting that Cuba is developing four vaccines as we speak and is willing to waive intellectual property rights. We should take our lead from the Cubans.

Deputy Mick Barry: More than 5,000 peaceful protesters were arrested in just one day in January this year in Russia and the repression has continued since then. I wish to focus on two of the less high-profile cases. The first is the case of Anastasia Ponkina, a feminist and environmental activist. On 9 March she was charged in Izhevsk for attending a protest in January. She now faces the prospect of up to five years in prison and her organisation, the Russian Socialist Movement, faces being branded by the state as an extremist organisation. On 22 March in a Moscow court, Matvey Aleksandrov, a member of the Socialist Alternative, a sister organisation of the Socialist Party in Ireland, was imprisoned for 15 days, having just completed a 25 day jail sentence for the crime of distributing leaflets promoting protests on International Workers' Day. He can be arrested and charged again on his release, in a revolving door-type scenario. There should be a right to assemble, associate and protest in Russia and every other country. I ask the Minister of State to contact the Russian ambassador to oppose what is being done in the aforementioned cases and to oppose the wave of oppression that is sweeping across Russia at this time. If he contacts me after this debate, I will happily pass on the details.

Deputy Kieran O'Donnell: I want to speak about the European Council summit in the context of Covid-19 vaccines. I note that the transparency and authorisation mechanism for vaccine exports has been extended until the end of June. I also note that the UK has received 9.1 million vaccine doses from the EU, which is virtually three times the amount exported to the next highest on the list, Canada. While it is important that we continue to export vaccines, the UK must acknowledge the level of vaccines coming from the EU and must stop playing games. While Ireland will obviously accept any spare vaccines, the UK should not be playing political games with Covid-19 vaccines because lives are at stake.

The agreements in place between AstraZeneca and the UK and EU, respectively, are very different. The UK agreement was signed on 28 August 2020, one day after the EU agreement was signed, yet one could easily assume the UK had been dealing with AstraZeneca long before that point. Furthermore, the EU got defined supply chains within its agreement, with specific manufacturing sites mentioned. I expect the bulk of those were in the UK but they certainly had access to sites in Europe. The question for the EU is whether we are satisfied with security of supply. This is the most important feature at the moment.

Vaccination is clearly working and is having an effect in Israel and other countries. Cases are rising in certain countries but the way forward is vaccination. Is the Taoiseach satisfied with the security of supply? Is he satisfied that the EU has got to grips with AstraZeneca? When will Ireland and individual member states have a defined timetable of vaccine supplies with regard to quantities and specified dates? Ultimately, the level of vaccines we have in Ireland is determined by the flow of vaccines into the EU. Has the Taoiseach sought to have a mechanism put in place at EU level so that we can tell people which vaccines are being supplied in the EU and provide a timetable for vaccination?

We are looking to vaccinate approximately 1 million people per month from tomorrow. That is the way forward. Our supply is, correctly, coming from the EU. We opted for diversity of supply. The UK got lucky with AstraZeneca. If AstraZeneca had not worked out, the UK would now be in a dire situation. As a small country, Ireland played the right game. Reports from Germany suggest AstraZeneca is no longer being used on people under the age of 60. What is NPHET's view on that?

Deputy Cathal Crowe: I have a slightly different take on aspects of this discussion. We are living every day according to NIAC, NPHET and the HSE. These entities are part of everyday parlance and every time we turn on the television or radio, we hear figures and statistics. Mother ship Europe also has a co-ordinating agency, the European Centre for Disease Prevention and Control, ECDC, based in Stockholm. The ECDC is an alarmingly small agency, with only 300 staff. RTÉ just up the road from us has six times that number of employees. The centre runs on an annual budget of €50 million whereas its US equivalent runs an annual budget of \$12 billion. It should come as no surprise that an agency set up in the aftermath of the SARS outbreak in 2002 is, 18 years on, a rather inept mother ship organisation trying to steer every other European Union nation. This proves that the HSE, the NHS and all the national agencies are outperforming mother ship Europe. Something drastic needs to be looked at in that regard.

The European Space Agency operates with an annual budget of €6.7 billion. That is a European fund for sending rockets into space. There is plenty of merit to scientific discovery, but perhaps that European Union budget could be channelled back into public healthcare for this year. I believe that is necessary.

The EU also needs to find out if it has the scientific knowledge in its expert laboratories throughout the member states to allow it, as a political bloc, to have its own vaccine creating and roll-out capacities. We are fully reliant on third parties and companies. We have seen that AstraZeneca has completely let us down. I ask the Minister of State to consider that.

We also need to look at novel approaches. Time and again in the past three decades, governments in Norway, which is not in the EU bloc, have identified key strategic companies in which to become a stakeholder. The EU also needs to consider that approach. Perhaps there could be less money for space rockets this year and more money for jabs into people's arms to save lives.

The Minister of State is leading on the digital green certificate in Europe, for which I thank him. We cannot get there quick enough. This is a pathway back to safe international air travel. Ireland, more than any other country, has the most to lose by not signing up and investing everything in this regulation.

I have mixed feelings about quarantine. It stymies the spread of aggressive new Covid strains such as the B117 variant that is ravaging Europe at the moment, putting many people in

hospital and causing deaths. On the other hand, there is an inherent inflexibility in quarantine. It is time Europe and third countries such as the United States and United Kingdom started striking bilateral deals with regard to people coming to Ireland who have been vaccinated. A lady in Clare contacted me today. She is a dual citizen of the US and Ireland and has been vaccinated. She is getting mixed messaging on quarantining. The EU and Ireland now need to strike some urgent bilateral deals with other countries to ensure the number of people going into quarantine is minimal. Quarantine is necessary but not for the masses. We want to see safe, Covid-free international air travel. The digital green certificate is one crucial way to achieving that but a number of bilateral deals need to be struck also.

Deputy Ruairí Ó Murchú: Many states across the European Union are experiencing a new wave of Covid-19. This is terribly frightening. The European Commission has admitted to the mistakes it made in procurement and we know of the issues with follow-up and contracts. It is fair to say there was an element of naivety in trusting the likes of AstraZeneca. One point on which I will agree with Boris Johnson is the connection between greed and some of the decision-making of that particular company.

We are all very hopeful about increased vaccine deliveries, with approximately 100 million doses set to be delivered in the first quarter and 360 million doses expected in quarter 2. I would welcome a timeline or breakdown on that. We are all hoping that 1 million or possibly more vaccines will be administered each month. We have our own difficulties, including with the roll-out. We had issues with the connected few who have been able to jump queues. We need to ensure none of this happens. We need people to respect and trust our roll-out. We need to do everything possible on that.

I would welcome any information the Minister of State has on the work of Thierry Breton, the Commission's vaccine hunter, including his contacts with pharmaceutical companies. Beyond that, what conversations have taken place in the European Commission on access to medicines, the WHO and C-TAP? The idea behind C-TAP is that, for a fair price, the pharmaceutical companies would forgo intellectual property rights and share knowledge to maximise the supply and distribution of vaccines. We have all heard the horror stories and seen the figures indicating that vaccination may not be completed globally until 2023 or 2024. It has been said many times that none of us is safe until all of us are safe.

I would also welcome an update on the conversations with President Joe Biden on the involvement of the United States in this matter. It is absolutely necessary that we ensure that the full capacity of the pharmaceutical industry is put into delivering these vaccines to make our people safe. People need to be safe in this country, across the EU and the world. The dangers of importing strains are beyond belief so we must do everything necessary to ensure the safety of all our people.

Deputy Peadar Tóibín: Yesterday, Minister after Minister was wheeled out to say that there was light at the end of the tunnel but what they did not say was that for many people that tunnel is getting longer. All of the Government's plans indicated yesterday were dependent on vaccine timescales but to date it has missed every one of those. I am doing my best, like many other people, to stay positive with regard to the situation we are in but the plans the Government indicated yesterday could very well be rolled out further into the future if it does not meet the vaccination timescales it set out.

It must be remembered that this Government has implemented the longest lockdown work-

place closure in Europe. People looking at this pandemic often say that every country is dealing with the same issue but the truth of the matter is that this Government has been an outlier in its dependence on blanket lockdowns. The length of time we have been locked down is a multiple of the time many other countries have been locked down and we have not seen the benefits in terms of improved mortality and morbidity figures.

I have raised the issue of cancer services that have been partially stopped. That is a serious issue that has to be dealt with. I have also raised the fact that, currently, 9,000 people in this State are homeless. Seventy-nine people died in homelessness in Dublin last year yet building sites to be used for building homes are closed. We can build State homes, which I welcome 100%, but building them is not any safer than building private homes.

I have raised the fact that outdoor sports for children are still blocked. Parks will be full this weekend but if we give them a golf club those people will have to walk home.

An issue that has not been raised in the past 24 hours is the extraordinary information about religious services in this coming Easter weekend. Ireland is in an infamous group of nations where there is a full ban on religious services. North Korea and Saudi Arabia are practically the only other countries that are banning religious services. I was shocked that the Fianna Fáil Taoiseach basically placed religious services at the same level as visits to museums. The Universal Declaration of Human Rights states that the practice of religion is a human right. For millions of people in this State it is an essential element of their lives. That a Fianna Fáil Minister would literally place that human right at the same level as visiting a museum is incredible.

I raise the issue of what I believe are the Government's poor efforts with regard to the procurement of additional vaccines outside and in addition to the European supply chain. It has failed to seek vaccines outside that supply chain. When the Taoiseach met President Joe Biden online on St. Patrick's Day, despite the close personal ties between the two countries there was not an effort to secure vaccines from the President. Believe it or not, we now have a situation where the British are telling Ireland that they will give us their excess vaccines. We are in an embarrassing situation now where this country may have to go cap in hand to our near neighbour to seek excess vaccines.

The European Union's approach to this illness has been a disaster. I welcome the mention by the Government Deputy of the European Centre for Disease Prevention and Control. From the start of the pandemic, it told governments not to stop the movement of people within the European Union. That has been a serious and damaging mistake on the part of the Government.

Europe has purchased enough vaccines to vaccinate the entire population of the European Union twice over but it is way behind many other organisations in the world in that regard. Britain has administered more than 34 million vaccines while the country with the closest figure in the European Union - Germany - has administered less than one third of that number. There are vaccines by their thousands in storehouses throughout Europe yet they are not being made available to countries like Ireland. The European Union is exporting millions of vaccines outside the European Union yet they are not available to countries like Ireland.

I raise also the fact that Ireland's income from the European recovery fund was slashed recently by hundreds of millions of euro. The calibre of our team battling for Ireland's economic interests at the heart of the European Union at a time of serious economic crisis worries me. It must be remembered that by 2025, this country will have built up a national debt of €270 bil-

lion. Every worker in the State will owe €100,000. That will be the third highest public state debt *per capita* in the world yet the European Union is slashing the amount of money being given to Ireland because of our hocus-pocus GDP figures. Our hocus-pocus GDP figures, or leprechaun economics that Paul Krugman mentioned, have us on the hook for massive investments into the European Union on an annual basis.

We are seeing the pharmaceutical and technology sectors in this country doing well but the domestic sector is being gutted. It needs radical investment. This is no time for the so-called European solidarity to be switched off. I urge the Government to fight for our economic interests in the European Union.

An Leas-Cheann Comhairle: I call Deputy James O'Connor who is sharing time with Deputy Christopher O'Sullivan.

Deputy James O'Connor: I thank the Minister of State for being in the House to discuss some of the work he is doing within his own Ministry and in terms of what is going on in the European Union. I do not agree with Deputy Tóibín on many issues but some of the points he made around the economic issues relating to the European Union were points I had stressed with the Minister of State, Deputy Byrne. They should be of the highest priority for the Government.

The pandemic has caused enormous economic strain on the eurozone and on the European Union. Our response to the crisis has cost hundreds of billions of euro across many democracies in Europe. I am extremely worried about the economic ramifications that are coming down the line once herd immunity has been obtained within the European community. As the youngest parliamentarian in the Republic of Ireland and one of the youngest in the world, I want to stress that a return to austerity politics and monetary policy within the eurozone could be the death knell for the European project. I am extremely concerned about that. Democracy will not be able to take another round of austerity.

In a constructive way I suggest to the Minister of State, his Department and the unit within the Department of the Taoiseach that Ireland, as one of the countries that suffered the most from austerity politics, would lead the call to continue along the lines our partners in the United States took in terms of quantitative easing and direct economic stimulus to individuals and not only to industries. What President Biden did recently in terms of the stimulus cheques provided to individual citizens was wonderful. Doing something similar would be a wonderful way to thank the people of this country, regardless of the sector in which they were working. It has to be stated that we do not control our own monetary policy; it is done by the eurozone. However, Ireland is in a powerful position. A colleague of the Minister of State, whose office is a few corridors from his in Government Buildings, is the Minister for Finance, Deputy Donohoe, who is chair of the Eurogroup. We are in a very strong position to lead that particular argument. One of our partners in government, Fine Gael, is a member of the European People's Party. Many of its Prime Ministers are Heads of Government or are in prominent positions within the eurozone. I call on our Fine Gael colleagues to follow a similar argument to the one I am making today.

I have significant concerns around the procurement process the European Union has brought us through. It was a miserable exercise trying to explain that to many angry constituents who were ringing our office asking why we were not procuring more vaccines. It has been a complete and utter failure on behalf of the European Union and the European Commission in terms of their planning and process regarding the manufacturing of vaccines and the procurement

process for individual member states.

4 o'clock

It has done significant harm to democracy. There has to be some accountability for that. Our former European Commissioner was sacked for playing a game of golf in Ireland, yet the European Commissioner in charge of health and vaccination procurement seems to be getting off scot-free. How is that fair in any democracy? The European Union is in a position where there does not seem to be any accountability when it comes to its failures with vaccinations. If I asked how many resignations there have been from the European Commission, the answer would be zero. That is not good enough. This is something that has to be said and I, as a Member of Dáil Éireann, am happy to say it.

Those are my simple messages. We cannot return to austerity politics or to austerity monetary policy because it would do substantial harm to democracies throughout Europe and to the European Union. There is also the issue of accountability regarding the failures relating to procurement.

Deputy Christopher O'Sullivan: I am going to change tack slightly, but I will still bring my contribution back to the European Council meeting. During that meeting, there were discussions about societal well-being. That is an aspect of this pandemic that we do not talk about enough in the House. There is a mental health epidemic across continental Europe and in Ireland. That epidemic needs to be addressed and resources and funding must be provided in order that we can find solutions and address people's deteriorating mental health. The latter is becoming a major issue throughout the country. As Deputies, we can attest to this on foot of the nature of the calls that we get to our constituency offices. People are at their wits' end. They are despairing and incredibly frustrated.

A good measure of how people's mental health has deteriorated comes in the form of evidence I was given when I went to my local butcher a couple of weeks ago. A butcher's shop is the type of place where one would have this type of conversation. The butcher said to me that he had noted from February on, for the first time in the pandemic, that while one in ten people might be in a bad mood or might not be in the best form normally, it has been happening more and more. Almost everybody coming in to the shop and having a daily discussion was just despairing and had essentially given up. We are seeing that across the country. As a Government and a society, we need to intervene and ensure that the long-term impacts of this pandemic are minimised as much as possible.

It is not just my local butcher who has given me this evidence. Statistics show that there has been a 150% increase in the number of people seeking access to mental health services and that there was a 36% increase of people seeking support from the Samaritans in 2020. The evidence is there. We need to analyse that evidence and make sure that we use the statistics to which I refer to support the argument for significantly increasing funding for mental health, particularly as people are struggling. There is no doubt that people are struggling and we, as a Government, need to intervene. There has been an increase in the budget for mental health services but because of the impact of the pandemic and lockdowns and of people not being able to see family members or friends, travel or work and having reduced incomes, there has been a significant impact. I extend that to the recent announcement about the lifting of restrictions. The fact that those under 18, after 26 April, will be able to participate in training for sport so long as there are fewer than 15 and it is socially distanced and monitored, is welcome. It is

tough when a 17-year-old person and someone who is 18-and-a-half years old are friends and in the same class and the latter has to look at his or her friend going to sports training, whether it is for camogie, football, rugby or badminton. It will be difficult for that person to accept. There has to be room for flexibility in this regard because there is a level of unfairness that is hard to accept.

On the vaccine supplies from Europe, Ireland has had some of the strictest restrictions and they have worked. We have kept the case numbers and the mortality rate among the lowest in Europe. We need to be rewarded for that with increased vaccine supply.

Deputy Mattie McGrath: The European project has failed Ireland and it is failing Ireland, from the fiasco at the summit last year, where we provided a substantial net contribution and were the second-lowest beneficiaries in the whole EU. There are affected individuals in Clonmel and in Tipperary, at South East Car Sales, McCarthy Motors and Eurocar Logistics, and a Deputy from Longford spoke about the problems that car importers are having. There is a stupid regulation whereby cars made in a European country, were imported into England while it was in the EU and now, because it has left in the aftermath of Brexit, we cannot get the Revenue Commissioners to understand simple dates and times in respect of those vehicles. Revenue is onerously penalising people. This is having a significant effect on those owners and garages and, by extension, customers who want to buy cars because Revenue is charging penal rates and an excess of duty in respect of these vehicles. This should be done when the vehicle registration tax is being paid. It is just making work.

I have to question our officials who are dealing with Europe and the Ministers. Deputy Michael Collins referred earlier today to how the Minister for Agriculture, Food and the Marine, Deputy McConalogue, might as well stay at home and not attend summits because he did not open his mouth and let our fishing be wiped out. Now we are here with the vaccines. We are a joke. England has administered 36 million vaccines and we are here looking for crumbs from the table of Europe. Phil Hogan lost his job because he went to a golf game. I want the European Commissioner in charge of health to be sacked because he has not delivered. Is there any accountability? We are the nice boys in Europe all the time, being told to jump and asking how high. We love the project. Europe is fleecing us now and is not delivering for us in any shape or form. The contract that was signed with AstraZeneca by EU officials is bizarre. A three- or four-year-old child would not sign it. Now we have the consequences. The one signed the day before by the British was clever and shrewd. It has delivered and will continue to deliver.

The roll-out and the support we are getting here is pathetic. Social issues will arise and debt will be forced upon us again as it was previously by the EU with the bail-out, which I called a clean-out. We have no heads in Europe any more. I want heads to roll if there is to be any accountability. Does the Minister of State think the people are monkeys? Tomorrow is 1 April but the Minister of State might want to wake up and smell the coffee. Every day is April Fools' Day for him, with the European project making a clown of him.

Deputy Richard O'Donoghue: I am just a mere mortal when it comes to European law and the ongoing European Council meetings. Clearly, there are not enough mortals from Ireland going to these meetings. I had to read through the minutes of the meeting we are discussing and nowhere did I see any mention of the horrors that hauliers and firms in Ireland are going through in order to get their goods delivered. Ireland is the most disadvantaged country in Europe as a result of Brexit. The latter took place just three months ago and it is as if it never happened. We are an island located off the coast of another island, the UK, which stands between us and

Europe. Europe has all the choices while Ireland is clearly disadvantaged on many levels. Why do hauliers still have paper-based T-forms instead of digital forms? Requirements should be effortless, modern and technology-based. Try driving around Europe with a perishable product such as shellfish and try to find a customs agent. This is unfair to any industry and it does not even get a mention on our airwaves or here in the Dáil. What about products arriving on time? Ask the owners of garages that are waiting for tyres and factories that are not getting supplies and are unable to function.

Since Brexit, the additional cost relating to every lorry leaving Ireland has been €500. We need concessions in European law regarding air, sea and rail transport. Why is this not being asked for by the Government? Cabotage is another avenue that we could look at for Ireland. In France, companies can only make two drops, thus eliminating income generated by securing a backload. This is where people could make a profit. How can Irish suppliers compete when it now takes six to eight hours longer to reach their destinations? This is not about the ferries. They are providing a service but it is more expensive. Why are issues like this being ignored at European Council meetings, particularly in circumstances in which Ireland is surely the most disadvantaged member state?

I will finish with a quotation from the European Council meeting:

With a view to the upcoming Porto Social Summit, we [the EU] underline that a successful digital transition requires that no one is left behind. We need the necessary tools and infrastructure ... while ensuring fair working conditions and high standards in the digital economy.

This quotation is not about Ireland, but it should be.

Deputy Michael McNamara: I wish to ask a question of the Minister of State. I know he does not have the capability to answer now. Subject to a ruling of the Leas-Cheann Comhairle, who is occupied, I do not think the Minister of State can answer straight away, but I would appreciate it if he could.

I would like to know what was concretely concluded with regard to the digital pass. The digital pass has the potential to be a very good thing. Equally, it has the potential to be a negative and destructive thing. Obviously, the EU is based on three freedoms, namely, the freedoms of the movement of people, goods and services. I do not need to tell the Minister of State this; he knows it well, from a variety of perspectives. Nobody is suggesting that-----

Minister of State at the Department of Foreign Affairs and Trade (Deputy Thomas Byrne): I can answer the Deputy on this point.

Deputy Michael McNamara: Sorry?

Deputy Thomas Byrne: I can answer the Deputy on the issue of the digital green certificate.

Deputy Michael McNamara: I look forward to that.

The concern among people is that while the Commission has framed it as something that will facilitate the free movement of people in a safe way, ultimately it will become a barrier to free movement.

In particular, the Minister of State should answer in respect of sunset clauses. As I have seen two sunset clauses extended with regard to Covid restrictions in Ireland, I do not have huge confidence in them *per se*, or at least the Irish approach to them. For example, I do know that in Italy a quarantine measure has been introduced. It is the second country to introduce quarantine measures in respect of other EU nationals. However, the measure introduced in Italy is to be in place for a very limited period of time. I have no reason to believe that it will be extended. The Irish quarantine measure is more open to extension.

Deputy Thomas Byrne: They are not hotels but it involves home quarantining.

Deputy Michael McNamara: Yes, but it is quarantining of EU nationals and it is the second country to require EU nationals to quarantine. We were the first, in respect of Austrian nationals.

