



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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## DÁIL ÉIREANN

*Déardaoin, 27 Bealtaine 2021*

*Thursday, 27 May 2021*

Chuaigh an Leas-Cheann Comhairle i gceannas ar 8.50 a.m.

***Paidir.***

***Prayer.***

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### **Covid-19 Vaccine Roll-out: Statements**

**Minister of State at the Department of Health (Deputy Anne Rabbitte):** I am pleased to be able to update the House on the vaccine roll-out programme as it relates to people with disabilities. The national vaccine programme is unprecedented in its scale and will grow to become the largest immunisation programme in the history of the State. It is important to me and to people with disabilities and their families that the appropriate priorities are made in the national roll out, which I have spoken out about a number of times. It is also important for me to acknowledge how hard it has been on people with disabilities and their families over the course of this pandemic. It has not been easy, of that there is no doubt but we are turning a corner now and there are brighter days ahead.

Covid-19 has affected people with disabilities significantly and there have been 155 outbreaks in disability settings this year. Around 1,250 staff and residents in disability services have been infected since the start of 2021. Tragically, I have been notified of 20 deaths in disability settings since the start of this year. To those families who have lost loved ones, I pass on my sincere condolences. It is important to acknowledge and thank the healthcare workers and disability service providers for their hard work over the last 14 months. Collectively, they have done their utmost to keep people safe. I am pleased to report that all but four of the disability outbreaks in 2021 have now been declared closed and I am glad to be able to inform the House that there have been no Covid-19 outbreaks recorded in disability services since 19 April. This situation held until 13 May when the cyberattack halted receipt of detailed Health Protection Surveillance Centre, HSPC, data on outbreaks and cases. This certainly suggests that the vaccination programme is successful in suppressing the outbreak of Covid-19 in disability services. I would like to take this opportunity to thank all of our healthcare workers and disability service providers for their hard work and dedication which has gotten us to this point. As Covid-19 has disproportionately affected people with disabilities, I have sought to ensure that they and the staff in disability services are prioritised in the vaccine roll-out programme. The focus has been on ensuring those who face the greatest risk of severe disease and death, the oldest and most vulnerable in society, as well as those who care for them, are prioritised for

vaccines. I am pleased to inform the House that the HSE has ensured that people who live in disability residential settings and those who attend day services have been vaccinated as part of the 271,000 people included in cohort 4, that is, people who are aged 16 to 69 years and at very high risk of severe Covid-19 disease. Access to Covid-19 vaccination has also been made available to individuals with a disability through the GP pathway and within HSE vaccination settings. The administration of the second vaccine dose for this group began in the week beginning 10 May and, to date, 11% of this group are now fully vaccinated. The first dose roll-out is mostly complete and the second dose inoculation will continue through June 2021.

Many people in receipt of health-funded disability services have complex co-morbid health conditions but might not be attending a day or residential service. They are largely included in cohort 7 which comprises people aged 16 to 59 years with medical conditions at high risk of severe Covid-19 disease. There are 250,000 people in this cohort and vaccinations for them began in May and are being delivered primarily through GPs. The first dose for all of these individuals is expected to be completed by mid June. Administration of the second dose of the vaccine for this group commenced this week, with 715 second-dose vaccinations scheduled. Both first and second dose administration will continue over the coming weeks.

Community clinical teams have offered Covid-19 vaccinations within their community clinics or through central vaccination clinics for individuals from cohorts 4 and 7 who can be identified as eligible for a vaccine because of their disability. In the context of disability services, this is all being done while the provision of services continues. I must stress how grateful we all are to the staff working on the front line who are continuing to deliver services for people with disabilities and their families, day in and day out. Disability services continued to operate during level 5 restrictions, providing vital supports to service users and their families during difficult times. There is no doubt that there will continue to be challenges but the vaccine roll-out programme has already demonstrated its agility in responding to unpredictable changes in delivery schedules.

*9 o'clock*

**Minister for Health (Deputy Stephen Donnelly):** I welcome the opportunity to update the House on our Covid-19 vaccination programme. The programme has continued uninterrupted since our last session despite the cyberattack on both the HSE and the Department of Health, although this criminal attack on our IT systems has had an impact on the programme, as the validation of data and daily reporting of vaccination figures have not been possible.

Ireland's vaccination programme represents one of the greatest public health and logistical challenges that our health services have ever faced. It is a testament to the commitment and quality of character of those working for our health services that they have met this challenge and we are seeing such significant progress with the roll-out despite the attack on our systems. We have made major inroads into the vaccination of people all over Ireland, with vaccination of the most vulnerable in our society now largely completed.

I will outline for the House insofar as possible the latest information on the vaccination programme. Yesterday afternoon, Mr. Des O'Grady from Castleknock in Dublin received the 100,000th vaccine dose administered at the Citywest vaccination centre. This was a remarkable achievement for a single centre. Mr. O'Grady received one of approximately 280,000 vaccine doses being administered this week. By the end of this week, that number may be higher. It follows on from a record week in our vaccination programme last week when more than 300,000

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vaccine doses were administered, including almost 40,000 of the single dose Janssen vaccine.

As of last evening, it is estimated that we have administered in excess of 2.5 million vaccine doses. Colleagues will be aware that the exact number is not possible to provide, as data from GP practices across the country cannot be reported back to the central system. I spoke with the HSE, the task force and the Department this morning to get the latest estimates, though, and I am delighted to be able to say that, by the end of this week, we believe that half of the adult population will have received at least one vaccine dose. What a wonderful figure for us to be able to share and discuss this morning. Colleagues will join me in expressing on behalf of the Government and the Oireachtas our great thanks to the thousands of men and women in every county in the vaccination centres, GP practices, vaccination teams and nursing homes, including therapists, nurses, doctors and clinicians from across the healthcare family as well as students, volunteers and people who have come out of retirement. The National Ambulance Service, NAS, and the Defence Forces have played an extraordinary role and we have been helped by other Departments and Government agencies. This has been a truly national effort. Is it not wonderful to think that, after the dark and brutal year this country has faced, half our adult population will have received at least one dose of a Covid-19 vaccine by the end of this weekend?

I am delighted to be able to share that registration on the online system is open for all those aged 45 to 69 years. Uptake is going from strength to strength. I will share some of our figures as of last night. Among those aged 60 to 69 years, nearly 89% have started vaccination. Among those aged 50 to 59 years, we have a registration rate in excess of 86% and growing all the time, of whom more than 70% have started vaccination. Encouragingly, of those aged 40 to 49 years, more than 45% have registered or started vaccination. These are the people aged 45 to 49 years for whom the portal is open. Nearly 100% of those aged 70 years and above have been fully vaccinated. What a wonderful set of figures for us to be able to discuss.

The vaccination programme has recently been extended to encompass pregnant women, with pregnancies of 34 weeks and above being prioritised. An operational plan for vaccination of pregnant women between 14 and 36 weeks has been implemented. All 19 maternity services have a pathway in place for these vaccinations. We have extended the vaccination programme to those in socially vulnerable groups, such as those in homeless services. A vaccination pathway has also been provided to those in the Traveller and Roma communities. This pathway was extended to a number of community health organisations at the beginning of this week. Thirty-seven vaccination centres are in operation around the country and another will open soon in UCD.

The Government is taking measures to secure the future immunity of the public from Covid-19 and providing a robust framework against variants of the disease, which we are all watching closely. Ireland has opted into a new purchase agreement at an EU level for up to 1.8 billion mRNA-based vaccine doses, which has been negotiated by the Commission with Pfizer-BioNTech on behalf of member states. While the basket of vaccines will be broadened for the future, this is a significant advance purchase by Ireland and the rest of the EU of the Pfizer vaccine, which has proven reliable and effective. The purpose of this agreement is to ensure that member states have access to a vaccine that can be used to provide booster doses where required but can also be adjusted to protect against emerging variants, which is an important part of the agreement, can be safely administered to children, is linked to a dependable and secure supply chain - we know how important that is - and will be easier to store and more portable than its predecessor, in which regard there have been encouraging advances in tech-

nology. This will serve as the backbone of our vaccination strategy for the next two years. We will be directly contributing to the manufacture of this vaccine. The announcement that Pfizer's Grange Castle plant will play a role, with 75 new jobs being created, is something that I warmly welcome. Subject to regulatory approval, production at the plant could commence as early as the end of this year, which would be fantastic.

Through our participation in various EU forums and COVAX, we are taking steps to plan access to vaccines for countries less fortunate than ours. Recent events, including those in India, point again to the global nature and impact of the pandemic and highlight our moral obligations. Recent discussions at national, EU and international level have focused on the need for clear and robust actions to be taken, with countries being called upon to contribute generously to global vaccine sharing. Ireland will not be found wanting in this regard.

Pfizer-BioNTech has requested that the European Medicines Agency, EMA, consider whether administration of its vaccine may be extended to 12-to-15-year-olds, which opens up the potential for the vaccine to be administered through a paediatric programme, providing an additional pathway. We are seeking for the EMA to make a decision or give a view on this soon.

The cyberattack on the IT systems in the HSE and the Department was solely for the purpose of criminal gain. It was an attempt to prey upon the fears and vulnerabilities of everyone who relies on our health and social care services. It is particularly abhorrent that the cyberattack has arisen during the course of the Covid-19 pandemic and the roll-out of our vaccination programme. Fortunately, the attack has not compromised the roll-out. The resilience already shown by management and staff in the HSE and my Department during the course of the pandemic is being shown again in the face of this new challenge.

Major inroads have been made in a number of important population cohorts and the number of persons who have been fully vaccinated continues to increase. We are moving ever closer to meeting our goal of offering vaccinations to all those seeking them. We are vaccinating those at the margins of our society, those bringing new life into our communities and those living in the most vulnerable parts of the global community. These are significant achievements for our nation, illustrating what is best about our country and public service in Ireland.

I wish to conclude by acknowledging all those who are making our vaccination programme so successful: Corporal Thomas Carew, who gave that 100,000th vaccine dose in Citywest yesterday, and all his colleagues in the Defence Forces; the NAS; all our vaccinators, GPs and staff in general practice administering vaccines across the country; all in the HSE; and all of our healthcare workers who have stood up time and again when we needed them most.

**Deputy David Cullinane:** I am sharing my speaking slot with my colleague. My time is short and as the Minister knows, I like to use it by putting questions directly to him. I acknowledge and welcome the fact that half the adult population will have received its first dose of a vaccine by the end of this weekend. It is good news. There was a Government target of 80% of the adult population having received its first dose by the end of June. Will that target be achieved? What is the target for ensuring 80% of the adult population will have received its second dose of the vaccination?

**Deputy Stephen Donnelly:** With regard to the Government target, as the Deputy will be aware, I have consistently said our target is getting the vaccines out as quickly as they arrive. The latest data I have show over 96% of vaccines are being administered within seven days of



arriving in the country. I would reframe the Deputy's question to ask whether sufficient supply is going to have arrived here by the end of June to have reached 80% with dose one. It is unclear if that is the case. I was on the phone to the task force this morning in order to be able to provide the most up-to-date information and there are serious concerns with the supply of the Janssen vaccine. I can give the Deputy the exact details but we have been provided with best-case and worst-case scenarios. We were due to receive in excess of 600,000 vaccines to the end of June. The worst-case scenario would see us receiving very significantly less than that and even the best-case scenario I have been given would unfortunately see us receiving considerably less. There are questions around AstraZeneca and we do not have the exact numbers. Moderna looks to be coming in on time. There has been a slight adjustment with Pfizer but the company assures us that by the end of June we will have the contracted amount. In short, it looks like we are going to get substantial under-delivery with Janssen and there are question marks as to what is going to come in from AstraZeneca.

**Deputy David Cullinane:** I acknowledge it is good news that by the end of the weekend 50% of the adult population will have received its first dose. However, the Government target was very clear. It was repeated time and again by the Taoiseach and Tánaiste that 80% of the adult population would have received its first dose by the end of June. Here we go again with more problems on the supply side. Can the Minister outline to the House why we are now seeing difficulties with the Janssen supply, as well as ongoing problems with the AstraZeneca supply? The Minister is saying there is a best guess at this point, as well as best-case and worst-case scenarios. Will he explain to us what that means in real terms and what is the reasoning behind it? What is Janssen saying, what excuses is it giving as to why the agreed targets are not being met?

**Deputy Stephen Donnelly:** Absolutely, I will give the Deputy the latest figures I got this morning. On the target, Deputy Cullinane, the others in this Chamber and I have had this conversation week after week for months and months. Members of the Oireachtas have quite rightly said they want the forecasts and we have tried to provide them but as the Deputy will be aware, we have always done so with the heavy caveat that the Government target is to get them out the door and that provided they arrived, this then would be the number of people who would be seen. I ask that this spirit still be honoured now because that is how we have always operated. In respect of the Janssen vaccine, the issue involves manufacture in the US. We, together with the EMA, are waiting on a decision from the Food and Drug Administration, FDA, on a manufacturing plant in the US, which manufactures the Janssen vaccine. The EMA is waiting on it. We have been waiting for quite some time and the issue has been live for quite some time now. If the FDA approves, the EMA then needs to make a decision and that will inform the best and worst-case scenarios. I will give the Deputy some specifics as of this morning. We are contracted to receive approximately 600,000 doses; I will get the Deputy the exact numbers. For June, we were contracted to receive about 470,000 doses of Janssen. The best case I have as of this morning is that we would receive about half of that, about 235,000 doses. In the worst case, which the Deputy was looking for as well, believe it or not, it could be as low as approximately 60,000 in June.

**Deputy David Cullinane:** I thank the Minister for that update. I ask that he provide us with a full written report on those figures. It is not good news that we are seeing problems on the supply side again. It is unacceptable that the Janssen targets will not be met and that at best it is only going to be half, and there are problems with AstraZeneca as well. Of course, while we can celebrate the 50% number being achieved by the weekend, it was a Government target,

repeated time and again by the Taoiseach and Tánaiste, that 80% of the adult population would have received its first dose by the end of June.

I have two quick questions for the Minister on the impact of the cyberattack, which I gave him prior notice of yesterday. The first concerns medical cardholders whose cards are due to expire. Due to the fact they cannot get the cards renewed as a consequence of the cyberattack, pharmacists are not dispensing the drugs, which is obviously a real difficulty. Second, is there any update on patient or staff data breaches yet? Is there any update from those who are examining the systems as to the level of compromise of either patient or staff data?

**Deputy Stephen Donnelly:** I thank the Deputy for raising this with me. On the situation whereby the medical cards cannot be updated right now, I am discussing it with the Department and we will discuss it with the HSE. My position is that essentially, anyone who has a medical card that needs to be renewed should not have services cut off. We need to roll that access through until they have them renewed. We cannot have people being denied access because of the cyberattack and we will be continuing these conversations. I thank the Deputy for raising it with me.

On the patient data, there is a forensic piece of work going on, server by server, laptop by laptop, to establish what level of data have been taken. As Members will be aware, there were some suggestions that there might be a big dump of sensitive data on Monday. We did not find one but it does not mean nothing is going to happen. The advice I have from the Garda side and the criminal investigation, but also from the technical experts-----

**An Leas-Cheann Comhairle:** I thank the Minister.

**Deputy Stephen Donnelly:** -----is that anyone who is approached by someone who looks to have data they should not is not to engage but immediately to contact the Garda at the local station in the first instance and then through the confidential line on 1800 666 111.

**An Leas-Cheann Comhairle:** We are over time. I am sorry but if Members are going to divide it like this other Deputies are going to suffer. There are ten minutes. I am sorry for interrupting the Minister but I had to.

**Deputy Darren O'Rourke:** I raise the vaccine roll-out in County Meath. Everyone wants the roll-out to be a success and I welcome the comments commending those involved in the roll-out. I of course encourage people to take their appointment when they get it. However, in County Meath there is an acknowledged capacity issue at the testing centre in Simonstown. This is in part because County Meath has suffered from years of under-resourcing in public health and primary care, which I know from my time working in the health service and from the regional health forum. Vaccination of the 60-to-69-year-old cohort is not yet finished in the county and in its roll-out there were discrepancies in respect of age and geography; a type of postcode lottery for want of a better phrase. Unfortunately, people voted with their feet in some cases and went directly on spec to the Helix. Now for the 50-to-59-year-old age cohort, people on the County Dublin border, in Ashbourne, Ratoath, Dunshaughlin and Dunboyne are receiving appointments not at the Helix, nor Citywest or Simonstown, but in Mullingar. I fear what this will mean for uptake and confidence in the roll-out. All the staff are doing their very best but there is an acknowledged capacity issue. I heard my colleague, Deputy Paul Donnelly, raise the same issue yesterday in respect of the neighbouring area of Dublin 15. These capacity constraints are acknowledged by the HSE. Is the Minister aware of them? Bearing in mind

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we are not yet into the younger, larger age cohorts in County Meath, can he confirm whether there are plans for a second vaccination centre in the county? He mentioned UCD but nowhere in County Meath. Fairyhouse, for example, might be a good location. If there are such plans, when will that vaccination centre open?

**Deputy Stephen Donnelly:** I thank the Deputy for his questions. I am aware that there was some frustration in Meath and, quite frankly, it was taking longer to access the vaccine in Meath than it was in other parts of the country, which we do not want. The Minister of State, Deputy Thomas Byrne, and I, along with others from the area, have had detailed discussions on the matter. I raised the issue with the representatives of the HSE and encouraged them to secure additional resources to ensure that the people in the area were vaccinated as quickly as possible. I am happy to share with the Deputy that significant efforts were made. Some of the other vaccination centres, including the centre at the Helix, were used where they had capacity and that helped much of the population of Meath. Additional volume and capacity were provided in Meath. The issue of a second vaccination centre has been looked at and I am happy to share the details with the Deputy. I thank him for raising the matter. It was a real issue-----

**An Leas-Cheann Comhairle:** Thank you, Minister. We are moving on.

**Deputy Darren O'Rourke:** Will there be a second vaccination centre?

**Deputy Stephen Donnelly:** -----and I hope at this point it is being resolved.

**Deputy Ged Nash:** I welcome the fact that the Minister has put on record that half of all adults in this country will have received a vaccination by the end of this week. However, as the previous contributor said, vaccinations in Louth and Meath have been something of a post-code lottery. Dublin and the rest of the country have streaked ahead in terms of the vaccination of those aged between 50 and 69 years of age. The cohorts of 50 to 59-year-olds and 60 to 69-year-olds in Louth and Meath have been left behind.

I have worked day and night, particularly over the past few days, to persuade the HSE to get on top of this. I got a call on Tuesday evening from local HSE officials telling me that an additional 10,000 Johnson & Johnson jabs would be made available and that those who have been left hanging over the past couple of weeks, some of whom registered in April or early May, will be vaccinated by the middle of next week. However, it is scandalous that almost 1,000 of them are over 60 and some of them have been waiting for a vaccination since the middle of April. This is basic planning. We know how many 50- to 69-year-olds there are in Louth and east Meath. We know what the fix is. Can the Minister put on the record precisely what went wrong? Is it because the centre I had to secure in the Drogheda Institute of Further Education is understaffed and only operating three days a week? I must add that Drogheda is Ireland's largest town. Is it a staffing problem? We welcome the belated solution but can the Minister guarantee that the people who the HSE has stated will be vaccinated by the middle of next week will be vaccinated? Can he also guarantee that the 40- to 49-year-olds in the area who are now registering will be vaccinated at the same time as everybody else their age in this country?

**Deputy Stephen Donnelly:** I acknowledge that the Deputy raised the issue of Louth with me previously. We have looked into it. As he will be aware, the Drogheda centre opened late last week and is operating as an additional centre as required. That will help with many of the issues the Deputy has raised. The latest information I got when I looked into this matter for the Deputy was that, as of Tuesday, 25 May, vaccination was broadly complete for the 50- to



69-year-old group. That was their first dose. As per my response to the previous contributor, I concede that the delivery of the vaccination programme has not been perfectly even throughout the country, which is something we would always like to see. It is important, however, that when the Deputy and others raised the issue, we flagged it with the HSE, which responded with additional doses, capacity and centres.

I acknowledge the work the Deputy has done. It is very welcome and the issue is obviously important. The Deputy's constituents will see there has been a good response and the vaccination programme is moving quickly through the age cohorts.

**Deputy Ged Nash:** I have been contacted by a considerable number of people who have accessed the vaccination training programme and because of the cyberattack, it seems they cannot complete the final anaphylaxis module. Is the Minister working on a workaround for that? It is an issue because the vaccination programme is only as successful as the number of people we train to engage in it and deliver vaccinations.

Where are we at with the advice from the national immunisation advisory committee, NIAC, on the over-60s? We are all being inundated with queries on that issue by our constituents. My colleague, the Labour Party leader and health spokesperson, Deputy Kelly, is particularly anxious to see this matter addressed. What are the views of the Minister and NIAC about following the lead of the UK on narrowing the gap between doses of the AstraZeneca vaccine?

**Deputy Stephen Donnelly:** The UK has reduced the interval between AstraZeneca vaccines from 12 weeks to eight for people aged 50 and above. I discussed the matter with public health officials last night and it was pointed out that, logistically, pretty much all of our AstraZeneca volume is already committed to second doses. For some cohorts, the interval between jabs had gone from 12 to 16 weeks. NIAC put that in place to be able to gather further information and, having had that extra time, the interval has gone back to 12 weeks. With all of our AstraZeneca doses now fully committed to the administration of a second dose after 12 weeks, it will probably leave some people waiting for 16 weeks. The best thing to do from an operational perspective is to stick with the 12-week interval because that is how the doses have been programmed. That way, we get as many vaccines as possible out the door and will be holding only enough to ensure we can get everyone a second dose within the 12 weeks. As I discussed with Deputy Cullinane earlier, there are ongoing uncertainties about what is going to arrive from AstraZeneca in the coming weeks so we must leave a bit of room for safety. I will revert to the Deputy in writing on his other questions.

**Deputy Cathal Crowe:** I thank the Minister and the Ministers of State, Deputies Butler and Rabbitte, for everything they and the Department are doing. I also thank our front-line staff. The pace of the vaccination programme is incredible. More than 80% of our adult population is expected to be vaccinated by early July. That is a success and the programme is going well. More power to everyone at the front line who is helping to deliver that.

There will still be a small percentage of people, probably younger adults, who will not have been vaccinated before the autumn period. In order that they can go back to their college and university campuses and have a decent third-level experience, one that has been cruelly denied to them by Covid, it is important that we give a place to regular antigen testing so those students can go in and out to lectures and enjoy the after-hours life of college that has been taken from them. There is a role for antigen testing. We will eventually get to full vaccination, I hope, or as close to it as possible, but in that interim period while we are waiting to get down into the young

adult category, it is essential that in educational settings, we plan for antigen testing.

It looks like we will have surplus vaccines. Some 18.3 million doses of vaccines have been ordered by the State and many of them will leave Ireland and go to countries that do not have very good vaccination programmes. That makes sense because Covid is a global problem and if we do not address it globally, it will come back in new variants in wave after wave. Supply chains are now functioning well, although they were not a few months ago. With that in mind, it is important that we keep some vaccine in reserve. The epidemiological situation is good now but scientific findings change, month on month. There may be a need to go into a second phase of the vaccination programme next year and we need to keep a reserve of vaccines so we do not find ourselves going back into those pools of supplies and looking for more. We should keep a reasonable amount in reserve.

The Minister will not have time to respond to everything I am saying but I would like him to respond to the following point about vaccination portals. A number of people who hold dual citizenship have contacted me. These individuals are Irish-Americans and hold Irish and US passports. They have had one vaccine in America but the portal of registration in Ireland does not pick that up. Those people have no way of saying they were vaccinated in New York three weeks ago and need to register for a second dose in Ennis. There is no mechanism on the portal to account for people who received a vaccine in the United State in phase 1 and hope to receive a second vaccine during phase 2 in Ireland. That is a small thing but it is catching out a number of people who are falling off the edge of the system. I ask the Minister to speak to his officials after this session and, I hope, tighten up that loophole.

**Deputy Stephen Donnelly:** I thank the Deputy. I agree with him about rapid testing in third level institutions and we are looking at that option. With regard to surplus vaccine, keeping a reserve for next year and booster shots, we will potentially do that. At the same time, we will make sure we contribute as much as we can globally. It is important that we do that. I will look into the final issue the Deputy raised.

**Deputy Colm Burke:** I thank the Minister and all those who are involved in the roll-out of the vaccine. It has been most successful.

First, I have received quite a number of emails from pregnant women who are attending Cork University Maternity Hospital, some of whom have been advised that it will be at least six to eight weeks before they receive the vaccine. I understand that those who are 32 weeks' pregnant are currently being vaccinated and the programme is working backwards. It is a great concern for those women, who are going through an anxious time and who have been told they must wait six to eight weeks for the vaccine. I ask the Minister for clarification on that issue.

The Minister may not be in a position to respond to my second point. It concerns undocumented migrants in this country. I refer to those who applied for asylum but were unsuccessful and who remain here. My understanding is there are more than 30,000 such people. What is being done to include them in the vaccination programme?

**Deputy Stephen Donnelly:** I thank the Deputy for his questions. In respect of Cork University Hospital, I will take the issue up with the HSE this week. A lot of effort has been put into making the vaccines available to pregnant women according to the stipulations of NIAC. Certainly, no one would wish to see a six to eight-week delay before women receive the first dose of the vaccine. I fully appreciate the Deputy's comments regarding concern and I will pick

that up this week.

As for direct provision, those in direct provision are included in one of the categories in the vaccination programme, as with other groups in congregated settings. That is being looked at and they will be scheduled into the programme. I will revert to the Deputy with more details as to exactly how that is being done.

**Deputy Colm Burke:** The question was about people who are not on any list. Has contact been made with the various agencies that provide support to such people? They are undocumented migrants. I seek clarification in this regard.

I wish to raise another issue concerning the case of a person who is working with the blood transfusion service. That person registered for a vaccination appointment in February 2021 and still has not received an appointment date. There does not appear to be a mechanism available to try to get such people vaccinated. They cannot register again because they are already on the system, even though the age at which they can register has been reached. Perhaps the Minister could provide clarification on that issue.

**Deputy Stephen Donnelly:** It is difficult for me to comment on individual cases. If the Deputy provides me with details of the case, I will make sure it is looked into.

**Deputy Cormac Devlin:** I thank the Minister and Ministers of State for taking questions this morning. Recent indications suggest that the roll-out is continuing at pace, with more than 2.5 million vaccinations now having been administered and with more than 45% of all adults having received their first jab. Hopefully, that figure will have reached 50% by next week. It is most encouraging. As the Minister stated, it is a testament to doctors, nurses, GPs and all those involved in this great national effort to bring us out of the Covid pandemic.

While all the indications are positive, we should be careful to note that only 15% of adults have received their second dose and are therefore fully vaccinated. We should be cautious over the next few short weeks until the majority of people have been fully vaccinated. This will allow us to accelerate the reopening, while being reassured that people who have been fully vaccinated are well protected against all known variants. I understand that almost 300,000 people were vaccinated last week and a similar number are expected to be vaccinated this week. I heard what the Minister said about being cautious around the delivery of supply. We have been here before, unfortunately, and it is out of our control. Hopefully, we will see the target of 400,000 vaccinations administered being hit in June and July, dependent on deliveries, of course.

In the time remaining, I have three short questions for the Minister. The first concerns the opening of the vaccine booking portal for those aged 40 to 44. I heard this morning that a choice may be offered to those in that cohort. I ask the Minister to elaborate on that.

The Minister mentioned the 38th vaccination centre being located in UCD, which I welcome. I thank the Minister for listening to the concerns of those in the south-east Dublin region. I ask the Minister to indicate when that centre is due to open.

Finally, I wish to raise a point that I have raised with the Minister previously. It concerns the statutory instruments and restrictions on safe events such as drive-in movies and drive-in bingo. I see that the Minister of State, Deputy Butler is present in the Chamber. I thank her for attendance. Another issue about which I am passionate is the opening of day care centres. Many of

the staff of these centres have been vaccinated, as have certain cohorts who work there in other capacities. Perhaps the Minister will elaborate on when those centres will reopen.

**Minister of State at the Department of Health (Deputy Mary Butler):** In relation to the day care centres, we all understand the important role that day centres play. Our elderly population has not been able to access day care centres since March 2020. An announcement will be made in respect of the reopening of those centres tomorrow, and a timeline will be included.

**Deputy Stephen Donnelly:** On the Deputy's question in respect of vaccinations for those aged 40 to 44, it is still being looked at. We hope to have an exact date for the commencement of vaccinations in the coming days. One of the challenges in sequencing the programme and providing these exact dates is the considerable uncertainty that has arisen with regard to the Johnson & Johnson vaccine deliveries for the month of June, as well as for May.

**Deputy Mairéad Farrell:** Bhí roinnt daoine ó Chonamara i dteagmháil liom le déanaí ag rá nach bhfuil an vacsaín ar fáil óna ndochtúir teaghlaigh. Ag an am céanna, níl bealach ar bith isteach acu chuig an ionad vacsaíne i mBaile an Bhriotaigh i gcathair na Gaillimhe, mar níl bus nó traen a théann isteach ann agus muna bhfuil carr acu níl bealach ar bith acu an vacsaín seo a fháil. Dúirt an tAire níos luaithe go bhfuil sé chun athbhreithniú a dhéanamh ar na hathruithe ar an mbealach stórála don vacsaín AstraZeneca. An mbeidh impleachtaí aige sin ar dhaoine cosúil leo seo? An bhfuil an tAire chun réiteach a fháil ar an bhfadhb seo i gcomhair daoine i gceantair iargúlta ar nós Conamara agus Gaeltachtaí eile?

I wish to raise with the Minister the following issue. A number of people from Connemara have contacted me. They have reported that their GP is not providing them with the vaccine and they are having difficulties in getting to Ballybrit, where the vaccination centre is located for Galway city. There is no bus or train service available to take these people into Ballybrit.

I missed some of the Minister's earlier contribution because I was travelling here. I am aware that he mentioned that issue of storage methods will be looked into in light of the updated advice in respect of the AstraZeneca vaccine. Will the Minister be looking into some way of accommodating people living in more isolated rural areas like Connemara and other Gaeltacht areas?