The proposal in Ireland is to extend the quarantining measure to the nationals of a number of other countries. I wonder where that sits in respect of free movement. Most EU countries, if not all at this stage, are only allowing essential travel. There is no need for the Minister of State to tell me that; I understand that. However, there is a hope and expectation that this will ease this summer, which is part of the reason - not the only reason - this digital pass has been proposed. I do not know where the proposal to extend quarantining to many of the EU member states sits with the essential right to freedom of movement. I am not just referring to the freedom of movement of people, but also of goods. How are we going to maintain agrifood exports? Europe is a huge and important market for us. How are we going to maintain that in terms of delivery if there is quarantining? In respect of live exports, we export cattle, calves in particular, live to Spain to an important if not huge extent and particularly to Italy. Have we thought about that?

Previous speakers, including Deputy O'Connor, spoke about when Europe is vaccinated. I read an article very recently in *The Lancet* by members of the French Covid-19 scientific council, which is the French equivalent of NPHET. I do not know if it holds as much sway over Government policy in France as NPHET does in Ireland. The article stated: "The fervently awaited end of this global health crisis might be continually postponed, as new variants emerge and immune evasion reduces vaccination effectiveness in the short and medium term." It concluded: "Using stop-start general confinement as the main response to the COVID-19 pandemic is no longer feasible." That is a hugely different approach to the approach we are taking at present. We are hoping that vaccination will be the magic bullet. It is fair to say that we are less concerned that this might prove elusive. How do we reconcile that difference in approach in France with the approach we are taking here in the longer term, while maintaining free movement? If there are vaccine-resistant variants evolving right through the EU, that means there will be permanent quarantining here or we will have to deal with the reality.

It seems to me that in Ireland, we have not dealt with the reality of living with Covid for a long time. We seem to think that we are like New Zealand or Australia and that we can suppress it. We are not. We have a very different social structure and-----

Acting Chairman (Deputy Mattie McGrath): Tá an t-am caite.

Deputy Michael McNamara: I wish to make one last, brief point.

The free movement of people is important for attracting foreign and direct investment into Ireland, because many US-based and other international multinationals base themselves in Dub-

lin on the basis that they can bring in young, skilled workers from across the EU. That becomes much more difficult if those young, skilled workers cannot see their families throughout the-----

Acting Chairman (Deputy Mattie McGrath): There are now 20 minutes for questions to the Minister of State. I will allow each group roughly two and a half minutes, so please-----

Deputy Thomas Byrne: If I may, I am in the hands of the Acting Chairman and those of the Members. Sometimes at this point, I answer the questions that have been raised already. However, if Members wish to ask questions now, I am happy to do it either way.

Acting Chairman (Deputy Mattie McGrath): The order here is for 20 minutes for questions and answers. I do not mind. It depends on how the Members feel.

Deputy Michael McNamara: I asked a question and the Minister of State offered to answer it, so I would appreciate it if we could start the questions and answers with an answer, rather than taking time to ask the same question again, particularly if the Minister of State is minded to answer it.

Acting Chairman (Deputy Mattie McGrath): I will allow that. I will call on Deputy McNamara first.

Deputy Thomas Byrne: I can answer more at the end. If the Acting Chairman wants me to go through the points that have been raised, I am more than happy to do that.

Acting Chairman (Deputy Mattie McGrath): Do any Deputies wish to ask another question?

Deputy John Brady: I asked a number of questions in my contribution. I want to ask a number of supplementary questions of the Minister of State which I did not cover in my contribution.

I want to raise the issue of Catalonia. Sinn Féin defends the right of nations to choose their own destiny through democratic means. The objective of the Spanish Government is to criminalise those who have peacefully worked to see the will of the Catalanian people realised, namely, their independence. This persecution strikes at the heart of European democracy. Recently, the European Parliament voted in favour of removing parliamentary immunity for three Catalanian MEPs facing extradition to Spain on charges essentially linked to the Catalanian referendum. It sets a dangerous precedent in the European institution. Indeed, were this China, Russia or Syria, there would be outrage. Perhaps the US would be trying to funnel arms and weapons to them. Yet, there is complete silence on the issue on the part of the Irish Government and the European Council. I ask the Minister of State why that is the case. Has the issue been raised at European Council level? What is the view of the Irish Government on the rights of the Catalanian people to self-determination?

I also want to raise an issue concerning Turkey. On the EU approach to Turkey, how much of that relationship is coloured by the fact that Turkey houses more than 4 million refugees, primarily from Syria, who would otherwise make their way to Europe? The fact that Turkey is prepared to accept payment from the EU for the hosting of refugees appears to be a factor in the failure of the EU to deal with a host of transgressions by Turkey, including the ongoing attempts to ban the third largest party in Turkey, the HDP, along with a decision by Turkey to withdraw from the Council of Europe accord, which was introduced to prevent, prosecute and eliminate

domestic violence and to promote equality. There are other issues in respect of Cyprus, Libya and Nagorno-Karabakh, as well as the kidglove approach by the EU in relation to Turkey.

I ask the Minister of State to provide an explanation for that. Why is that approach being taken? Is it primarily to do with the failure of the EU to deal with the refugee situation stemming from neighbouring countries and refugees who are housed in Turkey?

Acting Chairman (Deputy Mattie McGrath): Does the Minister of State wish to respond to those questions?

Deputy Thomas Byrne: I am more than happy to answer as many of the questions as I can. Deputy Brady asked about Catalonia. It is a matter for the people of Spain and the people of Catalonia as to how their affairs are dealt with, in accordance with the rule of law. It is a matter for the European Parliament to make decisions regarding the application of its parliamentary privileges and immunities. It is up to the MEP of the Deputy's party to vote in accordance with his views on this issue and other MEPs are likewise free to vote as they choose. There is no role for the Government in telling the European Parliament what it should do on this issue. MEPs are our democratically elected representatives in Europe.

The Deputy raised important points in regard to Turkey. I fully agree with him on the Istanbul Convention, which is an issue the Taoiseach raised at the European Council last week. There were quite detailed conclusions issued on that matter. The situation in the eastern Mediterranean is an issue of serious concern. It is always necessary for us to show solidarity with Cyprus and Greece in particular because there is a great deal of hassle, suffering and real hardship for the people there arising out of the huge migrant crisis there. We want to see whether we can move things along in Turkey by helping to develop the country economically while also making sure there is adherence to human rights and democracy. Work will go on in regard to the customs union. We are prepared, as set out in the Council conclusions, to launch a high-level dialogue with Turkey on the major issues. It is important that we do so while making sure that Turkey is held to account in terms of its international and national responsibilities.

Deputy John Brady: Will the Minister of State answer my first question? I asked about the Government's position on self-determination for Catalonia-----

Acting Chairman (Deputy Mattie McGrath): Deputy Brady had three minutes to ask his questions even though only two and a half minutes are allocated to each group. If there is time at the end, I will let him back in.

Deputy Richard O'Donoghue: We have seen from the minutes of the Council meeting, from which I quoted, that Ireland has lost its voice in Europe. Do our MEPs need a Lemsip or lozenges to get their voice back? The minutes referred to every other member state but Ireland was not mentioned. What has gone wrong?

On the issue of vaccines, we have seen what is happening in regard to the contracts with AstraZeneca. I asked people in Russia about vaccines and I was the only Deputy in Ireland to do so. Other European countries were doing the same, once the Russian vaccine was cleared for use. We in this country have lost our voice and we need to get it back without delay. We need to have our voice heard in Europe. We are a good country that can hit well above its weight but we seem to have gone silent when it comes to Europe. We need to get a bit of backbone and start roaring and shouting. I heard a Minister say recently that we are not elected to this House to roar and shout. In fact, it seems that the only way the Government will listen is when we roar

and shout. We need members of the Government to shout for Ireland and get us going.

Deputy Thomas Byrne: Hopefully, the Deputy will give me the opportunity to answer quite a few questions that have been raised in respect of the general issues he has raised. Before Christmas, Deputy O'Donoghue was anti-vaccines. Now he is telling us that we should be going to Russia-----

Deputy Richard O'Donoghue: On a point of order, I said I would take advice from my doctor in the context of having an underlying condition. Again, the Minister of State goes to the gutter and cannot give answers to the questions raised. If he were as good at answering questions as he is at-----

Acting Chairman (Deputy Mattie McGrath): The Minister of State is on his feet and the Deputy must allow him to finish. The Deputy can come back in later.

Deputy Thomas Byrne: In regard to what Deputy O'Donoghue said about Ireland not being mentioned in the conclusions - or minutes, as the Deputy calls them - of the European Council, he should look back at all the conclusions of previous Council meetings and all the records of discussions at the General Affairs Council and in the European Parliament, particularly since Brexit. I honestly think he will find that no country has been mentioned more than Ireland in terms of the effects of Brexit. I urge him to look back at all the other Council conclusions and all the other discussions that have taken place. Our officials have been working hard for us on a broad range of issues.

I agree with some of the points raised by the Deputy. Brexit has brought huge inconveniences. However, the problem is not the European Union or the Government. The problem is the fact of Brexit. We did not decide that there should be customs barriers with Britain. Britain decided to leave the Single Market, the customs union and the European Union. It does not want to align with the standards for our products. In the case of cabotage, for example, an absolutely huge effort was undertaken by our officials to negotiate what has been negotiated in that area. There are huge efforts under way by officials and Ministers to make sure the protocol for Northern Ireland is implemented. There is a huge effort being made to resolve some of the issues referred to by Deputy Flaherty. The problem is Brexit. The problem is that our nearest neighbour and trading partner has left the European Union. We have been working really hard over the past number of years, on a cross-party basis, to make sure the negative effects of that are ameliorated to the greatest extent possible. However, we cannot bring back what we had before because Britain, in its wisdom, although I do not think it was very wise, decided to leave the Union.

A number of speakers, including Deputies Cathal Crowe, Haughey, Brendan Smith, McNamara, Howlin and O'Donnell, raised the issue of vaccine supply. In regard to the projections for quarter 2, which is starting this week, Deputies should note that approximately 100 million doses have been delivered to EU member states up to now. That is almost on target, as are our own figures. We have managed to get 95% of the delivered vaccines into people's arms within a week. That has been a huge challenge. In the case of Moderna, as I understand it, it is necessary to hold back vaccine for the second dose. We are not doing that with the other vaccines. The projection for quarter 2 is that 360 million vaccines will be delivered on a European basis. That is made up of 200 million Pfizer vaccines, 35 million Moderna vaccines, 70 million AstraZeneca vaccines - that company has contracted to deliver significantly more than that - and 55 million Johnson & Johnson vaccines. It is important to note that the latter is a single-dose

vaccine. I understand that 55 million Johnson & Johnson vaccines are equivalent to 110 million doses of a different vaccine. The leaders agreed at the European Council that the *pro rata* system that has been implemented for the distribution of vaccines will continue. There have been various media reports on how we will benefit from that. There is no question but that deliveries are ramping up. Deputy Ó Murchú mentioned Commissioner Thierry Breton and the work he is doing in this area. There is a huge effort under way and we are beginning to see the fruits of that.

Before I move on to digital green certificates, I want to put some matters on the record.

Acting Chairman (Deputy Mattie McGrath): The Minister of State will have an opportunity to wrap up at the end.

Deputy Thomas Byrne: The difficulty is that I have been asked to mention Turkey and Russia in my wrap-up. I want to get through some of the questions now, if I can. In regard to new variants, which were mentioned as a cause for concern, there is a great deal of work under way in the European Union on that issue. The EU's early warning and rapid response system is providing some data on the circulation of variants but the information is not complete. We are working with other EU member states on the response to new variants and making sure we have enough vaccines not just for this year but for next year.

We tentatively support the idea of a European health union but further work needs to be done on how it would operate in practice. We are still considering in detail the information the Commission has set out on the Health Emergency Preparedness and Response Authority, HERA, Incubator but we are very positively disposed to it. We are looking for greater detail in that regard and we will work with the Commission on it. The HERA Incubator is a central pillar of response that the EU is proposing for the future. Dr. Ronan Glynn has been nominated as Ireland's representative on the high-level expert group. That is an issue for the future.

Deputies McNamara, Cathal Crowe, O'Connor and a number of others asked about the digital green certificate. The conclusions from the European Council were that the leaders agreed that work would continue on this matter. The Commission has published a proposal for a regulation that would be legally binding in regard to digital green certificates. It would involve an interoperable certificate that outlines one's vaccination, test and recovery status. What these certificates might eventually be used for would be a matter for each member state. The key point is the information would be there and it would be interoperable between member states. Currently, the Council of Ministers is agreeing its position and the European Parliament is considering it. They agreed to an expedited procedure and the Commission wants this in place by the summer. When agreement is reached between the European Parliament and the Council of Ministers and the legislation is passed, it will be directly effective and we will have to apply it. The Taoiseach and the Government has said we are committed to doing the technical work to ensure we can comply with that regulation.

There is much positive work on that. Currently the focus is on the medical position, including vaccines and ending the pandemic so we can open as best we can. We will continue to work on the digital green certificate proposal. We will see in the near future what particular uses it may have.

Deputy Michael McNamara: I noted in the pre-European Council statements that the Minister of State indicated this would be used for collecting information. Without putting words in

his mouth, I understood the implication was that rather than it being for facilitating free movement. This goes to the final point made by the Minister of State when he referred to the use it can be put to. It would be a concern for people if it were to be put to a use other than that for which it was intended or ostensibly developed, which was solely to facilitate free movement. Will the Minister of State clarify that?

The Minister of State indicated it is hoped to have this developed and legally binding by the summer. It would be open to countries to determine the use for people coming in but it is very difficult to see how we can prevent countries stopping their nationals from leaving because there is freedom of movement. One must be an Irish citizen to be in the Dáil and I carry a purple passport. It is not a green passport, although I once had one. I am a citizen of the European Union. I appreciate that citizenship is complementary to and does not replace nationality but it is existing and the Irish Government in some of its measures, and certainly the Department of Health in its recommendations, has no cognisance of the fact we are citizens of the European Union with all the rights and duties that entails.

Deputy Thomas Byrne: I am very happy to echo the comments of Deputy McNamara. We were in a state of some disagreement last week but I completely agree with his comments in that the fundamental right of free movement is not only a human right but a legal right. It is one of the benefits of European Union citizenship and the treaties. The Deputy also mentioned free movement of goods, which is another critical area.

There is a debate ongoing as to what this will be used for. Fundamentally, it will be for member states. Some of the member states want these used for travel and some of the northern countries have really serious concerns about human rights and ethical issues. These matters will be teased out and discussed in the European Parliament and the Council of Ministers. I understand it will come before the General Affairs Council on which I sit, so I am happy to engage on discussions with the Deputy, along with Deputies Cathal Crowe, James O'Connor, Lawless, Richmond and others who have come to me about this, as it happens. If it comes to my Council, it is possible we will deal with it. MEPs will also have an input.

There is a division of opinion on what this will be used for. The Government here has not said they will be used for travel, although that may change at some point. The Deputy is correct that it is a fundamental right.

Deputy Michael McNamara: The Greek Government has done it.

Deputy Thomas Byrne: If the Greek Government wants to accept something like this, that will be its concern. Currently, the position here is it is an offence to travel abroad unnecessarily. It is complicated. The vaccine roll-out is getting under way fast and we hope we can put this behind us. We must be very careful.

Deputy Michael McNamara: I would be very glad to avail of the offer to sit and meet to discuss those matters. We can also discuss the various strains of republicanism on these islands, both historical and current, when we meet. I thank the Minister of State.

Deputy Ruairí Ó Murchú: I welcome the Minister of State breaking down the 360 million vaccine doses. Is it possible to get a timeline on when in the second quarter they will be delivered and if we can get the specifics for this State? That would be beneficial.

I understand there will not be a pile of time for the work of Commissioner Thierry Breton,

specifically with regard to the contracts between the EU or Britain and AstraZeneca, or the conversations that the Commission has had on the likes of C-TAP, maximising global vaccine supply and looking at the possibility of waiving intellectual property rights.

Just to put it on the agenda again, what mention was there of dealing with the Irish protocol? As much as everyone is up for sensible solutions, it is not going anywhere, and there are people on this island and further afield who need to know that.

Deputy Thomas Byrne: Global solidarity is really important and fair and equitable access to a vaccine is vital, regardless of income, around the world. EU engagement will accelerate global efforts to bring the pandemic under control and scale up the distribution of successful vaccines when available. We strongly believe in a co-ordinated and multilateral response to Covid-19 as an unprecedented global health crisis.

We have quadrupled funding to the WHO in 2020. We support COVAX, the Covid-19 vaccines global access programme, very strongly, and this supports 92 countries. It has shipped over 31 million vaccines to 57 countries. Irish Aid recently announced a planned contribution of €4 million to COVAX to finance procurement for developing countries. We will contribute an additional €1 million to the WHO to support oversight of the COVAX mechanism to ensure it is fair and transparent. The EU announced last month that it would double funding for COVAX from €500 million to €1 billion, and we make a *pro rata* contribution to that as well. The entire EU pledge to COVAX is €2.2 billion.

Some of the benefits of COVAX can be seen in the developing world but the example of Palestine struck me most. We congratulate Israel on its vaccination programme success but it is us, along with Britain, in fairness to it, as well as other wealthy countries, that are paying for the start of the vaccination roll-out in Palestine.

Last week the EU gave authorisation for a number of vaccine factories, including Marburg for the Pfizer-BioNTech, a factory in the Netherlands for AstraZeneca and a factory in Switzerland for Moderna. The process, along with many others, is ongoing. These are designed to ensure we have the capacity to supply ourselves.

Acting Chairman (Deputy Mattie McGrath): The Minister of State has five minutes to wrap up the debate.

Deputy Thomas Byrne: I thank everybody for their statements and questions. As the Taoiseach indicated, I will report on the discussions of the members of the European Council on the two external relations items on the agenda, namely, Russia and Turkey.

As the meeting was by videoconference, the discussion on Russia was only an information point. European Council President Charles Michel briefed leaders on his phone call with Russian President Putin on 22 March. Ireland fully supports the EU's position on Russia, which has been set out in five principles since 2016. These principles form a stable and effective framework for our interaction with Russia and it is important that the EU maintains its unified approach. EU leaders agreed to hold a strategic discussion on relations with Russia at a future in-person meeting of the European Council.

EU leaders discussed relations with Turkey and welcome the recent de-escalation of tensions in the eastern Mediterranean. Provided this de-escalation is sustained and Turkey engages constructively, leaders indicated the European Union is ready to engage with Turkey with a

view to enhancing co-operation in a number of areas of mutual interest. The engagement would be phased, proportionate and reversible. Its purpose, however, is to bolster the more recent positive dynamic and EU leaders will return to this in June.

Leaders also agreed to provide financial assistance for Syrian refugees and host communities in Turkey. There are approximately 4 million Syrian refugees so this is a humanitarian imperative not just for Turkey but all of Europe really. These refugees and the communities that host them deserve our support and solidarity.

EU leaders also confirmed their commitment to a comprehensive statement of the Cyprus problem in accordance with the relevant United Nations Security Council resolutions. In our capacity as a member of the UN Security Council, our priority is to see both sides resuming talks. We welcome the convening of the “5+1” talks in Geneva in late April and hope these talks will be conducive to the resumption of negotiations on the Cyprus matter. This is a priority issue that directly affects the European Union. The Union’s participation in the talks as an observer is essential. We stand ready to help the parties in their efforts. On the shape of a future settlement, Ireland, like other partners on the UN Security Council, remains committed to the achievement of a bizonal, bicomunal federal state as the basis of a solution.

It was also important that the European Council’s conclusions took into account the human rights situation in Turkey. There have been regrettable backward steps by Turkey on the rule of law and human rights in recent weeks. The move to ban Turkey’s third largest political party, the HDP, and thus deny representation to millions of voters is really troubling. At last week’s meeting, the Taoiseach raised concerns about the decision of Turkey to withdraw from the Istanbul Convention. I thank Deputies for raising that matter today. The convention is essential in protecting women and girls from violence and this is a serious setback to the rights of women in Turkey. Some recent actions against students and the targeting of LGBT groups also run counter to Turkey’s stated commitment to pursue a closer relationship with the European Union.

The European Union is built on an adherence to fundamental values, including defence of human rights, freedom of expression and respect for democracy and the rule of law. For any meaningful progress on Turkey’s relationship with it to occur, Turkey will need to take positive concrete actions to address its internal human rights situation. Dialogue on fundamental rights will remain an integral part of the EU-Turkey relationship. In light of the aspects I have just outlined, Ireland agrees with the incremental approach set out by leaders. The EU has set out a pathway to a more positive EU-Turkey relationship, which will be implemented step by step and will be reversible if required.

As the Taoiseach stated, a good deal of the European Council’s time was taken up with discussing Covid-19. There was a strong focus on economic issues, with discussions on the Single Market, industrial policy, digital policy and the meeting of the euro summit, which the Minister for Finance, Deputy Donohoe, attended in his capacity as President of the Eurogroup. In all these discussions, it was vital that the EU maintained a united, dignified and ambitious approach. The challenges we face are too great for any member state to deal with alone. By working together, we can achieve better outcomes not just for Ireland but for all of Europe. That applies to pandemic preparedness and vaccine procurement. Despite all the problems that have been rehearsed, it is undoubtedly the case that we are far better placed within the European Union structure, which is beginning to bear fruit in terms of delivery, than we would be on our own.

The point was made about the British vaccines by, I think, Deputy McDonald. There has been no offer of vaccines from Britain. If there were, we would certainly consider it. If there is such an offer, according to what their ministers are saying publicly on the record, it will presumably be later in the summer when they have vaccinated their own people.

Reference was made to the recovery and resilience fund. Work is under way by our officials in this regard. I pay tribute to them. They were criticised by a number of Deputies, something for which there is no precedent and which was a bit unfortunate. I do not think that should happen in the House. The officials are working hard negotiating with the Commission on the recovery and resilience fund. There are no conclusions yet in that regard. The amount we get could go up depending on economic performance. There is a huge amount of work going on in the context of the Brexit adjustment reserve. Ireland is by far the largest beneficiary of that fund because, as Deputy O'Donoghue said, we are seen as having suffered the most. That fund is an example of the practical solidarity that European Union leaders are showing toward us. I thank all Deputies for their contributions.

Sitting suspended at 4.44 p.m. and resumed at 5.04 p.m.

Children (Amendment) Bill 2020 [Seanad]: Second Stage (Resumed)

Question again proposed: "That the Bill be now read a Second Time."

Deputy Jim O'Callaghan: I said virtually everything I wanted to say on 11 March last. The next day, I wrote a letter to the Minister setting out my concerns about the way the Bill is drafted. I put forward some suggestions as to how I thought the Bill could be improved. I thank the Minister for the reply, which she sent to me at the end of last week. I am pleased to say the Minister indicated to me that she has taken on board many of my suggestions and that the Attorney General has given her advice in respect of some of the comments I made. I welcome that.

Having spoken to him, the Minister of State, Deputy Browne, is aware of my concern that if we do not change the Bill from the way it is currently drafted, we will find ourselves in situations in the future where children who have been killed unlawfully may not be named because doing so could possibly identify other child witnesses or child accused.

I will talk more about the Minister's proposed amendments tomorrow when we are dealing with Committee Stage. I thank the Minister and Minister of State for their help in this matter.

Deputy Thomas Gould: I thank the Minister. I recognise how quickly she has moved on this Bill. Unfortunately, I personally know a family who have been affected. Kimberly O'Connor, who I can now name because the case has been through the courts, tragically passed away on 19 February last year. Kimberly was a bright, artistic, caring young girl who had a loving family and her whole life ahead of her.

The issue, which this Bill now addresses, was that all along there was an added layer of hurt and confusion to people like Kimberly's family. Loving family and friends sometimes want to have the opportunity to express the grief and tell the story of the loved one they have lost. They need to be given this opportunity. I am glad to see that we are all coming together in the Dáil to recognise these grieving families and give them back their voice.

The car in which Kimberly was travelling on the night she passed away is known in slang

terms as a company car, that is, an unroadworthy, uninsured and unlicensed car bought mostly by underage people. They buy these cars for half nothing and then use them for joyriding and spinning around. This loophole needs to be closed. There is nothing preventing young people from buying these practically unroadworthy cars. This needs to be stopped. We have lost too many young people especially, and too many have been injured using these cars. We need to step up now and stop this practice.

The result of that night is that Kimberly is unfortunately and tragically no longer with us, but also that one young man has serious injuries and another is now in prison. The effects of that night will live long in all those families and in the community, but in particular, Kimberly's family.

I ask the Minister to look at bringing in legislation to prevent these cars from being sold. If this car had not been sold then I would not be here now speaking about this tragedy. I sincerely ask the Minister to look at that with the Department. We can work together to close this loophole and make the roads safe for everyone.

Acting Chairman (Deputy Mattie McGrath): The next slot is the Regional Group. Deputies Berry and Shanahan have 20 minutes.

Deputy Cathal Berry: From the outset, I commend Senator McDowell for introducing the amendments to the children's Act. I am also quite heartened by the fact these amendments enjoy cross-party support. That is a very good thing. As a member of the Regional Group, I am also very happy to lend my support to this initiative. I am backing it for four reasons.

First, this is precisely how we should be doing business here in the Oireachtas with both Houses working collaboratively for the benefit of the people. Most importantly, it is about legislation from the formal Opposition being introduced, accepted and further strengthened by the Government, and then brought back before the House for further refinement and debate. That is an excellent model and I look forward to much more of this in the future. I am sure the Minister of State will agree that it would be great if every Bill was assessed on its merits alone rather than its source.

Second, every Member appreciates the importance of pre-legislative scrutiny to prevent any unintended consequences in legislation. The amendments before us emphasise the importance of post-legislative scrutiny. It is important, fitting and appropriate that Members track developments in the courts from a ruling point of view. Where there is need for tweaking and further refinement of legislation, we should not shy away from doing that. This Bill is a classic example of the importance of post-legislative scrutiny. It would be great if the Oireachtas could institutionalise a system whereby legislation would not only be subject to pre-legislative scrutiny but post-legislative scrutiny too.

Third, being in a democratic country, it is not only important that justice is done but that it also be seen to be done. The main thrust of this legislation is not really to identify the unfortunate and tragic minor but to allow for the identification of the perpetrator, whether they be charged or found guilty of a crime of such magnitude. The simple thrust of this legislation is not punishment but prevention. The emphasis is on deterrence not on retribution. Anything that this House can do to safeguard our children and those under 18 years of age, we should grab it with both hands. I believe this legislation will act as a deterrent while improving the safety and security of our children.

Fourth, and most importantly why I am supporting this legislation, it will allow the grieving parents to speak openly and publicly of their loss should they choose to do so. It gives them the right to speak, to elaborate on their victim impact statement and pay tribute to the life of their deceased child. It gives them the opportunity to say whatever it is they wish to say in public. To give them that opportunity is important. It is completely appropriate and reasonable that this prerogative rests with the grieving parents and that the opportunity is there should they choose to accept it.

I back fully these proposals. I very much look forward to these amendments being enacted as soon as is practically possible.

Deputy Matt Shanahan: I welcome the Bill. I thank Senators McDowell, Boyhan and Craughwell, as well as Deputy Jim O’Callaghan, for the amendments they have proposed and their work on the Bill. It will receive wide support from the House.

This legislation will be very much welcomed, particularly by lobby groups, parents and survivors’ groups. I commend the policy it seeks to implement. Many of us have heard news headlines about offences against or involving children where reporting restrictions were put in place. That was based on good intent but, in essence, it actually delivered bad law. Protecting the rights of children is important but the law should not protect the identity of those perpetrators of wrongdoings who certainly need to see justice. Justice does call for clarity and transparency. Obviously, the law must protect children, particularly child witnesses who have given evidence. An amendment in this Bill will ensure that those who have given evidence, if they wish, may waive their rights later on.

The Bill’s focus is to permit the identification of persons accused or convicted of homicide offences against a child rather than the identification of the child victim. We can all absolutely support that. The amended section will continue to protect the identity of living child witnesses and victims involved in proceedings. It will permit adults who are victims of an offence committed against them when they were a child to waive the anonymity provided for under the Children Act 2001.

The Regional Group certainly supports and endorses this proposed legislation. We look forward to it going through the House and being passed into law. As Deputy Berry and many others have highlighted, it will give parents the chance to mark the passing of their children publicly where that has not been the case. It will give them a chance to celebrate those lives but also to seek justice for those children who have passed away through violence or abuse. That is to be commended. I commend the Bill to the House.

Deputy Cathal Crowe: This legislation is important and timely. My colleague, Deputy Jim O’Callaghan, has been to the fore in advancing this over the past several months. My colleague, the Minister of State, Deputy Browne, from Wexford is doing a fantastic job in the Department in progressing this legislation.

The renowned British graffiti artist, Banksy, has often said that one dies twice. The first time is when one stops breathing, loses body functions and one’s body shuts down. The second time somebody dies is when one’s name is no longer mentioned. That is just the reality in the normal course of life. That happens for many people in old age. They are remembered, there is a funeral and a celebration of their life. The normal rituals that our country has had for centuries come into play with the person remembered. Many years pass and eventually they are forgotten

about. They become a gravestone in a graveyard, held in the memory of some family.

For many young people killed in a homicide, however, that right has been short-circuited. The moment they die there is a media blackout on naming them. The minute their case gets into the court system they become totally anonymous. They are victims of a crime and are not around any more to tell their story. Just as Banksy famously said, they have died twice because their name is no longer mentioned, they become invisible and anonymous victims.

Fianna Fáil welcomes this legislation which deals with an anomaly in the Children Act 2001. The legislation arises from the need to address the Court of Appeal ruling which has prevented parents from speaking publicly about their deceased child in cases where the child was unlawfully killed. It has also prevented the naming of the person accused or convicted of the manslaughter or murder of a child. The Bill permits the identification of persons accused and convicted of homicide offences against children. Why should there be any protection for them?

We need to ensure the legislation is expedited and we change the law promptly because it is unfair to the memory of children who have been killed. It is also unfair that identified flaws in the 2001 legislation would prevail. I cannot imagine there being any opposition to this legislation. While there might be several positive amendments, by and large, the key tenets and backbone of this legislation are positive. It gives a voice to young people who have been voiceless. It allows families to move through the stages of grieving these lost lives and to be able, once more in the public domain, to name the child or teenager who has lost his or her life. It will remove that veil of anonymity which should never have been there.

Deputy Kathleen Funchion: I am delighted to get the chance to speak on this matter. We fully support this Bill and hope it will pass speedily. We have been discussing this issue for quite a long time. It is totally unacceptable that the families of children who were the victims of a homicide cannot name them. I expected to have the chance to speak on this issue last week and I spoke with a family I know about it. A number of families in the Carlow-Kilkenny region are affected by this. One man described it as frustrating and retraumatising. They felt they were being silenced or gagged and that the right of the families to free speech was somehow less important than the rights of the perpetrator. It is important that we take that on board.

In general, our justice system needs to improve for the families of victims. The situations are horrific. It is very difficult for families and then they are faced with a system that is often very cold and harsh, where they do not know the rules. People genuinely feel that the rights of the perpetrator somehow trump their own as the family of the victim. That is unacceptable and we need to work to change that. Everybody in this Chamber, regardless of their political party, wants to see that changed. It is great that we are taking this issue on board and doing something constructive about it.

We have had this debate before. While it is important that everyone gets the opportunity to have their voices heard, the families are waiting for this to be passed and we should be doing everything in our power to pass it in a speedy and timely fashion. We then need to look at wider consultation with the families of victims about how they have been treated, or how they have felt they have been treated, to learn from that and see what we can do to improve that situation. It is a horrific situation for anyone to be in but having more of a helping hand or a system that is a bit more sympathetic towards the families would make it much better. Hopefully the Minister of State will take that on board. Many of us could put him in contact with a number of groups to consult with on this issue in order to improve that system for everybody.

Deputy Michael Collins: The objectives of the original Bill are well-meaning. It aims to address the profound negative impact the ruling of the Court of Appeal on this matter is having on grieving parents who are unable to remember their deceased child's death, name or legacy. That is very clear. It aims to give power back to those parents in order that they can remember their children or their family members in the way they want. This Bill, when enacted, will allow grieving parents to speak publicly about their deceased child. I fully agree with the Minister's statement that this is very important legislation. I hope it can be enacted without delay because we cannot continue with parents not being able to speak their child's name aloud and remember them in the way they want. The parents and families of these children should be able to remember them and use their names. That is how they are never forgotten. That is how parents deal with their grief.

Speaking of grief, I take this opportunity to ask the Ministers who are here to speak with their colleagues in government and ask them to reconsider the number of people allowed at funerals, which was announced last night. It should be increased from 25 to at least 50. It is a very sad state of affairs when one sees close family members standing outside the door of a funeral on a wet day as they cannot go in and be part of the mass or whatever kind of service it is. They feel they are excluded from their loved ones' services. I have attended many funerals in west Cork during Covid-19, albeit standing on the side of the road, and I have noticed that people in this country would like to be able to attend funerals, to say a proper goodbye and pass on their respects to the family and friends of the person who has passed away. Funerals in Ireland are a ritual, or they certainly are in west Cork. We have always been able to take part in going to a funeral. Now in west Cork I see family members and very close friends outside the door of a church and friends and neighbours lining the streets, while social distancing and wearing masks, to pay respects. All these churches can hold up to 500 people, most of them no less than 300, and the fact that only ten people are allowed inside at the moment is farcical. As we are talking about grief, I urge the Minister of State to review urgently the number of people who can take part in a funeral in a church, especially where there is ample space.

The Bill we are talking about aims to give back power to parents in order that they can remember their children or family members in the way they want. I give my full support to this Bill.

Deputy Michael Healy-Rae: I am grateful for the opportunity to speak on this very important Bill, which would amend section 252 of the Children Act 2001. I sincerely thank the people who have worked on the Bill, as well as those who worked on the amendments, which are very important. The Bill, when enacted, will allow grieving parents to speak publicly about their deceased child. One of the most horrendous things any human being could ever endure is the loss or death of a child. The way the aftermath of such a situation is dealt with is of paramount importance. That is why we as legislators, be it in the Seanad or the Dáil, have a serious onus of responsibility and a duty of care to ensure that what we do is correct, while being mindful of those families' situations and doing everything we can to protect and ensure the legacy of the deceased person.

We must remember that when a child dies and is robbed of life, he or she is also robbed of the future, of his or her dignity and of his or her place among us in this world. We should cherish the child's memory in a very special way. We should respect the parents, the siblings, the aunts and uncles and the extended families by ensuring that the child's name can be spoken and printed and can be out there so people know that person existed. I know that the recognition of every child, be that child born or unborn, is a matter very close to the Acting Chairman's heart,

though that is a subject for another day.

The Bill, with the Minister's amendments, would appear to bring about very welcome and needed changes. An outrageous situation developed when the Court of Appeal ruled that the spirit of section 252 of the Children Act 2001 also applied if a child was deceased or had reached the age of 18. Everyone will agree that it is desirable to have a text that will be clearly understood by the Judiciary, practitioners, relatives of injured and deceased parties, witnesses and members of the media. I thank senior counsel Senator Michael McDowell and others who put so much effort into this, such as Deputy Jim O'Callaghan and all the others who worked on the amendments. How situations like this are dealt with is so important.

As we are talking about deceased persons, I will also use this opportunity to support what Deputy Michael Collins said and give the Kerry perspective on it. Up until now we had a cruel situation where ten people were allowed go into a church for a funeral. Given the size of the smallest church in Ireland, a person who is deceased and ten people is a very small number and there would be more than adequate and ample room in one for social distancing. There could be 50 people in the majority of the churches I know and they would be more than adequately socially distanced. They would certainly be more socially distanced than they would be in any of the places that are allowed open at present, such as stores, shops, food shops and so on. It made no sense and even the increase the Government has brought in now to 25 is ridiculous. That is not right either because in any Irish family there will be more than 25 people among the very close relatives, such as the sons and daughters, the sons-in-law, daughters-in-law and the grandchildren. It would be respectful to allow the immediate family in its entirety into the church. They would be able to do so in a safe and proper manner. Seeing people sitting in motor cars listening to the funerals of loved ones or watching them on their phones was one of the most disrespectful, horrible and awful things to see in the last number of months. It has been horrendous to stand outside under umbrellas in the rain looking in to one of these devices. It is outrageous and I am sure that the majority of Members of this House would agree. The only reason I bring this point into this debate is because it is ultimately a consequence of one of the issues that we are speaking of today.

This Bill is welcome, timely, right and proper. There is a great deal more work that we should be doing when it comes to the protection of children and to how their deaths are dealt with, be they from unlawful acts such as murder, or in the case of accidents or mishaps that happen which result in the death of a child. Every support that the State can offer and every agency that we can have in place should be put in place. There are good groups working out there who deal with bereaved parents. Over the years, unfortunately, I have had to assist many couples who have gone through this trauma. As a public representative one of the most upsetting and humbling experiences that one will have to deal with is to be inside the home of a person who has died at a young age. It has consequences which continue for years and years afterwards. There is no end to the hardship and to the mental and physical agony that parents, siblings and relatives of a young person go through. When a young person's life is robbed, the hopes, aspirations, dreams and ideals that one would have had for that young person all go with them into a grave. This is shocking, awful, horrible and horrendous.

It is very timely that we are here today and that we are all of the one frame of mind. It is totally immaterial whether we are Sinn Féin, Fine Gael, Fianna Fáil, Independents or whatever, as we are here to work for those parents, families and for those types of situations and we are all wearing the same colour shirt when it comes to doing that job, in my humble opinion. I thank the Leas-Cheann Comhairle.

Deputy Mattie McGrath: I too am happy to speak on the Children (Amendment) Bill. We are almost fiche bliain ag fanacht ar an mBille seo. It is important for us to have a review of legislation and we discussed the point on reviews of legislation here some weeks ago when Deputy Pringle put some amendments down, I believe, to the Children (Amendment) Bill. Clearly, there were inadequacies, weaknesses and flaws, not by design or deliberate action, but this can happen with legislation. The best laid plans of God and man can go wrong, as we know. The best laid pieces of legislation can be challenged, fragile and can be quite inept and not adept enough in dealing with situations. People have to deal with the traumatic death of a person, and the sudden or violent death of a young person is far more tragic. Every life is the same and counts as far as I am concerned from the womb to the tomb but in the situation of daoine óga, is uafásach ar fad é. I know the Leas-Cheann Comhairle will be aware of cases when wearing her other hat as a practising lawyer, but I also see that Senator McDowell and Deputy O’Callaghan have had a very significant input into this legislation and have put forward some amendments.

The Cabinet initially approved the proposal by the Minister for Justice, Deputy McEntee, to support the Children’s (Amendment) Bill after the Independent Senator McDowell brought it forward. However, the Minister has proceeded by making several key amendments to the Bill and these will be discussed on the next Stage. The objectives of the original Bill are well-meaning. Its clear aim is to address the negative impact that court rulings are having on grieving families and parents who are unable to remember their deceased child’s name or legacy. The original Bill’s aim is to give power back to those parents so that they can remember their children or family members in the way that they want to, which is very important.

Other Deputies have referred to the tragedy which we have had of 12 and a half months now of the lockdown where people have been unable to be with their loved ones when they closed their eyes for the last time or took their last breath, have not been able to have a proper mourning space and time with family, or indeed had proper attendance at funerals. Is mór an trua é sin. It is heart-rending. I have listened to different psychiatrists, people who are far more qualified than I am, who have spoken about the long-term impact of this. I heard a former governor of Mountjoy Prison on the radio this morning talking about the trauma. He has dealt with many different situations. We are all well aware of the trauma of dying on one’s own and people being unable to mourn properly, or to have the dignity of a proper funeral which is something that we are so good at in rural and urban Ireland. When the chips are down every community, whether urban or rural, gives a great dig-out to the family who have lost a member. It is a big part of our culture, heritage and traditions in Ireland an tsochraid mhór mhaith and these are very important parts of this.

The current position under the Children Act is that it is an offence to publish anything that could lead to the identification of a child who has been the victim of a crime. This is an important point as we have seen court cases, perhaps not of children, where names got out on to social media and this damages the integrity of the court process and system.

In October 2020, the Court of Appeal ruled that these restrictions also apply if the child is deceased or has already turned 18 years of age. The Children (Amendment) Bill 2020 will amend section 252 of the Children Act 2001, which was ruled upon by the Court of Appeal. This section prevents the identification of the deceased child in criminal proceedings for the offence against the child.

Any crime against a child is heinous and we can see why that section is there but we need to get the balance right in allowing the family to have their proper respect, their love to con-

tinue and to have a grieving process, but also to deal with the person or persons who are being charged before the court. The Bill, when enacted, aims to allow grieving parents to speak publicly about their deceased child. At the time, the court rejected an application by *The Irish Times* and several other media outlets to allow them to identify a woman who killed her three-year-old child. She was found not guilty of murder by reason of insanity following a short trial last year. Is rud uafásach ar fad é sin freisin but if it is a case of insanity nobody can explain or legislate for that either. It is vital that we pass this legislation. There is goodwill throughout the House to try to make this Bill as robust, sensitive, understanding and as well-meaning as possible. Some 19 years is a long time to wait for it but we are here now, thankfully, and we need to deal with it as best we can and to have it passed without delay. The Bill was introduced after the Court of Appeal ruling that the dead child cannot be identified when someone is charged. It was bound to happen and it has happened. Before that trial began two High Court judges ordered that the victim should not be identified and this meant that the woman could not be named. We understood the very good reasons for that but we are here now and in spite of Covid-19 this Bill is progressing through the House. I certainly do not intend to delay it in any shape, make or form and I wish it God's speed and hopefully it will go through all Stages here, including Committee Stage. It will be passed.

Some good amendments will be tabled. They will be debated and, I hope, taken on board. I also hope there will be a review clause included in order that we might assess how the legislation beds in and functions, what impact it will have on trials and, above all, the impact it will have on grieving families. The names of their loved ones can be spoken and remembered and their lives can be celebrated, short and all as they may have been. We definitely have to have a review, and not a review after six months but after two years. I commend the Bill to the House.

Deputy Joe Flaherty: I welcome the Children (Amendment) Bill, which will rightly lift the blanket ban on identifying children who were killed as a result of the perpetration of criminal offences. Only a parent who has suffered the loss of a child can truly comprehend that loss, and it is surely compounded when a child or a young sibling's life is taken in a heinous act.

For many, the pursuit of justice is a key part of the grieving process. So often we have seen heartbroken parents and families on the steps of our courthouses desperately clinging to photographs and cherished memories. It is critical that the memory of the life of their loved one is front and centre in any court case. No child should be a footnote. No child should be anonymous. The loss of a life and the harrowing impact of that needs to be clearly visible and identifiable throughout any court case. Justice needs to be seen to be done and no grieving parent can ever be denied the right and opportunity to speak publicly about their deceased child.

This is important legislation and I am pleased to see it advancing at pace through the House. I will be equally pleased to see it come onto the Statute Book while the Minister for Justice, Deputy McEntee, is at the helm. I also acknowledge the role and contribution thus far in the process of my colleague, Deputy Jim O'Callaghan, and that of Senator McDowell, who played a huge role in the formulation of the Bill.

We cannot excuse or countenance any delay with the legislation. No grieving or heartbroken parents can ever be denied the right to speak their child's name, lovingly relive and cherish memories and paint for us all a clear and visible picture of a life brutally stolen. When a heinous and callous brutal crime takes the life of a child it would be deeply regressive if we allowed a situation pertain where parents and families were unable to speak the child's name and remember and celebrate such an intrinsic part of their lives. Parents and siblings need the

right to remember loved ones and safeguard their legacies. The legislation before us is about putting that right.

I am pleased that there is cross-party support for the legislation. The latter reflects the House's empathy for the countless families that have been robbed of much-loved children, often as a result of callous, vicious or barbaric acts. There is never an excuse for bad or clumsy legislation. Thankfully, the House is today putting right legislation that was flawed.

Deputy Thomas Pringle: The recent decision on the application of section 252 of the Children Act 2001 has been causing a lot of heartbreak for the families of children who were murdered. At the end of October, in the Court of Appeal, Mr. Justice Birmingham held that reporting restrictions relating to offences against children would also apply even if a child had turned 18 years or was deceased. He also found that the identity of the person responsible for the death of the child could also not be disclosed if said disclosure could lead to the identification of the child, whether directly or indirectly. Section 252 applies once a person has been charged with an offence. This means that we have instances where a crime is committed and a child is murdered and media outlets can report the matter widely. They can name the child and include photos of him or her and quotes from his or her family. However, once someone is charged or a court case starts, the reporting changes to being about a person charged with the killing of the child on the relevant date. This is really absurd.