I also wish to raise another issue with the Minister. It concerns cohort 7 of the vaccination programme. When will those in cohort 7, whose GPs have opted out of vaccinating patients, be vaccinated? Currently, it appears that some teenagers in cohort 7 may not be vaccinated until the end of the summer. The HSE had stated that the vaccination booking portal would be open for that cohort nearly two weeks ago. Since the cyberattack there has been little or no access to information for the people in cohort 7. Last week, only 1% of those in cohort 7 had been vaccinated, despite the fact that vaccinations were due to commence for that cohort from 1 May 2021. There are over 300,000 people in cohort 7 and only 2,785 of them had been vaccinated by last week. They are being told to wait until vaccination booking opens for their age group. How is that fair for 17-year-old girls who have been cocooning for the last year and a half? I ask the Minister to confirm when the portal will be open for those whose GPs have opted out of administering vaccinations.

**Deputy Stephen Donnelly:** I thank the Deputy for her questions. I thank her for raising the issue of access to vaccinations for those in Connemara. Deputy Ó Cuív has also informed me that there has been some concern in the area that the drive to the vaccination centre is simply

too long. I have raised the issue with the HSE. There are a few areas in Mayo, Connemara and in parts of Donegal, where people are located outside of the desired length of travel to the vaccination centre. It is absolutely the case that Connemara is one of the areas furthest away from the nearest centre. We have raised the issue with the HSE with a view to finding a local solution. For example, I know that in the community to which Deputy Farrell referred, there is a community centre that people are interested in using as a satellite vaccination centre. That option can be looked at. In addition, we are looking into whether clusters of GPs could be used to administer greater numbers of vaccinations because for some people, the trip to the centre is too long. The issue is being into and I thank the Deputy for raising it.

On the issue of cohort 7, I note the Deputy's point. I am aware that there is a frustration amongst some who are waiting to get vaccinated. The cyberattack has caused a few problems around data flow. It is worth stating, in respect of cohort 7, that the numbers on the portal are lower than reality. Actually, quite a number of these people have been done.

**An Leas-Cheann Comhairle:** We must move on.

**Deputy Stephen Donnelly:** I will revert in writing with the remainder.

**Deputy Róisín Shortall:** While that 50% figure is welcome, I appeal to the Minister to publish an updated supply projection or forecast table. He has already expressed concern about the supply of the Janssen vaccine. Can he put on record the expectations regarding the AstraZeneca vaccine over the coming weeks, and give us the worst-case and best-case scenarios?

**Deputy Stephen Donnelly:** As the Deputy is aware, the supply forecast moves around. If everything arrives as we want it to for June, we will receive approximately 2.44 million doses. That would be 365,000 AstraZeneca, 1.42 million Pfizer, approximately 176,000 Moderna and approximately 476,000 or 477,000 Janssen vaccine doses.

I gave Deputy Cullinane the figures earlier in terms of best-case and worst-case scenarios for Janssen. Essentially, as of this morning, Janssen believes best-case is approximately half and worst-case is very low. It would be approximately 60,000 out of a contracted 476,000 vaccines.

With regard to AstraZeneca, unfortunately, we do not know yet. It has not been able to give us a line of sight on what exactly it believes is going to come in week by week. I spoke to Professor MacCraith before I came into the Chamber this morning to make sure I had the latest information available. Right now, we cannot give the level of accuracy, or even a range, which we are able to give on Janssen. AstraZeneca has not been able to provide it to us. The task force pointed out to me that as we know, unfortunately, the supplies from AstraZeneca have been consistently under. The company has not been able to give detail as to how much it will be under for June. As soon as I have that information I will make it available, however.

**Deputy Róisín Shortall:** What is the level of concern on that at the moment?

**Deputy Stephen Donnelly:** It is an ongoing concern. The concern is as per the AstraZeneca deliveries for this month and previous months.

**Deputy Róisín Shortall:** Okay. With regard to cohorts that have received the first dose of AstraZeneca, there is a wide range of concern about the recent evidence showing that there is only 33% protection against the Indian variant. Even with the second dose, it is still only 60%.



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Many people aged over 60 and under 60 are concerned about the implications of that. Generally, we should be concerned about that into the coming critical months when many people will be moving around more and because of the existence of the Indian variant. The Minister confirmed that he is sticking with the 12-week interval. Has consideration been given to using an alternative vaccine for the second dose, which would provide a greater level of protection to all those cohorts over and under 60 years of age?

**Deputy Stephen Donnelly:** The figures cited by the Deputy in terms of first and second doses are from the Public Health England study. An important additional point to make is that while those figures are around individual protection, a much wider protection is afforded at a population level, and therefore, the chance and the risks fall. It is, therefore, very important from that perspective.

There has been no suggestion that we would switch out the second AstraZeneca dose for one of the mRNA vaccines, for instance. At this point, all the vaccines we have are committed to the various age cohorts that have opened up, with a first dose scheduled and then a second dose planned afterwards. We discussed 12 weeks versus eight weeks, as per as per the UK. As I said earlier, the second doses are already committed, having moved from 16 weeks to 12 weeks.

**Deputy Róisín Shortall:** Okay. I ask the Minister to raise the possibility of provider the Pfizer vaccine as the second dose for certain of the cohort, bearing in mind the principle of vaccinating the older cohorts first. I ask him to consider the possibility of using Pfizer as the second dose. He might come back to us on that.

I want to pick up on those points made about cohort 7, which is a real issue. There is much concern about it on the part of people who have very much limited their lives over the past year. There is a real issue here about people in cohort 7, and still with some in cohort 4, whose GPs have opted out of doing the vaccinations in their practices and are moving to the centres. They are only getting one day per month, however. It means there is a long wait for people to access that vaccine, which is not acceptable. Why is the Minister not using pharmacists at this point? It seems that this would be the ideal arrangement for cohort 4. Is the Minister doing anything about that?

**Deputy Stephen Donnelly:** I have posed the same question frequently myself. The answer is that between the GPs and the vaccination centres, there is more than enough capacity-----

**Deputy Róisín Shortall:** There is not.

**Deputy Stephen Donnelly:** -----for the volume we already have.

**Deputy Róisín Shortall:** There is not if people have to wait a month.

**Deputy Stephen Donnelly:** There is, in terms of the capacity.

**An Leas-Cheann Comhairle:** Unfortunately, we have run out of time. Perhaps the Minister will get a chance before the end of the session to come back on the issue.

**Deputy Stephen Donnelly:** I am happy to discuss it later with the Deputy.

**Deputy Róisín Shortall:** The Minister might send me a note.

**Deputy Joe Carey:** I have a number of questions. Will the Minister advise the House on

how many over-70s who have registered for the vaccine have not, as yet, been reached? I have come across a number of those cases in my constituency. I would appreciate if the Minister could update the House on the reasons why those people have not been reached at this stage.

A number of weeks ago, I raised the issue of delivering the vaccine to housebound people. Could the Minister perhaps give a further update on that? I know that additional resources were being put on stream. I believe it is very important.

Can the Minister also give clarity with regard to the space between the first second dose? Is the ambition that the programme will remain at 12 weeks? Has he given consideration to that?

Finally, the Sinopharm vaccine is widely used in other parts of the world, including the United Arab Emirates, UAE, which has a large contingent of Irish people who live there. I understand the World Health Organization has recognised this vaccine now. Will the Minister update the House on our stance in Ireland? Do we recognise its use?

**Minister of State at the Department of Health Deputy Mary Butler:** The programme for vaccination for those who are housebound began in March 2021. To date, there have been 3,900 referrals. The portal closed for referrals in mid-April. The National Ambulance Service is currently operating a seven-day service to ensure all individuals are vaccinated as quickly as possible.

To date, it has administered 2,700 dose one vaccines scenes and 1,400 dose two vaccines. There are currently 240 people awaiting their first dose. The programme continues and the National Ambulance Service is very busy going from house to house. I will point out an example of the logistics in this regard. The requirement for each vaccine is, at minimum, 30 minutes at each residence. In respect of 10% of cases, however, extra observation time is necessary due to medical reasons and visits can take up to an hour.

**Deputy Pádraig O'Sullivan:** I will be very brief as I only have two questions. The temporary assistance payment scheme, TAPS, is supporting the nursing home sector. With the onset of Covid-19, TAPS has proven to be integral in supporting our nursing homes and providing effective infection prevention, which has enhanced the safety of nursing home residents. TAPS is due to expire on 30 June and nursing homes are waiting to hear if this support will be continued. Will the Minister please clarify the status of the payment or when he is likely to announce details regarding same?

My second question is about the vaccine itself. I am not a doctor or a clinician or anything like that so I have no experience in this regard. Are there specific conditions that would allow for a consultant to make the recommendation that a patient should receive a certain vaccine over another?

**Deputy Mary Butler:** The temporary assistance payment scheme was facilitated for nursing homes all over Ireland since last year. Initially, finances were made available up to June and this was extended up to December. Some €93 million was made available last year and €41 million was made available this year. It is a temporary assistance payment to support nursing homes and it will come to its natural end at the end of June this year.

**Deputy Stephen Donnelly:** With regard to whether clinicians have the latitude to recommend different vaccines for their patients, the short answer is "No". The allocation is based on the NIAC recommendations.

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**Deputy Christopher O’Sullivan:** I will start on a positive note. We fought hard to get two vaccination centres in west Cork. There is one in the GAA grounds in Clonakilty and one in Bantry. The staff, volunteers and everybody involved are doing an incredible job. They have ramped up the vaccinations to five days a week in both Clonakilty and Bantry and they are now down to the cohort below the age group in their 50s, which is brilliant. I commend all the staff, the Department and the HSE on getting those centres up and running as effectively as they are.

My first question follows up on Deputy Carey’s question on the Sinopharm vaccine. It has been recommended by the WHO as a safe vaccine. I understand the EU has also taken steps to approve its efficacy. A lot of people in the United Arab Emirates and Dubai who have been administered the Sinopharm vaccine are looking to come home but cannot because it is not on our approved list. I ask the Minister to come back to me quickly on that.

**Deputy Stephen Donnelly:** I presume the Deputy is referring to those people being exempted from mandatory hotel quarantine.

**Deputy Christopher O’Sullivan:** Yes.

**Deputy Stephen Donnelly:** With regard to the exemption, the current policy is that it applies to the four EMA-approved vaccines. Sinopharm is currently under a rolling review by the EMA. The last time I checked, which was earlier this week, my understanding was that Sinopharm had not applied for authorisation from the EMA, although there may have been an update since. The Deputy makes a very fair point. For the digital green certificate, the European Commission is looking at a slightly wider group which would include Sinopharm. It is certainly something we can take under consideration but right now the policy position, which is that only the four EMA-approved vaccines are exempted, is unchanged.

**Deputy Christopher O’Sullivan:** I would like to follow up with the Minister of State on the question regarding TAPS. Many local nursing homes have contacted me about this issue. The TAPS was vital to them in keeping their staff safe but, most important, in keeping residents safe. They were able to invest in extra PPE and additional safety measures. The date of 30 June is too much of a cliff edge. All we are looking for is an extension beyond 30 June and a phasing out of the scheme. It is important for nursing homes in order to keep their residents and staff safe.

**Deputy Mary Butler:** I agree that it is very important that we keep our residents in nursing homes safe. There are approximately 30,000 nursing home residents in the country. I am glad to have an opportunity to respond on this issue. This was always a temporary assistance payment to support nursing homes when they needed extra staff and preventative measures like infection prevention and control, IPC. This payment has been extended twice already. Over €133 million has been made available and significant money has been drawn down. To be clear, all the other supports for PPE, Covid teams on the ground and IPC will be retained. Full support from the HSE will be retained.

**Deputy Réada Cronin:** I am one of the many very lucky people who have received their first dose of the vaccine. On the day of my visit, the efficiency of the staff was outstanding and I would like to recognise that and thank them here in their Dáil. Maith sibh.

Last week, the WHO said that vaccines may be the light at the end of the tunnel but that it is important we do not get blinded by that light. It said that too many of us in Europe are not vaccinated and that caution is vital. We are all dying to see our families, get back to normal

and reclaim some of our social lives but it is important that we stick to the public health advice and proceed with caution. It is important for our public health and for the economy in the long term. Most important, doing so respects the work our magnificent healthcare workers have put into this. They have been to hell and back to mind us.

I thank the Minister for his responses on vaccines for pregnant women. I am little concerned about his reply to Deputy Colm Burke but I might talk to him about that again.

I raise the plan to tackle vaccine hesitancy in younger people. Every time one of us gets the vaccine, every one of us is a little safer. I am concerned about vaccine hesitancy in young people. Almost one in ten people in the 25 to 34 age group will not take the vaccine, which is concerning. What are we doing about that?

The second issue I wish to raise is Community Call. A constituent of mine in his 60s has had to turn down the vaccine four times because Community Call was not available to drive him to the vaccination centre. It is an excellent volunteer service in the main but when he gets an appointment it is not able to bring him along to it. It is exasperating for this lovely man. I ask the Minister to examine that service and resource it. We need something like a click and collect service and it must be properly resourced. I also thank the volunteers. I am happy to arrange transport for this gentleman but if the Minister has any ideas, I ask his people to get in touch with my staff.

**Deputy Stephen Donnelly:** I thank the Deputy for her comments about everyone involved in the vaccine programme. It is not just our healthcare workers but so many others as well. I agree with her wholeheartedly. The programme is moving at pace. I am delighted to hear she got her first vaccine. I have registered for mine but have not been given a date yet. What I am hearing again and again is that it is running very efficiently on the ground and people are being taken care of, which we always want to see. I thank the Deputy for those comments.

With regard to Community Call, maybe this is a conversation we could have after the debate. We do not want people to be in a situation where they cannot get access so if we can help, we absolutely will.

Vaccine hesitancy is something we are constantly working on. There has been very little of it online compared with some other countries and that is because we have people who have been constantly calling out much of the false information that has been circulated. We are doing well by European and international standards but I fully take on board the Deputy's points that we need to keep engaging, particularly with younger populations. I have figures on the uptake for cohorts to date that I can share with the House. It has been very positive.

**Deputy Gino Kenny:** I welcome the Minister's statement. Every time he makes a statement on the roll-out of the vaccine it is positive and we have this terrible pandemic on the retreat. I got my vaccine yesterday. It was a great experience in Citywest. I was a little emotional about it because the last 15 months have been extremely difficult for a lot of people in this country. There is a huge collective effort to vaccinate people and I commend everybody involved in the programme. We are all so grateful for the roll-out of the vaccine and I hope it is a great success. Hopefully, in the next few months, the vast majority of people will have taken the vaccine if they want it.

I have a number of questions about things happening outside Ireland. A study done by the People's Vaccine Alliance showed that in the last 15 months, nine individuals have become bil-

lionaires because of the roll-out of the vaccine. Oxfam, which is a very respected NGO, also commented that pharmaceutical firms are creating a monopoly with the control of vaccines during the pandemic. Five of those individuals are from a company called Moderna. The vast majority of the moneys given to Moderna were public funds. It is sickening that companies and individuals are making huge amounts of money from this vaccine.

*10 o'clock*

The combined wealth of those five individuals would vaccinate 800 million people. There is a disparity and inequality between the vaccine roll-outs throughout the world.

The Government recently gave allocations of money to the Covid-19 Vaccines Global Access programme, COVAX. Can that be reviewed to give substantially more money? If we have access to vaccines in future can we give them to the programme? Would the Government consider putting a special solidarity tax on the profits of some of the companies that have greatly benefited from the Covid vaccine and are based in Ireland?

**Deputy Stephen Donnelly:** I thank the Deputy for his ongoing advocacy for global justice and global fair distribution, with which I fully agree. There are various mechanisms by which Ireland can help. Ireland must help and we must do everything that we can. As was pointed out earlier, we have advance purchased a significant amount of vaccine doses, more than we would need. We can see with some of the supply issues why we and other European member states did so.

At the moment we are working on how we can be of as much use as possible. There are various ways we can do that. As the Deputy said, one is with cash. We are contributing, and have contributed, money via the EU to COVAX and the Gavi initiative. As the Deputy rightly pointed out, we can also contribute vaccine doses because we have advance purchased millions of doses of vaccines, which will still be there after we have fully vaccinated our entire population. As a Deputy pointed out earlier, we will take advice on whether we need to retain some of these for booster vaccinations and so forth, but we have also signed up to 2022 and 2023 beginning with an advance purchase agreement on Pfizer. It is our intention to broaden that basket out to different companies, supply chains and technology platforms.

We are in very positive discussions with the European Commission right now, literally this week and through into next week, on how Europe can contribute in a meaningful way to global vaccination. The preferred method is through Gavi. The Deputy will agree this is probably the best way, certainly one of the best ways, that Ireland and Europe can contribute to make sure there is an expert group with no political or state affiliations that can direct these vaccines to where they can be of most use.

**Deputy Kieran O'Donnell:** I propose to use the time for questions and answers. I will deal with the unfolding situation in Limerick regarding Covid cases. I note the phenomenal work done on the roll-out at the Radisson vaccination centre. I welcome the shuttle bus running from the city centre will be transferred when the centre moves to Limerick Racecourse in Patrickswell.

We have seen a rise in Covid cases in Limerick. There have been nearly 260 cases in the last ten days, peaking at 59 cases on Tuesday. We have also seen the cyberattack. I welcome the new testing centres in St. Joseph's Hospital on Mulgrave Street and the Ballysimon Road, but I ask the Minister to update us on where we are with the numbers of Covid cases. Is the matter



being brought under control? Where are we at regarding the number of tests and cases in intensive care units, ICU, in hospitals? Where does the Minister see that progressing in bringing it under control over the next number of days? In the context of the whole cyberattack, where does he see the situation developing in terms of getting back to normality with appointments for patients in all the hospitals in Limerick?

**Deputy Stephen Donnelly:** I thank the Deputy for his questions and his acknowledgement of the shuttle bus. The Deputy raised this issue. He and I discussed it with the Minister of State at the Department of Further and Higher Education, Research, Innovation and Science, Deputy Niall Collins, Deputy Willie O'Dea and various people. I committed to Deputy O'Donnell that we would do it if it could be done. I thank him for acknowledging that and I hope it is of use.

I am sure the Deputy had a smile on his face when he saw that the Limerick vaccination centre, which he pointed out was not in fact geographically in the county of Limerick, will now be there. I am sure the Deputy is much relieved that has happened.

**Deputy Kieran O'Donnell:** We welcome that.

**Deputy Stephen Donnelly:** I am sure it is a great relief. Regarding the cases, we had a serious situation. From the public health reports I received a combination of things were happening, including end-of-term parties, indoor family events and various other things. We also had reports of people who had been infected going into workplaces when they possibly did not need to be there and thereby becoming vectors of transmission. Essentially, what appears to have happened, and this is the public health view on the ground, is that a significant number of quite diverse indoor activities led to this, which are currently not provided for in the public health measures and, in other words, should not have happened. Public health is very active on the ground. I have spoken to Deputy O'Donnell, Minister of State, Deputy Niall Collins, and the other Deputies in the area. We are looking to see if pop-up PCR testing and other measures would be useful.

**Deputy Kieran O'Donnell:** On a point of order, are the cases being brought under control?

**An Leas-Cheann Comhairle:** There is not a point of order. We are in the middle of questions. There are two and a half minutes left for Deputy James O'Connor, which we are eating into.

**Deputy Stephen Donnelly:** I will get the Deputy the data.

**Deputy James O'Connor:** On a point of order, Deputy Ó Cathasaigh is not here so can I perhaps use-----

**An Leas-Cheann Comhairle:** There is not a point of order. The Deputy has two and half minutes. Deputy Ó Cathasaigh is sitting in front of us. The time is being used up and the Deputy now has less time.

**Deputy James O'Connor:** It has to be stated in the House that the vaccination roll-out has been an enormous success in recent times. I am delighted to see the progress that has been made with the HSE and other partners that are working on it. I fully commend the officials working on the vaccination roll-out. I am very glad to see there are plans to ramp up weekly vaccinations to more than 400,000 per week in the very near future.

I will make a point to the Minister and the Ministers of State at the Department of Health,

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Deputies Anne Rabbitte and Mary Butler, who are with him today in the Chamber, around the vaccination bonuses that may come in the next number of weeks. The Cabinet will meet later in the week to make many important decisions on how we move into the next phase, perhaps the final phase before a full reopening of society, to get back to some degree of the normality we enjoyed up until the start of 2020.

I encourage Government to be very proactive in how they will implement such measures. As we know, in June we will definitely reach the tipping point in the level of the population that will be inoculated against the Covid-19 virus after receiving their first jab, which is very exciting and I am delighted to be able to say it. It is expected that more than 80% of the Irish adult population will have received their first dose by the end of June, which will make a remarkable difference to the level of hospitalisations and to those who have developed severe illnesses from Covid-19. It will, hopefully, help to reduce drastically the level of transmission as well.

I have a very simple question for the Minister about the vaccination bonus. Does he plan at any stage over the next month or two to alter that, when we arrive at a situation where we have met the targets that have been supplied, which is in excess of 80% being vaccinated?

**Deputy Marc Ó Cathasaigh:** I will have to make myself more evident to Deputy O'Connor in future. I praise the success of the vaccine roll-out. The figure of 50% by the end of the week is very exciting. There were people who said that the Irish system was not going to be able to roll it out in this time. It is right to praise everybody working within that system, including Department officials, HSE staff, GPs, doctors and vaccination centre staff. That is an exciting number. A total of 300,000 vaccines going into people's arms last week is fantastic news.

I wish to address two specific issues. The Minister of State, Deputy Butler, will be familiar with one of them, particularly as it relates to west Waterford. People in Tallow and Ballyduff are being referred to a vaccination centre in Killarney. I believe this has to do with the postcode system. There is an irony in people being made to travel across two counties in view of the fact that we only just recently removed the restriction on inter-county travel. The second issue relates to Ferrybank, which is in Kilkenny but which is within 5 km of the vaccination centre at the Waterford Institute of Technology Arena. There is an irony, as well, in people having to travel that far to be vaccinated.

On a more general point, there is inconsistency with the speed of roll-out in the context of GP services. Many of the larger practices get access the vaccines first. It is great that people are getting the vaccines, but it creates a bit of ill feeling when people feel somebody is getting ahead of them in the queue.

On global vaccine equity, I do not agree with the Minister that Gavi and COVAX, as currently formulated, go far enough. I do not think a trade-related intellectual property rights, TRIPS, waiver is necessarily a silver bullet but we need to be part of a conversation about intellectual property and accelerating vaccine roll-out in the global south. I do not accept the 20% figure for global vaccinations. I do not think it will work for anybody. I will leave it at that to allow time for answers.

**An Leas-Cheann Comhairle:** There are only 20 seconds left.

**Deputy Mary Butler:** The Deputy is quite right. Over the weekend, it became obvious that people in the likes of Tallow, Ballyduff and Aglish in west Waterford were being asked to go to Killarney for their vaccine and that those living in the Ferrybank area were being asked to

go to Kilkenny. I made inquiries immediately. This was a postcode error. I advise that those who received their first dose in Killarney over the weekend will receive their second dose at Waterford Institute of Technology. Those in Ferrybank and those who declined will also be facilitated in Waterford.

**An Leas-Cheann Comhairle:** The way I am doing this might be most unsuitable, but that is the time limit and we will now be in trouble with questions. I am sorry but maybe Deputies can take it back to the Business Committee.

**Deputy Thomas Gould:** A lady contacted me who is in desperate need of gastric sleeve surgery. She saved for four years for the surgery in Turkey. She forwarded to me a letter from her surgeon which states that this surgery is time-sensitive and necessary. I contacted the Department of Health and was informed that only a liaison officer can tell her, when she returns to Dublin Airport, whether she is exempt from hotel quarantine. She cannot afford the cost or time involved with quarantining for two weeks in a hotel on her return. She desperately needs this surgery. Will the Minister establish a pre-clearance system so people who travel for medical reasons will know in advance if they have to hotel quarantine? It is a reasonable request.

Cork University Maternity Hospital currently only vaccinates pregnant women who are over 30 weeks, far behind what other maternity hospitals in the State are doing. Why is there a delay? Will the Minister commit to contacting the hospital and supporting it in fast-tracking vaccinations for pregnant women?

For the past month, I have been contacting the Minister's office, the HSE and others to find out on behalf of a snooker hall whether it can open for business. The owners do not when they are due to reopen. They do not know if they fall under gyms or indoor hospitality. There are other businesses out there who are confused, want to follow the guidelines and adhere to restrictions but we need a dedicated phone line for businesses to ask these questions and get clarity. Where does this snooker hall, and others like it, fall? Will the Minister establish a dedicated phone line to support the business community?

**Deputy Stephen Donnelly:** If the Deputy will send me the details of the lady in question, we will have the matter looked at. There are numerous ongoing cases of people travelling. We have a clear regulation in place which sets out the criteria for medical exemption. As the Deputy said, those criteria include it being time-sensitive and verification from a treating clinician. If the Deputy contacts me, I will point him to exactly the criteria. If there are issues with a particular case, he can talk to me.

On Cork University Maternity Hospital, we discussed it earlier and another Deputy referenced that there is a six- to eight-week period from referral to vaccination. I ask the Deputy to bear with us and with the HSE. The system this and last week has been under extraordinary pressure because of the IT systems. Infant and maternity care was one of the areas particularly badly affected. We are doing everything we can to ensure there is as quick a roll-out to pregnant women within the stipulated age bands from NIAC as possible.

On the snooker hall, it is a great question. I suggest it probably does not qualify as a gym, unless the Deputy plays some type of snooker I am not familiar with. It is a fair question and I will make sure it is dealt with in Cabinet discussions on the next phase of opening. I thank the Deputy for raising it.

**Deputy Seán Canney:** I reiterate what many other speakers have said on the Covid vaccine

roll-out. It has been a prime example of how, working together, we can get things done right. The feel-good factor around the country from everybody who has been vaccinated is palpable. It is important we continue that.

My first question was alluded to earlier. It relates to nursing homes and TAPS. I broached the question yesterday with the Taoiseach but the most important thing is that, when Covid arrived first, nursing homes were not prioritised. They have been prioritised since that. TAPS is very important. It helps them make sure that they can run their facilities in the safest way possible. There is a review being carried out and, until that review is complete, its findings published and the resources put in place, it is important that we continue to provide TAPS to nursing homes and not have a cliff-edge situation.

My second question relates to AstraZeneca and the 12-week gap between doses. Will the Government consider reducing the 12-week waiting time as, hopefully, the vaccination becomes more plentiful and more people are vaccinated? This is so we can reduce the time for people, especially in the context of AstraZeneca, in light of the spread of the Indian variant.

As a regional Deputy, the third issue I wish to raise relates to aviation. It has been discussed this week that the aviation industry is in crisis. We have had pilots from Aer Lingus protesting peacefully outside the gates of Leinster House. I ask the Government to look at being first in class in allowing people from North America, including Canada, enter this country once they have had their two vaccinations. This is important for the aviation industry, for the economy as a whole and for the regions, tourism and hospitality. If we can be first in class in announcing we will bring these people in, we will get a huge share of the people who will be travelling from America. Other regions such as Asia are looking at doing this but if Ireland could do it first, then people in America thinking about taking a trip would come to us and would reignite some of the businesses that are in trouble at the moment. I await the responses on those matters.

**Deputy Mary Butler:** TAPS for nursing homes was introduced last year as a temporary support to nursing homes during the most awful time. They needed all these supports, so the supports were put in place. The temporary assistance payment has been extended twice already and is due to cease at the end of June. My understanding is that the financial payments will cease at that time. However, all other supports will remain, such as the supply of PPE and of infection prevention and control measure supports in respect of the 23 Covid teams on the ground. It is important to recognise the situation we are now in regarding nursing homes. Almost 99% of residents and in excess of 90% of staff in nursing homes have been vaccinated. Thankfully, the numbers who have Covid in nursing homes is at an all-time low. There was only one outbreak reported last week. I remember saying in this Chamber that there were outbreaks in 195 nursing homes. We hope to hold a residual amount of money as a small buffer, so that if, for example, a nursing home was to have a significant outbreak of Covid, it would be able to apply for financial supports. TAPS, as we know it, will come to a natural conclusion at the end of June, having already been extended twice.

**Deputy Stephen Donnelly:** I thank Deputy Canney for his questions on the various issues. The short answer on the AstraZeneca vaccine is that there is no plan to shorten the interval below 12 weeks. The interval was extended from 12 weeks to 16 weeks for a significant number of people and is now being brought back to 12 weeks. All of the doses we have and all those that are coming are fully committed for second doses, so the 12-week interval is deemed to be the right one.

Regarding aviation, the Government is well aware of the enormous burden this pandemic has placed on the aviation industry. As the Deputy pointed out, other industries such as tourism are heavily reliant on aviation. The Taoiseach and the Minister for Transport, Deputy Eamon Ryan, have had numerous meetings with the industry this week. There is very close engagement at the moment.

With regard to the fully vaccinated, the current position for fully vaccinated individuals coming in from the US who have received one of the four EMA-approved vaccines, which is most likely to be the case, is that they are currently exempt from mandatory hotel quarantine. They still need to self-isolate but that can be lifted after a PCR test on day 5. However, in further progress, it is highly likely that the US will be one of the partner countries for the digital green certificate. We are looking to bring the digital green certificate in as quickly as possible. That will mean that anyone who is fully vaccinated with one of the vaccines listed by the Commission will be able to travel unimpeded, which will deal directly with the issue the Deputy raises.

**Deputy Seán Canney:** In the remaining time I wish to go back to the TAPS issue. I am concerned that if we have a cliff edge scenario, bearing in mind what we have been through, and what the Minister of State described, nursing homes will be in an at-risk situation again. We have to be very careful about that. Given the work the nursing homes have done, we need to support them because they will be doing a lot more work on safety measures going forward.

I welcome the Minister's comments on US travel. I hope we will be first to invite the Americans to Ireland and to get the green aeroplanes back into Shannon Airport and the regional airports as well.

**Deputy Jennifer Murnane O'Connor:** I also welcome the Ministers today. It is great that we can welcome the vaccination roll-out because it is very positive. The reopening from 2 June of accommodation services such as hotels, bed and breakfast accommodation, self-catering and hostels is very important. Many pub owners in counties Carlow and Kilkenny have contacted me. I ask the Minister to look at this issue again. It is important that we are doing so well.

My understanding is that some maternity hospitals are allowing partners to accompany expectant mothers. Will the Minister provide an update in that regard?