I welcome that the Government has moved quickly to try to remedy this issue. I cannot imagine the hurt of families and loved ones who feel that their children have been erased in all of this. So much for our victim-centred approach to criminal justice. Mr. Justice Birmingham's ruling has meant that even adult survivors of child abuse cannot be named if their cases went before the courts. Last December, a survivor was on the "Today with Claire Byrne" radio show to bravely tell her story but she could not be referred to by her own name. Talk about taking away someone's agency. This is what we are remedying today, which is good.

I note that the Bill before us was tabled by the Opposition in the Seanad. It was introduced at the beginning of November last year. In the Government briefing note on the Bill, we are told that the Minister met Senator McDowell and Deputy O'Callaghan and decided to accept the Bill and make the required amendments to it. The briefing states the Minister took the view that the most expeditious approach was to proceed with the Seanad Private Members' Bill and make the necessary amendments on Committee Stage rather than putting forward a Government Bill. I just wanted to read those words into the Dáil record. How many times have we heard or experienced this? How many times have we asked for Opposition Bills to be accepted and amended on Committee Stage? We are all legislators. I welcome that we now have evidence that the Government can work with us when it decides to do so. The key point is its deciding to do so. It is not that Opposition Bills cannot be put forward, it is just that Opposition Bills that the Government does not want cannot be put forward.

This is a tragic topic to discuss. In preparing for today, I wondered how often these tragic crimes might occur. I also thought about other circumstances that might highlight the vital need to protect vulnerable children, and highlight the times over our history, and still today, when we have failed. The atrocities committed at so-called homes throughout the country are never far from my mind, the institutions where mothers and babies were kept, maltreated and worse. The recent final report of the now-dissolved Commission of Investigation into Mother and Baby Homes and Certain Related Matters found that between 1922 and 1998, 9,000 children died in Ireland's mother and baby homes. This shocking and heartbreaking figure relates only

to the 12 or 14 homes that were investigated by the commission. There were hundreds of such institutions and others around the country. What would the body count be if we included them? It is shameful.

On Wednesday, 24 February, during my contribution on statements on the New Decade, New Approach agreement, I raised the tragic case of Noah Donohoe. I have been liaising closely with Noah's tenacious mother and aunt in recent months to highlight this important case south of the Border. A week ago, on Wednesday, 24 March, Senator Eileen Flynn and I hosted a very well-attended online briefing with Noah's mother and aunt and representatives from the Dáil and Seanad. As most Deputies already know, last June, Noah, a young 14-year-old boy, went missing in Belfast. Six days later, his body was found in a storm drain. As a result of inadequacies in the police investigation or even a lack of such an investigation, Noah's family have worked to piece together his final journey. They have walked the route and followed up on the hundreds of security cameras that cover it. When Noah's mother, Fiona, put out a public call for people with phone evidence to come forward, they did so. A grieving family should not have to conduct an investigation into a loved one's death. It is completely unacceptable to think that this family is fighting for answers and justice. The family have started the #Remembering-MyNoah campaign and have been trying to raise public awareness of their campaign south of the Border also. The Donohoe family needs help to get these answers. I have been urging the Taoiseach, the Tánaiste, and the relevant Ministers to help. People in the North need to have confidence in the PSNI to investigate all crimes regardless of the circumstances. The reason I bring it up is because if Noah's case happened down here, as things stand without the Bill if somebody was tried Noah's name would be erased from our memory afterwards. This is what we need to prevent and what the Bill will prevent.

Another tragic aspect of this topic is that of murder-suicides within families. How many times have we been rocked by tragic news of suspected murder-suicides, most usually the father as the perpetrator of the violence killing his wife or partner and children? Between 2000 and 2020, there were more than 30 murder-suicide cases in Ireland, with 146 people, mostly women and children, killed in their own home or by family or partners. In May 2019, the then Minister for Justice, Deputy Flanagan, announced that there would be an independent specialist in-depth research study on familicide and domestic homicide reviews. The research was to be led by Norah Gibbons and was to report back to the Government, with recommendations, after 12 months. Where is this review? The website is still live but does not seem to have been updated since 2019. The lockdown saw a huge increase in the number of people accessing domestic violence helplines and Barnardos and Childline reported increases in the number of children contacting them. This matter is very topical and the study should be completed.

A HSE briefing on murder-suicide was published in December 2017. This briefing states that the National Suicide Research Foundation has examined the international evidence and the findings indicate the following: the perpetrators of murder-suicide are most commonly male; the mean age of perpetrators is between 40 and 50 years; fathers are the main perpetrators of filicide - the killing of one's own child - and spouse homicide; fathers, rather than mothers, are more likely to take their own life or attempt suicide following homicide; and two thirds of fathers killed, or attempted to kill, their spouse or partner in these acts.

This truly is one of the most tragic topics to be discussing and legislating for. As usual, I think about the ability to prevent such crimes. Where are the early intervention services? Where are the timely, accessible and affordable mental health supports? Where are the supported accommodation options for families trying to keep safe or for those seeking help?

In my contributions to the justice committee earlier this week, I brought up the subject of male violence against women, which is relevant here also. I acknowledge that it is not only fathers or men perpetrating these heinous crimes but data show that they are the majority. Why is our society structured in such a way that either glorifies violence against women or enables it?

We had an interesting discussion in the House about post-legislative reviews. It was acknowledged that the Oireachtas has improved greatly on pre-legislative scrutiny. However, there seemed to be a growing consensus that there is a need to look at how enacted legislation translates into enforcement. This is an area that requires more resources in the prevention stage. Hopefully, the review on familicide and domestic homicide will shed some light on what we, as a State and a society, could be doing to avoid such tragedies. In an ideal world, such a review of the legislation before us today would not be needed as it would not exist but, unfortunately, that is not our reality. However, there are measures the Government can take to not worsen the pain of bereaved families, and that includes this legislation and allowing families to name their loved ones.

We have also been hearing increasing reports of young children being used as drug runners and being exploited by criminals. In January of this year, the *Irish Examiner* ran a story on the annual report of the Blanchardstown Local Drug and Alcohol Task Force. The report found that the average age of drug runners had reduced from 13 years of age to ten years of age, with some evidence suggesting that children as young as eight years of age can be used to carry and deliver drugs between dealers.

I welcome recent discussions around the criminal justice (exploitation of children in the commission of offences) Bill, which would make it an offence to compel, induce or invite a child to engage in criminal activity. The crime would carry a maximum sentence of up to five years in prison. However, those working on the ground have said that the legislation would be very difficult to enforce. There are huge issues around intergenerational crime and poverty, peer pressure, threatening behaviour, extortion and intimidation to be addressed. It is simply not enough to say, "The gardaí are on your side". Many of the communities where children are lured into taking part in criminal activity do not have a positive relationship with the Garda. They are communities which have been targeted, vilified, abandoned and stigmatised over many generations.

The 2017 Irish film, "Michael Inside", by Frank Berry, is a powerful representation of how easy it is for young people to become involved in crime. The protagonist of the film, Michael, is 18 years old, but it is an accurate representation of how teenagers and young children become embroiled in the criminal justice system. In many communities, the worst thing anyone could be is a "rat" and they put their family in danger by speaking out. That is the reality.

In conclusion, I will be supporting the Bill but I am urging the Government to do more to protect vulnerable children. This Bill is certainly a step along the right road and, hopefully, we will keep going.

Deputy Carol Nolan: I welcome the opportunity to speak on this important Bill. As we know, it seeks to make provision in respect of the publication or inclusion in a broadcast of reports or pictures identifying, or likely to identify, certain children. As Senator McDowell stated when he was introducing the Bill in the Seanad, it emerged because of a decision by the Court of Appeal on 29 October last. The case it was dealing with was an appeal brought by *The Irish Times*, Independent News & Media, RTÉ and the NewsGroup newspapers against an order

made initially by Mr. Justice Michael White and subsequently by Ms Justice Carmel Stewart in the High Court directing that the identity of the child, the subject matter of the prosecution in question, who was the victim of what was an apparent homicide, should not be revealed. Senator McDowell went on to identify the central concern arising from that Court of Appeal judgment, in that it represented a major injustice to the parents of a child who is killed in a homicide by abolishing their right of free speech and the rights of parents to tell their story in public, and to express their tragic loss in many cases. I was happy to see, however, that the Minister, Deputy Helen McEntee, stated she had received Cabinet approval to support this Bill subject to proposed Government amendments.

Not one of us would accept being placed in a situation where we could not speak freely in such horrendous circumstances. While there may have been a legal argument for the decision, it was surely incomprehensible at a human level. I accept however, as Senator Rónán Mullen, one of the proposers of the Bill, said in the Seanad, that through simple logic and the rules of statutory interpretation, it simply was not open to the Court of Appeal to substitute what might have been the intention of the Oireachtas in 2001 in place of what the clear meaning of the section we are amending today actually was.

It is only right and proper, therefore, that Members of the Oireachtas and the Government have shown a willingness to address this issue in as efficient a manner as possible. No law should inflict additional suffering on parents who are already grieving the greatest kind of loss there is - the loss of a child through murder. We have a duty to end that suffering and to allow them the legal protections that should exist as a matter of right. If clarity can be provided by this Bill, I will support it wholeheartedly.

I once again commend the Senators for bringing forward this Bill and also commend Deputy Jim O'Callaghan, who brought forward similar legislation in this area. It is a positive witness of good parliamentary collaboration that we should see more of in the future.

Deputy Alan Farrell: The Bill is of significant importance and will have a clear and profound ramification on the way in which we, as a public, become aware of some of the most tragic cases that take place within the State and, indeed, how the media can report on those same cases. I thank Senator McDowell and others in the Seanad for bringing forward this legislation, and the Minister, Deputy McEntee, for having the ambition to see it passed in the quickest time possible. I note what the previous speaker said about a previous Bill in the name of Deputy Jim O'Callaghan, and I commend him also on pushing this agenda.

As the House will be aware, the Bill seeks to change section 252 of the Children Act which, as a result of the ruling in the Court of Appeal last October, interpreted this section as prohibiting the naming of a child victim once criminal proceedings had begun. Until this point, there had not been any significant issue in this regard but the ruling by Mr. Justice Birmingham was a valid one and based upon a reading of the legislation. As a result, the law has now given rise to this anomaly.

It is important to acknowledge that the legislation, as it currently stands, was never intended to result in this situation arising. Instead of being a restrictive measure, it was in fact envisaged as a protective measure for child witnesses and-or victims in proceedings. It is, therefore, the right decision to amend our legislation to facilitate these changes.

Cases in which a child has been killed or has been the victim of some other heinous crime

are some of the toughest and most heart-wrenching criminal cases we encounter as a society. An attack on innocence and the knowledge that we cannot always be there to protect our loved ones means these cases often attract huge public interest and can spark debate within the public sphere and the media and, indeed, the political realm. As a result of the current legislation and the interpretation of the Court of Appeal, it is now likely that the accused in such cases will not be named so as to protect the identity of the victim. Moreover, it significantly restricts the ability of the family of the victim to control their own narrative while, at the same time, the case of their child is spoken about throughout the country.

6 o'clock

It limits their ability to grieve publicly, to talk to the media about how they wish their child to be remembered and to celebrate their child's life rather than relive the tragic end. So much of this Bill is about just that: giving power back to the families of victims and allowing them to control their own route through a torturous time in their life. For the families of victims, the pain and suffering they go through is simply unfathomable. It is a burden they carry for the rest of their lives and one which never gets easier. It should, therefore, be the responsibility of the State not to add to that suffering or pain and to ease, insofar as it can, the burden they carry. However unintended, the legislation in its current form muzzles these families and restricts their ability to grieve in the manner that is necessary and right for them. I urge all parties to support the passage of this amending legislation which loosens those restrictions. It is in this context that I welcome the Minister for Justice's decision to introduce a number of Government amendments to this Bill which will strengthen it. I particularly welcome the amendment that will see this legislation become retrospective and effectively lift the restrictions that may have occurred in the period between the ruling by the Court of Appeal in October last year and the enactment of this amending legislation. I echo the comments of Deputy Berry on the importance of both pre-legislative and post-enactment scrutiny in terms of picking problems up.

I mentioned that these cases often attract a huge public reaction, as is more and more evident in the wake of the social media revolution. We have seen cases in the past where individuals embarked on their own research on social media to find the name of the accused or the victims involved. It is not hard to see how this, combined with the current form of the law, could prove to be a toxic mix which would only serve to drive unverified speculation as to the details of the case and those involved. There is the potential for misinformed and misguided assertions which have the ability to do untold harm to victims and their families and even, conceivably, someone wrongly identified on social media. Indeed, we also find other significant restrictive issues that have arisen as a result of the current situation, including the limiting of the ability of a child victim of crime, now an adult, to waive the right to anonymity and speak publicly about his or her experience. This is an anomaly that must be corrected. The survivor of a crime should not, as an adult, be prevented from speaking about that crime. This is counterintuitive and would prolong the suffering of some, denying them closure by denying them the ability to highlight the issue.

We do not have to look too far into the past to see that the children of Ireland have often only been an afterthought in our society and laws, although we have made significant progress in recent decades in becoming a more open, compassionate and warm community. As a member of Fine Gael, I am very proud to have been a part of moves to bring the rights of the child to the forefront of government and the Constitution and to facilitate children's voices being heard at national level. As a former chairman of the children's committee, I am pleased to say that through a number of groups that appeared before that committee, members were able to hear

directly from children on legislation and policies of the State that directly affected them. The moves under Fine Gael to which I referred include the referendum on children's rights which was passed a number of years ago and the introduction of the first stand-alone Minister for Children and Youth Affairs with a seat at Cabinet. These were profound advancements in how we develop legislation and policy. We have an opportunity now to hear the views and perspectives of the child. Without this, we cannot hope to truly and fully reflect the diverse and multifaceted views of our younger generation. This is something I hope will be brought into policy development across all Departments more and more as we continue to strive for a more perfect system.

We have, in the Minister for Justice, Deputy McEntee, a person who seeks to make profound and important changes to the legal and justice systems in Ireland. There can be few more profound changes than giving the families of victims the right to express their grief in the way they feel they need to. I hope to see the passage of this Bill without delay.

Deputy John Lahart: I wish to flag that I do not intend to use anything like the 20 minutes allotted to me.

I was in the House when this Bill was introduced by the Minister. It is a short, complex Bill dealing with a complex issue. I listened keenly to Deputy Alan Farrell's contribution and noted how connected he was to the issue. My party colleague, Deputy Jim O'Callaghan, was very alive to the implications of Mr. Justice George Birmingham's interpretation of the existing law. He was particularly alive to the consequences of the judge's decision in a week when there had been an incident that would have pertained specifically to the issues this Bill seeks to address. I commend my colleague, Deputy O'Callaghan, on prompting the debate on this and Senator McDowell on coming up with a Bill on it. I also commend the Minister for Justice, Deputy McEntee, on responding so quickly and the Government on taking on board the necessity for this legislation.

The Bill aims to protect the reputation of children and to assist the families of deceased children who have been killed or murdered. It was very difficult for grieving families to know that the perpetrator of the crime, the person who took their child away, would never be named because of a law which was probably never intended to cover this kind of crime. The law was intended to protect the identity of children in other circumstances but was interpreted by our courts as impeding the publication of the name of the perpetrator in order to protect the child. That law was obviously very well intentioned but it is time to deal with its consequences.

I was here on the night that this Bill was first debated. I note that the Minister of State, Deputy Browne, is here today and welcome his response to an issue raised by Deputy O'Callaghan in relation to cases where the identity of the deceased child could not be published in circumstances where there is a living child witness. This was a matter of concern to Deputy O'Callaghan and he highlighted it in his contribution to the debate. I note that there have been further consultations with the Attorney General and it is the Government's intention to table an amendment on Committee Stage revising subsections (2) and (2A) of section 252, on which the Minister will provide more detail later. That was the only anomaly that stood in the way of the Bill being dealt with pretty rapidly in the Dáil.

Nobody could argue with the thrust of the Bill. One or two concerns were raised about one or two aspects of the Bill that might have diluted its impact on protecting children but the Minister and the Minister of State clearly intend to deal with them. It looks like any minor impediment to making the law do what was originally intended seems to have been dealt with.

The original Bill contains mandatory reporting restrictions where a trial relates to an offence against a child or where a child is a witness in any such proceedings. In 2020, Mr. Justice George Birmingham upheld the High Court's interpretation of that section of the Bill as meaning that the reporting restriction relating to offences against children also applied in circumstances where the child is deceased or has turned 18. That is what prompted our colleagues to bring forward legislation that would deal with this. This Bill amends the original legislation to enable the courts to remove the restrictions on publishing the names of the perpetrators of these crimes, which is very welcome. There is a profoundly negative impact of rulings under this law on grieving parents whereby they are not able to remember their deceased children's names or legacies in public as a result and as a consequence of that. The Minister, Deputy McEntee, made reference to this in her contributions in the Dáil.

The original intent of section 252 of the Children Act 2001 was to protect child witnesses and child victims from the negative impacts of being publicly identified in criminal proceedings. We do not have to dwell too long, however, to know that publication of those kinds of details forms part of the justice and part of the consolation that victims of crime and their families can derive from the justice system. That little piece of justice, which is quite profound in its impact, has been denied to grieving families over a period of years. Clearly, the judgment of Mr. Justice Birmingham left the Oireachtas with no alternative but to move. The Oireachtas has moved really quickly in identifying that the main issue to be addressed is to allow the identity of a child who has been unlawfully killed to be published, which would also remove the current difficulty with identifying the person who has been charged in connection with the death. If a person perpetrates a crime, part of the punishment is in being named and shamed. That is one of the real difficulties with miscarriages of justice where people find themselves wrongfully charged. Because of the nature of the crime their names are allowed to be entered into the public arena. We are aware of many such cases over the years and how, due to the stigma that attaches to it, the course of these people's lives was profoundly, inexorably and irreversibly changed. We can, therefore, see the impact of publishing the name of the person who has perpetrated a crime against a child or who is involved in the murder and killing of a child. Part of the punishment and part of justice being seen to be done is the publication of the perpetrator's name.

That is my contribution. I thank the Minister of State, Deputy Browne, for his presence and for responding to the minor queries raised on particular sections of the Bill.

Minister of State at the Department of Justice (Deputy James Browne): I thank all Deputies who contributed to this debate. I thank Senator McDowell for putting forward his Bill and Deputy O'Callaghan who had put forward a similar Bill.

As the Minister of State with responsibility for youth justice I am particularly pleased to support this Bill in the House today. There have been a number of proceedings in the courts since the Court of Appeal decision in the Director of Public Prosecutions, DPP, and *EC v. The Irish Times* and others, which involved very tragic circumstances where families have been deeply upset by the fact that their child who was killed cannot be named in the media as a result of this judgment. I can only imagine how deeply upsetting this is for those families not to be speak openly about their child in the media in such circumstances. There is also a deep sense of injustice where a person convicted in relation to a child's death cannot be named due to the fact that this would have identified the deceased child.

A number of detailed points were raised by Deputies and I will try to answer them. First I will make a general point about the drafting and the position as it was understood before the

judgment of 29 October 2020 in the EC and *The Irish Times* case. This issue has been raised by a number of Deputies, including Deputies Howlin, O’Callaghan and Catherine Byrne. Before the EC judgment there was a view that the reference to a child in section 252 did not refer to a deceased child. This meant that a perpetrator and a deceased child could be identified but only if such particulars were not likely to lead to the identification of a child witness or a living child victim in the proceedings. The existing section 252 is quite clear that no report may be published that includes any particulars likely to lead to the identification of a child victim or child witness. The Bill as passed by the Seanad therefore restores, if that is the correct word, the law to that position. Subsection (1A) effectively provides that subsection (1) does not apply to a deceased child. However the policy is to ensure that in doing so, it will not be interpreted as an intention to take away the existing protections for a child witness or for a child accused.

There were some issues raised on Second Stage in this House and in the Seanad as to whether the Bill affords flexibility where there is a deceased child victim as well as a living child witness or another child victim in the same proceedings. Deputy O’Callaghan raised concerns that under subsection (2A), the identity of a deceased child could not be published in circumstances where there is a living child witness. This concern was also shared by Senator McDowell. In the light of these concerns there have been further considerations and consultations with the Attorney General and it is intended that an amendment will be brought on Committee Stage revising subsections (2) and (2A) to put beyond any doubt that where there is a deceased child and another child witness to the proceedings, the court may dispense with reporting restrictions, subject to conditions, including publishing the identity of the deceased child, as long as this is in the best interests of the living child victim or witness.

If, as in the majority of such cases, the issue only relates to deceased children, then the legislation operates quite straightforwardly to allow families to grieve, to have their children remembered in public and for perpetrators to be named as appropriate. The trauma that can be caused by unnecessary restrictions in this regard has clearly been articulated by Deputies Murnane O’Connor and Higgins. However, if there are living children who are party to the proceedings and who might be identified, they are entitled to protection and the protections cannot simply be disappplied. In such circumstances it will be a matter for the courts to decide the appropriate balance to be met by considering the best interests of any living child witness or victim. The courts have flexibility to decide what particulars can be revealed and to what extent. The restrictions on identifying a child accused are there for good reasons but they are not absolute and, as I have said, it is a matter for the courts to decide in these difficult cases.

Section 1(2) of the Bill deals with retrospectivity. Provision is made so that the changes effected will apply with immediate effect both to the reporting of old proceedings as well as to new proceedings. This means that the identity of a deceased child that could not be published since the decision of the Court of Appeal in *DPP and EC v. The Irish Times* and others can be published once the amended section 252 has been commenced. It also follows that the identity of an adult accused or convicted in relation to such a death can also be published once the amended section 252 has been commenced.

Deputies Howlin and Carroll MacNeill referred to those families who do not wish to see media references to their deceased children. Public intrusion on deaths within a family can have a devastating effect on the well-being of such families and they have my greatest sympathy. My officials did look at options to address this but there is no simple answer. The clear majority view is that the automatic default should be that the reporting of the identities of deceased children should be allowed. Even in cases where there is a verdict of not guilty

by reason of insanity, where due to mental illness a parent or sibling was involved in killing their child or sibling, not all families or members of such a family will welcome restrictions on reporting. The media's role in reporting on criminal trials is an important part of the constitutional requirement under Article 34.1 of the Constitution that justice be administered in public. It is only in exceptional circumstances, prescribed by law, that there are exceptions to this. The logic behind the Children Act is the protection of the best interests of children who appear in court proceedings. To go outside that parameter and try to take into account the interests of a wider group of children and adults creates significant difficulties. I do not have a solution but the Minister and I have asked our officials to see if it is possible to bring forward a proposal to address this issue. It will not be possible, however, to bring it forward in the context of this Bill. The key issue raised is where there is a verdict of not guilty by reason of insanity in a homicide case and whether it would be possible to have a provision that might allow the DPP to bring forward an application in particular cases where there is only one family involved and it is in the best interest of surviving children to have some reporting restrictions, even where those children were not directly involved in the proceedings. Broadening anonymity protections for witnesses and victims to include other children who are affected by proceedings but are not directly involved in proceedings would set a precedent in relation to other proceedings where children are affected by the publicity in a case but are not directly involved in those proceedings. There are many areas of criminal law where this would also be the case. That would have broader implications for areas outside the scope of the Children Act and would require more detailed examination from both a policy and a legal perspective.

I thank all the Members for their contributions. This is a delicate matter and I believe we would all agree that there is a degree of urgency in resolving it. I look forward to working with the Members to bring this legislation to a successful conclusion.

Every parent should have a right to openly and publicly speak the name of their child. Sadly, that is not currently the case where their child was killed as a result of a crime. That has understandably caused extreme distress for families and for their communities. What we are doing today with this legislation is restoring the right to these families to be able to speak their child's given name and to be able to honour their memory. Importantly, it also restores the right of the media to openly and fairly report on cases where a child has been killed as a result of a crime, including child murder victims.

I thank the Deputies across the House for their support for this very important and urgent legislation. We are all determined to get it enacted as quickly as possible.

Question put and agreed to.

An Ceann Comhairle: Congratulations to everyone involved.

Public Service Pay Bill 2020: Second Stage (Resumed)

Question again proposed: "That the Bill be now read a Second Time."

An Ceann Comhairle: The Minister for Public Expenditure and Reform, Deputy Michael McGrath, was in possession and has 14 minutes remaining.

Minister for Public Expenditure and Reform (Deputy Michael McGrath): That is right.

I am resuming from where I left off a number of weeks ago. At that point, I had referred to the need for this legislation to progress a range of pay reform matters. I had just begun to touch on the seagoing commitment scheme, which is one of a number of measures advanced in 2020 to support recruitment and retention in the Naval Service. It provides for a €5,000 payment for each 12 months of seagoing service. Naval personnel of able rating and above with at least three years service, of enlisted rank of able rating and above and of officer ranks are eligible. These measures which support reform, recruitment and retention in particular areas of our public service cannot be progressed to payment under existing Financial Emergency Measures in the Public Interest, FEMPI, Acts. That underscores the need for this amending legislation.

In summary, the Financial Emergency Measures in the Public Interest (No. 2) Act of 2009 provides that no change can be made in the pay of a public servant without legislative amendment, a court order or a determination that there is a legal entitlement to a pay increase. While it is possible to set a pay rate for a new grade or post, it is not possible to change the pay of an existing public servant in post. The Bill provides for amendment of the restrictions on increases to public service pay introduced by the Financial Emergency Measures in the Public Interest (No. 2) Act of 2009. This will allow the Government to provide for changes to remuneration and greater flexibility in the allocation of available resources to public service pay requirements. In the short term this will allow implementation of the pay increases provided for by the Building Momentum agreement, the new public-only Sláintecare consultant contract and the seagoing commitment scheme.

Turning to the details of the legislation, the Bill amends or appeals sections 4 and 5 of the Financial Emergency Measures in the Public Interest (No. 2) Act of 2009, section 16A of the Ministers and Secretaries (Amendment) Act of 2011 and section 24 of the Public Service Pay and Pensions Act 2017. This means that the Bill provides for: amendment of the restrictions on increases to public service pay introduced by the Financial Emergency Measures in the Public Interest (No. 2) Act of 2009; changes to pay arising from an Act of the Oireachtas, an order of court or a determination that there is a legal entitlement to a pay increase, increases in the pay or allowances of public servants may be sanctioned; amends the Ministers and Secretaries (Amendment) Act 2011 to ensure that where a contract of employment is amended in accordance with amended provisions of the Act of 2009 no further ministerial sanction is required under that Act; and amends the Public Service Pay and Pensions Act 2017 to align the date for appeal of certain restrictions on increases to public service pay with a date provided in this Bill.

Section 1 sets out a definition of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 as the “Act of 2009”.

Section 2 amends section 4 of the Act of 2009 to provide that in addition to changes to pay arising from an Act of the Oireachtas, an order of the civil courts, an order of the Labour Court or a determination that there is a legal entitlement to a pay increase, increases in pay or allowances of public servants may be sanctioned.

Section 3 amends section 5 of the 2009 Act to provide for retrospective application, up to the date on which this proposed Act is enacted, of a provision allowing for amendment of contracts of employment to increase pay.

Section 4 amends section 16A of the Ministers and Secretaries (Amendment) Act 2011 to ensure that where a contract of employment is amended in accordance with section 4 of the 2009 Act, as amended by this proposed Act, that no further ministerial sanction is required un-

der the Ministers and Secretaries (Amendment) Act 2011.

Section 5 amends section 24(3) of the Public Service Pay and Pensions Act 2017 to align the date for repeal of certain restrictions on increases to public service pay with the date on which the proposed Bill is enacted.

Section 6 provides that the Short Title of the proposed Bill is the Public Service Pay Act 2020.

Concluding the repeal of the financial emergency legislation is an important milestone in the history of the State. Underpinning this achievement and the new public service pay agreement is the strong performance of the economy. The economy is expected to recover next year, with that recovery commencing in the second half of this year. In 2022, the economy is expected to grow by around 4.3% as outlined in the forecasts of the Central Bank, the Irish Fiscal Advisory Council and the OECD, which forecast GDP growth of 4.6%, 4.1% and 4.3%, respectively.

Labour market conditions are also expected to improve next year with employment growth of 3.2% and 3.6% projected for 2022 by the Central Bank and the Irish Fiscal Advisory Council. As a result of the growth in employment the unemployment rate is projected to decline to 7.8% and 6.7% next year, well below the record levels recorded in 2020.

Our approach is about balancing the need for pay restraint, stability and certainty in the delivery of public services with the need to support ongoing public service reform. Key areas of our public services have experienced and responded to very challenging demands over the past 12 months. This Bill allows for implementation of reasonable pay increases and provides a means of using pay, where appropriate, to support the wider public service reform agenda. It is on that basis that I commend the Bill to the House and I look forward to hearing the views of colleagues across the House.

An Ceann Comhairle: I thank the Minister. We proceed to the Sinn Féin contributors. Deputy Mairéad Farrell proposes to share her time with Deputy O'Reilly.

Deputy Mairéad Farrell: That is correct. Táim fíor-shásta an deis seo a bheith agam faoi dheireadh. Bhí muid ceaptha an t-ábhar seo a phlé le roinnt seachtainí anuas agus táim an-sásta go bhfuil an deis agam inniu é a phlé, éisteacht leis na daoine eile a bheidh ag labhairt faoin gceist seo agus plé a dhéanamh ar an gcomhaontú agus ar an mBille. I welcome the opportunity to contribute to the Second Stage debate on the Public Service Pay Bill 2020. We have waited a number of weeks to speak on the Bill so it was welcome to see today that we would be speaking on it. This Bill will form the bones and the connective tissue of the new public service stability agreement. I am glad to see that members of the trade union movement have had the opportunity to vote on the Building Momentum agreement. I had raised concerns that an uncertain situation could have occurred whereby the previous agreement would have expired without a new agreement being in the offing.

I refrained from commenting directly on the Building Momentum agreement because I believed it was a matter for the union membership to decide and I did not want to be seen to be prejudicing the outcome. The results are in now. They were resoundingly in favour. We see that in the results from the two largest unions, SIPTU and Fórsa, whose membership voted in favour by margins of 91% and 95%, respectively. Notwithstanding that, some smaller unions voted against the agreement and I want to address some of their concerns. It is worth highlighting that their rejection was partly based on legacy issues that have not yet been addressed. I will

deal with some of those in a moment.

First, it is worth acknowledging that most of the unions have accepted this deal. Since the beginning of the austerity budgets 12 years ago, public sector workers have had their real earnings gutted. FEMPI, the Croke Park agreement, the Haddington Road agreement and the Lansdowne Road agreement are terms that will resound in the minds of many of those working in the public sector since the crisis that followed 2008. It is only in this past year that pay has been restored to 2008 levels. For these valuable and essential workers in our hospitals, local authorities, educational institutions, the community sector and public administration, this has been long overdue. Wages for general operatives in local authorities, attendants in hospitals and cleaners in schools start at around €25,000, rising to approximately €35,000 after ten years. These workers are the backbone of our public services. These are the workers who have taken the financial hit over the past 12 years only to see restoration arrive now.

Certain media and political commentators have spoken on this issue. The reality is that public sector workers have had more than a decade of lost earnings as a result of the economy going into receivership following the mismanagement of a Fianna Fáil-Green Party coalition. We also had the austerity of the Fine Gael-Labour Party Government, of which the Tánaiste, among others, was part. Both Governments were supported at the time by Independents, who did not show independence of action or thought by standing up for these workers. These workers have had to spend their wages every week to make ends meet and have had a significant reduction in their standard of living due to the policies of austerity, which have manifested in a seemingly never-ending housing crisis, long waiting lists for routine medical procedures and creaking infrastructure. They will see their wages rise but they will never get back the wages that were lost. They have lost a decade. Public service pay has been decimated over the past 12 years.

Let us not forget that these workers and others were forced to pay for the reckless risk-taking of the banking and property sectors. We are again seeing politicians fall over themselves to pay tribute to those two sectors. Some would have us believe that this is ancient history. It could be ancient history but it is also contemporary policy. Not a day goes by that we are not reminded of the events of more than a decade ago, such as with the banks that were bailed out with taxpayers' money and had their future tax obligations waived by allowing them to carry forward their losses indefinitely using what are referred to as deferred tax assets. They are now being thanked. We see the current housing policies, which are very much in favour of the developers rather than those who cannot afford to buy a home.

These concessions, extracted by government for the restoration of pay, have delivered significant savings to the public purse, but our public sector workers are our most valuable resource. They have held the line during the pandemic and paid a high price with their health and, in some cases, with their lifeblood. They kept our system going during the pandemic. They have held the fort in our public health systems, from hospitals to nursing homes and from schools to State services. They are the lowest earners in our public system and they are the citizens of whom we have asked the most. They clean our hospitals, sweep our streets, run our laundries and administer our public services. They need more than pay restoration and they deserve more than applause. They deserve our considered gratitude and that consideration must be quantifiable. I hope to see that in the next public service stability agreement. These workers have the benefit of union negotiated terms and conditions of employment, which give them sick leave and special pandemic leave, but we should not forget the large numbers of private contractors who are being used in the public system. They do not have the same entitlement. This significant private spend must be examined and serious effort must be made to convert these

private, for-profit contracts into direct hire jobs which offer safety and security to the worker and better value to the State.

I want to say a few words about the FEMPI legislation, as some may question the need for this Bill and the reason the FEMPI legislation was not fully repealed. It is worth noting that between 2015 and 2018, FEMPI and the agreements that succeeded it generated a reduction in Ireland's public pay bill of almost 20% through a combination of universal and progressive wage cuts, a pay freeze, reduced rates for new entrants, elimination of performance bonuses and certain allowances, and reduced rates of overtime and other non-core pay.

Section 2 amends section 4 of the Act to give the Minister the power to provide for an increase in remuneration save where this is set by or under an Act of the Oireachtas. This would appear to be mainly designed to vest more power in the Minister and to reduce circumstances in which legislation is required to give effect to public sector agreements. Insofar as this encourages collective bargaining at a national level, it is welcomed. One consequence of the 2017 Act, which gave a legislative entitlement to the increases in remuneration set out in the public service stability agreement, was that further legislation would have been required to take away that entitlement. The amendment to section 4 of the Act seems to be a clever way to ensure the State does not run into this difficulty in the future. Overall, it might be said that the amendment to section 4 gives considerable power to the Minister, but he probably already had such power or equivalent power under various statutory provisions or the contractual agreements of public servants. The sanction of the relevant Minister, with the consent of the Minister for Finance, was standard practice in respect of adjustments to remuneration prior to the collapse of the public finances in 2008.

I am aware that there are still some lingering issues, such as pay equality, and that the sectoral bargaining fund that has been established will be used to address some of these issues. In agreement with sectoral management, each union or bargaining unit will have the option to use some or all of the sectoral fund to address issues mentioned, but certain claims are excluded as these are decided centrally, including overtime, weekly hours of attendance, annual and sick leave entitlements and pension arrangements. Alternatively, the union or bargaining unit can elect for the funds involved to be used as a sectoral pay round. If they choose to do this, the unions encompassed by that sectoral bargaining unit can agree that they may not pursue any grade or pay-related pay agreements.

I am aware that, despite all of this, some unions such as the Association of Secondary Teachers Ireland and the Medical Laboratory Scientists Association have rejected the agreement. Sinn Féin's alternative budget called for the immediate pay equalisation of pre- and post-2011 public sector entrants, as we see equal work for equal pay as being absolutely central. Under a Sinn Féin Government, we would seek to address these issues. We would also ensure a living wage for all public sector entrants. Sin mo thuairim ar an méid atá á phlé againn inniu. Bhí ról lárnach ag na daoine seo agus na hoibrithe seo agus tá sé fíorthábhachtach go dtugann muid chuile chabhair a theastaíonn uathu dóibh.

Deputy Louise O'Reilly: I welcome the opportunity to finally make a contribution to this debate, which has been put back on many occasions, though for good reasons. The Minister refers to the importance of concluding the job of repealing FEMPI. I was reminded that this is my annual opportunity to remind people in the House that I was part of the trade union delegation in Government Buildings on the night that FEMPI was announced. We did not know what it was. We certainly did not believe we would come to use the abbreviation for it. I am not

sure if the Minister was there personally, but I know that many of his colleagues, most of whom are still around, attended a briefing in December before the FEMPI legislation was introduced. They attended a briefing in the audiovisual room with me and Patricia King. We had a deep discussion and engagement in which we outlined how the savings that had to be made could have been made without impacting on the rate. We were very clear at the time that it would have been wrong to impact on the rate of pay. It was wrong then and it is still wrong. There were changes that could have been made in respect of unpaid leave, etc., which would have ensured that the rate for civil and public servants would have been protected. We were also of the view that the Government could have made the savings it needed to make without impacting on civil and public servants, most - indeed all - of whom were working hard and who were not at fault for what happened. Indeed, when the Minister's party was busy crashing our economy off a cliff, many civil and public servants I was representing, such as nurses and healthcare workers, asked what they had done to deserve what was visited upon them. They said they had worked hard and come to work early in the morning, as the Tánaiste likes his workers to do, and did everything that was required of them. Their only crime was that they worked for the State, which could just slash their wages. Indeed, we were brought in to try to negotiate that. It was a horrible time to be representing workers in the face of a Government that was dead set against them.

Nowhere was that more obvious than in the context of the pension levy. If the Minister will recall, the pension levy was imposed on all civil and public servants, but there is one particular group in respect of whom the cruelty of it has never left me. It was levied on home helps, who were the lowest paid and doing probably the most precarious type of work within the civil and public service. They had to pay a pension levy. Of course, as the Minister can imagine, as soon as that was announced, my phone lit up like a Christmas tree because, as the workers pointed out, they did not qualify for pensions. So, it was never a pension levy - it was a pay cut. It was not put to them in that way. I spent a lot of time talking to people and explaining that it was not a pension levy and its introduction did not mean that they would get a pension. It was most unfortunate and sad that some of them believed that the Government was finally going to grant their demand for pensions. How could workers be subject to a pension levy if they did not have pensions? They had no pensions but they still paid the levy. I thought at the time that there was a cruelty in that. As the Minister will know, many of these people worked hard. We know that home helps in particular do quite thankless work. They provide great value for money, actually. However, often their work goes unrecognised and unrewarded.

I know that the Minister will not be unaware that only a few months ago the House passed a motion in respect of the pay of student nurses. The Government is talking about equal pay for work of equal value at the moment. If nurses and student nurses are working, they should be paid. We know that reviews are planned, but these people should be paid for the work that they are doing. Due to the systematic and systemic underfunding of our health service over decades, the wards that student nurses go to work on, where they are supposed to be supernumerary, are often understaffed. It is most difficult to be supernumerary and not to help and work. In light of the motion that was passed unopposed in the House, it would be a decent commitment to make to ensure that in cases where they are working, they get paid. Paying them the healthcare assistant rate is the most obvious solution as is the introduction of a system of allowances that are appropriate and recognise the work that is done.

While I am on the topic of the health service, I want to raise the matter of the bill for agency staff. In 2019, the agency staff bill was running at approximately €1 million per day. To my

knowledge, no value-for-money audit of any kind of scale or quality has been carried out in respect of the spend on agency staff. Do not get me wrong; I know that the health service and other areas of the civil and public service need agency staff from time to time. However, the problem has become apparent in the past number of years because of the recruitment moratorium. The Minister will remember from his previous experience in government that two years before a recruitment moratorium on the rest of the civil and public service was imposed, a recruitment moratorium was imposed on the health service. As a result, it has more catching up to do in terms of staffing levels. It is even further behind than other sectors. The latter has generated an over-reliance on agency staff that is expensive and does not offer good value for money. Indeed, it takes away the potential of being able to pay our student nurses, radiographers and other people working within the civil and public service who have been working and because of the nature of their work, often find themselves in situations where learning is possible, but they learn on the job. They do end up as part of the team. As we emerge from this pandemic, which will hopefully be soon, that is something that we would do well to reflect on, on behalf of the people who have worked all the way through it. The very least they deserve is to be paid for the valuable work that they are doing.

I might just move to another topic, namely, the pay deal agreed recently. As my colleague, Teachta Mairéad Farrell, pointed out, we did not comment on the deal. Having had the experience of bringing pay deals back to workers, I was never grateful or thankful for politicians interfering in that. It is much better to let the trade unions get on with their business. However, there are thousands of workers who will be impacted on by this deal and who were not represented. I recall, from my time on the public services committee of the Irish Congress of Trade Unions, ICTU, talking to representatives from the Association of Garda Sergeants and Inspectors, the Garda Representative Association and PDFORRA, who often referred to it as being like the big table and the little table, or the upstairs and the downstairs. Negotiations took place with the ICTU public services committee in respect of the deal, but that group of workers is completely disenfranchised. The fact that gardaí and members of the Defence Forces are prohibited from being members of ICTU effectively excludes them from those negotiations. I know the Minister will be familiar with the phrase “nothing about us without us”. It was long the cry of the women’s movement. It means being left out and having decisions taken by other people. In order for any future pay negotiations to be reflective of the broader civil and public service, all persons who are affected should have a right to sit at the big table and be part of a parallel process or a secondary set of discussions. As we know, members of An Garda Síochána and the Defence Forces turn on the radio to find out what has been negotiated. That is not very fair.

The Minister will be aware that the report by the European Committee of Social Rights which was published recently found that the refusal of the Government to allow An Garda Síochána and the Defence Forces the right to collectively negotiate pay deals and denial of the right to strike is in breach of the European Social Charter. The Minister should not take my word for it, he can take the committee’s word for it. These workers deserve a seat at the table. They work hard and they are civil and public servants. The way that the pay is determined means that it is not open to an individual member of the Defence Forces or An Garda Síochána to stroll into the boss’s office and ask for bargaining on an individual or face-to-face basis because the workers cannot collectively bargain. That option is simply not open to them. What they have instead, is a system whereby pay deals are negotiated by ICTU, which should be doing that on behalf of its own members, and these are then imposed on members of An Garda Síochána and the Defence Forces without them having an opportunity to have an input into that. As I have said, this has been found, time and again, to be wrong. Yet, we see intransigence on the part of

the Government.

The Government is doing the members of An Garda Síochána and the Defence Forces a disservice by not allowing them that opportunity. They want to have their voices heard. They are members of associations which are de facto trade unions, but without the title. I ask the Minister to consider allowing these workers to have a full seat at the table.

Minister for Public Expenditure and Reform (Deputy Michael McGrath): I thank Deputies Mairéad Farrell and O'Reilly for their contributions. Hopefully, they will be in a position to support the Bill.

I look forward to the Bill being progressed in the weeks ahead, particularly as it is needed to give effect to the Building Momentum pay agreement. The latter is a very fair agreement. It involves general pay increases in October and October of next year of 1% each or €500, whichever is greater. It also involves a new sectoral bargaining fund amounting to 1% of basic pay to resolve any outstanding issues such as those that resulted in industrial action in the period of previous agreements. That particular sectoral bargaining fund is a most important innovation because there are always legacy issues on the industrial relations front that need to be addressed. We did not have such a fund in place all along to deal with those particular issues outside of the general round of pay increases. Work on the implementation of the fund and the identification of the sectoral bargaining units, for example, is well under way and I look forward to seeing it progress over the period ahead.

In addition to that work, as colleagues know, we now have a process in place to deal with the Haddington Road agreement hours. An independent body will set out its analysis of what would be involved in addressing the matter. The trade union movement very much sees those hours as an outstanding issue. We have provided a fund to address the recommendations that will be made as part of that process.

This Bill is needed, not just for Building Momentum but also for the implementation of the Sláintecare consultant contract in the health service, which is a key part of the reform of the public health system. The Minister for Health, Deputy Stephen Donnelly, and his Department will continue to work on the advancement of the new Sláintecare public-only consultant contract. The Bill is also needed, as I outlined, for the implementation of the seagoing service commitment scheme, which is a very important reform for the retention of staff in the Naval Service.