I wish to raise a concern relating to my area. In Carlow and Kilkenny we have two excellent vaccination centres, in IT Carlow and in Cillín Hill in Kilkenny. Many people from Carlow are now going to Kilkenny for their vaccination. I compliment everyone on the excellent service being provided. I was delighted to get my vaccination last week in Kilkenny, but I am lucky as I have a car. One of the biggest issues raised with me in recent weeks has been that of people who have no transport. I was in contact with the HSE about this. There was no number for people to ring to say they had no transport or ask if they could go to Carlow instead of Kilkenny. I was trying to get some information for people, but was unable to do so. Will the Minister put something in place for people who do not have transport? It is important that people who are unable to go to Kilkenny are able to get vaccinated in their home town of Carlow. As the Minister of State, Deputy Butler, outlined, there has been confusion about Eircodes. I understand from the HSE that different age cohorts such as those aged between 60 and 70 years or those aged between 50 and 60 years have to be done at the same time. That is why Carlow people had to go to Kilkenny. That is good, but I urge the Minister to address transport as it has become an issue.



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I welcome the fact that McCauley pharmacies are supporting the vaccination roll-out. The company announced that vaccinations will be given in six of its pharmacies, including in Carlow. I am delighted with that. The pharmacies will be able to vaccinate up to 200 people daily, which is very good news. The Minister spoke about pharmacies. It is great news for me and for people in all of the other centres where vaccines are being administered. I compliment McCauley pharmacies on doing this. It is great that Carlow will be one of its vaccination centres.

On rapid testing, it is important that we consider the use of antigen tests. I have received several queries about the TAPS payment and I urge the Minister of State to examine the issue. I know she said the scheme will come to a halt at the end of June, but I urge her to consider an appeal mechanism in the review as that would be important for nursing homes that may need support.

**Deputy Joe Flaherty:** I am extremely conscious of the tremendous progress that we have made in the vaccination programme in recent weeks. It is hugely positive that we have gone ten days without a Covid-related death. I thank the three Ministers here today, as I know they have invested a huge amount of time, energy and passion in this. I commend their efforts and those of their Departments.

I look forward to what I hope will be a positive update from An Taoiseach tomorrow. It is vital that we see a meaningful pathway forward for aviation, tourism, hospitality, sport and the arts. We all agree it has been a terribly difficult 14 months for the country. Businesses have struggled and, sadly, many will not reopen. As tired as we all are of regulations and restrictions, there is still an onus on us to put public health first.

Notwithstanding the successes of the vaccination programme, we are still tracking the UK and Northern Ireland by six weeks. At this stage, businesses and communities desperately need clarity and certainty so that they can plan their recovery. I am hopeful that the Taoiseach will deliver on the need for certainty and clarity tomorrow.

Yesterday's Fáilte Ireland guidelines for the hospitality sector were confusing and, in some respects, divisive. There is a short window for the sector to recover and we must give rural communities in particular every chance to recover. We again seem to be differentiating between hotels, pubs and restaurants, seeking to impose poorly thought-out time limits and also limits on the number of people allowed on the premises. We are probably two to three months away from finally getting to grips with Covid. At this stage we should be energising, mobilising and enthusing businesses and communities but yesterday's Fáilte Ireland guidelines have left them deflated and frustrated. I believe the public health requirements must come first, but I appeal to An Taoiseach and Government colleagues to provide a clear path and, where necessary, the supports that key sectors will need to restart and recover.

**Deputy Fergus O'Dowd:** All is not well in County Louth. I know people from other counties are praising the Minister but there is a serious problem in County Louth. More than 7,000 people have not received their vaccination appointments at the appropriate time. The HSE is dealing with the matter. What will happen on Monday and Tuesday is that 7,000 people from County Louth will have to go to The Helix in Dublin to get their vaccination. I welcome that because they will get the Janssen vaccination, which is a one-shot vaccine, and within 14 days of getting it they should be fine and should not need a further vaccination.

The big issue is why it happened and what the Minister is going to do about it. Will he give

the HSE the support it needs to increase the vaccination roll-out in Drogheda in particular? The Drogheda Institute of Further Education, DIFE, is a vaccination centre that currently operates only three days per week. Will the Minister increase the number of vaccinators and staff to ensure the centre can operate on six or seven days a week, which is what is needed? The key point is how the Minister can ensure that this issue will not arise again with other age cohorts. It is unbelievable. It is not just the 7,000 in Louth but 4,000 people in County Meath have not got their vaccination appointments, and they will also be travelling outside the county to other locations, such as Mullingar, Athlone and Citywest in Dublin. Will the Minister give the commitment that people want? My office is inundated with complaints from angry constituents who are very upset that this is happening. The final insult to one person from Drogheda was yesterday, when he rang up the hotline to ask where his vaccination appointment was, only to be told, "You missed it yesterday. You failed to turn up down in Wexford, where it was there for you in a hotel." That is unacceptable.

**Deputy Stephen Donnelly:** I thank the Deputy. It is a pity to hear his anger and frustration in what is a very positive roll-out across the country. He and I have discussed in the Chamber on several occasions the need for a vaccination centre in Drogheda. That has been delivered and it opened last week, as the Deputy will be aware. On the Deputy's question on whether we need to open it for longer, if that is required, we absolutely can. I have raised the issues directly with those running the programme. If more needs to be done in Meath and Louth, where there was not the same volume as in some other areas, it will be done. A lot has been done now and I expect to see that issue largely resolved. I will stay in close contact with the Deputy. If additional resources are required, he can rest assured they will be provided.

**Deputy Michael Collins:** I intend to use my time for questions and answers. Elderly people in my constituency of Cork South-West, especially the housebound, are concerned. I have always known that the ambulance service is flat out to the mat in the normal daily work it has to do, and it is the ambulance service that must administer vaccinations to the housebound. Has the Government looked at another mechanism for doing this? Many housebound people in my constituency are still unable to get it because the ambulance service is under too much pressure. That is the first question.

My next question concerns those aged over 60 who have been vaccinated with the Astra-Zeneca vaccine. Many people have contacted my office and my staff. Some of them had the first vaccine, which it is said is about 30% resistant to the Indian variant, and they are waiting 12 weeks for the second vaccine, which will make it 60% resistant. First, could Pfizer be used for these people over 60, or perhaps Johnson & Johnson, which has a bigger resistance, we have been told? Second, can the waiting time of 12 weeks be cut back? People are very frustrated and concerned that they are waiting a huge amount of time - three months or more?

I have previously raised the issue of Parkinson's patients in the House with the Ministers. Is there any movement with regard to these Parkinson's patients? I will allow the Ministers to reply.

**Deputy Mary Butler:** On the Deputy's question with regard to the housebound, there were 3,900 referrals in total from GPs. To date, fewer than 10% are left to be concluded. There are 240 people awaiting their first dose, 2,700 have got one vaccine and another 1,400 have got both vaccines. If the Deputy knows of specific cases and he wants to contact me, I will happily look at them for him.

**Deputy Mattie McGrath:** I am delighted to have the opportunity to ask some questions. Why will we not accept antigen testing here, when Europe has acknowledged it and it is acceptable everywhere else? I know of a family - a mother, a father, four children and grandchildren – who, the night before last, travelled home to see their dad, who is dying and is in palliative care. They were turned back at the port because they had the NHS test, not the PCR. Where is the humanity in turning them back? They had to travel back again, whenever they got the next ferry, and they will try to come here again when they get antigen tests, despite the associated costs. Why will we not accept the antigen test or the NHS test? They seem to be doing an awful lot better with the vaccinations and everything else than we are. That is the first question.

Ceist eile concerns St. Brigid's Hospital in Carrick-on-Suir. The Minister refused to answer on this but I will keep raising it because it is my duty for the people there, as well as the people of east and west Waterford. I refer to having that hospital returned to the status of a district hospital, with four palliative care beds and excellent staff and teams working there. Although there is fundraising and buy-in from the community, the Government closed it in the middle of a pandemic after the Minister, Deputy Stephen Donnelly, had assured Councillor Kieran Bourke, in the presence of Deputy Cahill, that it would return after the pandemic. They have rolled out all the excuses in the world about HIQA. It was a fly-by-night job, a trick-of-the-loop job just to cod the people by talking about a diabetic centre.

With regard to maternity hospitals, I want to acknowledge South Tipperary General Hospital maternity services. All of my eight children were born there, as were my eight grandchildren, and one, hopefully, in the next couple of days, making number nine. There are excellent staff and excellent antenatal and prenatal services, and we have been through all of those areas. Why is there management blockage in different hospitals so they will not allow partners, husbands, dads or siblings to go in with an expectant mother to get good news, although it can be bad news sometimes? I have written a number of times to the manager of the hospital, who told me they will examine it, and referred to the statement made by the Minister and the Department that they were easing the restrictions, but there is still no movement.

I cannot get any reply since the cyberattack - nothing at all. Even before the cyberattack, I had never got an answer from the Minister to aon ceist amháin. I will keep asking here and I will be raising it at the Business Committee again today, and the Chief Whip and the Ceann Comhairle have tried. I have never had a written answer from the Minister about anything. I have used my limited time to ask questions and I expect to get an answer. The Minister has plenty of officials with him to take the questions and answers so I can get an answer. Never in the last 12 months have I got an answer on any question I have put to the Minister here on the floor of the House. That is an insult and disrespect to the electorate in Tipperary, who, for the time being, have elected me and asked me to do a job for them. I do my best to ask the questions and we are entitled to get answers. It is an abdication of the Minister's responsibility.

**Acting Chairman (Deputy Joe Carey):** The time is expired. I ask the Minister to reply in writing to the questions posed.

**Deputy Catherine Connolly:** I thank the Ministers for their speeches today and for their work. In the short time available, I want to ask several questions and I do not know if the Ministers will have time to answer me. On a question to the Minister of State, Deputy Butler, I want to raise the issue of day centres. There will be an announcement tomorrow but respite has never resumed in Galway. It is painful to walk home at night and watch people of all ages out and enjoying themselves, with no social distancing, yet no respite centres are open in Galway.

It is simply not acceptable.

Yesterday, I spoke on the draconian legislation that we are going to put through the Dáil once again, which is not evidence-based, yet we are clapping ourselves on the back for the vaccination programme. I pay tribute to the staff on the ground in the various venues but we need a full discussion at some point as to what we are doing in regard to public health vaccinations, what they are costing, the indemnity that we have given, and the pre-purchase and what it is costing. There needs to be a full discussion on that. We have completely ignored intellectual property rights. As was said by Deputy Gino Kenny, we are pushing ahead with making more billionaires on a trapped audience, and giving them an indemnity, but there is no parallel compensation system for those who might suffer.

The clock was not switched on so it is difficult for me to know what speaking time I have. As I have said before, it is not the Minister's fault that we are having a segmented discussion but we need an overall discussion in regard to what we are doing in public health. Vaccination is part of that but only part of it, so we need a proper and full discussion on all aspects in order to give us confidence.

With regard to the roll-out, I ask the Minister to come back at some stage and clarify that those in the 60-to-69 age group who, for various reasons, cannot take AstraZeneca, are not to be punished. That message is going out repeatedly. I think the Minister said today that there is no choice, although maybe I am wrong on that. Of course, there has to be a choice. Of course, there has to be a discussion between a doctor and the patient. The Minister cannot interfere with that. Sending out a message that people go to the bottom of the list and wait there is not good enough.

I am in a little trouble because I am not sure what speaking time I have.

**Acting Chairman (Deputy Joe Carey):** The Deputy would be safe enough to conclude.

**Deputy Catherine Connolly:** I will stick with the five things I was going to ask. The question on day centres and respite has been asked. In regard to Connemara, I reiterate what was said and I will not repeat it, but arrangements should be made and they cannot possibly travel into town and across town. I am not sure where pharmacists are at. I am not sure why we made an agreement with the pharmacists but have not used them. That is another reason for the lack of trust.

Finally, I am not sure if the situation in Galway has been brought to the Minister's attention but I understand that staff have been told to go home due to the cyberattack and there being no work. It is in the hands of the unions. It is unbelievable that staff would be told to go home and take holidays in the middle of a crisis when they could be used to do so many jobs including looking at the files that are in the basement and in private storage, which are not available in digital form because of the attack.

**Deputy Thomas Pringle:** I will ask some very quick questions if I could get "Yes" or "No" answers, it would be appreciated, as then we could have a chance of getting them done and dusted. Will all vulnerable people in cohort 7 in all counties be vaccinated by the end of June?

**Deputy Stephen Donnelly:** It would be impossible to say if everybody in cohort 7 will be done but certainly as many as possible will be done by the end of June.

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**Deputy Thomas Pringle:** Will all housebound people in rural areas be vaccinated by then too?

**Deputy Stephen Donnelly:** The short answer is “Yes”, but there is one caveat. New people are being notified to us all the time. If new people are notified, we will get to them as quickly as possible. The answer is “Yes” for those known to us now.

**Deputy Thomas Pringle:** Does the Minister receive update reports on the vaccine roll-out per county?

**Deputy Stephen Donnelly:** No.

**Deputy Thomas Pringle:** Is he concerned about the progress of the roll-out in any county in particular?

**Deputy Stephen Donnelly:** Yes, I am. There have been various issues raised regarding Meath and Louth, for example. We have responded to those. If there are any localised issues we are made aware of, we will do everything we can to respond. We want as even a roll-out as possible.

**Deputy Thomas Pringle:** Will all SNAs and ancillary school staff be fully vaccinated before September so that schools can restart safely?

**Deputy Stephen Donnelly:** Yes, they will. Any of them who want a vaccine should be fully inoculated by the end of September.

## **Ceisteanna - Questions**

### **Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions**

#### **Childcare Services**

1. **Deputy Kathleen Funchion** asked the Minister for Children, Equality, Disability, Integration and Youth if his attention has been drawn to the official complaint by an association (details supplied) to the United Nations and the Ombudsman for Children regarding the systemic discrimination against children and families by his Department in the context of its childcare policy under the national childcare scheme; and if he will make a statement on the matter. [28588/21]

**Deputy Kathleen Funchion:** Is the Minister aware of the official complaint by the Association of Childhood Professionals to the United Nations and the Ombudsman for Children regarding the systemic discrimination against children and families by his Department in the context of its childcare policy under the national childcare scheme? Will he make a statement on the matter?

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman):** I am aware of the complaint and of the concerns raised. I am strongly committed



to supporting all children to develop to their full potential, especially those who are most disadvantaged. There will always be some debate about how best to do this, but I do not believe that the national childcare scheme, NCS, discriminates in the way that is stated. The NCS represents the first ever statutory entitlement to financial support for early learning and care. It marks a shift away from previous schemes, which were based on medical card and social protection entitlements. We now have a progressive system of universal and income-based subsidies. Thanks to the NCS, significantly more families are eligible for support.

The scheme is designed so that those on lowest incomes receive the greatest support. It is also designed to ensure that access provided is at a level necessary to support positive child development outcomes regardless of whether parents are in work or study. This approach is taken in other jurisdictions, and there is strong international evidence that it is to the benefit of children. The definition of work or study is broad, covering all forms of work or study arrangements. This makes the scheme as flexible as possible. Indeed, the minimum hours required to engage in work or study to qualify for enhanced hours is very low, at just two hours per week.

Officials in my Department have engaged with Solas to increase awareness of supports available through NCS for parents considering further study. There is a link to the NCS website on the further education and training course hub. The NCS also includes sponsorship arrangements that allows for additional support for vulnerable families where there is an identifiable need for early learning and childcare. I have directed Tusla to take a broad interpretation of the sponsorship referral criteria.

On the complaint, I recently contracted Frontier Economics to undertake a review of the NCS and have asked that this review specifically considers the concerns raised. Separately, my officials have brought the complaint to the attention of the expert group convened by my Department to develop a new funding model for early learning and childcare. This group is reviewing the effectiveness of current approaches to funding and will submit recommendations later this year on how additional funding could be structured to deliver for children and families including the most vulnerable.

**Deputy Kathleen Funchion:** My issue with this, which I have raised previously, relates to after-school and children who are being shut out of that scheme. A whole cohort of children is falling through the cracks. I thought that there was a commitment given to review the scheme last year. A parent working outside the home or in education can avail of this but we should be looking at the needs of children. When we talk about childcare people automatically think about fees and parents but we need to think about what is best for children. There are children whose parents are not working outside the home who are at very high risk and very vulnerable. They may not be in the Tusla system or brought to its attention because things may not be that bad but they rely on childcare service for hot meals for a safe and secure place, to help them and maybe bring them on to a homework club or other supports. Those children are very limited under this scheme. I see the point the Minister is making around medical cards but these children are falling through the cracks. There will be difficulties about that in the future so we need to deal with this now.

**Deputy Roderic O’Gorman:** The Deputy is right. We discussed this matter previously and I put in place a number of short-term measures to deal with some of the some of the issues around the NCS, particularly the issue of sponsorship, which will come up later today. When I began as Minister there were perhaps 30 children sponsored across the country, now it is 1,900 so there has been a very significant increase in identifying specific vulnerable children.

On the wider issue, the review has initiated. We had to let the NCS run for a full year. It was only introduced in 2019 and for this year, of all years, for it to have its initial roll-out, it has had all the additional issues. Before we make significant changes, we need the data and that is why this review is important. I did ask him to specifically look at this issue of disadvantage. The review will come back at the end of this year, that is the one-year review. There is also the expert funding model group which is also looking at this issue. It is not being ignored, it is being acknowledged and research has been done and how we address it.

**Deputy Kathleen Funchion:** I apologise if I missed it, but what does the Minister expect the timeframe for the review will be? I welcome the review and think it is vital. I really hope that it will be a genuine review and the issues will be taken on board. It is becoming a big difficulty particularly in areas of disadvantage where parents just need a little bit of extra support. They may not be working outside the home, they may not be involved in education but their children have been benefiting for years from after-schools in particular. That is such a vital time because if it is possible to help a child with their education and bring them on through homework that is crucial because it is around where the children start falling through the cracks. They stop doing the homework, they start slipping back, then everything starts going wrong for them all of a sudden and it becomes a question of confidence. Early years intervention should be at the heart of any scheme we do for children, whether childcare or education. We need much greater focus on the children and the benefits for them.

**Deputy Roderic O’Gorman:** The Deputy’s point about school-age childcare is well made. I recognise that there is a specific issue there in how the NCS has operated in the context of existing provision of school-age childcare.

There are two reviews. The first is the review of the first year of the implementation of the NCS. We expect that to be completed in the final quarter of this year and the information to come forward. The expert funding model group has been working for approximately two years. Its final report will be issued in November of this year but I hope to engage with it over the summer to get initial information from it, particularly in the context of the budget negotiations. Key research and data will be available at the end of this year and we will be responding appropriately.

## Childcare Services

2. **Deputy Bríd Smith** asked the Minister for Children, Equality, Disability, Integration and Youth his plans to deal with the increased fees charged by private crèches and early childhood care providers in light of the fact that some providers (details supplied) increased fees by 20% recently; and if he will make a statement on the matter. [28749/21]

**Deputy Bríd Smith:** I want to pre-empt my question by acknowledging that childcare was one of the first industries to be severely hit by the coronavirus pandemic when services shut down on 12 March last year. Workers and parents were affected but there has also been an impact on the provision of care. My question is not getting at anyone; it is about the massive increase, by as much as 20%, in childcare fees for parents. In parts of Dublin 8, such as Islandbridge and Rialto, which are in the constituency I represent, one provider in the main, Safari Childcare, provides the care. It has increased fees by 20%, which is causing enormous problems for parents and depriving some children of the childcare needed.

**Deputy Roderic O’Gorman:** I thank the Deputy for raising this issue. I am concerned to hear about any individual provider proposing to increase charges to parents at a time when the Government continues to support early learning and childcare to a significant extent. In view of the amount of State support, increases of this nature are just not justified at this time.

One of my key priorities is to achieve affordability of early learning and childcare. The programme for Government commits to substantially reducing fees charged to parents while supporting quality service provision. The Government has been strongly supportive of the sector. Particularly since the onset of Covid-19, we have provided substantial additional supports to allow services to operate sustainably throughout the pandemic, acknowledging that there are higher delivery costs and that many additional practical and financial challenges need to be met by providers. In addition to their being able to participate in my Department’s funding schemes, all services can currently participate in the employee wage subsidy scheme. On average, that is meeting 50% of the normal operating costs of services. That is at a cost of €35 million each month.

I recognise that early learning and childcare services are private businesses. They are free to set their own policies regarding the charging of fees and contract conditions. I am aware that the provider mentioned by the Deputy has notified parents of the substantial increase in fees. Given the substantial additional supports allocated by the sector that the provider has availed of and the assurance that there is not going to be any sudden cliff edge in terms of the withdrawal of supports, I do not believe there is any case for an increase of this level at this time.

Looking to the future, my Department will be developing a new funding model for early learning and childcare that provides additional resources for services, subject to quality but also affordability. The expert group has been progressing this work since late 2019. As I mentioned to Deputy Funchion, I expect its report to be finalised in November.

**Deputy Bríd Smith:** I accept all that. The problem is that despite the fact that it should not be happening, it is happening. That presents an immediate problem for parents. They have been saying to me that Covid has made it obvious that childcare needs to be a priority and that while inflation sits at 1.6%, childcare costs are being increased by 20% by the provider in question. Ireland has the second lowest rate of expenditure on early childhood care and education in the OECD. Faced with having to choose between a career and caring for children due to lack of options, many parents have no alternatives or family supports. A very worthwhile point the parents make is that having a system with a pricing structure without any regulatory restrictions lies at the heart of this. We have constantly said in this House that while we welcome the attempts of the Department to provide childcare with universal supports, it is really only a start. It does not address the key problem, which is the fragmented, privatised nature of the care of children and the lack of genuine State involvement in ensuring it is of high quality, accessible and affordable to all. I would like the Minister to address that.

**Deputy Roderic O’Gorman:** Affordable and high-quality childcare is an absolute priority for me and my Department. We have gone to great lengths throughout the pandemic to keep services open across the country. In the lockdown in January, we kept services open for the most vulnerable children and the children of essential workers. We also made it clear that we will be increasing the level of investment in childcare up to 2028, under the First 5 programme. We have to know how we can target that money and we have to understand how it and the additional investment the State is making will secure affordability for parents. That is what the expert group on the funding model has been working on. It will be bringing forward its pro-

posals in its final report in November of this year but, as I said to Deputy Funchion, we will be considering some of its initial proposals in respect of the budget allocation this year. Additional investment from the State will be predicated on guarantees from providers on a set of issues, including affordability and fees.

**Deputy Bríd Smith:** I want to repeat my question. Why is it that our system, which we accept, involves a patchwork of providers at this level of care and education? We should not accept a patchwork of providers, some public and some private - and without proper regulation - and a system whereby prices can be increased and workers can be paid and treated so badly in many cases. I accept they are not treated badly in all cases. There is a great benefit to a publicly funded and run system. The international evidence is jumping out at the Minister, as he will see if he cares to read any of the studies. I am sure he has. The evidence suggests there is a massive social benefit to having a properly funded, publicly run, regularised and controlled service at early childhood level. The patchwork nature of childcare provision is not acceptable or good enough.

In areas such as Clancy Quay and elsewhere in Dublin 8, parents are genuinely struggling to work and to have their children minded in a professional manner. The cost of childcare is becoming much greater than what it is possible to pay. People often compare the cost of childcare to the cost of a mortgage. It is true, particularly if there are a few children who need minding. We have to end this and reach OECD levels of care for children and a level of provision that is secure, dependable and does the best for the children and their parents.

**Deputy Roderic O’Gorman:** I absolutely accept that parents are struggling with the cost of childcare, and that is why my commitment is to ensure the additional State investment in childcare is tied to conditions, including reductions in fees. The Deputy spoke about the lack of regulation. She is correct about fees but it is important to state the quality of childcare is significantly regulated by Tusla. The system is strongly regulated to monitor quality and how children are being treated.

Workers’ payments are a key priority for my Department. The Deputy will know that we recently started a joint labour committee process, which will be important in providing the 30,000 people in the sector, almost all of whom are women, with a living wage.

I absolutely accept that there is patchwork provision but key to deciding how we will make advancements in the sector is the research my Department is undertaking. It will be published later this year and guide future investment and regulatory decisions that the Government will make.

## Youth Services

3. **Deputy Kathleen Funchion** asked the Minister for Children, Equality, Disability, Integration and Youth the actions he is taking to address the shortfall in volunteers in the youth sector given that the sector relies heavily on volunteer hours and that many services are now facing closure due to a serious shortfall in properly trained volunteers. [28589/21]

**Deputy Kathleen Funchion:** This question is on the youth sector. There has been a shortfall in the number of volunteers in the sector. It relies heavily on volunteer hours. Many services are now facing closure due to a serious shortfall of properly trained volunteers.

**Deputy Roderic O’Gorman:** I cannot overstate the significance and value of the contributions made by volunteers to the community life of our country and to supporting our most vulnerable. In the youth sector, the work of some 40,000 volunteers was key to maintaining the ability of youth work organisations to function effectively prior to the pandemic.

I provided an increase of €5 million in funding for youth services in 2021, bringing the total from my Department to €66.8 million this year. In 2020, I provided once-off funding of more than €1.3 million to assist youth services with Covid and ICT-related costs.

*11 o’clock*

Each year, my Department funds universally focused volunteer-led youth work through the youth service grant scheme. A number of national youth organisations will benefit from over €12 million in funding under this scheme in 2021. This represents a 6% increase on the funding provided in 2020. I really believe the youth work carried out by these volunteer groups is transformative for young people.

In addition, the local youth club grant scheme supports volunteer-led youth work activities at a local level. The funding for this scheme increased by 7% to €2.3 million in 2021. This scheme supports 1,400 clubs or groups nationwide.

I have consistently recognised the significant role the youth sector plays in the lives of young people today and the highly valuable role that volunteers play. Given the strong commitment of our volunteers, I am hopeful that as public health matters improve, more people are vaccinated and youth organisations are better positioned to support volunteers again, we will see volunteers returning.

The Deputy will be aware that youth funding was maintained through the Covid-19 restrictions and many supports were provided. As Ireland’s phased reopening progresses, it is of the utmost importance that youth work organisations are supported to restore their volunteer positions. My officials are considering proposals to redistribute some time-related savings in the youth budget to assist services on a once-off basis in this financial year.

**Deputy Kathleen Funchion:** I welcome the increase made last year, which everyone in the youth sector also welcomed. The Minister is relatively new in his role. The people in the sector maintain that funding has been significantly reduced since 2008 and they have not seen any increase since then. Much of the money provided is simply to play catch-up and the sector has not yet caught up. I had meetings recently with some of the youth organisations, including the National Youth Council of Ireland and Foróige. The representatives I met made the point that they need acknowledgement of the cuts made over many years and the need for additional funding to play catch-up.

I was surprised to find out that these organisations are struggling to attract volunteers. Given the situation with the pandemic and everything that has happened, it is really important that they are given every help and opportunity. I fully agree that this is an important sector and those involved play a vital role in many aspects of the lives of young people. The work they do often goes unnoticed or under the radar. It is only when a service is gone that people say what an excellent service it was. It is important that we can sustain all these services for young people.

**Deputy Roderic O’Gorman:** I assure Deputy Funchion that the extraordinary role of this sector does not go unnoticed by me or my Department. We feel passionately about supporting



youth services.

The Deputy is right. During the economic crisis, funding was cut back dramatically and this had a major impact. I know we are playing catch-up. This year, I was able to show my good faith and that of my Department by giving a substantial increase in funding. It was more than the organisations involved were looking for. I will do my best in future budgets to continue to increase the amount of funding. I cannot say that will happen at every stage but it is certainly my intention.

Like Deputy Funchion, I have met regularly with the national advocacy groups, individual groups and local groups in my area. I met our local Foróige group only last Friday. There is good engagement between the Department and the sector. I expect the groups in question recognise that as well. We have continued to support them during Covid-19 and we will also support them coming out of Covid-19.

**Deputy Kathleen Funchion:** I acknowledge that work has been done. It is about getting a word in for the groups at this stage because budget negotiations are upcoming. I understand the Minister and others acknowledge the work these groups do but it is important that we keep a focus on this.

One thing I love about the various youth groups is the range of activities they undertake. They are involved in sport and many other areas. I speak regularly to representatives of the Young Irish Film Makers programme, for which I am a great advocate. It is an excellent group, which provides a wide range of activities for young people. Some people would be a little lost in their communities if these groups did not offer the activities that are so important for young people. I like that there is a wide range of activities. I know sport is important but these groups do not only focus on that area. This makes their role inclusive and makes it feel as if there is something for everyone. That is important. I would love to see all of that continue. Obviously, the groups are under pressure so any extra money they can get is catch-up money. It is important that we continue that.

**Deputy Roderic O’Gorman:** We did research with *SpunOut.ie* last year, which indicated that those young people who were engaging with youth services during the pandemic did better and their mental health and optimism were increased. I am aware of that and we have the research to prove the impact.

For many of these groups, fundraising, fees and capitation have been badly impacted. Even though we have been putting in more, they have been getting less from other areas. We have a small amount of money that was unspent in the Department for time-related reasons. We are looking to see if we can give, on a once-off basis, a little additional support to some of these groups in recognition of the major role they play. Although it is a once-off arrangement for this year, it is further acknowledgement by me and my Department of the major role these groups play and the importance of supporting them. It is not simply a matter of saying it but of delivering important resources as well.

### Special Educational Needs

4. **Deputy Matt Shanahan** asked the Minister for Children, Equality, Disability, Integration and Youth to outline details of the funding programme to increase access to sensory rooms

and special needs assistant supports being considered over the life of the 33rd Dáil for pre-school children; and the amount of funding that has been allocated under capital plans to date. [28744/21]

**Deputy Matt Shanahan:** My question relates to the funding of sensory rooms and special needs assistants in the disability sector, especially at preschool and school levels. I know it is a Government commitment but will the Minister outline his plans for the life of the 33rd Dáil and any capital allocations that have been approved to date?

**Deputy Roderic O’Gorman:** While my Department does not provide any specific funding for sensory rooms or SNA supports, a wide range of supports is available through the access and inclusion model, AIM, to support children with disabilities to access and fully participate in the universal preschool programme, ECCE. The allocation of targeted AIM supports is based on the needs of the child and the context of the preschool setting rather than a wider diagnosis.