I look forward to continuing to work with colleagues on progressing the Bill. I hope it will pass Second Stage and proceed to Committee Stage. I would like to see that happening relatively quickly in order that we can get the legislation enacted as soon as possible and go about our work of implementing what is a fair, affordable and sustainable pay agreement.

An Ceann Comhairle: I thank the Minister. I will now put the question.

Deputy Thomas Gould: I was hoping to speak on Second Stage.

An Ceann Comhairle: I am sorry but the Deputy cannot do so after the Minister has wrapped up the debate.

Deputy Thomas Gould: I thought we would be able to come back in after the Minister finished.

31 March 2021

An Ceann Comhairle: No, the Deputy was not back in the Chamber in time to contribute.

Question put and agreed to.

Public Service Pay Bill 2020: Referral to Select Committee

Minister for Public Expenditure and Reform (Deputy Michael McGrath): I move:

That the Bill be referred to the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach pursuant to Standing Orders 95(3)(a) and 181(1).

Question put and agreed to.

Gnó na Dála - Business of Dáil

Deputy Thomas Gould: On a point of clarification, after Deputies Mairéad Farrell and O'Reilly made their contributions on Second Stage of the Public Service Pay Bill 2020, there was a slot for the Labour Party but no Deputy from that party was in the Chamber. I understood that a Government speaker was then to have the floor, after which it would revert back to Deputy Clarke. I am here in the Chamber instead of Deputy Clarke-----

An Ceann Comhairle: That is not a point of order. I do not need to be advised on how the House operates. The first part of any parliamentary process is that Members be present in order to conduct the business. When the two very effective contributors for Sinn Féin had spoken, there was nobody else in the Chamber offering and, therefore, the Minister was called on to respond. That is the way the system works. I am afraid we cannot go running around after people who have not bothered to turn up on time.

Deputy Thomas Gould: What the Ceann Comhairle is saying is not right. He asked the Minister to respond-----

An Ceann Comhairle: Excuse me, Deputy.

Deputy Thomas Gould: If I may finish-----

An Ceann Comhairle: The Deputy is not a wet week in the place. What I am saying is absolutely correct.

(Interruptions).

An Ceann Comhairle: The Deputy is not making sense, he is not speaking from his designated seat and he is out of order.

Deputy Thomas Gould: What I am saying is right.

An Ceann Comhairle: You are not. You could not be more incorrect.

Ceisteanna (Atógáil) - Questions (Resumed)

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

An Ceann Comhairle: We are a little ahead of time but the Clerk has confirmed that we are entitled to proceed. Question No. 52 is in the name of Deputy Doherty, who is not in the Chamber. Does another Deputy wish to put the question?

Deputy Mairéad Farrell: Deputy Doherty will be here in a minute. He thought question time was recommencing at 7 p.m.

An Ceann Comhairle: Deputy Farrell may propose a suspension of business to allow time for Deputy Doherty to get here.

Deputy Mairéad Farrell: My colleague has just arrived.

Financial Services Regulation

52. **Deputy Pearse Doherty** asked the Minister for Finance the status of the legislation providing for a senior executive accountability regime and other provisions; the planned scope of this legislation across financial services; and if he will make a statement on the matter. [17477/21]

Deputy Pearse Doherty: I apologise to the Ceann Comhairle for the delay. I thought this business was scheduled to start at 7 p.m. My question relates to the status of legislation to introduce a senior executive accountability regime, SEAR, and other provisions. This legislation is much awaited. It is more than three years since the Central Bank argued for such provision to hold senior people in financial entities to account. We in Sinn Féin have argued for it for much longer. The Minister has committed a number of times to publishing the legislation. When will we see it?

Minister for Finance (Deputy Paschal Donohoe): As the Deputy is very well aware, the Central Bank has recently reprimanded Ulster Bank and Davy for regulatory breaches that resulted in substantial fines being issued. I wish to recognise the extensive work undertaken by the Central Bank in achieving those results. The bank already has extensive regulatory powers to investigate and impose sanctions where there are breaches of financial services legislation. The introduction of a SEAR will complement those existing powers, ensuring that the Central Bank has the additional powers necessary to provide appropriate regulation.

The legislation required to provide for a SEAR is complex as it gives rise to a number of constitutional issues. Careful consideration has been given to the proposals due to the need to ensure they are robust and can withstand legal challenge. Officials from my Department have been in ongoing and detailed discussions with the Central Bank and the Attorney General's office on the detail of the proposed Bill.

The SEAR will require firms to set out clearly the roles and responsibilities of their senior executives, including the production of management responsibility maps documenting key management and governance arrangements in a comprehensive and accessible way. This

should ensure there is clarity as to who is responsible for what. The legislation will include conduct standards for individuals and firms, giving the Central Bank additional powers to enforce obligations on financial services providers, and relevant individuals working within them, with respect to expected standards of conduct. The legislation will further enhance the existing fitness and probity regime and break the participation link to facilitate the Central Bank in taking action against either a firm or an individual where a contravention of legislation occurs.

As work on the various aspects of the legislation is advanced, I will consider how the SEAR will be rolled out across the various sectors of the financial services industry. I expect that the most significant financial sectors will be encompassed by the legislation.

7 o'clock

I intend that the heads of the Bill will be drafted and presented to the Government before the summer recess. That is subject to the Attorney General's advice and the adequacy of the safeguards included to protect the constitutional rights at stake.

Deputy Pearse Doherty: I thank the Minister. Does he know he gave the same speech two years ago? We are talking about holding senior executives in banks and financial institutions to account but the Minister has just given the same information that he did two years ago. The problem is his party, Fine Gael, has been part of the Government for the past ten years. The Minister has been part of that Government since 2013, which is a hell of a lot of time in which that party could have enhanced the individual accountability regime or strengthened the Central Bank's toolkit for holding individuals to account. The Central Bank sought this power as far back as December 2017 to mirror British legislation introduced in 2016.

In April 2019, two years ago this month, the Minister committed to having that Bill published and available to the Dáil soon after the summer of that year. Two years later, we still do not have the legislation. What has caused the delay and why has the Minister not been able to deliver on the commitment he gave to the House two years ago in April 2019? Is it just that the Government's priority in holding individual senior bankers and those in financial institutions to account does not meet the required standard?

Deputy Paschal Donohoe: The party of which I am a member is the one which introduced, with its colleagues in government at the time, the Central Bank regulations of 2014 and there is sufficient legislation available to the Central Bank to allow it take action against individuals if it believes a case is merited. The inference of the Deputy is that legislation is not in place to allow action be taken against individuals but it is if the Central Bank decides such action is merited. Of course, it is the same Central Bank with the same powers that have been granted by this Government, the previous Government and the one before that, which has levied such significant fines on financial sector companies over the past number of weeks in recognition of the gravity of concerns and misbehaviour with which those companies were involved.

The legislation is in place to allow action to be taken. Particular concerns relate to Articles 37 and 38 of our Constitution, as well as other articles, including Articles 40 to 45, inclusive, which concern the balance between the rights of the individual and the matters we are debating.

Deputy Pearse Doherty: If the legislation exists, why would the Government introduce new legislation? The reality is the legislation is not robust enough. The Minister knows, I know, and he should not make a fool of the public, that the reality is the Central Bank cannot go after an individual until the firm in question has been found guilty. How does the Minister

know this? His predecessor, another Fine Gael Minister, Michael Noonan, got a letter from the Central Bank Governor in 2015, six years ago, saying there was a lacuna or hole in the law that allows senior people to lie to the Central Bank without any reproach because the firm has to be found guilty first. In that case it was the insurance industry. This is why in the case of Ulster Bank individuals cannot be held accountable until the examination finishes. We know Ulster Bank is winding up its operations.

The Minister gave a commitment two years ago that this Bill would be published. Before that he gave other commitments and he has given commitments since. We still do not have legislation to hold senior bankers to account. There is not one party in this House, including the Minister's party, that believes the legislation is not warranted. The Central Bank has sought it for nearly four years and it is in place in Britain. The problem is the Minister's party and Government have not prioritised it. Is that not the fact?

Deputy Paschal Donohoe: We are giving it priority. Fines have been levied against companies for unacceptable behaviour. Action has been taken, for example, by the National Treasury Management Agency in dealing with the Davy matter and it demonstrates the seriousness with which the State has taken such matters, including the behaviour I condemned and which has been the subject of very heavy fines from the Central Bank with the legislation made available to it by the past three Governments.

We have very strong and robust legislation in place and the Central Bank has the ability to take action against individuals. It must also consider whether sanctions apply to the company. I have explained what is the difficulty and the delay being caused. Some of it can be explained by the fact that we were putting in place a Government across last year but that is not to justify all the delay. When the delay is resolved, we will have robust legislation to add to the strong powers already in place.

Covid-19 Pandemic Supports

53. **Deputy Peter Fitzpatrick** asked the Minister for Finance the additional financial assistance available to businesses to keep their employees working from home; if he has plans to change or amend such incentives; and if he will make a statement on the matter. [15406/21]

Deputy Peter Fitzpatrick: One of the main consequences of the current pandemic is that many people have been forced to work from home. Will the Minister explain what measures the Government will make available to these employees who have been forced to work from home, including financial supports to convert an area in the home to a proper working space? Will the Minister confirm what measures will continue to be made available in future?

Deputy Paschal Donohoe: As the Deputy is aware, the Government has introduced a series of supports to help businesses deal with the impact of the Covid-19 pandemic. These measures are specifically targeted at supporting businesses negatively affected by the pandemic in retaining their employees on payroll and include the employment wage subsidy scheme and its predecessor, the temporary wage subsidy scheme.

With regard to employees working from home, the Department of Enterprise, Trade and Employment is driving implementation of remote work with the national remote work strategy, Making Remote Work, which was published in January. This strategy includes the commit-

ment that officials in my Department will consider the economic, financial and organisational implications arising from the experience of remote working during the pandemic and that the tax strategy group will review the current tax arrangements for remote working in respect of employees and employers.

As part of the standard tax regime, businesses may claim a tax deduction for expenses wholly and exclusively laid out or expended for the purposes of the trade or profession. This may include reasonable reimbursement of expenses incurred by their employees in the course of working from home, including additional heating and electricity costs. The Revenue Commissioners have confirmed that PAYE workers using their primary residence as a workplace during Covid-19 restrictions qualify as eworkers for the purposes of a Revenue statement practice allowing employers to pay up to €3.20 per day to employees in respect of working from home expenses without deducting income tax, universal charge or PRSI.

With regard to the provision of additional supports, I am conscious of the need to consider wider equity concerns for both employers and employees. We propose to consider those through the tax strategy group process that will yield the publication of papers later in the year.

Deputy Peter Fitzpatrick: I thank the Minister for his reply. I have been in contact with many people, including couples, working from home and the common theme is that while working from home, they require more supports and they are not happy with the supports they are getting. These people have needed to adapt certain spaces from which to work. Many people forced to work from home do not have access to reliable broadband, which is absolutely necessary for the vast majority of people working from home. I know one person who must wait until near midnight each night in order to send emails and work with other files because the broadband is so congested during peak hours. This is not acceptable and the Government must get real with the rolling out of the national broadband plan. Working from home is likely here to stay and the Government must help people like those I describe to work from home.

Deputy Paschal Donohoe: We are absolutely committed to the roll-out of the national broadband plan and I accept the Deputy's point that one of the very big questions undermining the ability of those who now must work from home in doing that work is the matter of broadband speed and connectivity. We are working hard to deliver that plan. Of course, the main issue we have is public health guidance that prevents some of the work being done. I hope as we move through the year we can commence the work again.

The Deputy referred to cost concerns. In many cases, the employer has a responsibility in the management of and help with some of those costs. The employer has a duty to their employee and I know that in many cases that responsibility is being taken seriously and discharged. There is a provision in our tax code, as I described, and we will look at the matter again through the tax strategy group process.

Deputy Peter Fitzpatrick: I thank the Minister again for his reply. In fairness, when I ask a question, he always gives an honest answer. People have space in their homes, including garages, spare bedrooms or in other locations. Would the Minister consider giving an adaptation grant to help people? If a person is waiting to reclaim tax, it could take a long time. People are struggling at the moment. One can get an adaptation grant of maybe €4,000 or €5,000 to do up a garage. It is a snowball effect. Apart from making life more bearable at home, it creates jobs for people trying to get off the pandemic unemployment payment. Will the Minister consider giving a one-off lump sum to each person working from home?

Deputy Paschal Donohoe: In a lot of instances, I think the Deputy is right that these matters are better dealt with through the use of grants or payments rather than through our tax code. The difficulty of doing it through our tax code is if somebody has a low level of income and, therefore, pays a low level of tax, the ability of the State to help with expense can be weakened because they are not paying a lot of tax in the first place. That is why grants can, in general, be more effective in dealing with some of these matters. This will be something we will have to consider when we are clearer on what work practices will look like when we are in a better place in having suppressed the disease. There is an issue of equity to be considered, namely, that the employer has a responsibility and, in some cases, a duty to pay some of the cost involved as opposed to it all being borne by the taxpayer. That is what we need to tease out.

Insurance Industry Regulation

54. **Deputy Pearse Doherty** asked the Minister for Finance the engagement he has had with the insurance industry to ensure that any reduced cost of claims as a result of the newly adopted personal injuries guidelines will be passed onto consumers in the form of lower insurance premiums; and if he will make a statement on the matter. [17478/21]

Deputy Pearse Doherty: On 6 March, the new personal injuries guidelines were adopted by the Judicial Council. They will cut the cost of awards by, in some cases, 60%. They will significantly reduce the cost of claims for insurance companies. What commitments, if any, has the Minister received from the industry to date that it will pass these savings on to customers? How will the Government measure those commitments?

Deputy Paschal Donohoe: The Government is committed to bringing about meaningful insurance reform, as is reflected in the programme for Government. The action plan for insurance reform contains 66 actions across several departmental policy areas. Its implementation is overseen by a Cabinet subgroup on insurance reform, which met last week. Achievements to date include the adoption of personal injury guidelines by the Judicial Council, which has significantly reduced many common injury award levels, and the creation within my Department of an office to promote competition in the insurance market, headed by the Minister of State, Deputy Fleming.

The Deputy will be aware that last week the Minister for Justice introduced amendments to the Family Leave and Miscellaneous Provisions Bill to implement these guidelines. As such, they will be in place ahead of schedule and many claims should shortly begin to be assessed by both the Personal Injuries Assessment Board, PIAB, and the Judiciary using these rather than the book of quantum. This should mean more consistency and bring more certainty to claims for insurers and thereby underscore the benefits of using PIAB. This in turn should reduce the cost of claims, particularly legal fees. In addition, I hope the improved insurance operating environment will help to attract new entrants into the market, thereby increasing competition.

I reiterate the strong expectation of the Government that insurers responding to this key reform in a positive and generous manner need to do this by passing on savings to consumers and businesses. The insurance industry has previously committed to reduce premiums in line with lower award levels and I and the Government will hold it to account on this pledge. The Minister of State, Deputy Fleming, is meeting individual insurance companies in relation to this and we will track our progress through the data set from the Central Bank on public liability and employer insurance.

Deputy Pearse Doherty: If I renew my motor insurance tomorrow morning and am unfortunate enough to be in a soft tissue accident, the award paid out would be about, on average, 60% less. Therefore, the insurance company, as of my renewal tomorrow morning, should be charging me a lower premium. Is that factual? We can look back to when representatives of the insurance industry were lobbying for these awards to be cut. They told us to a person that if they did not reduce insurance premiums for motorists in the region of 15% to 20% after having awards cut by 50%, then politicians should ask hard questions. These awards should be reduced right now. There is no need for delay but there is a need to be able to measure this. That is why I am disappointed that the Government was going to vote against an amendment to this legislation I put forward last week that would allow the Government to measure what the awards would be if the legislation was not introduced giving effect to the guidelines and to measure what the premium would be. That would make sure insurance companies passed on, pound for pound, all the reductions that have been secured.

Deputy Paschal Donohoe: The Government put such effort into the passage of the guidelines and gaining agreement to their implementation because of the commitment the Government has to reducing the award levels. We expect this, in turn, to have a significant effect on premiums and costs, which we accept are critical and difficult issues for many holders of private insurance policies and, in particular, employers at the moment.

We will track this through the work the Central Bank will do. It published the very important data set that allowed us to better understand things that were happening in the motor insurance sector. It is best placed to do this work. Now that these guidelines are in place, while respecting the independence of our courts, the point of having the guidelines is our expectation that they will begin to affect decisions made by our judges in cases in front of them now.

Deputy Pearse Doherty: I wish the Minister would join me in calling for these premiums to be reduced right now. There is no reason premiums are being charged at yesterday's or last month's rates when awards were 60% higher.

Does the Minister know what AIG, AXA, Allianz, Zurich and a number of other companies have in common? They are the largest six companies in Ireland and they are also the largest six companies in Britain. Does the Minister know what the difference is? When Britain reduced the awards for whiplash, they introduced legislation in 2018 which made the companies prove to their central bank, the Financial Conduct Authority, that every cent was passed on to consumers. Last week in this Chamber I attempted to do the same thing. Will the Minister explain why the six largest companies in Ireland have to provide that information to the central bank in Britain for the reduced awards that took effect in 2018 there, but he believes they do not have to provide the same information to the Central Bank here? The Minister says he will rely on Central Bank information but it does not have a key piece of information which I tried to legislate for last week but the Minister's party and Fianna Fáil opposed it.

Deputy Paschal Donohoe: The Deputy is standing up here and one of the main things he is thinking about is how he can generate accusations about me and imply the Government is not taking this seriously. We brought in this legislation and made these changes. We welcome the fact that the Judicial Council has issued guidelines that are consistent with the Government's aim of reducing the level of awards made in our courts. I respect the role of the Central Bank and the work it does in gathering data on this. It is best placed to do this. We will then look at the impact of the work the Government has been doing and which has now been reciprocated by the Judicial Council to deal with what is, we accept, a really serious issue. I reiterate that I

expect that as awards change in our courts, so will the cost of insurance. That will take account of the serious progress made by this Government on a serious matter.

Covid-19 Pandemic

55. Deputy Mattie McGrath asked the Minister for Finance if he will place a quantifiable monetary value on the direct social and economic costs of the ongoing lockdown strategy on the Irish economy; if he will outline its highly destructive impacts on unprecedented levels of unemployment and the collapse of the small business sector; and if he will ensure that taxpayers will not be forced to pay for same through higher taxes after the pandemic has passed. [16757/21]

Deputy Mattie McGrath: Will the Minister provide a quantifiable monetary value of the huge economic and social costs this pandemic, the Government's attitude and lockdown have had for the people of Ireland?

Deputy Paschal Donohoe: It is the pandemic that is causing the harm the Deputy refers to, not the Government. We are acutely aware that the pandemic and the necessary public health measures introduced to control the spread of the virus have had a huge impact on our economy and society. Recognising this, the Government has acted decisively and on an unprecedented scale. Almost €38 billion in fiscal support has been provided to households, businesses and our health service. This represents approximately one fifth of national income. Those who have lost their jobs as a result of this pandemic have been supported through the pandemic unemployment payment, PUP, with a cost of more than €6.5 billion to date. We have put in place a comprehensive suite of policies to assist businesses. The main support scheme, the employment wage subsidy scheme, EWSS, and its predecessor, the temporary wage subsidy scheme, TWSS, have cost the Exchequer more than €5 billion to date. The Government has also introduced the Covid restrictions support scheme, CRSS, to provide direct financial support to closed businesses. Those businesses that are not eligible to avail of this scheme are further supported by the small business assistance scheme. This is in addition to a wide range of supports provided through Enterprise Ireland, the Industrial Development Authority, and local enterprise offices.

With regard to the economic cost, the way in which we measure our domestic economy - modified domestic demand - declined by 5.4% last year, with domestic-facing sectors bearing the brunt of the impact. Employment is at the heart of our society and economy, but last year unemployment soared to a rate of approximately 19% recorded in 2020. Currently, just over 450,000 people are in receipt of the pandemic unemployment payment.

Deputy Mattie McGrath: I agreed that those assistance packages were put in place. I welcomed them. I disagree with the Minister that it is the fault of the pandemic, however. It is the Government's reaction to the pandemic and the way in which it has dealt with it. I want to outline the destructive impacts and unprecedented levels of unemployment, which the Minister has mentioned. I mention, for instance, the collapse of the small business sector. The Minister has to be real here. Where are we going to go the longer this lockdown goes on? We are in the longest lockdown in Europe. The WHO said lockdowns do not work. We know that yet the Minister continues to continue with them blindfolded.

Up until recently, the Minister said there would not be extra taxes. Recently, however, he said that there would be extra taxes after this pandemic. Will the hard-pressed businesspeople

and taxpayers - working people - have to pay all this back? The Minister will have to get help and forbearance from Europe and, indeed, a rollover and deferral of the debt, because it is going to be massive. I believe there were many other ways of tackling it without simply locking everything down and keeping it locked down. That has failed. Other countries have proven they could do it in other ways but we had to be the good boys in Europe. We need forbearance from Europe on this.

Deputy Paschal Donohoe: What other countries have proved that the use of public health measures and the restrictions on mobility and businesses opening do not work? What countries have proved they have alternative ways of tackling this disease? Name them.

I heard him say a moment ago that the WHO said lockdowns do not work. I would love to hear the Deputy's argument for that in a moment, given that the WHO has been advising about the need for social distancing and the really big and dangerous effects of this disease that we know so well. We will get out of this and deal with the cost, however, by being able to safely reopen our economy and society. If we were not putting these supports in place, the Deputy would castigate me for not doing it. We are putting them into place. They will have consequences for the future but we can deal with most of those consequences through our economy growing again.

Deputy Mattie McGrath: I said that I acknowledge the supports. I am referring to the strategy. The Minister blamed the pandemic but it is the Government's reaction to it and the prolonged lockdown. The Government had no roadmap last night either. Entire swathes of our community and society were never even mentioned in the press conference last night or since. Look at the whole arts industry and what is involved there. The impact both economically and socially on our people is devastating and will be unquantifiable for decades to come. That is why I said there are other models of dealing with it. We have to live with Covid-19 and open up and let our people work. Let them have hope of work. They have been closed now for more than 12 months and are struggling to get back with no mercy from the banks.