The Deputy specifically referred to capital funding. Level 5 of the AIM involves funding for specialised equipment appliances or small capital grants towards minor building alteration. A short report from a designated professional is required confirming that the specialised equipment or minor building alterations are necessary to allow the participation of a child in preschool.

In line with emerging best practice to support the integration and interdependence of children with a disability, AIM does not fund SNAs. Rather, AIM level 7 support provides financial support to the preschool provider where it is needed for the participation of a child. This funding is used either to reduce the adult to child ratio in the preschool room or to buy in additional assistance.

AIM also provides several training programmes for preschool practitioners, including specific training on sensory processing through the sensory processing e-learning programme, SPEL. SPEL helps practitioners understand how best to support children with sensory processing difficulties to participate fully in preschool.

In 2020, the total AIM budget was €43 million. Of this, €850,000 was allocated under level 5 and €26 million was allocated under AIM level 7, which is the additional assistance. I have been able to increase the budget in 2021. It is up to €48 million this year, of which €850,000 has been allocated under level 5. Currently, some €29.5 million is allocated under AIM level 7.

**Deputy Matt Shanahan:** I know the Minister is more than aware of the challenges being faced every day in the education sector. I point out again the significant delays in getting psychological evaluations for children. Large schools might have only two slots in a year. These are schools with up to 600 students. I have no wish to ascribe a proportion to this as there are teachers who can do that, but it is a significant problem.

I highlight to the Minister the difficulties schools experience trying to accommodate sensory rooms where they do not have space. This is a significant issue and addressing it requires capital allocations.

There is great merit in what we are trying to achieve. We have to tie in all the community services to address the significant problems with occupational health outreach services in schools.

**Deputy Roderic O’Gorman:** I agree with the Deputy absolutely. My colleagues, the Minister for Education, Deputy Foley, and the Minister of State, Deputy Madigan, are very focused on schools and on addressing the issues the Deputy has raised. In particular, as Minister of State with special responsibility for special education, Deputy Madigan has placed a real focus on these issues. With regard to those wider community supports, I am joined today by my colleague, the Minister of State, Deputy Rabbitte. We are working very hard in our Department to bring all of those services together and to achieve better integration. The Minister of State, Deputy Rabbitte, has had real successes in tackling some of those waiting lists but we all acknowledge that there is more work to be done in this area. I thank the Deputy for raising this matter.

**Deputy Matt Shanahan:** May I flag one more project with the Minister? I refer to a new disability centre at John’s Hill, Waterford. It has been developed in conjunction with a support group, Touching Hearts. It was announced some months ago that this project was going to be approved under the capital allocations. Families in Waterford who are, at present, accessing services in John Street in Waterford are being told that they now have to travel to Dungarvan, including some who receive occupational therapy up to three times a week. That service is 30 miles away from the population of approximately 40,000 who live in this area. We need this centre developed. Can the Minister of State provide any clarity as to the status of the funding programme? When can we expect to see boots on the ground to deliver this new disability centre in John’s Hill? It has been promised for a long time and parent groups and active supporters have fought very hard for it.

**Deputy Roderic O’Gorman:** I thank the Deputy very much. I will be honest; I do not have the full information for him as I stand here. I know the Deputy has mentioned the importance of this centre for the wider community before. It sounds like a great project. I ask the Deputy to write to me. The Minister of State, Deputy Rabbitte, and I will commit to getting back to him and letting him know where we are with the project. We will confirm the funding streams and set out the timelines for planning and other matters with regard to the delivery of the physical infrastructure and the services to be provided, if that is all right with the Deputy.

### **Mother and Baby Homes Inquiries**

5. **Deputy Thomas Pringle** asked the Minister for Children, Equality, Disability, Integration and Youth the discussions his officials are undertaking with officials in the Department of Housing, Local Government and Heritage regarding the importance of preserving possible burial grounds related to mother and baby homes; and if he will make a statement on the matter. [29011/21]

**Deputy Thomas Pringle:** This question relates to the designation of mother and baby home burial sites in county development plans, which is a vitally important issue. I have been writing to the Minister, Deputy Darragh O’Brien, in this regard but I believe it also comes under the remit of the Minister, Deputy O’Gorman, and that he needs to address it. In light of the decision of An Bord Pleanála with regard to Bessborough, it is even more important that this is done in every county right across the country.

**Deputy Roderic O’Gorman:** I know from my own engagement with survivors over the past months that respectful treatment of burial grounds is an issue of great sensitivity. In response to the final report of the commission on mother and baby homes, the Government has

committed to a strategic action plan encompassing a wide-ranging suite of 22 actions. These actions include advancing legislation to support the excavation, exhumation and dignified re-burial of remains where interments are manifestly inappropriate and where their preservation in their current location would not be the right policy response. It has also committed to engaging with former residents and their advocacy groups on the question of appropriate, dignified local memorialisation of burial sites. These actions reflect the complexity of the issue and the need to respond carefully according to the specific circumstances of each case. My officials consulted with the Department of Housing, Local Government and Heritage when we were preparing the action plan in response to the final report of the commission and will continue to engage with the Department in respect of the development and implementation of the strategic action plan.

My officials also engaged with the Department of Housing, Local Government and Heritage with regard to preparing the recent legislation on burials. These consultations were primarily focused on the interaction of the general scheme with the relevant planning legislation. The Deputy will be aware that, where development is proposed at a site, it is subject to the full rigours of the planning code. Planning authorities are independent in the performance of their functions and look at issues and applications on a case-by-case basis. As the Deputy made reference to, I made a submission in respect of two planning applications on the lands of the Bessborough mother and baby institution. These applications were rejected by Cork City Council and An Bord Pleanála respectively. I will continue to engage with all relevant Departments with regard to this question. I was not aware that the Deputy's question specifically related to the issue of development plans but that is absolutely appropriate and I will engage further with the Department of Housing, Local Government and Heritage.

**Deputy Thomas Pringle:** The Minister is outlining a long-term plan and the actions that will take place. That is welcome and will protect many of the sites. The problem is that many of the sites may be gone by the time that long-term plan is in place. At the moment, every county is renewing its county development plan. Now is the time for the Minister and the Department of Housing, Local Government and Heritage to intervene. Obviously, the local authorities are independent in their actions, which is fair enough, but a letter from a Government Minister to the chief executive of the local authority, which would be put on record in the renewal of the county development plan, would carry a lot of weight and would put an onus on local authorities to identify the sites within their functional areas which could be earmarked and protected in the interim while the long-term work is being done. While this work needs to be done, there is a danger that many of these sites could be gone by the time the legislation is put in place. It is not fair to expect families to protect these sites and to keep an eye on them.

**Deputy Roderic O'Gorman:** I absolutely agree. I am not suggesting for a moment that we should place that obligation on families. I did not see a reference to development plans in the Deputy's question so I apologise if my answer was more on the national level than the specific level. The Deputy is absolutely right. We have seen a number of local authorities respond to the report of the commission quite proactively through the issuing of apologies. Many of the mother and baby institutions, particularly the county home institutions, were directly linked to the local authorities. As we know, local authorities were fully involved. Galway County Council actually met in the building of the mother and baby institution in Tuam, so there was a very close link there. I will absolutely consider what the Deputy is saying with regard to specific engagement with local authorities in respect of development plans. I will also continue to engage with the Minister for Housing, Local Government and Heritage on this point.

**Deputy Thomas Pringle:** I know some local authorities have engaged and have issued

apologies and so on. These were the ones mentioned in the report but I do not need to tell the Minister that the report only picked a sample of mother and baby homes while they existed right across the country in every local authority area. That engagement needs to take place to ensure that as much as can be done to protect these sites is done in the meantime as we wait for the legislation to be drafted and put in place. That is important. I know the Minister recognises the importance of this. I ask that he and his Department engage with each local authority so that they can take the appropriate actions.

**Deputy Roderic O’Gorman:** The Deputy is absolutely correct. Particularly in the context of county homes, a sample of four county homes was looked at specifically but all of the county homes are referenced in the appendix to the commission’s report. We are clear that they are all included when it comes to the commission’s recommendations. As the Deputy will know, among the 22 action points there is a specific recommendation with regard to local memorialisation. We will be working in conjunction with the Department of Housing, Local Government and Heritage to support local authorities to engage in local memorialisation. Some of that will undoubtedly take place on the sites of burials, if that is where relatives feel memorialisation is most appropriate. The Deputy is correct that we have to make sure those sites are protected. As I have said, I am happy to look into direct engagement with the Department and local authorities and to discuss it further with the Deputy.

## **Ceisteanna Eile - Other Questions**

### **Direct Provision System**

6. **Deputy Gino Kenny** asked the Minister for Children, Equality, Disability, Integration and Youth his Department’s policy in relation to the direct provision system; the timeframe for ending same; if he will report on recent comments in the media in relation to the issue and the programme for Government policy on direct provision; and if he will make a statement on the matter. [42530/20]

28. **Deputy Paul McAuliffe** asked the Minister for Children, Equality, Disability, Integration and Youth the status of the implementation of the White Paper to End Direct Provision and to Establish a New International Protection Support Service including progress to date; and if he will make a statement on the matter. [28729/21]

40. **Deputy Marc Ó Cathasaigh** asked the Minister for Children, Equality, Disability, Integration and Youth the progress made to date on the implementation of the white paper to end direct provision and replace it with a new international protection support service; the expected timeline for the implementation of same; and if he will make a statement on the matter. [28453/21]

52. **Deputy Brian Stanley** asked the Minister for Children, Equality, Disability, Integration and Youth the number of asylum seekers who have been granted permission to remain in Ireland but are still living in direct provision centres; and the reason they remain in direct provision. [28442/21]

81. **Deputy John Lahart** asked the Minister for Children, Equality, Disability, Integration



and Youth the consultation processes with key stakeholders in place and planned under the White Paper to End Direct Provision to ensure that measures reflect the needs of those most directly impacted; and if he will make a statement on the matter. [28728/21]

**Deputy Gino Kenny:** My question refers to the commitment in the programme for Government to phase out direct provision. As the Minister will know, direct provision has existed in this country for more than 20 years. What was meant to be a temporary solution has become permanent, with devastating consequences for those in direct provision. I would like to hear the Minister's answer to this questions.

**Deputy Roderic O'Gorman:** I propose to take questions Nos. 6, 28, 40, 52 and 81 together. They are all on this topic. I believe I have some additional time if the questions are grouped in this way. I thank the Deputy for the question. As he will know, the Government published a White Paper at the end of February in which the new approach to accommodating applicants for international protection in Ireland is set out. This approach will replace the current system of direct provision. I am committed to the new approach being in place by the end of 2024. My Department has commenced the implementation process. This includes the putting in place of an implementation team and working to establish key governance structures, including a programme board and an independent advisory committee. I will announce details of the make-up of these two bodies shortly. The new approach will end congregated and institutional living and will focus on supporting integration from day one. Applicants will initially reside in one of six reception and integration centres, which will be State-owned and run by an NGO. After a four-month period, residents will move to accommodation within the community. This accommodation will be sourced through different strands, with the most appropriate accommodation being identified in conjunction with the individual applicant or family.

The White Paper proposes that accommodation will be bought, built or repurposed under urban renewal schemes for applicants who remain in the international protection process for longer than four months. The accommodation provided will include family homes, apartments, rooms in apartments and rooms in urban renewal buildings. The White Paper sets out a new model which, I believe, is distinctively different from the system currently in place. It will be centred on a human rights approach with key supports geared towards ensuring integration and independence.

A comprehensive consultation process with a wide variety of organisations, including residents of existing centres, other Departments, agencies, the Ombudsman for Children and NGOs, was completed when preparing the White Paper. The new model takes account of key issues raised in the consultation process. In addition to the responsibility of my Department, there will be key roles for the Housing Agency, which will support the acquisition and building of accommodation, and local authorities, which will co-ordinate integration supports at local level. Approved housing bodies will be commissioned and funded to deliver the accommodation needed and NGOs will provide supports to applicants as necessary.

The transition team I spoke about earlier is currently being assembled. It already is headed by a principal officer and additional staffing is to follow. Engagement and discussions has begun with key implementation partners. Much of the progress to date has focused on development of the new accommodation model. This includes discussions with the Housing Agency on available funding schemes for accommodation in the community and on the role that approved housing bodies will play in providing accommodation under the new model.

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I have met the Housing Agency and I wish to acknowledge the significant additional staff resources it is dedicating to the implementation of the White Paper. I have also met the County and City Management Association, CCMA, recognising the key role that integration at a local level will play in the success of the White Paper roll-out. The CCMA is developing the allocation key on behalf of the local authorities, which will determine the number of accommodation units located in each county. Last week, I met the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, and we discussed ongoing co-operation between our Departments on this issue.

Work is also under way to establish a programme board and an external advisory group, which will form the governance structure for the project as committed to in the White Paper. The programme board will comprise representatives of Departments and agencies, the local authorities and NGOs with a role in the delivery of services for international protection applicants. At least one former resident of the direct provision system will be represented on the board and experts will be invited in, as necessary, to support the delivery of key areas such as housing and human rights. The programme board will be a proactive entity that will oversee the transition to the new international protection support service. The external advisory group will be a three-member group and will consist of a mixture of expertise in areas such as human rights, housing and change management. It will provide external advice to support implementation of the new international protection support service and will also format a function of calling out, in the event that the Department is falling back in respect of reaching targets. I will be announcing details of the membership of both entities in the coming weeks. I envisage that the first meeting of the programme board will take place in June.

**Deputy Gino Kenny:** I thank the Minister for his comprehensive reply. I welcome the Government's commitment to phase out direct provision, which as I have said previously, has been a cruel system for those seeking sanctuary in Ireland. When they came to Ireland, they were given sanctuary but in a system of direct provision that sometimes lasted for up to seven to eight years. It is good that it is being phased out. How confident is the Minister that it will be phased out in the lifetime of this Government and has he encountered any resistance from the multitude of civic bodies and Departments involved in this area on the grounds that this may not be feasible over the lifetime of this Government, which, if it runs its course, will be four years? Has the Minister encountered such resistance?

**An Leas-Cheann Comhairle:** As none of the other Deputies involved in this grouping is in the room, I will return to the Minister. I beg Deputy Ó Cathasaigh's pardon.

**Deputy Marc Ó Cathasaigh:** I am up in the Gods. I acknowledge the Minister's commitment on this issue. I know how hard he worked to get this commitment into the programme for Government and how hard he has worked within his Ministry since to deliver the White Paper, which, I believe, is finally providing a pathway to ending direct provision, which has been a blight on our nation for the past 21 years.

I have taught some of the children who have lived in direct provision. I have taught children who were born in Ireland but lived in no other context than in a direct provision centre. I have talked to their parents who say the experience is one of life in limbo, as they have had to press the hold button on their lives and they cannot see a way forward. The Minister outlined some of the steps he proposes to take to fulfil the White Paper. What specifically is being done to drive down the processing time for the international protection applications? I would like to see that turned around in a shorter timeframe. Whatever about own-door accommodation, we need to

get these people processed and through our system as quickly as possible.

**Deputy Roderic O’Gorman:** In terms of processing time, working is ongoing in the Department of Justice. Significant additional resources have been put in to a better IT system but also to put in place additional staff to speed up the processing time at first instance and the appeal stage. My colleague, the Minister for Justice, Deputy McEntee, is committed to delivering in that regard.

On the question raised by Deputy Gino Kenny, I have not encountered resistance. Rather, I have received support from all elements of Government towards the delivery of the commitment. It is a commitment across Government and I am committed to delivering it. The time-frame is tight. I know there has been some criticism of it not being delivered until 2024. In terms of what we are trying to do in providing that level of accommodation, as someone who has been involved in local authorities, the Deputy will know how difficult that is but I am committed to doing everything that I and my Department can do to ensure we have phased out direct provision by the end of 2024.

**Deputy Gino Kenny:** The most important people in this debate are the people who find themselves in direct provision. People have exited direct provision and played a huge part at community and national level, having worked and raised families here. They are a great addition to their communities. There is a cohort of over 7,000 people still in direct provision, some of them for many years and in pretty bad situations in terms of accommodation. In terms of a request, they want the processing system to be reviewed. It is not acceptable that human beings, sometimes whole families, are locked up in hotel rooms for years. People will look back and ask how those people were treated so badly because of where they came from or because of the colour of their skin. The Minister understands the need to phase out direct provision. In the meantime, how can we challenge the processing system such that people can leave direct provision and be able to give something back to Ireland? That is all they want to do.

**Deputy Marc Ó Cathasaigh:** My original question deals more specifically with the issue of timelines. While I acknowledge 2024 as an endpoint, the Minister referenced a number of initiatives, such as the implementation team, the programme board and the external advisory group. In order that the people currently within the direct provision can see light at the end of the tunnel, are there specific timelines for any of those elements in order that we can map progress and tick off the different stages as we move through them? Can the Minister provide additional clarity in terms of concrete timelines for completion of those elements to ensure achievement of the 2024 target?

**Deputy Roderic O’Gorman:** I am fully aware of how difficult that life in limbo is for residents, having engaged with individuals living in direct provision and the groups representing them. This is why we have a commitment to have someone on the programme board who has gone through the system and will feed back directly into the work being undertaken.

In response to Deputy Ó Cathasaigh’s earlier question, I outlined some of the points on processing. I will say that as soon as the Catherine Day report was published last October, the Department of Justice immediately established its own programme board to work on the very specific issue of processing. That Department is accountable to a Cabinet sub-committee on the delivery of these commitments, as is my Department.

We set out an indicative timeframe in the White Paper. Once the transition team and the

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programme board are established in the coming month, I will give them an opportunity to do a little bit of work so they can set out a clearer implementation timeframe once they are up and running because they will be in the best position to indicate deliverables as we go forward.

### Family Resource Centres

**7. Deputy Martin Browne** asked the Minister for Children, Equality, Disability, Integration and Youth his views on the amount of time that administrators in family resource centres spend making applications for funding. [28597/21]

**Deputy Martin Browne:** I want to raise with the Minister how administrators and managers of the family resource centres spend a massive amount of time making applications for funding. I also want to raise the fact that the existing funding streams are too short.

**Deputy Roderic O’Gorman:** I will start by paying particular tribute to the work that family resource centres have been providing since the outbreak of Covid-19. I was pleased to see some very effective and innovative work undertaken by them in that time. Recently, I met the family resource centre national forum again, and it described at first-hand the surge in demand for these services, and how the centres have responded. I deeply admire their commitment and dedication to their local communities.

Tusla provides core budget funding for 121 family resource centres throughout the country to provide family support and build the capacity of disadvantaged communities. This funding enables communities to develop strategies in response to social problems and to leverage access to other funding opportunities. With the core funding provided by Tusla, family resource centres draw down significant additional funding for their communities from non-Tusla sources.

It is important that family resource centres access a range of funding sources, as much of their diverse work intersects with the remits of bodies such as the Department of Social Protection, the Department of Rural and Community Development, local authorities and the HSE. Some family resource centres have also secured supports from non-governmental bodies and cross-Border funding. I encourage them to seek these supports, where possible.

I accept that the process of securing diversified funding streams can be resource intensive but it is also important to account fully for State funding. I am in favour of any measure that could be put in place to reduce the administration burden on local community and voluntary organisations so they can dedicate their resources to the provision of services.

I have been concerned over the past year by the loss of alternative sources of income, such as room rental and fundraising, experienced by family resource centres. I have asked Tusla to examine its available resources to see whether some additional funding is available to support such groups this year on a once-off basis. The Department has also secured €620,000 funding through the Dormant Accounts Fund to support family resource centres and Tusla will be inviting applications for these additional resources soon.

**Deputy Martin Browne:** I appreciate the Minister recently met the family resource centres but so have I, and I have been involved in the resource centre in Cashel since we built it. An amount of time is wasted and taken up by managers and administrators looking for funding. Let it be said that at times it is minuscule funding. The amount of work these managers and

administrators put into running the centres is unbelievable. When all of the paperwork goes back to it, the Department does not realise that the funding given to the centres is not anywhere near enough. In reply to a parliamentary question we tabled, the Minister stated family resource centres continue to provide counselling services and they can assist families in accessing mental health supports from other agencies. They cannot do so with the funding they are getting. I appeal to the Minister to tidy this up and provide more mainline funding to resource centres.

**Deputy Roderic O’Gorman:** The issue of the specific funding stream for counselling services was one we discussed when I met the representative group three weeks ago. We provided €6 million last year and €6 million this year to support these services. I will continue to examine the matter. I am aware of the importance of the low cost early intervention services they provide, particularly because of their locations. They are accessible to people who might be using other services in the family resource centres and who might not have the same degree of access to HSE-run services in HSE buildings. I absolutely accept that, in terms of value for money and the appropriate location, the counselling support services provided by the family resource centres are extremely valuable.

**Deputy Martin Browne:** We all agree the family resource centres are a model for providing therapeutic and drop-in services but in some cases the funding is so scarce that these centres find themselves unable to provide assurances to service users that the service they require will continue to be provided. In a recent discussion on mental health with the centres, they spoke of dealing with people who are ready to take the next step but they cannot get assurances on this from the resource centres. This is not only because the funding amount is so small. There is no guarantee when the funding is spent, and it has to be spent before the centres look for more, that the next strand of funding will be available to them. This is where all the problems arise for the resource centres. Most family resource centres operate on shoestring budgets. I have sat on the board of management of the resource centre in Cashel and I have listened to the managers come in month after month. The voluntary board of management had to fundraise for people to finish counselling.

**Deputy Roderic O’Gorman:** I thank the Deputy. The funding that comes from my Department through Tusla is fixed and allocated so family resource centres can rely on it. It is always less than family resource centres want and it is less than the need out there but our set of funding is fixed. It is important to remember that family resource centres respond to the needs in their area, so what the Deputy has identified in Cashel with regard to the needs of the local community may be different from the needs being provided for in Mountview in my area. The specific functions and tasks each family resource centre engages in may be funded from a different area. One focused on childcare will get additional resources from the Department and another that focuses on drug support may seek additional support from the HSE. We provide the core level of support and we can bring in resources from other State agencies for the particular needs of the community.

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

### **Child and Family Agency**

9. **Deputy Jennifer Whitmore** asked the Minister for Children, Equality, Disability, Integration and Youth the efforts his Department is making to limit the impact of the recent HSE cyberattack on Tusla services; and if he will make a statement on the matter. [28456/21]



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**Deputy Jennifer Whitmore:** I raise with the Minister the issue of Tusla, in particular what efforts the Department is making to limit the impact of the recent cyberattack on the organisation's services. I thank the Minister for arranging a briefing last week. Can he give me an update on exactly what is happening with Tusla and what the impact is? Last week, we were told by the CEO it was too early to be definitive on whether data had been stolen. Does the Minister have an update on this also?

**Deputy Roderic O'Gorman:** I recognise that the Deputy and others have been highlighting the impact of the recent cyberattack on the HSE's servers and Tusla's ability to support vulnerable children. I have been deeply engaged with Tusla since the attack occurred.

As the Deputy referenced, she participated in a briefing for relevant spokespersons from political parties with the chief executive officer of Tusla. We provided a full overview of the issues involved. The CEO of Tusla was also in touch with the Chair of the Oireachtas joint committee, Deputy Funchion, and all members of the committee were written to.

As an independent agency, Tusla has responsibility for its own ICT functions and has engaged with the HSE, the National Cyber Security Agency and the Garda on this incident. My officials have been in daily contact with Tusla since first being alerted to the attack on 14 May. I have been in very regular contact with the chief executive, Bernard Gloster, to ensure Tusla receives all necessary supports. Tusla is engaging with the Garda, the Courts Service and family support services on the provision of guidance and information to all its staff. Tusla will place an advertisement on radio from tomorrow letting people know that its core services are available. They are not available by email but are available by telephone, and that phone number and other relevant information will be provided across the media from tomorrow.

There is no evidence at this point that material has been taken from the servers that contained Tusla's information, although we cannot say conclusively that this has not happened. We continue to engage in a very detailed way at both my level and official level with Tusla, offering it all necessary support.

**Deputy Jennifer Whitmore:** I thank the Minister for the update but I am concerned that we do not really seem to have moved on. From the information we received last week, I had hoped we might have a timeline as to when Tusla expects to be back up and running. Last week, I said I was afraid Tusla was being forgotten in the debate because we were hearing a lot about the HSE and there was no real mention of Tusla. On 17 May, the Taoiseach, the Tánaiste, the Ministers for the Environment, Climate and Communications, Justice, and Health, and the Minister of State with responsibility for communications all met to discuss the cyberattack. I was concerned that the Minister, Deputy O'Gorman, who has responsibility for children and Tusla, was not at that meeting. It seemed that perhaps Tusla was being forgotten in that whole debate. Has the Minister since had a meeting on this with the Minister for Health, Deputy Stephen Donnelly? It is important the Minister is at that table when these issues are being discussed.

I know the Tusla staff are doing a great job and providing workarounds, as is the CEO, but has there been any indication of a drop in the number of referrals now that we have moved to a more manual system?

**Deputy Roderic O'Gorman:** Tusla has absolutely not been forgotten. It has been at the centre of my focus and the Government's focus. I have been to a number of meetings on the Government's wider response to the cyberattack with the Ministers to whom Deputy Whit-

more referred, namely, the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, the Minister for Health, Deputy Stephen Donnelly, the Minister for Justice, Deputy Heather Humphreys, and the Minister of State, Deputy Ossian Smyth. As I said, I am in almost daily contact with the chief executive of Tusla and I have also met representatives of the National Cyber Security Centre to discuss its response. That is really important. The fact that Tusla might not have featured in the public debate should not in any way indicate that there was any lack of Government focus on the importance of Tusla's services and the risk posed by this attack to its delivery of services.

As for getting up and running again, Tusla is looking to migrate its email system back onto its own system. It has a small own-server system. It will take a number of weeks, I think, before everything is back up and running, on both Tusla's side and the HSE side, but I am happy to continue to provide updates on that point.

**Deputy Jennifer Whitmore:** One of the specific questions I asked was whether there had been a drop in the number of referrals and whether an assessment had been done in that regard. I think such an assessment would provide an indication regarding the workarounds. I understand Tusla is significantly impeded by this attack, but there needs to be monitoring of the impact it could potentially be having on referrals and children at risk. Specifically, have any court cases been impacted by this or deferred over recent weeks?

Deputy Connolly earlier raised the issue of staff within the HSE being stood down as a result of this and being told to work from home. Is that also happening? I am not sure whether it has been happening, but is the Minister aware of any such issues with Tusla staff? There is a risk in that Tusla staff have come out of a year during which personal interaction was very difficult. They tried to work as hard as possible to reach children at risk. To be hit with this attack, following on from that year, will make life very difficult. I am glad to hear the Minister is in regular contact, but that monitoring needs to happen.

**Deputy Roderic O'Gorman:** I do not have current figures relating to the impact on referrals. I will ask Tusla to provide that information to me and I would be happy to pass it on to the Deputy.

The Deputy is absolutely right about the impact on Tusla staff. They have really risen to the challenge during the pandemic. I think Tusla was one of the quickest social work agencies in Europe to move to working from home. All staff were supplied with laptops. Those laptops now have to be rebooted due to this attack. That is taking place. Tusla has set up a special centre where all staff will go to get their laptops rebooted. My understanding is that all Tusla staff are working. They are available by phone and available to engage with other services to keep the institutional and personal knowledge each social worker has about the children and families in his or her care and to make sure children and families do not fall through the cracks. I am very confident that that has been taking place but I will find the figures relating to referrals. As I said, an information campaign will be run by Tusla over the weekend.

**An Leas-Cheann Comhairle:** We will move on to Question No. 12, in the name of Deputy Ó Murchú.

**Deputy Ruairí Ó Murchú:** We will have sufficient time. We will probably get to Question No. 14 as well, will we not?

**An Leas-Cheann Comhairle:** I cannot say. It depends on who will come in or what----

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**Deputy Jennifer Carroll MacNeill:** What about Question No. 10?

**An Leas-Cheann Comhairle:** It is in the name of Deputy Richmond.

**Deputy Jennifer Carroll MacNeill:** We sent a note to the effect that I would take it if that is okay.

**An Leas-Cheann Comhairle:** Did the Deputies make arrangements beforehand?

**Deputy Jennifer Carroll MacNeill:** Yes.

**An Leas-Cheann Comhairle:** Go ahead. I beg your pardon.

### Childcare Services

10. **Deputy Neale Richmond** asked the Minister for Children, Equality, Disability, Integration and Youth the efforts his Department has undertaken to increase the number of childcare places in Dublin city and county; and if he will make a statement on the matter. [26126/21]

**Deputy Jennifer Carroll MacNeill:** The question relates to the efforts the Department is undertaking to increase the number of childcare places in Dublin city and county, recognising not only that affordability is a challenge but also that availability is a significant challenge, particularly in my area, which has an increasing number of very young children who need crèche places.

**Deputy Roderic O’Gorman:** First 5, the national ten-year strategy for babies and young children and their families, commits to maintain and extend the supply of high-quality, publicly subsidised early learning and care and childcare to best serve the developmental needs of babies and young children, ensuring that it also reflects the needs and preferences of parents and families. In this context, my Department closely monitors developments regarding capacity for both early learning and care, ELC, and school-age childcare, SAC.

Before the onset of Covid-19, we used the early years sector profile survey to gather data. This survey revealed, unsurprisingly, that the sector was running at near capacity and that there was some evidence of undersupply in parts of Dublin city and county. This evidence has informed the allocation of funding under my Department’s annual capital programmes in recent years. Since 2015, we have increased capacity across the entire sector by 27,400 places, and 4,600 extra places have been provided in Dublin city and county.

Since Covid, there has been some evidence of depressed demand for early learning and care and childcare, largely due to changes in parental working arrangements. We have put very substantial supports in place for providers. This has ensured there has been no loss of capacity over this period. As a consequence, the supply of early learning and care and childcare currently meets demand, although there may still be a few small pockets of undersupply. However, ensuring that supply is sufficient to meet demand, particularly once work patterns stabilise following the removal of the Covid restrictions, remains a key priority.

The annual early years sector profile survey is due to commence this month. This will allow for updated information on capacity. We also have an Ipsos MRBI survey looking at parental demand for September 2022. All these data will help my Department’s investment fund. My

Department has made a detailed submission for capital funding in the early years sector to the Department of Public Expenditure and Reform in the context of the review of Project Ireland 2040.

**Deputy Jennifer Carroll MacNeill:** I thank the Minister for that comprehensive reply. Fine Gael has done some research with parents recently. We surveyed 2,300 parents and childcare providers, most of whom were parents of very young children. The responses were really interesting because while 76% of them talked about the need for more affordability, when they talked about flexibility, including flexibility of hours, and a choice of different types of services, whether community-based or private, it really was choice that was important to them. As a subset of choice, location was absolutely crucial. The driving forces, therefore, were not only making childcare more affordable, which was really important to many people, but also, just as important, where to bring their children and the choice available in that regard. Does it have to be the three-day week, the five-day week or the drop-off? It was a matter of providing that total flexibility, which is even more important in a post-Covid environment in which people have more adapted working arrangements and may be able to collect children at a range of different and new times.

**Deputy Roderic O’Gorman:** The Deputy’s point on choice and location is important. Under the planning codes, when a housing estate of a particular scale is built, there is a requirement to put in childcare places. In my area in Dublin 15, I have been disappointed too often by developers trying to subsequently get the childcare facility rezoned and sell it on for housing units. That is disappointing because we all know there is demand. I take with a pinch of salt the argument put forward by some developers that no one would take up this particular service. We are aware that in suburban areas like our constituencies there is significant demand. There is one example which I will not name where our local authority rejected an attempt to rezone and get out of that childcare obligation. It is important that local authorities and our colleagues on councils play their role to ensure that is not happening.

**Deputy Jennifer Carroll MacNeill:** I could not agree more with the Minister. The provision of accessible childcare within housing communities is incredibly important.

Another point from our survey is the perspective of the professional staff involved. Pay is a big issue but so is the recognition of professional qualifications and experience. The top ask of the State is more financial support but also greater recognition of professional qualifications.

While there is a dissatisfaction with pay, one other concern coming back from the childcare professionals in this study is a dissatisfaction with the support available for children with special needs and an opportunity to plan their work. I appreciate that is not directly related to the question. However, there is huge support for the scope of a child development agency to help develop the professionalism of the sector. I know that is the ongoing work of the Department.

**Deputy Roderic O’Gorman:** The Deputy will be aware that we have set up the process to initiate a joint labour committee to get a wage order in the sector. That will be important. I wrote to the Deputy’s party colleague, the Minister of State, Deputy Damien English, about that. That process has been initiated and we hope it will provide the pay the childcare professionals deserve.

We are also working on the workforce development plan to give professional recognition to those who work in childcare. This will ensure there are clear career pathways for them that

they will be able to follow and progress.

In terms of the supports for young children with additional needs in childcare facilities, we have the access and inclusion model, AIM. I discussed this earlier with Deputy Shanahan. We are providing an extra €6 million in AIM supports for this budgetary year. AIM is a good scheme and everyone recognises its success. That is why we are continuing to invest in it.

### **Direct Provision System**

11. **Deputy Steven Matthews** asked the Minister for Children, Equality, Disability, Integration and Youth the details regarding in-person inspections of direct provision centres during level 5 public health restrictions in the first five months of 2021; and if he will make a statement on the matter. [26715/21]

92. **Deputy Steven Matthews** asked the Minister for Children, Equality, Disability, Integration and Youth the position regarding in-person inspections of direct provision centres given that public health guidelines have been reduced; and if he will make a statement on the matter. [26716/21]

**Deputy Marc Ó Cathasaigh:** Concerns were raised during the previous two lockdowns that inspections of direct provision centres were done over the phone. This is very much a suboptimal alternative when one considers the vulnerability and exposure to risk experienced by people living in direct provision centres. Will the Minister detail the in-person inspections of direct provision centres during level 5 of the public health restrictions in the first five months of 2021?

**Deputy Roderic O’Gorman:** I propose to take Questions Nos. 11 and 92 together.

Accommodation centres are currently subject to regular unannounced inspections by both officials in the International Protection Accommodation Service, IPAS, and by an independent inspectorate company, QTS Limited. These inspections are generally undertaken twice yearly by my officials in IPAS and once yearly by QTS Limited.

Inspections cover a wide range of issues, including food quality, fire safety, appropriate signage and information for residents, as well as the condition of communal areas and sleeping quarters, adherence to hygiene and other health and safety measures. Completed inspections are published on the website [www.ria.gov.ie](http://www.ria.gov.ie).

Unfortunately, the current inspection programme was severely compromised by the Covid-19 pandemic after Christmas last year. However, I am pleased to report that QTS Limited was able to recommence inspections towards the end of February 2021. To date this year, QTS Limited has carried out 19 inspections. In 16 of these cases, the report of the inspection is due to be submitted to my Department shortly. In a further two cases, the Department is seeking responses from contractors on the findings of the reports. These reports will be published on the website to which I referred. One report is already published there.

During the level 5 restrictions, my Department continued to maintain direct contact with our centres and residents through regular newsletters, as well as through the availability of a helpdesk from IPAS. In addition, a freephone service, independently run by the Jesuit Refugee Service with funding from my Department, provides confidential support for residents.



My Department is engaging with HIQA to undertake the role of monitoring the services provided to those accommodated in our centres against national standards that were published in 2019. The national standards meet the requirements of the EU recast reception conditions directive which we voluntarily opted into in June 2018. It is intended that HIQA will begin this role shortly. A strong and transparent monitoring capacity is absolutely crucial to ensure the quality of services is maintained during the significant transformation process which will occur over the coming years in line with the White Paper on a new international support service which I published in February.

Now that level 5 restrictions have eased, my officials will shortly begin again to conduct inspections of all accommodation centres until such time as a formal agreement is completed with HIQA to take over this particular role.

**Deputy Marc Ó Cathasaigh:** To clarify, IPAS and QTS Limited inspections are being conducted over the phone. When does the Minister believe we will get back to in-person inspections? We must acknowledge there have been additional pressures on what is an already congregated setting, particularly in light of school closures. While allowances would not go so far as to be able to have social coffees every day, people in direct provision were very much limited during lockdown in what they could do. Have any of those additional pressures on the congregated setting been reflected in the reports? Have we managed to maintain the quality of services in the centres or has there been a marked diminution in this regard?

**Deputy Roderic O’Gorman:** The Deputy stated the importance of getting back to in-person inspections by IPAS officials. As soon as public health restrictions allow for that to take place, it will continue.

Services provided on a voluntary basis by the friends of the direct provision groups have been impacted solely because of public health restrictions. Those involved in providing important supports have not been able to get into direct provision centres. As soon as public health restrictions allow for that to take place, we will see it recommence.

**Deputy Marc Ó Cathasaigh:** On the European Commission guidelines into which we voluntarily opted, will the Minister comment on the benchmark we are setting in direct provision? One of the recurring messages I have got from my interactions with people in direct provision is about being able to prepare their own food. I know progress has been made in that area. Will the Minister add a general comment on where we are in terms of the standards we apply to direct provision centres? We are looking to phase them out and make them something of the past. However, until such time as we reach that point, are we prepared to stand over the benchmarks we are setting for the service providers?

**Deputy Roderic O’Gorman:** My key intention in terms of accommodation is to end the use of emergency direct provision centres which are primarily hotels and bed and breakfast accommodation. We will be undertaking a round of procurement later on this summer for new accommodation. That will be centred on the idea of own-door and own-room accommodation. Particularly in the context of own-door accommodation, we will have a situation where people will be provided with cooking facilities.

I know not being able to cook for themselves is a major concern for people in direct provision. In Letterkenny, we opened a direct provision centre with own-door accommodation where people can cook for themselves. We opened a similar facility in County Galway.

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In settings where we continue to provide meals, I know the quality has been criticised.

*12 o'clock*

We look carefully at any new contracts that we are renewing and we investigate where complaints are coming in respect of residents and investigate those very thoroughly.

**An Ceann Comhairle:** The next question is from Deputy Ó Murchú. We just will have time for him to introduce it.

**Deputy Ruairí Ó Murchú:** In Question No. 12, I have brought up the case of early child-care services and accessing the national childcare scheme, NCS. There are a number of these services in danger. We are talking about the referrals from Tusla. I am aware that there are ongoing conversations and while Tusla will deal with the House – Coxs Demesne Youth and Community Project because it has a service level agreement, others do not. There is a possibility of using the Meitheal early intervention services by Tusla but beyond that we need to look to expanding and looking at the Department of Education and possibly school completion home-school liaison officers being able to refer children. We need early interventions as quickly as possible to ensure that services like Moneymore Childcare Centre in Drogheda are not obliged to close in September.

**An Ceann Comhairle:** Gabhaim buíochas leis an Teachta agus tá brón orm anois mar níl an t-am againn chun freagra a fháil ón Aire mar tá deireadh tagtha anois le ceisteanna chun an Aire Leanaí, Comhionannais, Míchumais, Lánpháirtíochta agus Óige.

*Written Answers are published on the Oireachtas website.*

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

**Deputy Pearse Doherty:** The new personal injuries guidelines have been in effect now for over a month. Sinn Féin supported the Judicial Council Act and these new guidelines for one simple reason, which is that they would bring greater certainty to the level of personal injury awards, reducing the cost of claims, and by doing so should reduce the cost of insurance for customers.

This is only going to happen if insurance companies pass on in full the savings to their customers. As the Tánaiste has said himself, these new guidelines will reduce the level of awards for soft tissue injuries by an average of 50%. In some cases, the level of awards are cut as much as 69%. Put simply, these guidelines will provide significant savings for the insurance industry that must be passed on to their customers in full.

In 2019 the insurance industry made cast-iron guarantees to the Committee on Finance, Public Expenditure and Reform, and Taoiseach that it would reduce premiums if personal injury awards reduced in this way. They told this committee that it would reduce motor insurance premiums by 15% and business insurance by 20%. That is straight from the industry's mouth. The new personal injury guidelines have provided for just that. We now need to see insurance prices fall and to fall now.

The question that we need to ask ourselves is whether we can trust the insurance industry to deliver on their promises in full. The answer to that question should be a clear "No". The

industry cannot and should not be trusted to deliver on its own.

In September, the Competition and Consumer Protection Commission, CCPC, found after a four-year investigation that five insurance companies, the biggest players in the Irish industry, engaged in anti-competitive cartel-like behaviour and price-fixing over a 20-month period from 2015 to 2016 that led to higher prices for consumers. Indeed, during this period we saw all insurance premiums increase by 21% year on year.

Yesterday, at a meeting of the finance committee, two of these insurance companies rejected these findings, showing contempt for the commission and for their customers. That is the industry that we are dealing with and it should not be trusted at face value. This Dáil cannot provide it with huge savings and then cross our fingers and hope that these savings will be passed on in full to their customers.

At present, that is exactly what we are doing with the new personal injury guidelines. The industry can and should be held to account to ensure that it passes on the savings in full to the customers. That is exactly what is happening in Britain. When the level of awards was reduced there, legislation was passed to ensure that the industry passed on these savings, pound for pound, to their customers.

Many of the big beasts of the Irish insurance industry, such as AXA, Aviva, AIG, Allianz, Zurich and RSA, also operate in Britain and are the big beasts of the insurance market there and are subject to these requirements. The insurance industry here should be subject to the exact same level of scrutiny.

I argue very strongly, therefore, that we need the same type of oversight here. We need to ensure that pound for pound, euro for euro, the savings that will be made by the industry as a result of the dramatic cuts in all awards are passed on to their customers and passed on now. Will the Tánaiste agree that similar oversights and regulations should be brought in here in order that the insurance industry is required to submit information to the Central Bank each year to show the savings that have been made as a result of these guidelines and how those savings had been passed on to their customers.

In my view this will not only hold the industry to account but it will apply pressure on them to do the right thing right now, which is to cut insurance premiums. By doing so and by introducing this oversight, they will have had nowhere left to hide.

**The Tánaiste:** I thank the Deputy. I will start by recognising the Deputy's work down the years in highlighting this issue, which has been very helpful to us in government in enabling us to act on this issue. The proposal that the Deputy makes is worthy of consideration and would be a matter for the Minister for Finance rather than for me but if the Deputy would like to share it with us or produce a paper or document on it, if he has not done so already, we would be happy to give it consideration. On the face of it, it sounds like a sensible proposal but I would have to see the detail before I could say so for sure.

On the wider issue, the Government has embarked on a major reform of the insurance sector in Ireland that has been led by me as Tánaiste and Minister for Enterprise, Trade and Employment. I head a ministerial committee, which is now implementing the action plan for insurance reform and it is one of those occasions when we are probably ahead of schedule in implementing the major recommendations.

The biggest reform was of the personal injuries guidelines, which has been done and I recognise the Minister, Deputy McEntee's work in that regard. That has reduced awards and as awards have been reduced, we now expect that premiums should also be reduced. That is logical and it is also the commitment that the industry has made. The Criminal Justice (Perjury and Related Offences) Bill has now been put in place. That legislation will tackle false and exaggerated claims.

We have reforms under way to the Personal Injuries Assessment Board, PIAB, led by the Minister of State, Deputy Troy. We will make changes to the duty of care legislation and we are also making reforms to the CCPC to improve its powers as to competition. All of these reforms are going to make a difference and not just the personal injury guidelines reform.

I have to be very clear that the reason we made these reforms and changes was so that insurance would become more available and affordable for motorists, homeowners and businesses. As these reforms are now happening and being realised we expect the insurance industry to do what it is supposed to do and said it would do, which is to reduce premiums for motor and home insurance and for employer liability, EL, and public liability, PL, for businesses. The Minister of State, Deputy Fleming, is going to individually meet all of the CEOs of the insurance companies and he is already doing that to impress this on them and if we can use the regulatory function of the Central Bank to monitor this, press them further and hold them to account on this, then I believe the Deputy's proposal is a very good suggestion.

**Deputy Pearse Doherty:** I thank the Tánaiste for his response. We have done more than just produce a paper on this but have produced legislation. I look forward to the Tánaiste's views on this and we will have an opportunity to discuss and debate this on Second Stage shortly.

The key thing for me is if this sort of oversight is brought in, it says very clearly to the insurance industry that it has to show clearly that every single euro that has been saved as a result of reduced awards has been passed on to the customers. Over the past seven days, I have quizzed and grilled five of the major insurance companies in the finance committee. Some of them have suggested that these personal injury guidelines, which only took effect last month, have been factored into premium reductions as far back as five and six months ago, which is absolute nonsense. That is why we need an mechanism for all of these companies. The six largest companies in Ireland are also the six largest companies in Britain and they abide by this regulation, which the UK Parliament passed into law, which forces the industry to show that it has passed on these savings euro for euro. I would welcome this type of commitment because as I have said previously, this is an industry that we cannot take at face value and we have a duty here to ensure that the laws that we pass are having the desired effect, which is that the customers are benefiting and not the companies.

**The Tánaiste:** I thank the Deputy and he will acknowledge that in the past, the Government has accepted legislation from him on the insurance issue and we will be willing to do so again and to work with him on this and give his proposal full consideration. As I did not hear what the insurers said at the committee, I do not want to comment directly on what I did not hear them say but if they said that they had already factored in the personal injury guidelines into their premiums, I would find that hard to believe. How would they have known what figures the Judicial Council had come up with? I was not aware of the figures until I saw them, so I cannot imagine how they would have been aware of them either. My expectation is that now that the personal injury guidelines are in place, the provisions they have to make should be lower and, therefore,

premiums should fall over the next couple of months or at least as people get their renewals. I have heard some anecdotal evidence of that happening but have not seen any proof of it as yet. As already stated, the message is clear from the Government. We brought about this reform to reduce the cost of insurance and make it more available, and we expect the insurance companies now to deliver. We are open to any proposals that will help us monitor them and hold them to account so that it happens.

**Deputy Alan Kelly:** Today, the people have hope. Our economy and society are on the verge of reopening and that is very welcome. However, the Minister for Health came to the House earlier and dropped a bombshell as regards vaccine delivery. There are a number of issues I want to raise with the Tánaiste as a result of that. These are not gotcha questions; they are just to elicit information so that the public can be aware. There is no way in which we can meet the 82% first-dose target or the 55% target for full vaccination by the end of June. We were meant to receive 470,000 doses of Janssen next month from a total order of 600,000. It was meant to be our workhorse vaccine. Obviously, the Tánaiste was aware of this, but will he inform the House as to what he expects to be the percentages we will get to in the context of the administering of first and second doses by the end of June? I know it will be a guesstimate but, for the information of the public, I would appreciate if he could give us an indication. I never believed that 55% was achievable for second doses but I did believe that 82% was achievable.

I want also to ask about the Government's discussions with the National Public Health Emergency Team, NPHET, as a result of the information that came from the Minister for Health this morning. Was NPHET fully aware, in its discussions from which it has given advice to the Government, that this drop in vaccine delivery was going to happen? Was that considered as part of the advice NPHET gave? Will the Tánaiste confirm whether that variable was part of the mix in the context of the advice NPHET gave to the Government? A big announcement is due to be made on Friday and I do not want the public to have an anxious 24 hours, given the positive vibe that has been given out by the Tánaiste and other members of the Government regarding the advice coming through from NPHET. Was this part of the discussion and was NPHET fully aware of what was happening?

My third issue relates to a question I have asked previously. I want some information. There are more than 400,000 people, some of whom are watching this debate, who are aged between 60 and 69 years. A study from Public Health England shows the first dose of AstraZeneca is only 33% effective against the Indian variant. The Minister for Health clearly stated earlier that there is no intention of giving a second dose of Pfizer or Moderna to this cohort. He was less clear about reducing the gap between doses from between 12 and 16 weeks to eight weeks. I accept that doing so could be disruptive of supply. However, that is secondary to the fact these people are likely to be the most vulnerable, will have to wait the longest to be fully vaccinated and are at risk from new variants. Will the Government please ask the national immunisation advisory committee, NIAC, to discuss this matter? I am not an expert, nor is the Tánaiste. Can we just get advice from NIAC on it?

To conclude, I reiterate that these are not gotcha questions. What will be the levels of first and second dose by the end of June? Was NPHET fully aware of the vaccine drop-off as regards the advice it gave to the Government this week? Will the Government ask NIAC about reducing the gap between doses for 60- to 69-year-olds?

**The Tánaiste:** The people have every reason to be hopeful about the summer ahead. The number of people in hospital is below 100, the number in ICU is below 50 and cases are stable



at approximately 400 or 500 a day, as I predicted they would be several months ago, without falling much below that given the level of reopening. We are ahead of ourselves in terms of where we thought we would be regarding hospitalisations and cases. For that reason, we can look forward to a very positive announcement on Friday regarding the reopening of society and economy and the phased return to international travel, events, etc.

The vaccine programme is going really well. Most people acknowledge that. I recognise all those involved, namely, the task force, the staff and the volunteers, for what they are doing. As we have always said, the only constraint is supply. It is still the case that once vaccines come into the country, 95% of them are in somebody's arm within a week. The targets we gave were always on the basis of the caveat relating to supply. That was made clear by the Taoiseach at the time. Where we stand now is that more than 2.5 million vaccine doses have been administered, and by the end of this week, more than half the adult population will have received at least one dose of the vaccine. That is very good progress. We expect to open the portal to people between 40 and 44 years of age in the coming days.

The targets, as I said, have always been subject to supplies arriving on time. If the supplies do not arrive on time, there is a risk we will miss those targets. That now appears to be likely. If we do miss the target, it will be because of factors beyond our control, namely, supplies of the vaccine. We hope to be able to provide revised targets as part of the announcement on Friday.

I do not know what NPHET was aware of or at what point in time. I have not had any direct engagement with the Chief Medical Officer, CMO, or anyone in NPHET for a couple of weeks. What I can say is that when I met the Commissioner Thierry Breton, who is in charge of vaccine supply, in Brussels last week, he indicated that there would be an issue with Johnson & Johnson supplies but was unable to come up with a number or tell me what it would be. It is only in recent days that anyone would have been aware of what the reduction in supplies was likely to be. We still do not know for sure, as the Deputy will know from the Minister for Health's comments this morning. If we do miss targets, I think we will only miss them by a few weeks because orders that were expected to arrive at the end of June might now arrive in early July. We are able to vaccinate 300,000 to 400,000 a week, so once we get the vaccines, we will get them out.

In the context of the AstraZeneca vaccine interval, I understand the case the Deputy has made on this and I am sympathetic to it. The most recent advice from NIAC, only in the past couple of days, is that the interval should remain at 12 weeks. That is its existing advice. If that changes, it changes. We know from the manufacturer that the interval can be as low as 56 days, but the advice from NIAC remains a 12-week interval.

**Deputy Alan Kelly:** I appreciate that this is just a process of trying to get information out to people. As regards the Tánaiste's response, it is reasonable that the Government will tell us on Friday, as long as it is Friday, what the expected level of first and second doses by the end of June is. That is reasonable and I have no issue with it. I am concerned, however, about one part of the Tánaiste's reply, namely, whether NPHET was fully aware of the issues regarding vaccine delivery when giving the advice upon the basis of which the Government is making the decisions it will announce on Friday. The Tánaiste has been clear that he does not know whether NPHET was aware of those issues,. That will create a level of anxiousness among the public. That is a concern, particularly as we all want society to reopen.

I stress that the Government must ask NIAC or NPHET to state, in a comprehensive way,

why they are not considering, from a scientific point of view, reducing the interval between first and second doses for those aged 60 to 69. I have been inundated with messages from people all over the country in respect of this matter since I first raised it. It is a genuine concern. I am not qualified in respect of this matter, so I would appreciate if NIAC would make that advice public. Will the Tánaiste ask it to do so?

**The Tánaiste:** It is worth pointing out that the vaccine programme is run by the HSE rather than NIAC or NPHET, although obviously NIAC and NPHET have a role. They are much the same people, a lot of the time, writing letters to each other but that is another day's work.

The Deputy asked that NIAC should explain its advice as to why we should continue to have a 12-week interval between the two doses of the AstraZeneca vaccine. That is a reasonable request. In fairness to both NIAC and Professor Butler, they have been very willing to do that in weeks gone by and I am sure they would be willing to do it again. The manufacturer says a gap of 56 days is possible, not less than that. The current advice here is that 12 weeks is still the optimum. As long as that is the advice, it is reasonable that the experts should explain that and I am sure they will.

**Deputy Michael Collins:** I thank the fishing organisations for the peaceful protest in Cork yesterday. I was disappointed to think we have two senior Ministers, Deputies Coveney and McGrath, and our Taoiseach, who I found out afterwards was canvassing around Dublin Bay North, did not bother to meet with the peaceful protesters in Dublin. No Fine Gael politician turned up, which is a disappointment, but remember, when the election comes, they will be knocking on their doors.

Today, I must speak about last Monday. Councillors in Cork county were handed a comprehensive independent report compiled by the All-Island Research Observatory at Maynooth University, which has vindicated every word from my mouth since my election to this House in 2016. Cork county has been getting the lowest funding from the state of any county in this country. Many of the councillors who read this report already knew the perilous funding situation coming from Government, but one Fine Gael councillor had the cheek to try to insult us, as Deputies, by telling us to get off our butts and get the funding to Cork county, even though it is his party that has been in Government with Fianna Fáil for decades and has stood over this national scandal.

This damning report of successive Government failures states that we have the lowest CLÁR funding *per capita*, this being funding for disadvantaged areas, despite having the highest CLÁR population. The report also states that Cork county has the fourth lowest LEADER funding allocation in the State, despite being one of the largest counties. The report goes on to state that Cork county has continuously ended up with the lowest share of grants in the State, with massive short falls in rural regeneration funds, village renewal funds, local improvement scheme funding and greenway funding. The report states that the roads in Cork county will take 52 years – remember that Tánaiste – to bring them up to standard. It states we need €750 million to catch up with the rest of the country.

West Cork roads are appalling. Roads in Bandon, Dunmanway, Bantry and Skibbereen are a danger to anyone who travels on them by car and people are incensed. Bypasses in Innishannon, the completion of the southern bypass in Bandon, the new northern bypass in Bandon and bypasses in Bantry all lay idle as no money is being allocated in spite of Fine Gael and Fianna Fáil politicians making announcements, year in, year out, for decades, of funding becoming

available. The people of Cork county are paying more taxes than any of our county counterparts. We have the highest motor tax and the highest carbon tax rate than any other county. Simply put, the people of Cork county are paying to make sure that the rest of the country's infrastructure is being put in place.

When I raised the lack of funding getting into Cork county with the Taoiseach a number of months ago, I asked him to set up a task force for west Cork to see whether a task force could even the playing pitch; the Taoiseach refused. What was the Taoiseach hiding? Why did he not want this task force? Was he afraid it would end up with a report like the one we have now? Is Micheál Martin scared of the truth and the proof of the Government's neglect of west Cork? Today, I ask the Tánaiste, why is Cork county being treated appalling by successive Governments in relation to funds for our county. Will the Tánaiste accept this damning independent report of underfunding by successive Governments and its findings and what action will he take to rectify this shocking wrongdoing?

**The Tánaiste:** I am afraid I have not seen the report and I was not notified that Deputy Collins was going to raise it. Therefore, it is difficult for me to comment on it but I will take a look at it in the coming days. I wonder whether it is a comparison of all the local authorities in Ireland because it is the case that quite a number of Dublin local authorities do not receive much in Government grants. Dún Laoghaire-Rathdown is an obvious one and my county council in Fingal has received very little, almost nothing, in Government grants for road maintenance, for example, for a particular reason. That is because wealthier local authorities receive less funding than less well-off local authorities, for example, those in the west and very rural local authorities.

If one looks at the way local authorities are funded, they get their funding from a number of sources. There are grants from central Government. There is the local property tax, LPT, commercial rates and there are things like development levies and charges. Local authorities control three of those four streams and can raise money if they chose to through the LPT, through commercial rates, through development levies and other charges. One stream comes from central Government, so when one looks at how much money local authorities have, to suggest that it is all about how much they get in central grants from Government is to misunderstand and misrepresent the situation, because local authorities have a lot of control over how much funding they have. They set the LPT and the commercial rate and they decide on things like development levies and charges. While many authorities receive a lot of Government grants, it is the local authorities that are least well off that tend to receive the most *per capita*, and that is how public spending generally works in a democracy such as ours.

**Deputy Michael Collins:** Let us take a closer look at the grants that have been given out over recent years. West Cork and Cork county were continuously overlooked in recent years. Look at the rural regeneration funds. West Cork had a shovel-ready project which ticked all the boxes for two years, namely, the Schull Harbour development project, which could have created 100 jobs in a rural peninsula. I pleaded with the Tánaiste, when he was Taoiseach, with the then Minister, Deputy Ring, and the current Taoiseach, to get this project the funds it deserved, but not one cent came to west Cork. At the same time, three rural regeneration projects in Mayo got €6.4 million in total. The first one got €1.8 million, the next got €2.6 million and the third got €1.9 million. This and other aspirational non-shovel-ready projects got millions throughout the county, but west Cork and Cork county got zero funding. This year, west Cork put forward two great projects: the Dursey Island cable car project in Castletownbere and the Bandon public realm plan. Surely, if rural regeneration funding was in an honest capacity, we would have had

funding for at least one of the two projects, but again we got zero funding.

Will the Tánaiste promise today to launch an independent inquiry as to what has gone on in Government Departments for years to allow this scandal of underfunding for Cork county? Will this independent inquiry see heads roll in Departments where wrongdoing is found out? Will he immediately support my call for setting up a task force in west Cork to try to repair the damage done for decades so that we can have, not a greater amount of funds, but equal funding? Will he read this report and act on its findings?

**The Tánaiste:** I will certainly look at the report, but it is very strange for any Deputy in this House to call for an independent inquiry, to state what the outcome should be and then to state what the punishment should be. That is nonsense, Deputy Collins. That is not what an independent inquiry does. An independent inquiry looks at something independently, it does not have a predetermined outcome and it certainly does not have predetermined sanctions for people. I think the Deputy is taking a very strange approach to this, if that is his view.

In relation to the rural development fund of a €1 billion and the urban development fund of €2 billion, these are competitive funds and the projects are assessed independently and are scored, or at least that is what is supposed to happen, and the best projects get the funds. It is not divided on a *per capita* basis. These are national funds, and funding is supposed to go to the projects that score highest.

**Deputy Michael Fitzmaurice:** The Prime Time programme about the loss of lives due to mental health issues would have brought a tear out of anyone's eye. Over the last 16 or 18 months during Covid, many people have struggled with mental health. In Roscommon, the acute unit, which was once a 33-bed unit, was reduced to a 23-bed unit. Over recent years, the HSE in its great wisdom decided it would close day-care centres and, indeed, hostels in the likes of Ballaghaderreen and Athleague and, unfortunately, Renbrack house in Boyle was another recent casualty to this system it is running. There is fear that the hostel in Strokestown is going to close as well. I went back and looked at figures in 2019 and one hotel for vulnerable people - we are talking about vulnerable people here - was given €30,000 to accommodate them. The Tánaiste is well familiar with the situation in the Rosalie unit for people with Alzheimer's disease and mental issues, where a battle went on for several years.

On 8 June 2020, the Tánaiste and Paul Reid officially opened the CAMHS Connect mental health service. There was great fanfare with €2.5 million to be spent on this great idea. Anecdotal evidence would suggest that the televisions landed into those premises are worth approximately €1,200 each. It is all dolled up and ready to go, but after such a launch with all the cosmetic, which seems to be the HSE's main work in that it wants to make it look good in theory, unfortunately, there is no money to give to this service now. Does the Tánaiste think it is disgusting that, after having launched this on 8 June last year when he said this service would be available, the vulnerable people in that county are once again left high and dry? Does he think it is acceptable that hotels get €30,000 to provide the service while hostels owned by the State have been closed? At the moment, there is an acute unit comprising 23 beds that is full to capacity. There is no step-down facility. What is the vision of the HSE in respect of this matter? Will the Minister get involved in dealing with it? Will the Tánaiste, who launched CAMHS Connect, which no one will deny was a great idea, get involved to make sure that money is provided in respect of that service for the people of County Roscommon and the wider area, which also straddles the county borders of Mayo and Galway? Will he make sure that the closure happening in Roscommon, which is being carried out by people who would rather buy

pictures for a building and not open it in order that they can look good and talk about what they did, will be stopped once and for all?

**The Tánaiste:** The pandemic has taken a toll on many people's mental health for many different reasons, including isolation, loss of work, loss of income and bereavement. Thankfully, we have not seen any increase in suicide rates during the pandemic period. We worried at the start that this might happen. However, there have been increases in things like calls about domestic violence and referrals to our services. For that reason, Government has put in many additional resources for mental health across the country.