Will the Minister bring this to Europe and ask for forbearance for Ireland? I know the Minister has a role in the Eurogroup over all the different countries. We need to be able to offer hope to our people and allow them back to work to recover some semblance of the businesses they had. Is there another agenda behind this? Does the Minister want to break them all and leave them impoverished and broke forever? Other countries have exited lockdown and allowed people to work. Our construction industry is closed. Everything is closed.

Deputy Paschal Donohoe: Other countries have exited lockdown after being in lockdown for periods as well. Those are the facts. I asked the Deputy if he could give me an example of a country that has not used lockdown measures to suppress the disease. I did not hear the answer in the statement he made back to me.

I do not know what the Deputy is suggesting regarding what agenda he feels I may have. The only agenda I have is to play what part I can in reducing the loss of life in our country, saving jobs where we can and getting ready to create jobs again in the future when we are able to reopen our economy safely. A plan was outlined by the Taoiseach yesterday evening. We talked about what we are seeking to do week by week and then what to do as we move into May. That plan is there. Of course, we cannot deliver in a single go everything that so many parts of our economy and society want because we do not want to unravel or harm the progress we are making in suppressing this disease and implementing a vaccination programme.

Banking Sector Remuneration

56. **Deputy Pearse Doherty** asked the Minister for Finance the grounds on which he gave consent to a bank (details supplied) to acquire a company without the excessive bank remuneration charge applying to the bank being applied to the company; his views on whether he has set a precedent with respect to future acquisitions by bailed-out banks; and if he will make a statement on the matter. [17479/21]

Deputy Pearse Doherty: On 2 March, AIB reached an agreement to acquire Goodbody stockbrokers for a sum of €138 million. The Minister will remember that in 2010, AIB sold the same entity, that is, Goodbody, for €24 million. Under the State agreement with the bank, AIB not only had to consult the Minister regarding the acquisition of Goodbody, but crucially it required the Minister's consent to put pay packages in place that circumvent the bankers' bonus levy, which is a levy that is passed in law by these Houses. Will the Minister clarify how he reached the decision? Why did he judge it appropriate? How does it comply with section 531AAD of the Act?

Deputy Paschal Donohoe: I believe this is a positive outcome for the Irish economy. It is important to have a competitive and vibrant stockbroking sector in our country to help to ensure Irish companies and employers can access the funding they need to finance their future growth plans and employ more people in Ireland, particularly as we exit from Covid-19.

It is also a particularly welcome use for Fexco, which as the Deputy knows is a really important employer in the south west of our country. The proceeds it receives from this transaction will help it to continue to grow and innovate in financial services and maintain employment in the region.

This also offers a really good opportunity for AIB to deliver on its need to diversify its revenue in a low interest rate environment. The addition of Goodbody offers opportunities to the bank to be able to broaden the financial offerings it has in the life, pension, wealth and asset management sectors in addition to enabling Irish companies to access a wider range of services.

As the Deputy can appreciate, the standard remuneration arrangements in stockbroking businesses are very different from those that pertain in a retail and commercial bank such as AIB. Reflecting this, the bank sought my consent for the continuation of the current remuneration arrangements in Goodbody. I agreed to this but it is being done in a manner which ring-fences Goodbody from the rest of the AIB group and ensures ongoing compliance with the Government policy on bank remuneration. It is important to stress, therefore, that there have been no changes to the Government's policy on remuneration. Post deal, provisions at Goodbody stockbrokers will be completely ring-fenced from the rest of the AIB group, preventing any question of a breach of the Government's current salary cap and the pay restrictions that apply to the bank.

Deputy Pearse Doherty: Three issues are at play regarding this, that is, how this position interacts with the law, whether it is politically appropriate, and the precedent it sets for other banks. On the first point, I have read the legislation, which specifies that excessive bank remuneration charges will apply to employees of any institutions that were given financial support under either the Credit Institutions (Financial Support) Act 2008 or the National Pensions Reserve Fund Act 2000.

AIB was one of those bailed out by the Irish taxpayer the tune of €20.8 billion. There is, therefore, no question the bankers' levy applies in law to AIB. The question now is how AIB has dodged the levy by acquiring Goodbody stockbrokers and how the Minister's consent to this arrangement - this financial engineering - was possible given the requirements of the law and the fact it is now fully owned 100% by AIB. The second issue is whether it is appropriate at all given the actions of the banks and the stockbrokers in recent times, from the tracker mortgage scandal to Davy, as well as the fact the taxpayer still has to recoup the €10 billion pumped into AIB to save it. There is no doubt that this is about eroding the bankers' levy. How can this decision to undercut be deemed appropriate by the Minister who gave his consent to this process when so much remains to be resolved?

Deputy Paschal Donohoe: This is about the future of three Irish companies, namely, AIB, Fexco and Goodbody. This is a transaction that is good for a large employer and financial service provider in our country. For Fexco, the original owners of Goodbody, this is a transaction that is important and beneficial for its future. The future of Irish companies matters to me.

The Deputy referred to the fact that we still need to regain the money put into AIB at the time of the last crisis which our country had to endure. Parts of how that bank has the opportunity to become more valuable in the future is through the provision of the kind of services that Goodbody will be able to deliver when owned by the AIB Group. Of course I got the advice of the Attorney General on the legality of what I was doing. That advice indicated to me that what I was doing was of course legal. I made this decision because it is good for three Irish companies and for those who work for them.

Deputy Pearse Doherty: That is not what this is about. This is about allowing for bonuses to be paid to an Irish-owned institution that was bailed out. AIB will own this entity 100% but AIB was bailed out with nearly €21 billion.

Will the Minister enlighten the Dáil as to what is the average bonus paid to a senior wealth manager in Goodbody? Would he be surprised, for example, if I told him it was €400,000 to €500,000? Is that what the Minister has signed off on or is it something less? Will he tell us what he has signed off on because the law states that bonuses cannot be paid to entities bailed out by the Irish taxpayer, particularly an entity that still owes €10 billion to the Irish taxpayer from that bailout? What are the bonuses that the Minister has allowed in Goodbody? If he has nothing to hide and thinks everything is great and upfront, will he tell the people what are the average bonuses for the most senior people in Goodbody?

Deputy Paschal Donohoe: Bonuses paid to Goodbody were paid by a company that the State at that point did not own. What I am doing here is allowing remuneration in Goodbody to continue as it was in the past. I am allowing AIB to continue to be subject to the policy in place relating to bankers' pay. It is really clear what is happening.

I do not have available to me now the information regarding the level of Goodbody bonuses for last year. I did not bring that into the Chamber. At that point the Government was not involved in, or AIB did not own, that company. Why all this is being done is because it is good for three Irish companies.

I want to ask Deputy Doherty a question. Is he against this transaction happening? All that matters to Deputy Doherty is that he can get Facebook content so he can ring up his pals either in Berlin or Belgrade to get them to send out material about what we are doing here. What I am

doing is making decisions that are right for Irish companies. I am trying to put in place a positive future for, in particular, indigenous Irish companies. I have answered the question. I know Deputy Doherty will be speed-dialling his buddies in Berlin to generate whatever material he wants. This is about Irish firms. Are you in favour of a transaction happening that is good for Irish companies?

(Interruptions).

An Leas-Cheann Comhairle: The Minister should speak through the Chair.

(Interruptions).

An Leas-Cheann Comhairle: The Deputy is eating into other Members' time. I ask both the Minister and the Deputy for their co-operation.

Ceisteanna Eile - Other Questions

Insurance Costs

57. **Deputy Marc MacSharry** asked the Minister for Finance the measures that can be taken in order that insurance companies provide rebates and premium reductions to customers in the case of a decline of claims costs related to Covid-19; and if he will make a statement on the matter. [17166/21]

144. **Deputy James Lawless** asked the Minister for Finance the way he is engaging with the insurance industry on the way it responds to the needs of its customers during the pandemic. [17146/21]

Deputy Marc MacSharry: This question is for the Minister of State, Deputy Fleming. Will he outline the measures that can be taken in order that insurance companies provide rebates and premium reductions to customers in the case of a decline of claims costs related to the Covid pandemic?

Minister of State at the Department of Finance (Deputy Sean Fleming): The provision and pricing of insurance products are underpinned by the EU Solvency II directive insurance framework. Consequently, neither the Minister for Finance nor the Central Bank of Ireland can direct insurance companies as to their business activities, nor can they compel any insurer operating in the Irish market to provide refunds to its customers as this is a commercial matter.

However, working to protect insurance policyholders during and after the Covid-19 crisis remains a priority issue for the Government. As such, it is included in the Action Plan for Insurance Reform. Throughout the pandemic, the Government has consistently called on insurers to treat customers honestly, fairly and professionally, as well as in line with the Central Bank's consumer protection code.

Both the Minister and I have had extensive engagement with insurers and other key policy stakeholders. In the Minister's meeting with industry representatives, Insurance Ireland, almost a year ago, he called on motor insurers to be proactive and generous towards their customers. He noted what was likely to be a significant reduction in claims due to the travel restrictions

then in place. This intervention saw several insurers announcing a range of forbearance measures and motor insurance rebates for policyholders. A variety of methods for offering rebates were used such as cheques being sent out, electronic transfers and vouchers.

As part of a comprehensive stakeholder engagement on the insurance reform agenda, I held a series of subsequent meetings with the main insurers late last year. I met with the chief executives of each of the main insurance companies individually when I again raised the need for industry to respond to both the Government's ongoing reform agenda, as well as the needs of customers during this pandemic through lowering premiums, continuing to offer forbearance measures, and expanding their risk horizon across various market segments.

Building on this engagement to date, I will be meeting with the insurers individually from next week to discuss their assessment of the new personal injuries guidelines. The industry's ongoing response to the pandemic will be included on the agenda for these meetings. Both the Minister and I will continue to put our views across on these issues, engaging with insurers and other relevant stakeholders regarding the importance of supporting customers and providing the necessary reliefs throughout this crisis period.

Deputy Marc MacSharry: I thank the Minister of State for his response.

Part of the issue is when we end up in government we have to say different things. I do not doubt the Minister of State's commitment. As a former Chairman of the Committee of Public Accounts, I know more than anybody that he would be least likely to go native as quickly as others in the past.

The answer prepared for him is that all of these rules are set by Europe, it is a commercial decision for the company and so on. The programme for Government, however, gives a clear commitment on what we will do to reduce the insurance costs of companies all over the country, as well as the reduction in personal injury payouts. For that, we need the support of the Judiciary. When we raise that, we will be told it is a matter of separation of powers and we cannot get in there. This is frustrating for the people. The people want their Government to take action that will lead to an outcome that benefits them.

Deputy Sean Fleming: A number of key achievements have already happened in the past few months since we went into government and as a result of the Action Plan for Insurance Reform. We established a new office to promote competition in the insurance market which I chair. That entails meeting the individual companies which operate in the State to ask them to increase their risk appetite. That means for them to go into sectors in which they are not currently. I have met with some companies that have already withdrawn from certain sectors of the Irish economy because of the unpredictable nature of awards. The personal injury guidelines that were published about four weeks ago are introducing certainty. The original book of quantum operated by PIAB will now be replaced by these judicial guidelines. Just last week, this House and the Seanad passed those new guidelines into law and they will be commencing very shortly.

Deputy Marc MacSharry: I welcome the news about the group the Minister of State chairs. Ultimately, the Government needs to consider the establishment of a State bank, which was not far away from Fianna Fáil, or indeed Fine Gael, policy in the past. Both the Minister and the Minister of State need to unite around the Cabinet table and look at the establishment of a State financial services provider, be that in banking, which we will go into another day and I

had the opportunity to do so some weeks ago, or insurance. If there is one way of regulating and ensuring fair conditions in a market, it is to be the State provider of competition in that market for a period. We have done it before with ACC and ICC. The model worked and it can work again. It has never been more necessary than it is today.

Deputy Sean Fleming: I acknowledge the Deputy's points about the State's involvement in insurance. Through the State Claims Agency we have very extensive involvement in settling insurance claims taken against any public body, as well as Irish public bodies that are not State bodies but are connected very closely to the local authorities, and it covers all claims against local authorities and education and training boards. The State itself is directly involved in settling claims and we have first-hand experience of that.

The private insurance market is a matter for the private sector. The need for a State bank is an interesting point and the Deputy referred to the ones we owned previously. It must be stated we are the majority shareholder in AIB. We own well over 70%. We are also the majority shareholder in Permanent TSB and own well over 70% of that. We have a very high stake in Bank of Ireland. There is probably no other country in Europe where the state has such an ownership level in all the major banking and financial institutions. When it comes to having a State bank, we are involved in every single one of them.

Banking Sector

58. **Deputy Mick Barry** asked the Minister for Finance the steps he will take to defend jobs and services in the branch networks of banks; and if he will make a statement on the matter. [17194/21]

Deputy Mick Barry: What steps does the Minister intend to take to defend jobs and services in the branch networks of banks? I ask him to make a statement on the matter.

Deputy Paschal Donohoe: As the Deputy will be aware, decisions with regard to staff and the management of branch networks are the responsibility of the board and management of individual banks, which are run on an independent and commercial basis. As Minister for Finance, I do not have a role in these commercial decisions.

The withdrawal of Ulster Bank from the market and the decision by Bank of Ireland to close 88 branches in the Republic of Ireland are a deep blow, particularly for their customers and staff, and they represent very unfavourable developments for the Irish banking market. Bank of Ireland has commented it will be working closely with its employees at these branches and will be setting out a range of options for them, including relocating to a different branch, moving to a new role in the bank, or voluntary redundancy for those who choose it. I also welcome Bank of Ireland's announcement of a partnership with An Post to ensure counter services will still be available for its customers locally.

With regard to Ulster Bank, while the management of staff matters is a matter for the bank and any counterparty that acquires its business, I expect all stakeholders will be very sensitive to the needs and rights of staff. This includes full compliance with the European communities regulations of 2003, which refer to the protection of employees on the transfer of undertakings and the honouring of all agreements in place between the bank and its staff representative bodies. In addition, I would expect such banks to engage with staff body representatives, as

appropriate.

The Deputy will be aware I met with representatives from both Ulster Bank and its parent company in recent months. During these engagements, I strongly emphasised the importance of timely communication with staff, customers and other stakeholders about the future of Ulster Bank. I also met with the Financial Services Union, FSU, and the Minister of State, Deputy Fleming, met the FSU yesterday.

Deputy Mick Barry: Let us recap what we are talking about as regards job losses. In Bank of Ireland there will be 1,400 to 1,700 redundancies. In Ulster Bank 2,800 jobs are in jeopardy, as are 300 at PTSB and 1,500 at AIB. The grand total is more than 6,000. It is not good enough for the Government to say market forces rule and it is not going to interfere, or it appealed to the boards of the banks to play by the Queensberry rules, etc. A pause should be put on these redundancies and closures, at the very least until the end of the Covid pandemic. The FSU has raised the idea of a banking forum, which could look at issues such as improving customer services, improving the work-life balance of staff and so on. Perhaps optional redeployment into other areas could be part of that forum. What does the Minister have to say about that proposal put forward by that trade union?

Deputy Paschal Donohoe: It is only very recently that I have ever heard Deputy Barry talk about the people who work in the banks. Any time he stood up all he had were words of harsh criticism for banks, which at times I understand, but I have never heard him make any reference to the people who work in the banks in any exchange with me until recent weeks. I welcome his new-found interest in the people who work for the banks.

It has always been a priority of mine to see how we can put policies in place that allow our banks to grow in such a way as to allow them maximise employment. However, I do not play a role in that area nor can I direct the banks on how many people they employ or where those people should be employed. I do not have that power. Deputy Barry wants to complete the nationalisation of our banks so perhaps he might explain how we would be able to pay for that. I regret many of the decisions that have been made and wish they were otherwise but I do not play a role in that regard and I cannot direct the banks to reverse them.

Deputy Mick Barry: I assure the Minister that my interest in the well-being of bank workers is far from new-found. If he talked to some of the bank workers I have assisted in their various campaigns in the 1980s, 1990s, 2000s and 2010s, that might clarify the position for him. We will leave that matter there.

This is a test for the Government. There are massive redundancies coming down the line in retail, and post Covid there will be massive redundancies in other industries as well. Now there are more than 6,000 jobs on the line in the banking sector. Are the Minister and the Government going to stand on the sidelines or stand idly by and say the market rules and there is nothing they can do? Will the Government make meek appeals to the boards of the banks to show a little bit of fair play and compassion or will it intervene in a serious way in an attempt to defend jobs and services? The ball is in the Minister's court.

Deputy Paschal Donohoe: I am well aware of the responsibilities I have. It is interesting to hear the Deputy refer to the interest he appears to have had for many decades in the people who work for those banks. I stand by the comment I made. The first time he ever raised this matter with me was in recent weeks.

I am of course aware of the challenges many big employers face within our country, but many of them are employers in which this country and its taxpayers do not have a share. As regards the banking system to which we are referring, we do have a share in each of the three banks but we do not have a role in the commercial decisions those banks make. Deputy Barry knows that. He knows I do not have the legal power to intervene and do what he is looking for me to do. He knows I cannot mandate boards of banks to do things differently from what they are planning regarding employment. What I have looked to do is engage directly with the banks. Through the engagement I have had with NatWest, for example, I look to deal seriously with the issues to which the Deputy is referring, as opposed to making the kind of comments he has just made.

Question No. 59 replied to with Written Answers.

Question No. 60 taken after Question No. 61.

Insurance Costs

61. **Deputy Marc MacSharry** asked the Minister for Finance if he will make contact with the insurance industry to request that annual premium renewals are reduced for sports clubs that are being hit by large premiums. [17165/21]

76. **Deputy Pádraig O'Sullivan** asked the Minister for Finance the steps he is taking to tackle the cost of rising insurance premiums which are currently crippling businesses; and if he will make a statement on the matter. [17073/21]

An Leas-Cheann Comhairle: Gabhaim buíochas leis an Aire. Rachaimid ar aghaidh anois le Ceist Uimh. 61 in the name of Deputy MacSharry and the linked Question No. 76 in the name of Deputy Pádraig O'Sullivan. I call Deputy MacSharry to speak now.

Deputy Marc MacSharry: I thank the Leas-Cheann Comhairle and the Minister of State, Deputy Fleming, again and ask him if we will make contact with the insurance industry chiefs and request that the annual premium renewals are reduced for sports clubs that are being hit by very large premiums.

Deputy Sean Fleming: As I indicated earlier, I am meeting with the chief executives of each of the major insurance companies in Ireland over the next fortnight and I want to give an assurance to the Deputy that I will specifically put that item on the agenda for those insurance companies that deal with sports clubs, and not with just these clubs but with other voluntary sector organisations, together with groups and people in the community sector who also have difficulty in getting insurance. I will be asking those who are involved in the industry at that meeting to re-examine the premiums being charged for the coming year in view of the fact that many of the sports clubs and voluntary sector organisations were closed for most of last year and are currently under restrictions, which will continue for some time. There will be much reduced activity, risk of injury and of claims as a result.

I will also be asking those companies that are not directly involved in this area, which for one reason or another either pulled back from it or were never involved in the sports insurance area, to have a look at the industry now, especially since the judicial guidelines have been published and enacted in law.

Two key issues were mentioned regarding the provision of insurance in Ireland in all of my engagements with the insurance companies last autumn. One was the level of awards and the associated legal costs. The second was the lack of certainty where they could not plan or make reasonable financial projections as to the cost of claims over a reasonable period of time. The Judicial Council guidelines have achieved a very substantial reduction in personal injury claims which are, on average, in the region of 50%. In some cases it will be much higher than 50% but in other cases it will obviously be lower. There are very substantial reductions in the awards planned under the new judicial guidelines in a number of the main areas of claims we are talking about, small injuries that cure within a short period of time and which leave no lasting effect on the individual, compared with the book of quantum that PIAB uses at the moment.

In addition, the issue of certainty is very much back on the table. From our point of view, up to now we were in a weak position because nobody in Ireland could reasonably predict what would come out of a court case. Now that the judges have collectively made this decision and have issued very strict guidelines, to ensure that the judges themselves follow the guidelines they have agreed to, these will apply bar in very exceptional circumstances where a case must be stated. This level of certainty will help us to bring other insurance companies back into the business of providing cover in this sector.

One further point to be made is that there are other elements involved because incidents happen in sports fields, clubs and sporting activities where people can suffer significant injuries. We hope that all recover within a very short period of time. We were not able to predict how much some of the awards would cost up until now. That is now happening and I have met some sports clubs over the past year that have given me examples of some very serious awards against their club and their insurance company which resulted in them not being able to get insurance cover on a subsequent occasion. I am confident in saying that those days are behind us and insurance will be available for all of these groups now. We want to increase competition because we cannot mandate precisely the price ourselves. It is not within our gift and is a commercial decision but I believe that we will get a positive response from the chief executive of these companies when we meet over the next two weeks.

Deputy Marc MacSharry: I thank the Minister of State for that reply. I am aware of his response to the State getting involved in financial services and he mentioned Irish Public Bodies, IPB Insurance. Is it possible, perhaps, when it comes to community initiatives such as sports clubs, not-for-profit organisations, local festivals and such events, playgrounds and so on, that IPB Insurance could be considered as the insurer for such a situation?

As to a State bank, the Minister of State mentioned that we had a high shareholding in so many financial institutions, and I agree with that assessment. We are probably, however, one of the most passive shareholders in the world. I would be taking a very strong view, given the strength and size of our shareholding, on the policies that are being pursued by that financial institution, which we are not prepared to take on. That is why I would like to see a State bank. I thank the Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: I call Deputy O'Sullivan now.

Deputy Pádraig O'Sullivan: Gabhaim buíochas leis an Leas-Cheann Comhairle. I welcome the Government's Action Plan for Insurance Reform which was launched in December. I note the progress made to date and the update the Government provided last week. Actions delivered upon include the adoption of new personal injuries guidelines, a public consultation

on enhancing the role of the Personal Injuries Assessment Board, new regulations on solicitors' advertising, and a response to the Central Bank report on dual pricing.