Our mental health budget for this year is €1.1 billion, which is the biggest budget for mental health ever in the State and an increase of €50 million on last year. That demonstrates the Government's commitment to improving our mental health services. With that in mind, some of us heard Sophie White this morning on the radio talking about the mental illness that has affected her, namely, bipolar affective disorder, and how we need to improve maternity and mental health services for women during and after pregnancy. That is something we have been working on for some time. We have seen the budget for that increased and incorporated in the national maternity strategy. I pay tribute to Sophie White's bravery in speaking about her mental health issues so publicly. Listening to her reminds us that whatever progress we have made is not enough and that we have much more to do.

I am glad the Deputy referred to the Rosalie unit. I launched that project with Paul Reid, as the Deputy said, last year. It was the brainchild of my colleague and friend, the former Minister of State, Jim Daly. I am disturbed to hear that it has not been delivered or brought to fruition. That is news to me. I will follow up on the matter. Perhaps there are good reasons but it was very much part of the vision for mental health services, particularly in the west and in rural Ireland, that they would be provided in this more modern way using technology and remote services and functions. I guarantee the Deputy that I will follow up on that today and see what the problem is. The HSE has a budget of €22 billion this year, which is huge. There must be a reason other than finance for it not going ahead, but I will check up on it.

On the other services in Roscommon, I am not familiar with them and do not want to comment without knowing enough about them. I will let the Minister of State at the Department of Health, Deputy Butler, know that the Deputy raised them here and ask her to talk directly to or correspond with him.

**Deputy Michael Fitzmaurice:** It is good to hear that the Tánaiste is disturbed, given that he launched the service in question. I will tell him the reason. Those involved are saying that their budgets are gone. In one area, they bought pictures costing €250 each to put on the walls in order to make things look nice. Televisions have been put in. Painters are going everywhere in different places. Now, however, the HSE is saying that it has run out of money and that its budget is gone. It is good to know, and I do not doubt the Tánaiste in this regard, that, nationally, more money is being given to mental health services. However, it is not a lot of good to somebody in County Roscommon who is vulnerable and who does not have the service in question to be told that more money has been provided nationally but, tough luck, the money has run out in Roscommon.

The hostels to which I refer were step-down facilities. Unfortunately, with the 23-bed unit full to capacity, there does not appear to be a step-down facility in Roscommon to help people on their journey. I again ask the Tánaiste that the money required be put in by the HSE for



the staffing of this new innovative idea the Tánaiste talked about and with which he, Jim Daly and Paul Reid were involved. Will the Tánaiste make sure that the HSE prioritises this as a matter of urgency? In the context of mental health, people in Roscommon, Galway, Mayo and throughout the west of Ireland matter as much anybody else in any other part of the country, regardless of budgets.

**The Tánaiste:** The Deputy has my assurance that I will make inquiries about this today. It is only May. I do not understand how the budget could be gone. The national budget for the HSE this year is €22 billion. We are going to struggle to finance it in years ahead but it has never been bigger. The budget for mental health is €1.1 billion and has never been greater. It includes plenty of provision for improvements and new developments. I will make inquiries on the matter today and get back to the Deputy as soon as I can.

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

**An Ceann Comhairle:** I remind Members that no more than one minute is allocated for the asking of questions and that there is no more than one minute for responses.

**Deputy Pearse Doherty:** Yesterday, my party leader, Deputy McDonald, asked the Taoiseach to clarify the future of the pandemic unemployment supports and stated that for as long as the public health emergency prevents people from going to work, the supports they rely on should be retained in full for the sectors affected. No clarity was provided by the Taoiseach but last night, according to media reports, the Tánaiste shed some light on this issue for his party. I ask him to shed light on it for the Dáil now. Will he give a commitment that the current rates of the pandemic unemployment payment, PUP, will remain in place until autumn? Will he commit, as he has done before, that those prevented from going back to work, either in full or in part, as a result of public health restrictions will continue to be supported at the current rates of payment?

**The Tánaiste:** There are 334,000 people on the PUP this week. They need that money. In the vast majority of cases, this is because they are unable to go back to their jobs because of the pandemic. In the past week, 25,800 people came off the PUP because they were able to go back to work. That is really encouraging and I want to see that trend continue in the weeks and months ahead. It is my firm view that it is too soon for us to start withdrawing or phasing out the PUP because so many people do not yet have the opportunity to go back to their jobs. People lose entitlement to their payments if they refuse to go back to their jobs, but I imagine that is pretty rare. No firm decision has been made on this matter yet. The economic Cabinet sub-committee, which I chair, will meet this afternoon. We will hear proposals from the Minister for Finance, Deputy Donohoe, on the employment wage subsidy scheme, the Minister for Social Protection, Deputy Humphreys, on the PUP, the Ministers for Housing, Local Government and Heritage and Public Expenditure and Reform, Deputies Darragh O'Brien and Michael McGrath, on commercial rates and other things. We will make a decision at Cabinet next Tuesday and make an announcement thereafter.

**Deputy Alan Kelly:** I have been requested by people working in oncology to ask the Tánaiste about the oncology service. This is a critical health service which is caught in a storm between Covid and the aftershocks of the ransomware attack. A number of oncologists are really worried about where matters stand in the context of cancer services and the long-term impact of people not being diagnosed, the lack of screening, etc. The head of cancer care in

my local hospital, University Hospital Limerick, Dr. Denis O’Keeffe, has stated that he is afraid many people will fall through the cracks because of this combination of issues. On behalf of all of the people who are suffering with cancer and those who have not yet been diagnosed, I ask whether there will be a targeted plan to deal with issues of cancer care throughout the country. In particular, will there be a catch-up service in the context of cancer screening, diagnostics and surgery?

**The Tánaiste:** I am worried about this matter too. Based on what I have been told and my own assessment, the cyberattack has had a greater impact on cancer treatment and care than the pandemic did. Cancer care was largely maintained throughout the pandemic but the cyberattack has really disrupted it. Cancer services, radiology, diagnostic services and radio-oncology are being prioritised for restoration. There will need to be a catch-up plan to make sure that we undo a lot of the damage that has been done as a consequence of the cyberattack.

**Deputy Gary Gannon:** This week, Ireland became the first EU nation to declare the expansion of Israeli settlements into the Palestinian territories as a form of annexation. This is a hugely important and courageous step on the part of this Parliament. It follows on from Human Rights Watch referring to what is happening in those territories as a form of apartheid against and persecution of the Palestinian people. Given the decision taken by this Parliament this week, does the Tánaiste feel that now is the time to enact the occupied territories Bill that is awaiting Committee Stage? Is now the time to enact that legislation? If not, when will be the time?

**The Tánaiste:** The Government’s position, based on the advice of the Attorney General, is that legislation of that nature is not permitted because trade is an EU competence. I know there are alternative views but it is certainly the view of the Government’s legal adviser - it was also the view of his predecessor - that legislation of that nature would not stand because trade is an EU competence, not a domestic competence. We also need to bear in mind that there are other occupied territories throughout the world in addition to those to which Deputy Gannon referred.

**Deputy Gary Gannon:** We do not trade with them either.

**The Tánaiste:** It is remarkable that people have so little to say about those territories.

**Deputy Gino Kenny:** Today, thousands of taxi drivers are assembling in Dublin city. Over the past 15 months, their industry and livelihoods have essentially been destroyed. This industry has suffered hugely in that period. Taxi drivers are calling on the Government for extra supports for their industry and their livelihoods, and also for a moratorium on new leases in respect of taxi plates. They met the Taoiseach recently, but they have been left very frustrated about their industry. They hope to literally get back on the road, but without the supports I outlined, the industry that we all used prior to the pandemic is literally on its knees and requires Government support.

**The Tánaiste:** I acknowledge, as does the Government, that the taxi industry has been severely damaged by the pandemic. Taxi drivers have incurred enormous economic losses, much more so than the average person. It would be remiss of us not to acknowledge that the Government has done a lot to help already. The Minister for Transport, Deputy Eamon Ryan, announced a €15 million package last year. Licence fees have been waived. Like other self-employed people, taxi drivers can claim the pandemic unemployment payment and still work and still charge fares, up to a certain limit. That was a major concession. It is important that

taxi drivers can operate their vehicles and still claim the PUP. There is a lump sum for those who are able to come off the PUP. We are aware of the difficulties taxi drivers face. The Minister for Transport will be engaging with them and seeing if there are other things that we can do. The best thing we can do is to get them working again.

**Deputy Noel Grealish:** Aer Lingus was registered as our national airline on 15 April 1936 and has been Ireland's flagship since then. Aer Lingus has carried millions of passengers into and out of Ireland, mainly from the US and Europe, via Dublin, Cork and Shannon. One could say that it is the main driver and the lifeline for the tourism industry here. It is crucially important that Ireland, as an island nation, has a strong national airline to serve our transatlantic routes in particular. Aer Lingus employed 4,500 people prior to the pandemic. Last year, Air France-KLM received more than €10 billion and Lufthansa received €9 billion in state aid from the governments of their respective countries. Will the Tánaiste outline what the Government's plans are and what supports will be made available to ensure the survival of Aer Lingus and also to ensure that there will be no more job losses at the airline?

**The Tánaiste:** The Government very much regrets the job losses that have occurred in airlines and aviation in general. They are principally a consequence of the pandemic and the travel restrictions that we have had to put in place. Many in this House thought our travel restrictions did not go far enough. I know Deputy Grealish was not one of them, but it is strange to hear some of those people now defending airline workers and workers in the aviation industry when they were almost chomping at the bit for stricter travel restrictions only a few weeks and months ago. I hope that airport workers and airline staff will see through that sort of hypocrisy.

In terms of what the Government has done already - and we have done a great deal - €300 million has been provided in wage subsidies for airlines and airports. That is a lot of money. If one multiplies that by ten in order to compare it with the figure for France, one gets €3 billion. Based on our population, the €300 million already provided in provided in wage subsidies for the airlines and airports has helped many people to retain their jobs. A funding package of a further €80 million is being provided for aviation and loans of €150 million have been extended to Aer Lingus. There is also a further €40 million. That is what has been provided already. It is a lot. What they need to survive and prosper is to get back flying again. I hope that the announcement the Government makes on Friday on a roadmap for a return to international travel will provide the necessary confidence.

**Deputy Mattie McGrath:** The Taoiseach informed this House yesterday that no worker, artist or dancer should be left short-changed when the country reopens. Also yesterday, Fáilte Ireland, our national tourism development board, produced long awaited recovery and resilience guidelines for the reopening of hospitality. All the guidelines say is that no live music is permitted indoors or outdoors. It is one short sentence. We are supposed to pride ourselves on our culture, traditional song and dance and everything else. Why is that the case? Are we going to have "The Lonesome Boatman" played as piped music in the bars or Biddy Earley's silent lament or the music of the famine ships? What does the Government have against the arts industry, the music, the song and the rinceoirí? What about the tradfests this year in small towns? What about the county fleadh, the Munster Fleadh, the provincial fleadh and the Fleadh Cheoil? This is our heritage. It is what we are made of, our very being. Is the Government trying to kill the spirit of our nation altogether that it will not allow a rince or a man on the fiddle, a tune or a recitation? There is no damhsa istigh or taobh amuigh. What is going on? Fáilte Ireland should be getting people back into this country on our national airline and let decisions like this be made by the Government. It does not know anything about this mat-

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ter. Let it do what it is good at. Let the people live again, play, dance, sing and love each other.

**The Tánaiste:** I totally appreciate that this was very disappointing news for people who work in the live music sector. I can guarantee that Fáilte Ireland, our national tourism body, with which I worked closely for years, is a big supporter of Irish music and Irish arts.

**Deputy Mattie McGrath:** This does not show it.

**The Tánaiste:** If the Deputy does not know the reason for this, which he should know, it is one of public health.

**Deputy Mattie McGrath:** Come off it.

**The Tánaiste:** If there is live music-----

**Deputy Mattie McGrath:** Outside.

**The Tánaiste:** -----people will speak louder and they will shout and that will-----

**An Ceann Comhairle:** Could we have one voice please?

**Deputy Mattie McGrath:** Amuigh faoin spéir.

**The Tánaiste:** I do not think the Deputy wants to hear the answer so we will move on.

**Deputy Michael McNamara:** It has been an extraordinarily difficult year for Shannon Airport. Throughout much, if not all, of the past year, it has not had a chair for its board of directors. Strategic decisions need to be made at Shannon regarding its aviation business but also in respect of Shannon Heritage and its future. The chair of a board of directors is there to provide strategic guidance. When the Tánaiste was Taoiseach, Shane Ross was his Minister for Transport, Tourism and Sport, and I am told he wrote a book about the experience. He rang the then chair of Shannon Airport to tell her he was not going to continue her tenure. No sooner was he off the phone to her when he got a phone call from the then Taoiseach, as a result of which he changed his mind. Will the Tánaiste give the current Minister for Transport a ring to see what is happening with the appointment of a chair in Shannon? I have been trying to phone him but he does not answer my calls.

**The Tánaiste:** I am not sure if the former Minister, Shane Ross, has the timeline exactly right but he does have the substance right. I did ask him to extend the term of the then chair at that time, at least until he found a new one. I do not think that was bad advice because leaving a chair empty is never a good thing for a board and that is the point Deputy McNamara is making. The Minister for Transport, Deputy Eamon Ryan, does take my calls. I will certainly raise the matter with him this evening when I see him.

**Deputy Colm Burke:** I want to raise the role of the Residential Tenancies Board in the registration of landlords. In 2016, a total of 29 people were prosecuted for not having their properties registered. That dropped to only ten last year. In the area of my constituency around UCC, a survey done by the residents association, which examined the records of 242 properties, found that 142 of the properties had tenants in them but were not registered with the Residential Tenancies Board. We had a lot of problems during the summer months last year around UCC. What action is the Government going to take to make sure the Residential Tenancies Board follows through on its role by making sure that all landlords whose properties are occupied with

tenants are registered?

**The Tánaiste:** I thank the Deputy for raising this matter. It is the responsibility of the Residential Tenancies Board to make sure properties are registered. There seem to be a lot of unregistered properties, from my own sense of things, particularly in our city centres, including Dublin and Cork, and that is a real problem in terms of taxes unpaid and tenants being unprotected. I know the board has received a significant increase in budget in recent years so that it can carry out inspections and take enforcement action. From what the Deputy is telling me, obviously, more needs to be done. I will certainly speak to the Minister, Deputy O'Brien, about that and ask him to talk to the Deputy directly to see what we can do in the interim.

**Deputy Paul Donnelly:** I raise the issue of community policing. First, I wish the two injured gardaí from our area all the best in their recovery and I thank the gardaí in Dublin West who dealt with such a difficult situation. Dublin West has grown massively in the 25 years that I have lived there. Recently, as the Tánaiste will know, there have been developments in Pelletstown, Phoenix Park, Ballentree, Tyrellstown, Ongar, St. Joseph's and Barnwell, and we will have new developments in Kellystown. Unfortunately, we have not seen a major investment in community policing resources or youth facilities to meet the growth. Limerick has the same population as Dublin West and it has three times the number of gardaí and three Garda stations, whereas Dublin West has one. Can the Tánaiste give a commitment that Garda management, whom I am meeting tomorrow afternoon, will get the resources they need and that our communities deserve?

**The Tánaiste:** I thank the Deputy. I take this opportunity to commend the professionalism of all the gardaí involved in securing a safe outcome to the very dangerous situation that occurred in Whitechapel, Clonsilla, the other day. I particularly want to recognise the bravery of the two detectives who were on the scene. On behalf of the Government, I wish them both a rapid and complete recovery.

The position nationally is that An Garda Síochána has never been better resourced and never had a bigger budget, and there have never been more gardaí or Garda staff. The decision as to how they are allocated around the country is not made by the Government; it is made by the Garda Commissioner and his team, and that is how it should be done, for obvious reasons. Again, I will take this matter up with the Commissioner in my conversations with him.

**Deputy Neale Richmond:** Obviously, some major decisions will be made by the Government today and tomorrow on the next stages. I was wondering if consideration will be given not just to the trial roll-out but to an eventual roll-out which will see live crowds return to our sporting and cultural events around the country this summer. I know all our sports organisations, fans and supporters but particularly the players are very concerned to see them reopen in a safe manner, bearing in mind the very successful tests that have happened in the United Kingdom.

**The Tánaiste:** I thank the Deputy. I am as keen as he is to get back to watching a match and getting back on the stands. I am increasingly confident that is going to be possible over the course of the summer. We will make a decision on this at the Cabinet meeting on Friday. I can say that the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, and the Minister of State, Deputy Chambers, have worked up some plans to allow a number of trials of outdoor sporting events with spectators - thousands of spectators - to happen across June and July. Hopefully, we will be able to give the green light for that on Friday and,



as well, allow resumption, not as trials but just in ordinary course, with smaller numbers like 50, 100 or 200 attending county grounds or smaller grounds.

**Deputy Imelda Munster:** Yesterday, Ireland published its guidelines for the hospitality sector. For the most part, they are a welcome tool for businesses as they prepare to reopen. However, these guidelines include a 105-minute time limit on tables in restaurants and bars. That is despite the Tánaiste and other Government representatives repeatedly saying that, this time around, there would be no time limits. How is it fair that people can dine and drink in a hotel without any time limits whatsoever, but if they are in a restaurant or bar right next door, a time limit is imposed? It is both illogical and unfair. I ask the Tánaiste, in the Government's announcements tomorrow, to commit to what he repeatedly said would happen, and that is to lift the time limits this time around for whenever restaurants and bars are allowed to reopen.

**The Tánaiste:** I should point out that the time limit of 105 minutes, or just under two hours, applies only indoors and only when the tables are not more than 2 m apart, so if the tables are more than 2 m apart, there is no such time limit. The reason for it is that if people spend more than two hours in each other's presence in the same room, they are considered to be close contacts, and it is to avoid an entire dining room or an entire restaurant being deemed close contacts.

The guidelines that came out the other day are more liberal than what we had in December or in August and September. They are not the final word on this and they can be reviewed again in a few weeks' time. The Deputy should bear in mind that hotel restaurants, at least indoors, are only open to residents and they are not open to people coming in from outside. They may need to be aligned if we allow that.

**Deputy Emer Higgins:** We are all hoping for good news tomorrow and we all want individual training to be able to recommence indoors from 7 June, as planned. I recently received confirmation from the Minister, Deputy Catherine Martin, that when it comes to lifting restrictions, the guidance for performing arts and dance will be the exact same as for sport. That means we will be treating our children who play sport the same as children who dance, and that is really welcome. Before Christmas, dance schools in my area were able to return to practice under individual training guidelines. Approved Sport Ireland guidance allowed an agreed number of dancers to be socially distant in a safe space and to train together under the supervision of an instructor. Can the Tánaiste promise our children, who have been missing out on so much for so long, clarity on when dancing and performing arts can return indoors? Will he ask for that clarity to be given tomorrow during the announcement? Children and their dance and performing arts teachers want to know, and they deserve to know, that they are not an afterthought and they will not be overlooked.

**The Tánaiste:** I thank the Deputy. I express my admiration for the Deputy's commitment to this issue, which I know she has raised on a number of occasions on behalf of parents and children. I cannot make any commitment today but, once again, she has put it firmly on my radar and that will feed into the discussions we have tonight and tomorrow. I think the indication given by the Minister, Deputy Martin, is that the rules we apply to indoor training for sport should be the same as those for dance, and that seems logical to me.

**Deputy Paul Murphy:** Last year, under pressure, the Tánaiste finally accepted the need to freeze rents. Now, from July, the Government plans to allow landlords to once again hike them up. Even worse, tenants are being told that, rather than a 4% rent increase in the rent pressure

zones, they can face up to an 8% increase as landlords are allowed to impose last year's 4% as well. It is bad enough that the rent freeze is being lifted but why on earth are landlords being allowed to apply a rent increase from last year and, effectively, get around the 4% rule? A woman who contacted me is facing an increase of almost 7%, which she simply cannot afford to pay. The Tánaiste has spoken about avoiding a cliff edge in plans to extend business supports. Does he not accept that, for many who have lost out due to Covid, an 8% rent hike in July is also a cliff edge that they are facing? Will he agree, at the very minimum, to intervene to avoid this cliff edge?

**The Tánaiste:** I thank the Deputy. I will check that out and speak to the Minister, Deputy O'Brien, about it. As the Deputy knows, in the rent pressure zones, which cover the vast majority of tenancies in the country, the maximum increase is 4%.

*1 o'clock*

I did not envisage that people would be able to apply a retrospective year. An 8% increase for anyone would be a very large increase in any one year. I must admit to not being aware of that and I will talk to the Minister about it.

**Deputy Darren O'Rourke:** Workers at the Smurfit Kappa newspaper printing press in Kells, County Meath, learned a couple of weeks ago that, subject to regulatory approval by the Competition and Consumer Protection Commission, CCPC, the operation in Kells is to be acquired by KIP Limited, an indirect UK incorporated subsidiary of Rupert Murdoch's News Corp UK. Workers there are deeply concerned that their terms and conditions of employment, including redundancy entitlements, will be hollowed out in the process. Many of the workers have decades of loyal service to Smurfit, which is a successful and profitable company. Is the Tánaiste aware of this proposed acquisition? Does he have an opinion on it? What assurance can he offer as Tánaiste that the terms and conditions of employment, including redundancy entitlements, will be protected?

**Leo Varadkar:** I am not aware of it. The Department does receive notifications of redundancies and sometimes of acquisitions. I have not seen this come across my desk yet. It might be that it falls under the transfer of undertakings and the staff would receive protections under that, but I would have to check it out. I will ask my officials to make contact with the company and see what we can do.

**Deputy Brendan Griffin:** I speak today on behalf of the pubs and restaurants that will not open next week. I call for consideration of their plight when the Cabinet meets tomorrow to discuss the further reopening of the economy and consider how these businesses feel when they see other indoor venues opening for dining and drinking next week when they are not able to open. I am calling for fairness and consistency in how we treat all pubs and restaurants.

I also call for an early signal that there will be continuation of the supports in place for pubs and restaurants long into the future until they can stand on their own feet again, given what they have endured over the last 15 months. I also ask that the reopening grant be made available to all pubs. I also ask that the Government call time on the 105-minute limit as it will only encourage pub crawls and grub crawls. It will be counterproductive and it is something we need to do away with.

**An Ceann Comhairle:** Okay, Deputy I am calling time on this question.

**Leo Varadkar:** I should say again for the record that the 105-minute rule only applies indoors and only applies where tables are less than 2 m apart. It will be a decision, and I appreciate an expensive decision, for restaurants and pubs as to how they configure their tables. The guidelines are not the final word on this and will be reviewed in a few weeks' time if the epidemiological position continues to improve.

The reopening grant will be there for everyone who reopens, pub or restaurant. The Government's intention is that once reopening occurs, they will get the grant. I agree and we appreciate that the Covid-19 restrictions support scheme, the weekly payment for businesses that are closed, will have to stay in place for businesses that are only able to operate outside, at least until they are allowed to operate inside again, and that the wage subsidies will need to stay in place for quite some time.

**Deputy Mark Ward:** A response to a parliamentary question stated that the HSE paid debt collection agencies over €2.4 million in the last four years to collect money owed by patients such as €100 emergency department fees. Almost €600,000 was paid to debt collectors by the HSE in 2020. The HSE's use of a debt collection agency is an incredibly regressive measure, especially during a public emergency, particularly when it is going after people who have lost jobs and loved ones and who have been impacted by Covid-19. It is plainly and simply wrong. Does the Tánaiste believe the HSE should engage the use of private debt collection agencies to go after people, many of whom are not in a position to pay bills due to extenuating circumstances?

**Leo Varadkar:** People have a social obligation to pay their bills and taxes and settle their debts because if they do not do so, they pass those bills and costs onto society and onto other people. That is why they have a moral obligation to do the right thing. I appreciate there will be individual circumstances where people cannot pay for one reason or another. Whether the HSE uses debt collection agencies or collects the debts directly, it needs to be sensitive of that. Even in the most difficult circumstances it is usually possible to agree some form of payment scheme, even if it is over a long number of years and people should do that.

**Deputy Christopher O'Sullivan:** I am deputising for Deputy McGuinness. The Ceann Comhairle's office should have been notified I am to take his slot.

**An Ceann Comhairle:** That is fair enough. If the Deputy is, I was not notified of that but he may go ahead.

**Deputy Christopher O'Sullivan:** This relates to the online driver theory test. There was an announcement during the week that it was possible to apply for the theory test online. That is very welcome. Some 3,000 slots were taken within minutes. There is a lot of frustration. I know individuals whose appointments have been rescheduled six times. For a young person living in Cork and applying for a theory test, the nearest appointment is in Donegal in July. The online process for the theory test will be a great success, I have no doubt. Can we get a commitment that the process will be expanded in order that more young people will be allowed to apply and get their driver theory test? Having a licence or a theory test in place could be the difference for young people getting back to work.

**Deputy Violet-Anne Wynne:** I wish to raise Shannon Airport and the announcement made last week. I encourage the Tánaiste to take the three and a half hour journey down to County Clare and engage with the workers and hear how they are being directly impacted by the recent

announcement.

**Leo Varadkar:** I am happy to engage on the issue of Shannon, alongside my colleagues. I have already been talking to Aer Lingus. As the Deputy knows, to secure the future of the airport we will need to allow people to return to international travel again. The Deputy also will be aware that for some time, her party thought the travel restrictions we brought in were not strict enough. I am glad that she has changed her position on that, if indeed she has.

On the earlier question, it sounds like we need more slots, given that they were filled so quickly. I do not know whether that is practical but I very much appreciate that young people need to get on the road, they need the freedom of the road to get to work and college, and we need to make sure more slots are available if we can.

*Sitting suspended at 1.08 p.m. and resumed at 1.48 p.m.*

### **Health (Amendment) Act 2021: Motion**

**Minister for Health (Deputy Stephen Donnelly):** I move:

That Dáil Éireann resolves that the relevant period, within the meaning of section 9 of the Health (Amendment) Act 2021 (No. 1 of 2021), shall stand extended for the period beginning on the 8th day of June, 2021 and ending on the 31st day of July, 2021.

This motion seeks agreement to the continuation in force of the Health (Amendment) Act 2021 up to 31 July 2021. I remind the House that this Act provides for the mandatory quarantine in designated facilities of persons coming into the State from certain areas. Commonly referred to as mandatory hotel quarantine, it has been operational since 26 March 2021. It has been an important part of the public health measures to combat the transmission of Covid-19 and, in particular, variants of concern.

The Act requires travellers who, in the 14 days prior to their arrival in Ireland, have been in, or transited through, one or more designated states to undergo 14-day mandatory quarantine in a designated facility. This requirement is subject to a number of exemptions and can be reduced if a not-detected Covid test result is obtained from day ten onwards. The Act also requires those travellers without a negative PCR test result from a test taken no more than 72 hours before arrival to enter mandatory hotel quarantine until they return a negative test. Typically, they are facilitated with those tests very quickly.

My Department has led on the implementation of mandatory hotel quarantine, supported by several Departments, including those responsible for defence, foreign affairs, transport, justice, and children, equality, disability, integration and youth, in addition to the Defence Forces, An Garda Síochána, the Border Management Unit, the Garda National Immigration Bureau, the Revenue Commissioners, Customs and Excise and the HSE. It is worth giving thanks on my behalf, on behalf of the Government and - I hope colleagues would agree - on behalf of the Oireachtas.

As we have seen in the pandemic, most of the things we are doing require broad co-operation involving multiple Departments and State agencies, as well as private sector partners, voluntary sector partners and volunteers. Mandatory hotel quarantine has been no different. It has required a broad group of people to come and work together. I wish to thank everyone for

everything they have done.

We have a single service provider, which is the Tifco Hotel Group. The group is providing full-board accommodation services to guests in facilities designated exclusively for the purpose of quarantine, as well as ground transportation, security services and health and well-being services for guests within the facilities.

The Defence Forces are fulfilling the important role of state liaison officer. The officer has a presence at each port of entry to the State, as well as an on-site presence at every designated hotel on a 24-7 basis to liaise with the service providers to ensure travellers are safe, secure and comfortable.

The provisions of the Act allow for travellers to request a review of decisions relating to their quarantine. However, this can only be undertaken once quarantine has started and on limited grounds. Public health obviously will remain a paramount consideration. The Department of Justice is working closely with my Department on the review process and has put in place a process which provides a seven-day-a-week service. Decisions must be returned within 24 hours of receipt of the request for review. Requests for review are based on the specific grounds established in law. Appeals officers have been selected from a group of barristers, who have also provided a service in respect of the International Protection Appeals Tribunal.

Medical services are available on-site on a 24-7 basis. It is possible for a person to leave quarantine in the case of medical emergency and to attend urgent medical appointments. Special arrangements have been made to allow those seeking international protection or unaccompanied minors to undertake their quarantine in alternative appropriate circumstances.

A procedure is in place within the missions of the Department of Foreign Affairs for deferrals of prepayment for Irish citizens and residents abroad in hardship circumstances. Irish citizens and residents who wish to make an application for deferral of fees relating to mandatory hotel quarantine should contact their local Irish embassy or consulate wherever they are. A procedure is also in place for Erasmus students. They should contact the Erasmus office in their third level institution. That office will then make the booking on behalf of the student. Their standard costs associated with mandatory hotel quarantine will be covered by the Department of Higher and Further Education, Innovation and Science. Other students travelling from or transiting through designated states are not covered by this arrangement and need to pre-book and pay as per normal.

Colleagues will recall from our debate in March that the Act contains a sunset clause at section 9. Unless extended by a resolution passed by both Houses prior to 7 June of this year, the clause will lapse on that date. The Act contains a provision for up to a maximum of three months at a time and this was seriously considered. However, consideration also had to be given to the exceptional nature of the legislation, the evolving epidemiological situation, the progress of our vaccination programme and the importance of aviation, hospitality and tourism to our country. As such, I do not propose to extend up to this maximum period. Rather, I am proposing to extend to 31 July. Notwithstanding this, subject to the passing of the proposed resolutions by each House, it is important to note that the Act does provide for further extensions of up to three months prior to the expiry of this proposed extension. Any further proposed extensions would be informed by the public health situation in July.

Throughout the pandemic, decisions on travel measures have sought to balance the urgent



need to protect public health with the need to facilitate essential travel and to sustain connectivity into and out of Ireland as well as the vital importance of protecting human rights and civil liberties.

As has been widely reported, the Taoiseach will make an announcement on international travel tomorrow, including a statement on the introduction of EU Covid-19 certificates - what we have discussed as the EU digital green certificate. We recognise the growing expectation among the public of a gradual but increasing return to a more normal way of living, including foreign travel for non-essential purposes. We are also conscious of the serious challenges the pandemic has presented for the aviation, tourism and hospitality sectors. I wish to emphasise that this proposed extension of mandatory hotel quarantine to 31 July does not prevent the proposal of further legislative, operational or policy changes, including on the designation of countries. Rather, this extension would be a safeguard to manage the risk of importation of cases and variants of concern. It would also allow the economy to continue to reopen safely and for the vaccination programme to progress further.

I wish to be clear in my message to colleagues in the House today. Mandatory hotel quarantine has worked and is working. It has achieved and is achieving what we set out for it to do. It has helped to contain the virus and has gone a long way to obstructing variants of concern getting into the wider community. There has been a fall in detection of variants of concern in Ireland since late March, when mandatory hotel quarantine was introduced.

Ireland is at a critical stage in the vaccination programme and it is essential that this is not undermined. As of 25 May, a total of 4,400 people have entered mandatory hotel quarantine. Of these, there have been 173 Covid-19 detected cases, comprising 163 residents, nine staff and one unaccompanied minor. Of these cases, 59 variants of concern cases have been detected. This includes 47 cases of the B.1.1.7 variant first identified in the UK and 12 cases of the B.1.351 variant first identified in South Africa or the P1 variant first identified in Brazil. A total of 49 cases were not suitable for whole genome sequencing while a further 58 cases are awaiting further clarification.

The data do not take account of cases which have been avoided in the community as a result of mandatory hotel quarantine. While home quarantine can be effective as a measure for lower-risk travellers, there are significant practical and legal challenges in monitoring and enforcing home quarantine for higher-risk travellers. The high level of people with asymptomatic infection remains a challenge. This creates a risk that new variants could be imported and would not be identified during the testing process in the absence of mandatory hotel quarantine. Many countries have been unable to adequately monitor new variants and this adds to the risk of circulation.

While we have recently seen encouraging research which indicates that the vaccines we are using are effective against emerging variants, we need to remain vigilant. A total of 2.5 million vaccines have been administered to date. As we discussed earlier in the Chamber, by the end of this week we estimate that half the adult population of Ireland will have had at least one vaccine dose. That is positive and it is great progress. Despite this positive progress, we must remain vigilant. It is as important as ever that we continue to follow the public health measures currently in place, including those relating to international travel.

I am of the view that mandatory hotel quarantine has been effective in supporting the public health measures to combat transmission of Covid-19 in Ireland and in particular, of variants of

concern. It has contributed and continues to contribute to the reduction in case numbers and the creation of space in which a vaccination programme can be rolled out. In turn, this is making the gradual and safe opening of society and the economy possible. I thank Deputies for taking the time to listen to my opening remarks. I very much look forward to hearing contributions in this important debate.

**Deputy David Cullinane:** I welcome the opportunity to have a debate on this issue. As long ago as last March or April, the National Public Health Emergency Team, NPHET, and public health officials were making the case for mandatory hotel quarantine and mandatory PCR testing. All the while they were making that case, most of us, albeit not all of us, in the Opposition were calling for the public health advice to be implemented in full.

*2 o'clock*

The reasons we gave for this at the time were that mandatory quarantine would be helpful in containing the virus and that it was necessary to prevent the importation of new variants. It is interesting that, in his opening remarks, the Minister rightly went out of his way to acknowledge that mandatory hotel quarantine has worked. It has helped to contain the virus and prevent some new strains entering the State. That is a vindication of NPHET's position and the position of those of us in the Opposition who called for the measure. In the context of this debate, it has to be pointed out that there are many in government, in both Fine Gael and the Minister's party, who have sought to undermine mandatory hotel quarantine from the beginning. They never wanted it to be in place, despite its effectiveness, which the Minister mentioned, and despite it being one of the many tools needed to keep us safe. I would argue that it is also a tool that ensures that we can protect and jealously guard the reopenings we are now beginning to see. Non-essential retail reopened last week. People were going back to work. We will see further reopenings next week and over the following weeks. Mandatory quarantine is one of the ingredients and tools that were necessary over recent months and which will be necessary over the coming months to keep us safe. That has to be said.

As one of those who argued that mandatory hotel quarantine should be in place, I accept that the situation changes as more people are vaccinated. Like any other public health measures, it must be re-evaluated at all times. We obviously have to listen to the public health advice. Our public health advisers will evaluate the status of Covid and its variants at any particular time and give advice to the Government. Nobody wants mandatory quarantine to remain in place a minute or even a second longer than is necessary. It is the same with any of the public health measures. As we see many of these unwind - and we will see more unwind over the coming weeks and months - it is probable that we will also see an easing of mandatory hotel quarantining, which is probably necessary. I imagine that will happen in tandem with the coming on stream and going live of the EU Covid certificate. New arrangements will be agreed between member states to facilitate travel within the European Union before these arrangements go live in August. In addition, as more people get vaccinated, we can better protect ourselves against any variants.

The question then is at what stage will mandatory quarantine be required and for what countries. As more people are vaccinated and as the EU Covid certificate comes into play, we will reach a point at which quarantine should only be used in situations in which people are coming in from countries where incidence rates are very high or where there is a high risk of any of the new variants, either those already in circulation or further new variants or mutations that may emerge, entering the State. In some parts of the world, these conditions prevail. That

is how I see this working out.

All of these measures have been very difficult. Anyone who has had to quarantine for 14 days will know that it is an inconvenience and very difficult. Nobody wants to see any of these measures put in place but the facts speak for themselves and we have seen that, as a consequence of the introduction of this measure, a number of cases of the new variants have been captured, as have cases of the existing variants, in people entering the State. That is precisely why this measure was brought in - to prevent and to protect.

A number of restrictions are to be eased over the coming weeks and there are businesses open for the first time in months. We can all celebrate that. Businesses last week were opening their doors for the first time in many months and, in some cases, a year. Many people were going back to work. It does great things for their mental health to go back to work, which is what they want to do. People are also able to enjoy more outdoor activities. That is what we all want to see. We have to protect all of those opportunities in the weeks and months ahead. We have seen what happens in this State if we take our eye off the ball. We have seen what has happened in other countries in recent weeks and months when they have taken their eyes off the ball. It would be ludicrous for any state to ignore the threat these new variants present. It is not the case that the virus has gone and the pandemic is at an end. Unfortunately, the virus is still here and still spreading and people are still contracting it.

Luckily, as a result of the roll-out of the vaccine, the fact that, as the Minister pointed out, 50% of the adult population have now received at least their first dose and, most importantly, the fact that great numbers of those most at risk in the wider population have now been fully vaccinated, we now have these opportunities to reopen and we are now in that very strong position. Surely our priority must be to jealously guard all of that. How reckless would it be to completely disregard mandatory quarantine and to say that it is not necessary even when dealing with arrivals from countries in which there is high risk of new variants or in which the infection is spreading at very dangerous levels? That is not where the majority of people's thinking is. My best guess is that the number of people being inconvenienced by mandatory hotel quarantine will reduce over the coming weeks and months as fewer people will have to quarantine because of the roll-out of the vaccine in their home countries.

That brings me to the EU Covid certificate. There has been an awful lot of debate as to how this will actually work. I welcome that it is to be in both digital and paper format. That is important. The three elements to the certificate are proof of vaccination, a PCR test or an antibody test. Antigen testing is also an option. There are different opinions on antigen testing but I see a role for it. We have called for a pilot roll-out of antigen testing for travel on the Dublin to London routes over recent months. We have asked the Minister for Transport to look at this but he has not done so. It would have been important in collecting data on its effectiveness. I remind the Minister that over recent months, when we were pleading with the Minister for Transport to put in place mandatory quarantine and proper and robust travel checks and to do all of what the Minister has said mandatory hotel quarantining has done, we got pushback from the highest levels of government. We are still getting pushback on the issue of antigen testing. It is not a panacea. It cannot be seen as a replacement for all of the other things we need to do. However, surely there is a role for it, especially as we hope to begin to reopen air travel, at the very least within the European Union.

We obviously also need to have a relationship with Britain. It will be very important to have connectivity with London and other parts of Britain. If people are to be able to fly to

Spain, Italy or France, people will obviously also want to be able to fly to Britain. That bilateral engagement between Ireland and Britain is going to be very important. This becomes even more important because of the North.

Will the Minister please ensure that there is sufficient engagement with his colleague and counterpart in the North? I would say the same to the Minister for Transport. There has to be engagement with Ministers in the North and with the Executive at the highest level in respect of all of this. Today we hear that, in the North, the vaccine is now being made available to all age cohorts. It is far ahead of this State in this respect. While the North will rightly be celebrating more reopenings and while it will be ahead of us, it is important that we join up the responses as best we can. That will have to come from the genuine engagement of the Minister.

**Deputy Darren O'Rourke:** I welcome the opportunity to speak in this debate. I echo Deputy Cullinane's comments. Mandatory hotel quarantine was a very significant and important public health intervention. It was not a decision that was taken lightly, nor should it have been. It was, and is, controversial but as outlined, it was a significant tool in response to the risk of importation of the virus. In many respects, it was an inevitability given the many failures by the Government to get ahead of things, to address and put in place systems that would minimise the risk of the importation of the virus and would give people confidence that the limited amount of international travel that was permitted was happening safely. I point specifically to issues such as the introduction of the passenger locator form, on a voluntary basis initially, but which the Government was forced to make mandatory, in respect of which the follow-up was pathetic throughout. That undermined public confidence. The same applies in regard to testing. It is literally incredible that we did not introduce mandatory testing until there were in the region of 8,000 cases per day. That was reckless. At that stage, mandatory hotel quarantine became an absolute necessity, if it had not been previously. As has been outlined, it has played an important role. It was only ever envisaged to be a temporary measure. The circumstances today are very different from what they were in January, February and March, when it was being introduced. Had the necessary preparations been made in advance, I do not believe we would have had the initial issues in terms of the anomalies, contradictions and difficult and hard cases that presented, many of which were resolved in a sensible and common-sense way.

The significant vaccine roll-out in Ireland, the United States, across the European Union and in Britain, in particular, presents a major opportunity for the future with regard to reopening international travel but it has to be done carefully. There are risks in terms of variants of concern. I agree with Deputy Cullinane's analysis on how we should work forward in a phased way to relax these restrictions. The priority needs to be the roll-out of the digital green certificate. We need to be in a position to adopt it as early as possible and, in that regard, to prioritise the common travel area, the European Union and the United States. There is need for an explicit indication of what criteria will apply. Obviously, variants of concern are just that, that is, variants of concern, but the risk factor changes as we get more people vaccinated and the information is generated. We need clarity and transparency in order that people are aware of the criteria that apply. I know that is a frustration for people. Hopefully, we do not have to live with the constraints of mandatory hotel quarantine for a lot longer.

I want to emphasise a point that has been made in terms of our Covid restrictions around international travel, that is, the opportunity of antigen testing. My own background is in diagnostics. I worked in that area for 15 years. At different times and for different reasons, we have argued that a single point in time PCR test is of limited use. We have argued for post-arrival testing. Professor Mark Ferguson outlines the opportunity that exists to improve on that protec-

tion with serial antigen testing. In doing that, we can potentially reduce the cost of the overall testing, reduce the cost of international travel and improve on the system we have in place in terms of providing protections for people. It might also present an opportunity in terms of the issue of quarantine at home and mandatory hotel quarantine. We should be innovative and progressive and test these systems and be ahead of the game in relation to them.

**Deputy Ged Nash:** Mandatory hotel quarantine is a tool with which none of us is comfortable but it is one of the tools that has been necessary in our fight against Covid-19 over the last few months. We all know that Covid-19 and its variants do not recognise borders. As stated repeatedly by my colleague and party Leader, Deputy Kelly, this virus is on tour. The arrival of different variants on our shores has shown how unpredictable Covid can be. As stated yesterday by my colleague, Deputy Duncan Smith, this virus has a habit of making fools of us all.

The vast majority of people accept that mandatory hotel quarantine is not a nice measure but it is necessary. It was brought in to capture the different variants and to ensure that those variants do not come into Ireland in the first instance. People are concerned about the different variants. Those who are in the 60-69 age cohort are particularly anxious as they await the second dose of the AstraZeneca vaccine to better protect them from the so-called Indian variant. The vast bulk of this age cohort will not be fully vaccinated until August. That is a long time to wait.

As we do not know what is ahead of us, I understand why the Government is seeking to extend the mandatory hotel quarantine system but this measure should be used as a last resort as more people become vaccinated. Like the health regulations that were brought before the House yesterday, the Labour Party does not believe that we can keep extending last-resort measures such as this without proper parliamentary scrutiny. Can the Minister commit to providing a detailed report reviewing the mandatory hotel quarantine system and the checks and balances that are in place? How we approach the system must be recalibrated in line with the initiation of the EU digital certificate system. The Labour Party asks that the principles of the EU digital Covid certificate also be applied to the common travel area and to areas in which vaccination levels are high, such as North America. The Minister will be aware that there are 128 million vaccinated people in the United States at the moment, not just with one shot, but fully vaccinated, and there are 30 million people fully vaccinated in the UK. We have those data sets, and we are aware of this. Rapid antigen testing must play a role here as well. As alluded to by other speakers, Professor Ferguson, the chief scientific adviser, has delivered a strong report on the use of rapid antigen testing. It must play a role, particularly for people returning to Ireland.

It is full steam ahead. We will be keeping the pressure on the Government, but hopefully the penny is finally dropping. We cannot pretend that there have not been concerns about the operation of the mandatory hotel quarantine regime. Many of us will have received feedback from people who have availed of the mandatory hotel quarantine system. They have outlined how mentally taxing it is and, in some cases, the appallingly poor conditions in which they were asked to live, while paying for the privilege. There are some questions on the standards of support and care, if one can call it that, within the system. As the days get longer and, we hope, the weather that bit better, the amount of time people get to spend outside of their rooms, for example, to exercise and so on, must be examined. We know this should be treated as a last-resort measure so we need to make things as easy as possible, and as pleasant as possible - if that is the right term - for people living under these circumstances.

There also needs to be greater agility and flexibility in adding and removing countries to the list. When we know new variants arise, we must be swift in adding countries where they are



most dominant to the list. We also must be quick to examine countries where levels of Covid are dropping and vaccination rates are rising and to remove them from the list, on advice. As a Deputy for Louth and east Meath and a resident of my home town of Drogheda, which is approximately half an hour from Dublin Airport, I want to end my remarks on this issue by giving my support to people who work in the aviation sector, who are under extreme financial pressure and are very anxious to get back to the jobs they love. We know that workers in Shannon and Cork airports have lost their jobs. Hopefully, these positions can be recovered but there is an awful lot of despair. We have to acknowledge that and ensure that a great deal of work can be done in the time ahead to not just recover the jobs that have been lost but to maintain the very important jobs that are there at present. I am sure that the aviation sector, which is of strategic and significant importance to us, will be fully protected and supported. It really is lamentable to see that some of the supports provided to the aviation sector by the Government were not contingent on protecting jobs, preventing lay-offs and ensuring that job conditions were protected, and there will be no forgiveness for this. It is something the Government will never be able to run away from. It is why, in acknowledging the strategic importance of our aviation sector not just to business, enterprise and jobs but its strategic importance to this island nation, we have to be innovative about how we support our aviation sector. One suggestion I made, and which the Irish Congress of Trade Unions has been making, to the Minister for Transport, the Minister of State, Deputy Naughton, and others, is to establish, for example, a revised wage subsidy scheme, possibly based on the German model, to ensure the stabilisers are maintained. If it is the case over the coming months that the EWSS is run down, we should embed a German-style wage support scheme in our labour market model to support sectors such as aviation, which will find it difficult to come back to full strength. This is something the Government should consider. It is something I support and I have proposed. It is something that will be important to support the industry.

**Deputy Marc Ó Cathasaigh:** Since I was elected to Dáil Éireann a little over a year ago, and certainly since the Government was formed, we have had to pass a raft of legislation that in ordinary times would be absolutely unthinkable because of their severity and draconian nature. Everybody in here accepts the necessity for the legislation that has been put in place, and mandatory hotel quarantine is part of this. The scepticism that we share about legislation is healthy and correct, and it is very much the job of the House to examine legislation in this regard. This legislation in particular contradicts one of the four central freedoms of our participation in the European Union, namely, the freedom of movement.

Of course, I will support the extension proposed in the motion but it is right and healthy we are having the debate and that we are examining it fully. With this in mind, we are proposing only a short extension and the facility remains to extend this further, and we must approach this legislation with this in mind. We should not just have a sunset clause but should consider how it is we will unwind the system of mandatory hotel quarantining. At what point will it become redundant? Are we looking at large-scale vaccination in the country or will we rely on external factors?

In this respect, we will have to examine how it interfaces with the digital green certificate. The likelihood is this will apply to the common travel area, the EU, the US and more developed parts of the world. I have a concern that if we look beyond our European borders and into the developing world, we will find ourselves in a situation where the walls will begin to come up with regard to Covid. It is beginning to look increasingly the case that what we are looking at in terms of Covid is something that is endemic in the world population. Earlier, I stated

I do not believe the COVAX mechanism goes far enough or that Gavi will answer all of the questions we need to answer with regard to global vaccination. If we are not looking at global elimination and if we are looking at a situation where variants of concern are free to develop in large congregated settings in the developing world, then are we looking at an issue whereby the walls will come up around the developed world and we will have free travel for those fortunate enough to be vaccinated but not for anybody left out in the cold?

I am looking beyond the July extension proposed. Do we see a way out of this? It is tangential to the debate but it does of course raise the question of vaccination in the global south and what we will do about it. I am firmly of the opinion that Ireland should use its voice more clearly in whatever international context we have available to us, be it the UN Security Council, the WTO or wherever. While I support the idea of a waiver on the Agreement on Trade-Related Aspects of Intellectual Property Rights, TRIPS, but I do not believe it is the silver bullet. We have to look at mechanisms, and make the case on a global case for mechanisms that will help vaccine roll-out in the developing world. Otherwise I worry about where it will all end.

With regard to methodologies and how countries get onto the restricted list, another worry I have is the capacity of countries and how this will play out in practice. The example put to me is Belgium. It has an extremely advanced testing system and very good genomic sequencing. Because there is so much testing there, of course it identifies Covid and variants of concern and it gets onto the list. If we apply this to somewhere such as Lebanon, where we know Covid is rife, it does not have the capacity to provide the same amount of testing and certainly does not have the genomic testing capacity. We might know Covid is there but we might not know how much or what type. In this context, what methodology will we apply as we move forward to make sure the countries from where we are restricting travel are those we really should be watching out for?

I will move to a couple of more specific concerns. For the digital green certificate, or even for mandatory hotel quarantining at present, four vaccines have been approved by the European Medicines Agency. However, other vaccines exist and more will come on stream. I am specifically speaking about Sinopharm, which has been approved by the WHO but not by the EMA. To speak specifically about this, we know we have a large expatriate population living in the UAE, for example. I have come across a specific instance where someone had to travel to see a sick relative and had been vaccinated with Sinopharm but still had to enter the mandatory hotel quarantine system. I absolutely understand the rationale for this but I also have to acknowledge the personal and financial strain put on this person who had to travel, was extremely worried about an ill parent and had to stump up the money for mandatory hotel quarantine. We should be a little bit more proactive in how we look at the various vaccines.

Slightly tangential to this is how we apply rules to those vaccinated people coming in. If I understand it correctly, a person who is fully vaccinated with one of the approved vaccines can bypass mandatory hotel quarantine but will still be asked to restrict movement. We have an exemption for elite sports people. Cases that have come across my desk relate to the arts industry and people who would ordinarily arrive here for short windows of work, such as in the film industry or conductors who might arrive to do a short piece of work with an orchestra or choir. In such cases, restricting movement may not be realistic. Of course we want to limit the amount of non-essential travel happening but it is something we should look at in those specific sectors.

Deputy Nash asked for a detailed report on the success of mandatory hotel quarantining. There is a good case for this. Certainly if we consider extending it again I would like to be on

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a firm footing as to how successful it is. The Minister gave us some updates on the success we are seeing in the system. Certainly I support the idea of having a detailed report.

I echo Deputy Nash's comments on aviation and the need for support. I like the idea of the German-style *Kurzarbeit* scheme. In the long term and irrespective of Covid-19, it would be a very interesting concept to look at in the Irish context.

We know mandatory hotel quarantining is imperfect and we know it is undesirable. We also know that for the moment it continues to be necessary. For this reason, I will support the motion but I ask the Minister to continue to keep it under constant review, as I know he is. The sooner we can step away from the powers we have passed in the Parliament in response to an emergency situation, the better for the health and the sake of our entire democracy.

**Deputy Patricia Ryan:** It is important to note that mandatory quarantine can work and can be a key pillar of our defences during this pandemic. Its purpose is to limit the importation and spread of the virus. It is, and should only be, a temporary measure. Mandatory quarantine in a designated facility for non-essential travel from any country has a part to play in suppressing the virus and ensuring that we do not import further cases or dangerous variants. We recognise, however, that there have been many difficulties with the system currently in place. A range of issues have been brought to my attention regarding the definition of "essential", the conditions in some facilities and undue delays in visa processing for travel from designated countries. Sinn Féin has raised these matters with the Government and believes that this is due entirely to the rushed nature of the legislation. The Government had ten months to prepare but dragged its feet. The consequences are clear for all to see.

It is reasonable to say that those who must travel for essential family or medical reasons or return to the State for legal reasons should be permitted to self-quarantine, where possible and appropriate, but the decision on these definitions must be guided by the public health advice. The Government should recognise the circumstances of these individuals and have a robust appeals process in place to prevent people having to resort to expensive legal action. We must weigh up the risk of permitting self-quarantine in essential circumstances. The Government should also consider subsidising or fully covering the cost of hotel quarantine on a case-by-case basis. After months of dithering, hotel quarantine legislation was forced through at the last minute and no time was afforded to considering essential travel and the handling of hard cases. These powers should be brought back for regular scrutiny and approval by the Oireachtas. That is why it would be more appropriate to return here in July rather than November to review this legislation. The Minister was given extraordinary powers in good faith, and to push an extension to November is to push it too far. It would be more appropriate for the Minister to return to the House in July to extend the emergency powers, if necessary, and to explain the context in which they are needed. That is a fair ask.

We also need to see greater North-South co-operation. I was dismayed to hear Minister Robin Swann say earlier this week that he had been seeking a meeting with the Minister for two weeks. This is not acceptable. We need to work together if we are to stop the spread of this virus.

Finally, while I have the Minister here, I wish to refer briefly to our health service. We need to address the crisis in our health service and the massive backlogs that were not caused by Covid but are being made worse by it. People are receiving life-changing news about amputations, cancer and in some cases potentially terminal diagnoses on their own with no family support

apart from phone calls. We have discussed this previously. Imagine telling your loved ones over the phone in a public ward that you have had such a diagnosis. That is cruel and we must find a way around it if at all possible.

**Acting Chairman (Deputy Alan Farrell):** Before I call Deputy Shortall, I wish to advise Deputy Flaherty that I have a slot after Deputy Shortall's for the full 11 minutes.

**Deputy Róisín Shortall:** I am glad to have an opportunity to participate in this debate, though the timing is not the best. It would have been better if we could have had the debate in the context of the plan for international travel that is to be announced tomorrow. It would have been helpful if there had been more discussion and particularly more briefing in that regard. As I have said a few times now, there has been no briefing from the Government for the Opposition on any aspect of the response to Covid since last December. That is not helpful or in any way collaborative, and we need collaboration in the context of a national effort on Covid, so it is regrettable the Government has not taken the opportunity to do that.

It is important to point out the fact that mandatory hotel quarantine was recommended in May of last year. It is very regrettable that the Government did not take that advice on board at that time because a number of issues related to travel contributed hugely to the difficulties we experienced last year. There was travel from Italy in March and April, people travelling to Cheltenham and then the repercussions from Spanish holidays. Much of that could have been avoided or contained if the advice on introducing travel controls had been listened to at that point. As a result of that, however, and as a result of inadequate protections regarding the threat from travel, last year 2,000 people lost their lives, people's livelihoods were destroyed, tens and tens of thousands of people lost their jobs and their businesses and devastation was caused to people's lives. We have to reflect on that and on the opportunities that were there to mitigate much of that devastation which were not availed of at the time. That lesson was not learned.

Then, at Christmas, when there was the very serious threat from the UK, namely, the Kent variant, and when the advice was again to tackle the issue, that advice was not taken on board and that wave ended up absolutely ravaging the country. More people died in the first two months of this year than had died in the entirety of last year. Again, it was a failure to address the importation of a new variant, namely the Kent variant, and we paid and are continuing to pay an enormous price for that. It was not until the end of March that the Government moved on this. Arguably, if the advice on mandatory hotel quarantining and the protections it gave had been taken on board at an earlier stage, the country would now be in a much better position than it is, having weathered a shocking five-month lockdown, with still some way to go until we will be fully opened up. It is important to point out that lessons should have been learned and that there were opportunities to do that.

The Minister mentioned the difference mandatory hotel quarantining has made, even though it came in very late. We know that public health doctors have said it has made a huge difference, and it is important to recognise that. Dr. Ina Kelly made the point that the number of new variants of concern of Covid-19 detected in Ireland had fallen to zero since the introduction of mandatory hotel quarantining in late March. That is a really important point because that is where the huge threat has been coming from over recent months. Dr. Kelly went on to make the point that mandatory hotel quarantining, combined with improved contact tracing, has helped to reduce the spread of Covid-19. She said:

Public health consultants breathed a huge sigh of relief when mandatory hotel quaran-

tine came in. It's making a huge difference to protecting the population. So therefore making it easier for ... [public health doctors] to do ... [their] job.

That is a very important thing to note. Now, however, as a result of the huge efforts on the part of the public in adhering to the regulations, the restrictions and the lockdowns over many months, and as a result of the huge bonus from the vaccine programme, it is to be hoped we can go forward with considerable optimism and hope that we will be able to continue to open up the country. However, there needs to be caution in that regard, and dealing with the threat of variants of concern has to be part and parcel of that.

I am happy to support the motion. I would just like the Minister to explain why the terms of the motion have changed since last week. Last week the briefing given was to the effect that the extension would be until 8 June, which seemed to be an obvious thing to do. Why is the Government now extending it until 31 July? What is the point in that? It may be the case that the Dáil will have to revisit this sooner rather than later. The other thing is what the Government proposes to do about people who will be outside of the provisions of the green certificate. Overall, however, I welcome the fact that the digital green certificate is going to come in. I hope there will not be delays with it. I certainly hope the vaccine programme can continue apace and that we address the supply issues. Another important measure to help address potential difficulties with travel is antigen testing. I do not understand why antigen testing is not being used more widely and I would like the Minister to deal with that.

Some of this responsibility should have been taken by the Minister for Transport. It would have been good if he had been more proactive in identifying the supports our aviation industry badly needed. I hope we will see those in detail tomorrow.

**Acting Chairman (Deputy Alan Farrell):** I call Deputy Joe Flaherty who has 11 minutes.

**Deputy Joe Flaherty:** I thank the Acting Chairman for updating me on the time allowed. I am sure viewers watching Oireachtas TV will be delighted to hear that, notwithstanding that this is an important issue affecting so many people, particularly the aviation industry, I will not talk for the full 11 minutes.

Covid and mandatory hotel quarantining are the twin axis which have wreaked havoc on the aviation and tourism sectors. They now put the very future of the Irish aviation community in doubt. I am deeply conscious that what I say today is in anticipation of what we hope will be a comprehensive statement tomorrow from An Taoiseach regarding aviation. I am also conscious that considerable work has been done and progress has been made on the EU digital green certificate which will come into effect from early July.

It will be a slow recovery for the aviation sector and the Irish Airline Pilots Association, IALPA, many of whose members are outside the House today, has put forward four specific asks for us. Essentially, they want this House to end the delay in reopening international travel and to introduce rapid antigen testing for airline passengers. As part of its four-stage plan, the group has also called for travel harmonisation between Ireland and UK.

A man in Longford town who is in his 70s plans to travel to the UK in two weeks' time. He is fully vaccinated and, as it stands, he will not require a PCR test or even an antigen test in order to travel. However, he will be required to show a clear PCR test on his return if he wants to be admitted to the country at Dublin Airport. It is not an inconsiderable €100 plus additional cost for a pensioner with limited means. It is also a clear deterrent to him as he tries to decide



whether to fly out or not. The same man could opt to fly from Belfast, thereby avoiding the cost of a PCR test. It points to the fact that we need to harmonise the common travel area with UK and align with its position on travel. As it stands, the requirement for returning vaccinated passengers to show a clear PCR test is an artificial barrier serving no purpose. It offers no public health value at this stage.

There is a belief that Dublin city will bounce back quickly from Covid but the reality is that it will not unless the planes start to fly again. This city is hugely dependent on overseas visitors. It is vital that we embrace the EU digital certificate with immediate effect from 1 July. We have a short window this year in which to aid and assist tourism and the aviation sector. The vaccination programme is well advanced in the US and, as it stands, US visitors who have received an EU-approved vaccine 14 days previously can avoid mandatory hotel quarantine but will need to show a clear PCR test. Again, this is cumbersome and could be resolved if we adopt a similar approach for the US as we now have in place with the EU digital green certificate.

The House will be pleased and relieved to hear that I am not a scientist. However, I fear NPHET has overstepped the mark when it vehemently stated its position on antigen testing. I accept the Government has to work with NPHET. I am mindful and deeply appreciative of the work it has done. As a veteran of 15 years of marriage, however, my advice is always that if one makes a mistake, gets it wrong or says the wrong thing, it is best to put one's hand up and say sorry.

If we were to deploy rapid antigen testing, it would not only greatly assist the recovery of the aviation and tourism sectors, it would also deliver a significant public health benefit. NPHET, to be fair, has been the scapegoat for much of what we did not like or want in terms of restrictions. In the area of antigen testing, however, it has got it wrong. We need the planes back flying. We need pilots and airlines staff back engaged in meaningful employment. We need tourists back in Ireland this summer.