Many small businesses have been kept afloat with the assistance of Government supports over the past year and I want to acknowledge the great amount of work done by the Minister of State, his Department, and the Minister, Deputy McGrath, in that regard. If businesses are to recover post Covid-19, however, we must ensure that the reform of the insurance sector happens as quickly as possible. Can the Minister of State give a commitment that the issue of insurance reform will be addressed this year?

Deputy Sean Fleming: I want to thank both Deputies for their contributions and I also appreciate the summary provided of the activities we have carried out in the insurance sector. I have concentrated on the judicial guidelines but our priorities for the next three months include the reform of the duty of care legislation, which is very important for all businesses, especially for sporting, voluntary and community organisations where accidents can happen.

We are strengthening the law on perjury; enhancing the enforcement powers of the Competition and Consumer Protection Commission; expanding the national claims information database operated by the Central Bank; and, for the first time ever, we will be bringing out a report on employer public liability insurance. That report will be the first ever such report we will have had available to us and will cover all of the issues referred to here by the Deputy.

Finally in my reference to IPB Insurance, this is a mutual insurance company generally managed by the County and City Management Association and responsible to it. I suggest the Deputies make contact with their relevant local authority manager to make contact, in turn, with the County and City Management Association to see if it can assist in insurance for festivals and playgrounds.

Deputy Marc MacSharry: I thank the Minister of State very much for his words but to conclude, there are many reasons not to do something. Real leadership is having the courage to do things. I would like to see the State ultimately entering the financial services world. I do not trust any of the banks, whether we are shareholders in them or not, and I am a former employee of one of them. I do not trust any of our insurance companies either because, as I said here some weeks ago, their business is cold profitability being delivered through dividends for their shareholders. We work for the people and not for the financial services industry. In that regard, we should be prepared to look at the establishment of a State bank and a State insurance company and the provision of a broad range of financial services to our people. We can then have an element of control of consumer price rather than one that is based exclusively on cold profitability. I ask both Ministers to please consider this point.

Deputy Pádraig O'Sullivan: Exaggerated and misleading insurance claims have for far too long driven up costs and impacted competitiveness. It was the case in previous years that businesses had to eat into their everyday cash flow in order to pay off the high cost of insurance. This will not be an option for most businesses post Covid-19 as many of them are financially vulnerable. In the past, areas such as hospitality were greatly impacted by increases in premiums. Hospitality is one of those most vulnerable sectors at the moment due to the public health emergency. I am cognisant that as businesses reopen they are going to be in an exceptionally vulnerable financial position. Can the Minister of State ensure we get this right and implement the reforms as quickly as possible?

I ask that the Leas-Cheann Comhairle might indulge me for a moment longer.

8 o'clock

Today, along with 20 other Senators and Deputies, I received a rapid antigen test. I have mentioned the hospitality sector, and I believe this product will be fundamental to what we do after the lockdown when we open up. Does the Minister for Finance have plans to give a tax rebate or tax exemption to companies supplying these products?

Deputy Sean Fleming: Two issues were mentioned in particular regarding the hospitality sector. Last Friday, I met the Irish Hotels Federation and a key issue it is concerned about is the wider support for those in the industry from the Government, for which they are grateful. They would not continue to exist without this high level of support. Separately, today I met a group of 20 hoteliers from the Munster region to discuss insurance. They made a number of key points, which we are taking on board. Some of them rely on underwriters from outside the State and this is an issue we have to look at because in my opinion it is not a fair process that a number of the major hotels in the country have to get their insurance from outside the country because of instability in insurance awards in the past. Some companies have been slow to cover businesses with very high footfall.

With regard to the issue of a State insurance company, I do not think we have any plans to go down that road. We are in the EU. There is free movement of goods and services and it is an essential element of why Ireland joined the EU. For us to say we are not willing to allow that situation to continue and that we want to take over and nationalise the insurance industry in Ireland is not an option.

Tax Code

60. **Deputy Matt Carthy** asked the Minister for Finance if he will extend the exemption of green diesel from the increase to the carbon tax introduced as part of budget 2021; and if he will make a statement on the matter. [17195/21]

An Leas-Cheann Comhairle: Arrangements have been made for Deputy Doherty to take Question No. 60.

Deputy Pearse Doherty: I appreciate this. The question is about whether the Minister will extend the exemption on green diesel from the increase in carbon tax introduced in budget 2021. There is an extension whereby it will not come into effect until 1 May of this year, as a result of the dual issues of Brexit and the pandemic. These issues have not been resolved but there are also serious issues in terms of the fairness of the tax. We want to hear the views of the Minister on it.

Deputy Paschal Donohoe: Ireland's excise duty treatment of fuel used for motor and heating purposes is based on European Union law as set out in Directive 2003/96/EC on the taxation of energy products and electricity, commonly known as the energy tax directive.

Mineral oil tax is an excise duty comprised of carbon and non-carbon components. The carbon component is often referred to as carbon tax, but it is only one part of the overall tax that applies to mineral oils and other fuels used for motor and heating purposes. Mineral oil tax as applied in Ireland is subject to the requirements of the energy tax directive.

The main agriculture exposure to excise duty comes from the fuel inputs primarily through the use of marked gas oil, which is also commonly referred to as green diesel, farm diesel or agricultural diesel. Marked gas oil is currently subject to a rate of mineral oil tax of 11.8 cent per litre. This compares to the current full rate of mineral oil tax for auto diesel used as a propellant of 51.5 cent per litre.

Farmers and agricultural contractors who incur expenses in relation to farm diesel in the course of their trade of agricultural contracting may claim an income tax or corporation tax deduction for these expenses, including any carbon tax charged in respect of the diesel.

Section 26 of the Finance Act 2020 increased the rate of carbon tax to €33.50 per tonne. This applied to transport fuels from midnight on budget night but in line with the policy approach applied in this area in recent years, I delayed its implementation on all other fuels, including marked gas oil, until 1 May, after the winter heating season. This was not an exemption of marked gas oil from the budget 2021 increase. It was a repeat of what we did in previous years. I remain committed to the plans I outlined in the Finance Bill.

Deputy Pearse Doherty: The Minister will appreciate that the agricultural sector is going through very challenging times as a result of Brexit and, like many other sectors, the pandemic. He is also aware that as he introduced the budget, despite the fact this issue was postponed until 1 May there was quite a backlash from the agricultural sector with regard to this increase. These are people who care for the land very much but have seen this increase as a way of picking their pockets. Many people, particularly in communities such as mine in Donegal and along the west coast, are struggling to survive on the small farm holdings they have. The introduction of this has been postponed until 1 May. The question is whether the Minister is open to deferring it further. In particular, will he address the inequalities that exist between farm contractors and farmers with regard to being able to claim back the relief under section 664A?

Deputy Paschal Donohoe: I am very much aware of the issues Deputy Doherty has referred to and the hardship many people in our agricultural community are facing due to the issues of the pandemic and the consequences of Brexit. However, this measure has been introduced on a phased basis over many years. The ongoing challenges that members of the agricultural community face regarding the costs and impact of carbon taxation on their living standards and the bills they need to pay are reflected in the taxation treatment provided for with respect to carbon tax. This is how we are recognising the issues Deputy Doherty is referring to. It is my understanding that not only farmers but also agricultural contractors who incur expenses on farm diesel in the course of their trade are able to claim this back as a business expense against either their income tax or their corporate tax bill.

Deputy Pearse Doherty: The Minister is aware that farm contractors are not able to claim back the double income tax reliefs that farmers do. He is aware of this because he previously stated he would consider looking into it. Has he considered this matter? Is he aware that, for example, the association of farm contractors has made it clear that the costs involved are in the region of €13,455 per annum per contractor? They state they will have no option but to pass this on to the individual farmers for whom they work. This is why the issue is important. Is the Minister open, as he has indicated previously, to considering the matter? Has it now been concluded? Where does he stand on the issue that while farmers are able to avail of the double income tax relief under section 664A farm contractors are not?

Deputy Paschal Donohoe: I remain committed to the implementation of the carbon tax

changes that were included in the Finance Bill. These include the increase in carbon pricing and a number of other fuels from 1 May. I am aware of the issue Deputy Doherty referred to regarding independent agricultural contractors. I remember with the Finance Bill before last referring to difficulties I faced regarding the definition of these contractors and the work they do. I will get an update for the Deputy on where work on this issue stands. With regard to the core issue as to whether the change is going ahead, I need to inform the Dáil that it will be, and while I acknowledge the many challenges it poses for some, it is an essential part of how we can respond to the challenge of climate change.

Questions Nos. 62 and 63 replied to with Written Answers.

Banking Sector Remuneration

64. **Deputy Mick Barry** asked the Minister for Finance his views on the continuation of the bankers' pay cap; and if he will make a statement on the matter. [17193/21]

Deputy Mick Barry: What are the Minister's views on the continuation of the bankers' pay cap? Will he make a statement on the matter?

Deputy Paschal Donohoe: The Deputy will be aware that Government policy on banking remuneration has remained unchanged since the financial crisis. Extensive restrictions are in place and these are not simply confined to a small number of senior bankers whose pay is restricted by the €500,000 cap. These restrictions affect approximately 23,000 workers across the three banks in which the State has a shareholding. The policy dictates that variable pay, including bonuses and any other benefits such as health insurance and childcare, cannot be paid to any staff members from the most junior, lowest paid staff to, of course, the most senior ranks.

The previous Government reviewed this issue. Stakeholders engaged with included the major institutional investors in the banks, advisory firms, the Financial Services Union, the chairs of the remuneration committee in each of the banks, the Central Bank of Ireland and representatives of the Single Supervisory Mechanism. I acknowledge there is a very different environment in place now from a regulation point of view, which will help prevent the return to some of the excesses of the boom years.

Furthermore, the powers of the Central Bank were significantly enhanced by the Central Bank (Supervision and Enforcement) Act 2013, in particular powers to take action against wrongdoing by financial services providers and to strengthen the ability of the Central Bank to take action against individuals.

Deputy Mick Barry: In the Minister's exchange with Deputy Doherty earlier, he made the point that Goodbody was not covered by the cap, that the State had no control over the remuneration it paid its top executives and that he was not proposing any change to the cap for AIB executives. However, what he did not deal with was the fact that if AIB takes control of Goodbody, then AIB executives can transfer over to Goodbody, and those executives can be paid €500,000-plus and the bankers' bonuses without the 87% rate. They can find a way around the cap. The Minister indicated his support for that deal on that basis. I ask him whether he is prepared to reconsider his position on that, particularly given what the ordinary rank-and-file bank workers have to suffer at the moment.

Deputy Paschal Donohoe: The Deputy is correct that I did not refer to that in the earlier exchange but I did refer to it, I believe, in the answer I gave to Deputy Doherty. I certainly referred to it on the night of the debate on the banking sector in the Dáil a number of weeks ago on this and other issues.

The reason I support it is that if Goodbody is going to be integrated into AIB - and I believe that is the appropriate thing for AIB - it is part of what can offer a better future for the bank, the people who work for it, Fexco and Goodbody itself. If that is going to happen, there will be AIB people involved in providing some essential services within Goodbody or, indeed, playing senior management roles within Goodbody, and they will be paid as Goodbody employees. If I did not have a provision like this in place, we would end up with the potential for mockery and people leaving AIB and then going to work for Goodbody. That would be a dishonest position to present to the Dáil.

Deputy Mick Barry: Unfortunately, the Minister's very weak position on this issue is encouraging other senior bankers who want to drive a coach and four through the banking cap and find a way around it. At the Oireachtas finance committee recently, the CEO of Bank of Ireland, Ms Francesca McDonagh, was not prepared to discuss her bank's interest in Davy and what would happen if it was to purchase Davy, but was prepared to discuss a theoretical situation where the bank would acquire an entity, which we agreed to call entity B. She made precisely the point that if Bank of Ireland acquired entity B, it would be in favour of keeping the high rates for entity B and allowing executives from Bank of Ireland to transfer over and to avail of those rates as well, subject to the Minister's agreement. It would be kind of hard for him to oppose it when he has given it the green light this time around.

Deputy Paschal Donohoe: The reason I have agreed to this particular proposal is that I believe it is good for three Irish companies involved in it - for the company that was looking to sell Goodbody, for Goodbody itself and for AIB. These are all very big employers and are all companies that matter to the economy. Perhaps Deputy Barry is against that transaction happening at all. Although he is against the sale happening, we still have one Irish company looking to sell part of its company, that is, Goodbody. That sale was attempted on two different occasions but did not happen on either of those occasions. I believe it is in the overall long-term interest of those three companies that the sale happens, which is why I have supported this agreement. I came into the Dáil shortly afterwards and explained why.

In regard to what Bank of Ireland may or may not do, that is a matter for that bank and the decision it makes about any commercial process it is involved in.

Question No. 65 replied to with Written Answers.

Illicit Trade

66. **Deputy Brendan Smith** asked the Minister for Finance the additional measures he will implement to counteract the illegal and cross-Border trade in tobacco and drink products and household fuel products; and if he will make a statement on the matter. [17154/21]

Deputy Brendan Smith: The Minister may recall that I table questions on a regular basis regarding the need to ensure the statutory agencies have the resources and tools available to them to deal with illicit trade and cross-Border smuggling. Sadly, despite all the good measures

and the good work of our statutory agencies at local level, substantial illegal trade is still happening. I ask that we be vigilant at all times and that we introduce new measures, if needed, to counteract such illicit behaviour by gangsters and criminal gangs.

Deputy Paschal Donohoe: I am assured by Revenue that combating the threat which fuel fraud and the illicit alcohol and tobacco trades pose to legitimate businesses, consumers and the Exchequer continues to be a priority. Steps taken by Revenue to combat the illegal mineral oils trade, including home heating oils, include the introduction of stringent supply chain controls and reporting requirements, a rigorous programme of risk-focused enforcement action and the application of robust legislation. In addition, Revenue and the UK Revenue and Customs undertook a joint initiative to introduce a new marker for use in marked fuels, which came into operation in April 2015. The industry view, I believe, is that the actions taken have been successful in curtailing fuel fraud.

Solid fuel carbon tax is an excise duty that applies to coal and peat when first supplied in the State for use as a fuel. Neither the movement of solid fuel into the State nor the physical presence of solid fuel in the State generate a liability to solid fuel carbon tax. Therefore, there is no smuggling offence, in terms of evasion of solid fuel carbon tax, attaching to coal coming into the State from Northern Ireland. It is collected by Revenue on a self-assessment basis and compliance with the law is enforced using the full range of compliance interventions and enforcement provisions for self-assessed taxes. I am advised that a solid fuel carbon tax compliance module has been included in Revenue's ongoing mineral oil tax national compliance project.

I am well aware of the importance of this matter and all of the work that goes on between Revenue and An Garda Síochána to deal with the very serious issues that Deputy Smith has persistently raised with me on behalf of his constituents.

Deputy Brendan Smith: I thank the Minister for his reply. I want to take the opportunity to complement the members of the Garda, the Revenue Commissioners and other statutory agencies and local authorities who have had to deal with these thugs and criminal gangs over the years. They are a very sophisticated outfit and I know there has been very good work done. However, we need to be vigilant. Our measures, legislation and regulations need to be monitored and reviewed because we know things move on with technology and so on. It is a bit of a misnomer to use the term "self-assessment" in regard to smugglers. I know what type of self-assessment they do.

There will be an additional problem after 1 May in that there will be an extra carbon tax here on smokeless and smoky coal, and there will be a big differential between the price charged by legitimate businesses in our State in comparison to what is being charged north of the Border. I see those depots right along the Border. I spoke to some of the people in small and medium companies who are working extremely hard to survive. They are at their wits' end in regard to the uncompetitive environment they are working in, trying to deal with imports of much cheaper product from Northern Ireland. I ask that officials would look again at that issue after 1 May.

Deputy Paschal Donohoe: I assure the Deputy that all that can be done is being done by An Garda Síochána, their counterparts in Northern Ireland and Revenue on this matter. I accept that the changes to our carbon tax that come into force in May will have an impact on the differentials to which Deputy Smith refers. However, the differentials that can lie behind the smuggling to which the Deputy referred will be the subject of a minor change that can be attributed to the increase in carbon pricing in May. I know that there will be a change but I do not

believe that, of itself, will be a contributor to some of the issues referred to by him.

I will give the House an example of the kind of work that is under way. Cigarettes and other tobacco goods to the value of €36.9 million were seized by the Revenue Commissioners across 2020. I am advised that at the beginning of this year, Revenue participated in a number of joint operations within low smoke zones to deal with some of the issues of concern to the Deputy.

Deputy Brendan Smith: For some time, I have advocated more cross-Border agency work and a joint approach by both police forces and Revenue offices. That is happening and it is very welcome. Again, I take the opportunity to compliment officials at local level who are dealing with these matters but there is a trade going on out there and small-scale traders, the owners of legitimate businesses who dutifully pay their taxes and dues to this State, are finding it hard to survive. My message is that we must be constantly vigilant and attentive to this matter. If additional resources or powers are needed by statutory agencies, these should be provided. At times there are additional demands on our local authorities to conduct additional inspections but no additional resources are provided. That happened last year with regard to the monitoring of smokeless fuels. Local authorities were not given the additional resources they needed to carry out their statutory obligations. I ask that the Department would look at that in the overall context.

Deputy Paschal Donohoe: Resources are being made available, particularly to the Revenue Commissioners, to deal with the issues referred to by the Deputy. I mentioned earlier the work now being done by Revenue in terms of the joint operations being conducted in low smoke zones. Revenue is collaborating with the Department of the Environment, Climate and Communications and local authority solid fuel inspection teams with a view to checking compliance with the important taxes in this area. If the Deputy is aware of any particular issues in terms of additional resources that are needed to enhance this work, I ask him to let me know. Although it is not directly connected to the issues he raises now, he might be interested to know that in relation to seizures of oil, there were 601 different activities by Revenue across 2020 alone. These are really serious issues which are being taken very seriously by the Revenue Commissioners and the Government.

An Leas-Cheann Comhairle: I am afraid that we only have time for one more question. We will move on to Question No. 70 in the name of Deputy Doherty.

Questions Nos. 67 to 69, inclusive, replied to with Written Answers.

Mortgage Insurance

70. **Deputy Pearse Doherty** asked the Minister for Finance the engagement he has had with mortgage lenders regarding mortgage applicants unable to draw down their mortgage loans due to their inability to secure mortgage protection insurance on health grounds in the context of Covid-19; if he has discussed their ability to waive this requirement under section 126 of the Consumer Credit Act 1995; and if he will make a statement on the matter. [17180/21]

Deputy Pearse Doherty: I wish to ask the Minister what engagements he has had with mortgage lenders regarding applicants who have not been able to draw down their mortgage. I refer to individuals who have conditions that may make them more susceptible to adverse outcomes if they contract Covid-19. They are not being provided with mortgage protection insur-

ance. In some cases, they have paid a deposit for a house. They have been pre-approved for a loan from the bank but the bank is not letting them draw down that loan. What engagement has the Minister had on this?

Deputy Paschal Donohoe: When a person applies for a mortgage loan to buy a home, he or she will generally be required to take out mortgage protection insurance. In most cases, a lender is legally required under section 126 of the Consumer Credit Act 1995 to make sure that a mortgage applicant has mortgage protection insurance in place before granting a mortgage loan. This is an important statutory provision designed to protect the borrower's dependants and their home should the borrower die before the mortgage has been repaid. However, the Act also recognises that in certain cases such protection is not necessary or would be inappropriate and it provides for a number of limited exemptions to this statutory obligation, such as where the borrower belongs to a class of persons and other exemptions.

I do not play a role in the mortgage and insurance issues raised by the Deputy, which relate to commercial decisions made by banks. However, I am aware that this is an issue. It has been raised by a number of constituents and other Deputies, as well as by the Deputy, in recent days and weeks. While I cannot instruct the banks with regard to this, I will engage with them on it. In what is a difficult time for so many, these decisions can become even harder. I cannot instruct the banks with regard to this but I will engage with them on it and see if I can bring any further clarity to the issue for the Deputy.

Deputy Pearse Doherty: I thank the Minister for that and ask that he would also raise it in his engagements with the insurance industry. Indeed, some of the banks own some of the insurance companies providing mortgage protection insurance. Bank of Ireland, for example, has its own insurance company, which is not providing mortgage protection cover to anybody who had symptoms of Covid-19 over the past three months. It is putting those applications on hold for at least a month. The provision in section 126 exists for a reason. It does not exist in Britain, for example, but I believe it is important because it provides protection for families. As the Minister said, however, there is provision for exemptions and that needs to be used, particularly in cases where families thought they had bought their house. They paid their deposit and knew that the mortgage had been approved but they fell at the very last hurdle. Not only did they fall, they lost the house and the deposit. The law allows banks to make an exemption and that must be impressed upon them. I encourage the Minister to engage with the banks on this matter and urge the Minister of State, Deputy Fleming, to engage with the insurance industry on it. The Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach has written to the banks and insurance companies on the matter.

Deputy Paschal Donohoe: The Deputy made an important point. There is a reason exemptions are provided for in section 126 of the relevant law. I appreciate that many families are in difficult circumstances because of the effects of this disease on them and many others and this issue is dealing them an even harsher blow. I must be precise here because I do not want to mislead the Dáil. I cannot instruct the banks on how to handle this particular matter. That said, I do appreciate the distress it is causing and I am planning to understand the matter further with the banks, particularly why individual decisions are being made, and to see if there are any policy consequences.

Deputy Pearse Doherty: I appreciate that. My last point may be a matter more specifically for the Minister of State, Deputy Fleming. The banks can give exemptions. We all know why they want this protection and rightly so but the insurance industry needs to look at its policies

now, particularly with regard to people who have diabetes. This is the most prevalent issue in the cases coming into our offices. If a person has diabetes, many of the providers are putting his or her application on hold, some for six months and others, such as Royal London, for 12 months. That needs to be addressed in the context of where we are with Covid.

Deputy Paschal Donohoe: I assure the Deputy that in the engagement that the Minister of State, Deputy Fleming, is having with our leading insurance providers on the matters we covered earlier in the debate, he is planning to raise that particular issue.

An Leas-Cheann Comhairle: That concludes this session.

Written Answers are published on the Oireachtas website.

The Dáil adjourned at 8.30 p.m. until 10 a.m. on Thursday, 1 April 2021.