**Deputy Ruairí Ó Murchú:** The Minister said that mandatory hotel quarantining has been a vital tool in providing us with protection. We had the dreadful experience in December and January when, if anyone had not heard it before, the new horror term “variant” emerged. We are now aware of the Kent variant, which has had a huge impact in Britain and throughout Ireland. Beyond that, we have the ongoing horror for people in India. That is why we need to maintain all the tools required in order to protect ourselves.

There is an acceptance that it took us some time to get the show on the road with mandatory hotel quarantine. It was mentioned by some colleagues earlier that we had a passenger locator form which was mandatory but there were issues as regards follow-up. We had voluntary PCR testing, which became mandatory at a later stage. We did not necessarily get all our ducks in a row when it came to international travel and other facilities. We need to make sure, as I stated yesterday, that we do not allow ourselves to fall behind in any way, shape or form.

We all welcome that we have the option of the EU digital green certificate. We need to ensure we are capable, competent and can operate without any difficulties with the technological aspects of it. We must be fit to move when we need to move. That is absolutely necessary. Many businesses and industries, particularly the aviation sector, want clarity, or as much as can be given. That is accepting that every decision that needs to be made needs to take fully into account health precautions because, first and foremost, we need to protect people.

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The digital green certificate will play a significant role. Many Members have already said that we need to do due diligence with regard to antigen testing. Professor Mark Ferguson's report provides us with the tools and we have the option that such testing has already operated throughout Europe, particularly in Britain. There have been many pilot studies in this area but we need to put our own pilot studies into operation. The Oireachtas transport committee has spoken about running a pilot study - no pun intended - on international travel. We have the opportunity to do all the heavy lifting to ensure we are ready to move when we need to move.

The Minister shocked all of us earlier with the information on the Johnson & Johnson vaccine and that we are not going to get the numbers anticipated, which was in and around 470,000 vaccines, before the end of June. We are now talking about somewhere between 60,000 and upwards of 250,000. I apologise if my figures are slightly wrong. Obviously, it will have a huge impact and it looks like we are not going to get close to the 82% target of at least one vaccination by the end of June. Johnson & Johnson was also providing the added bonus of full vaccination with a single jab.

On the debate on legislation regarding Covid restrictions we had yesterday, we need to have a conversation with the pharma companies and with the European Commission. When the European Commissioner, Thierry Breton, was put into operation, we did deal with some of the issues as regards AstraZeneca. I also recognise that there are still issues with the supply chain and AstraZeneca. We need everything done from the point of view of maximising supply. That needs to be done on a global basis, even if that involves a TRIPS waiver or any other facility. It means a conversation with the European Commission and then a conversation with the pharma companies from the point of view of dealing with this particular issue.

On this island, we also have to get the show in order as regards our conversations with the Northern Executive. No one wants to be hearing about difficulties in this area, particularly across the media. That needs to happen as soon as possible.

It goes without saying that the aviation industry needs clarity and, beyond that, it needs supports. Any supports given need to take into account the needs of the workers and ensure airlines do not take advantage of this situation. We need to provide security for workers and families and ensure connectivity on this island.

**Deputy Paul Murphy:** I will make a number of points. The first is that mandatory hotel quarantine saves lives. It was a crucial part of the zero Covid strategy that was successfully implemented in some countries. The difference in death rates between countries that adopted a variant of that strategy versus those that did not is striking. In New Zealand, there has been a total of 26 deaths. It has a similar population to Ireland where, tragically, we have close to 5,000 deaths. Australia, with a population of 25 million, has had fewer than 1,000 deaths. Even in Ireland, where it was introduced very late by a Government that did not want to introduce it and had many significant flaws in how it was introduced, mandatory hotel quarantine had an impact. The indications are that once mandatory hotel quarantine was introduced, the Brazilian and South African variants effectively disappeared from the island when, before that point, they had been on an upward trend.

Mandatory hotel quarantine works and saves lives. On behalf of People Before Profit, we opposed the Government's mandatory hotel quarantine legislation because, while we were calling for mandatory hotel quarantine, there were many substantial problems with the way the Government introduced it.

There will presumably be a major public inquiry into how the Government handled Covid-19. I believe its outcome will be damning of the Government and of the system of mandatory hotel quarantine and will back up many of the points we made at the time. These include how late mandatory hotel quarantine was introduced, namely, nine and a half months after NPHET first recommended it, and how it was set up, in that it was outsourced to private companies with individuals left to pay the substantial cost themselves. In addition, there was no oversight by public health officials and it was not incorporated into the public health system. There was no oversight or supervision by civil liberties or human rights activists and experts. Even the structure of the legislation prevented mandatory quarantine from being introduced for all countries around the world. These were very substantial problems and they still hold, unfortunately, in what the Government is now proposing. While we favour mandatory hotel quarantine, we oppose the version of it that the Government is seeking to extend.

My final point is an urgent one. It is an appeal to the Government to listen to the very many scientists who are banging the warning drum about the Indian variant. Hospital admissions are now rising in England because of the Indian variant, which appears to be substantially more transmissible. It is particularly concerning for us that the protection offered by one dose of either the Pfizer or AstraZeneca vaccine is quite limited. One dose seems to be only 33% effective, while two doses are between 80% and 90% effective, or largely effective. We know the Indian variant is here. A week before the cyberattack on the HSE, there were 72 cases of the variant. That figure is likely to have doubled to 150 or more. We also know the Indian variant is the dominant strain in Britain at this time. We are, therefore, in a race against time to complete two doses of vaccines before the Indian variant becomes dominant here. It is a race we are likely to lose unless we take action, and it is very simple. We need to follow the advice that is being given to implement mandatory hotel quarantine at airports and ports for travellers coming from Britain.

**Deputy Mick Barry:** I will be voting against the extension of mandatory hotel quarantine. I share the opposition of Deputy Paul Murphy to the privatised model of mandatory hotel quarantine that the Government has introduced. I also share his opposition to this quarantine system which has no human rights oversight, certainly none worth talking about. Even if these issues were to be addressed, I would still oppose the extension as I opposed the introduction of the regime earlier in the year.

Mandatory hotel quarantine is a form of detention without trial. It disproportionately hits migrant communities with family abroad who have been cut off from accessing their close family members, including, in some cases, their children, and who are unable to travel for family emergencies such as funerals. It also disproportionately impacts lower paid workers, those with care needs, disabilities and children, and others. The disproportionality of the measure is shown by the fact that the rate of positive infection for those tested in quarantine, at 3%, is generally in line with the rate in the national test centres, and is quite a bit lower than in some of them.

There are alternatives available. We should have free testing for all at ports and airports, a better resourced contact and tracing regime and for those who need to quarantine at home, we need public health check-up teams to organise a follow-up. As well as this, we need caution in relation to indoor activity and pressure to prematurely reopen indoor bar and restaurants needs to be resisted.

**Deputy Matt Shanahan:** Public health has introduced many measures on Covid-19 since the start of the outbreak. Many measures were called for by medical professionals before public

health or the Government reacted. Masks are a case in point together, as was the early adoption of testing and tracing. Mandatory hotel quarantine was requested for a considerable period of time. I am glad, as the Minister and previous speakers noted, that it has had a significant effect in protecting us from incoming variants.

We are possibly in a very tough position now given the progression of the Indian variant across the water. The logic of our approach to imposing mandatory hotel quarantine in the Republic has to be questioned when people are able to sidestep it by coming in through Belfast Airport. It has been said many times that we need a whole-island approach to the island's defence against incoming variants.

Mandatory quarantine has put significant pressure on international travel. That was the idea. It has also damaged future travel connections and we have to see how soon we can begin to rebuild these connections. It has also affected travel in and out of the country for people who work in the foreign direct investment sector. That, too, is a cost to the economy.

Mandatory hotel quarantine has worked but anomalies exist. I will point to just one which was mentioned by Deputy Ó Cathasaigh in respect of people from the United Arab Emirates who may wish to travel into Ireland for necessary functions and have taken a vaccine approved by the World Health Organization but not by the EMA. I represent a family of two parents with two disabled children. How will they be looked after if the family has to spend two weeks in quarantine? They have to come home. This is a significant case. The family have correctly pointed out that they are vaccinated but the vaccine they received is not recognised here, even though it is recognised by the WHO. We have to recognise vaccination centres from overseas. How will we verify vaccination for future travel? What technology is being considered?

*3 o'clock*

We are talking about potentially reopening the economy soon, and it has been suggested that we are going to have significant technology difficulties with managing that in the context of European and worldwide vaccination certificates.

A number of Deputies mentioned the issue of people who are awaiting second doses of Pfizer or AstraZeneca. There is considerable disquiet among a number of people at the talk of the Indian variant. I am sure the Minister is aware the UK is making moves to reduce the time-lines and I again ask that NPHET look at this, particularly in light of the transmission potential of the Indian variant to people who have had only once dose of vaccine.

As the Minister will be aware, a bugbear of mine and many others is the ongoing situation with antigen testing. Will the Minister comment on the Professor Ferguson report? The professor reported to an Oireachtas committee just a couple of weeks ago that the only Department that had engaged with him subsequent to the publication of his report was the Department of Further and Higher Education, Research, Innovation and Science, and its Minister, Deputy Harris. Is the Minister, Deputy Donnelly, aware whether that has since changed and, if so, does he know which other Departments have talked to the professor and what pilot testing they are considering?

We have to keep going with mandatory hotel quarantine, but I might highlight for the Minister an anecdote about a couple who have recently returned from mandatory hotel quarantine in Portugal. Despite their being in quarantine, they were able to get out during the day quite a number of times and travel around with a degree of freedom. Could antigen testing be used for

people in that position? I do not know how I would manage locked into a hotel room for 14 days, coming out only a couple of times a day. It is a very hard ask of people. We are all the time talking about mental resilience and mental health, and that would certainly test those for many people. Perhaps this is another area where antigen testing could be considered.

To return to aviation, there has been much talk about us potentially being included in the EU digital green certificate initiative. A significant number of people in the United States, a pivotal tourism market for Ireland, have been fully vaccinated. Is there any model whereby Ireland could enter into an agreement with the US travel authorities to offer vaccinated individuals in the US an opportunity, at the earliest possible time, to travel to Ireland, in particular, to the west and south, the regions that depend on tourism? They are going to have opportunities to book flights to Asia and other areas outside the US, perhaps Europe, and Ireland might not be on that list. There is a significant tourism kick in this regard and I am sure it can be developed with just a little outside-the-box thinking.

On the EU digital green certificate, can the Minister provide any assurance that we are going to be included from the start? The mood music at the moment suggests we will not be. I think I heard the Minister mention in the House the other day that the Government, or more likely the Department, is speaking to technology providers to ensure we will be able to be facilitated, but a significant degree of ICT appears to be required to link in to that. Will the Minister comment on security in that regard?

We are now in a position of constant surveillance and we need to get the vaccinations administered. We are doing that and I congratulate the Minister, the Department and all the people nationwide taking part in the vaccination programme. I had the benefit of getting my vaccine last week and a top-class job was done by everybody involved. I was delighted that pharmacists were included in the vaccination centres. We need to get as many people as possible involved. I understand that vaccine supply is always a factor but constant vigilance is required. I again ask the Minister to please have a look, with NPHET, at the issue of aviation. A number of Deputies have spoken about it during the debate. Lufthansa, United Airlines and British Airways are all using antigen testing to fast-track travel and surely we should be able to link in with those programmes.

**Deputy Jim O’Callaghan:** I am sharing time with Deputy Alan Farrell.

I hope this is the last time in this House that we have to debate the introduction of legislation to respond to the Covid-19 pandemic. As the Ceann Comhairle will be aware, the House last year enacted four items of substantive legislation as part of our response to the pandemic. We introduced the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act, the Emergency Measures in the Public Interest (Covid-19) Act, the Criminal Justice (Enforcement Powers) (Covid-19) Act and the Health (Amendment) Act.

As everyone in the House will be aware, the benefit of enacting that legislation was that it enabled the State to respond immediately and flexibly to the new challenges posed to us by the pandemic. The great benefit of the legislation we enact is it provides the Minister for Health with power to make regulations. He can make them promptly having received advice from his advisers and legal advice from the Office of the Attorney General. That is the great benefit of delegated legislation. It can be done provided that it is within the principles and policies of the initial legislation, and I do not think there was any doubt the measures introduced by the Minister came within the policies and practices of the legislation that was enacted. All those



Acts ultimately provided that they would be extended until 9 June, an extension from what was previously 9 November 2020. Nobody wants to keep this legislation in place, and I am sure the Minister for Health does not want to be in a position where he has these extraordinary powers. The legislation was enacted and we gave the Minister for Health these powers because we needed to respond to a desperately serious threat to the State.

Nevertheless, let us not underestimate the extent of the powers we gave to the Minister for Health and which this House gave indirectly to the Government. They were extraordinary powers. We told people they could not leave their houses unless they had a reasonable excuse, we told children they could not go to school to get an education because of the threat posed by the virus, and we told businesses they had to close unless they were essential. We told people there could be no travel, not simply out of the jurisdiction but, at some stages, not even beyond 2 km from their houses. That was then extended to 10 km and 20 km, and then to travel only within one's county.

These were extraordinary powers, and aligned with that was the great interference this had in people's social life and social development. People were not allowed to visit other people's houses for social purposes or to have others visit theirs for social purposes either. This was done because it was seen to be necessary, but we should not underestimate the extent of these powers. I very much welcome what I heard the Minister for Health say in the House at the commencement of this debate, namely, that these are draconian powers he does not want to possess, although his responsibility requires him to do so.

When we look back at how the State performed in response to the pandemic, I think it will be seen to have done a good job. Obviously, criticisms can be made. Perhaps we were too slow to respond at the beginning. Looking back now, with the benefit of hindsight, we got bad public health advice when we were told there were no difficulties with Italian rugby fans travelling here in February for the purpose of the Six Nations Championship last year. It was wrong when we said there were no concerns about people travelling to Cheltenham, but this was a developing-----

**Deputy Michael McNamara:** Do not forget about the medical conference.

**Deputy Jim O'Callaghan:** -----virus and a developing situation that required a response from the State. On balance, when we have a review, I think it will find that the State managed circumstances quite well. As I said, we may have been too slow to impose restrictions at the beginning. I suspect another criticism may be that we were too slow to lift restrictions at the end of the pandemic.

One thing we know about pandemics is that they all come to the end, and this pandemic will end as well. Fortunately, I believe we are now coming to the end of this pandemic. It is one of the few pandemics that has been ended as a result of vaccination. Let us look at the recent statistics. Yesterday was the 12th consecutive day in this country when there was no reported case of Covid-related deaths. The Minister may clarify whether this has something to do with the cyberattack but I suspect it does not, given that deaths have plummeted as a result of the vaccination programme. The programme is extraordinarily effective in reducing deaths. We also see that, as of today, 111 people are in hospital. What is most interesting about those two statistics, when they are aligned with the fact we are still seeing 400 or so cases a day, is that they indicate what is really happening now, which is that younger people are getting the virus but it is not leading to their hospitalisations or deaths. However, we want to ensure that all of

them get vaccinated as quickly as possible, so the freedom provided to elderly people is provided to all people throughout the State when that is done.

We also need to reflect upon the fact that this has become a polarised issue. It is not necessary that the issue should become polarised, because there is no definitive answer as to what is right or wrong when it comes to what are, in a sense, judgment calls. I urge the Minister and the Government to recognise that we cannot eliminate risk from society. We will always be faced with risk. We now need to be extremely careful that we are not being overly cautious in removing very many of the restrictions, which the public regard as unnecessary. For instance, there will be a debate later today, and a decision tomorrow, on what should happen with our hospitality and aviation sectors. We need to recognise we are not making risk-free decisions in respect of this. If we err completely on the side of ensuring the disease does not spread, we will do irreparable damage, potentially, to other areas within our economy, which are absolutely essential.

As I have said repeatedly in this House and elsewhere, we see the consequences of the pandemic in the Covid-related deaths of some 5,000 people, and the hospitalisations, but we are not yet seeing the consequences of the restrictions that have been imposed in response to the pandemic. We need to approach the restrictions and their impact with similar caution because they can also have devastating consequences.

Having said that, I would like to see restaurants and hotels permitted to open for indoor dining at the same time. While there is a risk in respect of the Indian variant Members should remember we introduced mandatory quarantining to stop variants coming in and it appears to have been very effective. Once the measures we have taken have had an impact, we must derive the benefits of that impact. Since we have got the benefit of vaccination, let us use it by opening up more.

We also need to look at the aviation sector. As I came to the House, a number of pilots were outside peacefully protesting and getting significant support from members of the public who were passing by. We have to be extremely careful that we do not do so much damage to the Irish aviation industry that the damage becomes irreparable. Certain businesses have been built up over years in this country and the assumption that they can be turned off and on again is incorrect. If they are turned off for too long it can sometimes have irreparable consequences. That could happen in respect of our hospitality business and, indeed, of our NPHET----

**An Ceann Comhairle:** Is Deputy O'Callaghan giving some time to-----

**Deputy Jim O'Callaghan:** I thought the Deputy is getting five minutes after me.

**An Ceann Comhairle:** No. Deputy O'Callaghan only has 11 minutes in total.

**Deputy Jim O'Callaghan:** I beg the Ceann Comhairle's pardon. I was told I had 20 minutes. I beg Deputy Farrell's pardon. I will conclude as I got my timing wrong. I commend what I have suggested to the Minister and ask him to take it into consideration.

**Deputy Alan Farrell:** That is absolutely fine. I understand the motion and the Bill being too close together, ostensibly on the same issue. I thank the Minister for bringing this matter before us, which is an opportunity for every Member of the House to have their say on the quite extraordinary measures introduced in the last Dáil and renewed in this one. These are necessary steps at an extraordinary time and not taken lightly as many Members have said over the

course of the debate.

The extraordinary powers afforded to the Department of Health, An Garda Síochána and many others were introduced at a critical time and were a critical intervention for absolutely the right reasons. They have been renewed by this House already and this final renewal, as was put on the record of the House, relating to the expiry of these measures in November is appropriate. It should be said to anyone listening that these measures will only be used if needed, as opposed to going back to the scenario quite rightly mentioned by Deputy Jim O'Callaghan, in which people were not allowed travel too far from their homes, were asked to stay at home and businesses were shuttered and schools closed. I cannot imagine that scenario arising again in relation to Covid-19 but they were and remain prudent steps.

I respect the right of many Members to have opposing views on this issue but the pandemic is not over. Masks work and they are included in these provisions. Many other provisions are included, which are necessary. For us to go back, unpick the legislation and start over would take unnecessary time. It is a prudent step for us to do this. If the Members opposite wish to come back to the Minister about certain provisions, perhaps they can be considered at a later stage, but not today. That is why I support this measure.

Given the speed at which this debate has processed through the speakers' list, I will speak for a moment about aviation. As I mentioned to the Minister for Transport, Deputy Eamon Ryan, on Tuesday, given the decisions that the Minister for Health will take tomorrow, it is a critical sector to our economy. There are literally thousands of jobs potentially at risk because it is not just pilots, cabin crew or ground crew that are at risk, but the businesses associated with the sector and with aircraft landing and taking off in Dublin, Cork and Shannon. This is not to mention the huge impact a lack of connectivity will have in certain areas, particularly in the regions, like Shannon, if airlines withdraw aircraft on the basis of a lack of demand because of a lack of certainty. That is what the airlines require.

The Minister is aware of that and a commitment was given to bring forward the plan for aviation to the month of May. That is being done tomorrow, which I welcome. I ask the Minister, along with all the other measures that have been mentioned at his and my parliamentary parties, which I am sure he read about, in respect of what are our priorities to bear that in mind for tomorrow night.

**Deputy Mattie McGrath:** It is interesting that we have now come to depend on leaks from the parliamentary parties to know the real thinking inside them. They are proud of it; boasting about it here in the Chamber. It is gas. We do not get it from officialdom. Fáilte Ireland is making up the guidelines. The guidelines that came out yesterday are that we cannot sing, dance or play taobh amuigh nó istigh d'óstán, nó aon áit eile. We cannot sing or dance. The Taoiseach said today we might be too loud when singing and might transmit the virus. It is such balderdash.

When Fáilte Ireland came before the arts and tourism committee, I asked two or three times why it came up with the daft €9 rule for food. Their representatives said they had no hand, act or part in it. I believe the Government is using Fáilte Ireland as a stalking horse. Fáilte Ireland has a serious job to do. Ireland is the eighth highest destination for American tourists. That is what Fáilte Ireland should be at now, aspiring to getting Americans over here to help the pilots that are outside, to help Shannon and to help lift our hospitality industry again. That is what it should be doing, not this tomfoolery with making up rules that have nothing to do with it. Fáilte

Ireland has a job to do and it did a good job, in the main, always. However, now it is being sucked into debates such as the one about the €9 meal. If I get someone to play a tune I dance a reel, whenever I get the opportunity. I am proud to sing and so are many others. As I said this morning, we cannot sing “The Lonesome Boatman” or play uilleann pipe music, or sing silent laments about Biddy Early, God help us. It is just so illogical.

I will be honest and put my hands up. I looked for the borders to be sealed at every meeting I went to. The Minister attended many of them when he was in opposition. I will not be a hypocrite and say I was not looking for that. We have hotel quarantine, but it is difficult and damaging. However, I did not want hotel quarantine, I wanted the border sealed. Hungary and Poland did it. I was told at every meeting by then Taoiseach, Deputy Varadkar, and then Minister for Health, Deputy Harris, that it could not be done because we are Europeans. We are the best boys in Europe, but other countries could do it and we could not. We allowed people in and there was contamination, spread and everything else. We saw what went on in Lanzarote and different places. We have hotel quarantine now but I have questions to ask about the cost of it and the no-tender process. Since this pandemic began, the HSE has got a blank cheque. People phoned me to find out where the locations were when they were asked by the HSE to go and do work there. The cost did not matter, it was just a case of getting the work done. There was no tender process. We saw that with the old St. Michael’s hospital in Clonmel, County Tipperary. Some €800,000 was allocated to make 40 beds and then a further €600,000 was allocated, with the number of beds dropping to 30 from 40. The waste is shocking. There will have to be an independent inquiry into all of this.

I will not be a hypocrite. I wanted restrictions in respect of our borders because ours is an island nation. What I was seeking should not have been difficult. Now, we have the quarantine system and it has been given to one big company - I have all the details of it here - with no tendering process. A total of 20 other groups made submissions. How was that company chosen? Why will the Government not accept antigen testing? Every other place in Europe and the European Commission said it should be used but the Government will not accept it. Is there a vested interest in PCR tests? Will the Minister answer that question? There must be an answer. It is very strange that the Government resolutely refuses to use antigen tests.

We want Shannon Airport supported. Let Fáilte Ireland get the tourists back in and stop making up silly rules. Irish people will not behave because they love to sing, dance, play and recite. That is our culture and our heritage.

**Deputy Michael Collins:** In theory, mandatory hotel quarantine was a smart measure to slow and stop the introduction of new variants. In practice, our system quickly accelerated from being problematic to being dangerous. Ireland’s version of quarantine exacerbates the difficulties involved, distinguishes between the rich and poor, ignores science and puts front-line workers and their communities at risk while failing to protect Irish people. The Government has had ample opportunity to address these issues but has shown no serious interest in doing so. Enough is enough. It is time to end hotel quarantine before it becomes a bigger rights violation than it already is. Any closures or bans, such as those relating to lockdowns, should have been comprehensive and short, not half-baked and drawn out indefinitely. Unfortunately, due to the half-baked policies of this Government, Ireland’s restrictions are being drawn out indefinitely.

The Tifco Hotel Group is being paid over €5.4 million for operating the Government’s mandatory hotel quarantine system. It has turned into a lucrative gravy train for those selected

by the HSE and the Government to provide services at 11 different hotels. Travel and event management operators made submissions to the Department offering to provide a quarantine facility and other services required. Only the Tifco offer was given a contract. Apollo Global Management are the current owners of the Tifco Hotel Group and, according to a report, the CEO is being questioned about his links with convicted sex offender, Jeffrey Epstein. The US media is still reporting on that connection this week. Why has the Government ignored it?

On Tuesday, we saw the pilots outside the convention centre. I did not get a chance to speak to them but I will speak for them now. Their union has called on the Government to immediately end the two-week mandatory quarantine imposed on travellers from the US, whose vaccination programme is well advanced. The CEO of Ryanair, Michael O'Leary, said the other day that mandatory hotel quarantine had been completely useless because variants had still entered the country. He stated that the Minister for Transport, Deputy Eamon Ryan, is without doubt one of the worst Ministers with responsibility for transport ever. I and my colleagues in the Rural Independent Group fully endorse and support the pilots' union and the aviation sector.

What is needed is for the Government to introduce rapid antigen testing for travellers, for traveller harmonisation between the Republic and the UK and for every US citizen who has been vaccinated to be allowed to enter the country. We need to follow other countries that are moving with confidence in respect of international travel and embracing technology. We also need an acute appreciation on the part of the Government of the fact that most airlines make 90% of their revenue in the months of June, July and August. An acknowledgement that freedom of movement within the EU is enshrined fundamental right of the EU citizen is also needed.

My local airport, Cork Airport, is planning on closing in the winter months for runway repairs. After all the closures this year, I encourage those at the airport and the Minister try to try and get this work done at night and keep the facility open. This is vital for west Cork and if that does not end up being the way, I ask for at least a guarantee that all Cork-based crew are guaranteed a job and some type of payment similar to the pandemic unemployment payment being put in place, if closure of the airport is to go ahead. I am totally opposed to it. It needs to be done by night in order to secure jobs, keep the airport open and keep the struggling economy of west Cork going.

**An Ceann Comhairle:** Deputy McNamara is sharing time with Deputy Connolly.

**Deputy Michael McNamara:** Power corrupts and absolute power corrupts absolutely. The degree of absolute power contained in these regulations and similar enabling legislation is of concern to me. I am happy to state that I do not think the Minister has been corrupted by the power but I think he has become befuddled by the broad powers he has. I say that with no degree of pleasure.

I objected to this legislation being put in place from the outset. I thought there was a propensity for it to be abused, and it was. No sooner was it announced than the number of countries subject to mandatory hotel quarantining was doubled and trebled. It was an exciting thing to face down the Italian ambassador on television, but that has a price. We had a degree of European solidarity in the face of this. It has been a long time since I had a green passport. I am proud that I am a citizen of the European Union, as well as of Ireland. I do not see a contradiction between the two but the Minister increasingly drives a wedge between the two. That is a very damaging thing. To go back to the countries put on the list, Israel was maintained on the



list on the basis of on outdated data. When that was challenged in court, the case was settled and Israel was immediately taken off the list.

I do not think this degree of power without checks and balances is healthy in a democracy, certainly not now as the situation improves. I do not think we needed it then and I do not think we need it now. I recognise the danger posed by variants but I do not understand how colleagues in this House who called for mandatory hotel quarantine for people coming from Britain think people coming from Britain to Northern Ireland and then from Northern Ireland to here do not pose a problem, but people coming here directly from Britain do. Similarly, people travelling from Brazil or any other country to Northern Ireland and then to here pose the same problem as people travelling here directly, but we do not take any account of that. It is about being seen to be doing something rather than doing anything. Of course, we are not doing what we could do, which is to test everybody coming in to this State at every point of entry using antigen testing.

I did not have my photo taken with members of IALPA, unlike many Members of this House. Also unlike many Members of this House, I will not vote to continue the measures IALPA is protesting against either. I am concerned that Alan Brereton of IALPA said he met with the Minister, who told him the European Union is ruling out antigen testing. In fact, the proposal for a digital green certificate expressly includes measures around antigen testing. Media reports of the deal struck between the Council and the Parliament include antigen testing. We, for some dogmatic reason, have set our face against it.

My time is up. I opposed this at the start and I oppose it now. I am cognisant of the risks posed by variants but I do not think this is the way to combat it and absolute power is never healthy in a democracy.

**Deputy Catherine Connolly:** I absolutely agree that absolute power is never healthy but I think the Minister has done well on this by standing by what he believes in when it comes to quarantine. I agree with him. My difficulty is it should have been brought in last year and that when it was brought in this year, that happened as a result of pressure and in a way that was destined not to succeed. There was no oversight, it was outsourced, there was no human rights impact assessment and, today, no details.

I welcome the Minister's contribution. He told us that 4,400 people have gone through mandatory hotel quarantine and that 173 cases have been detected. He gave us a breakdown of those cases and stated that they involved 163 residents, nine staff – which is significant and raises questions as to how the staff contracted it – and one accompanied minor. Significantly also, 59 variants of concern cases have been detected. For that alone, quarantine was worth it. My difficulty is the manner in which it has been conducted. I have great difficulty with that. Article 9 of the Universal Declaration of Human Rights holds that detention should never be arbitrary. There is an extra onus on the Government because we are detaining people. I could quote many European Court of Human Rights judgments but there is one which states that “where deprivation of liberty is at stake, the interests of justice in principle call for legal representation”. The Minister has given us no figures today on the number of appeals, how they were handled, whether there is consistency in those appeals or whether the humanitarian grounds exception is being applied consistently. There is absolutely no information in respect of any of them.

I was aghast to hear Deputy Jim O'Callaghan saying that, when we look back, we will say we handled it well. Whatever about in the beginning when there was a certain level of ignorance and uncertainty, there was none by the summertime when we utterly failed to plan for

the third wave. The figures are shocking. The figure for January to May of this year is 2,704 deaths. Most of those occurred between January and March. That is in comparison with all of last year, when we had 2,237 deaths in total. We had most of the deaths in the first few months of this year and we utterly failed to plan for it or to take action. We brought in quarantine under pressure and in a manner that is not compliant with our legal obligations nationally and internationally. I do not know why we have to go through freedom of information and parliamentary questions to find out. There is an onus on the Government to inspire confidence so that we can work with it. I say that as someone who agrees with mandatory quarantine as a last resort, but we should have done it last year at the beginning of the pandemic. We would be in a very different space had we done so.

I have the greatest trouble with Deputies revising or changing history. We utterly failed to protect vulnerable people in nursing homes, in direct provision and in meat plants. I might have failed as well had I been in government, but I do not think I would have failed to learn from the mistakes. It is simply unacceptable to be still making mistakes.

**Minister for Health (Deputy Stephen Donnelly):** I have a closing speech, but I might try to address some of the points raised by some of the Deputies who are present. I will start with the questions raised by Deputy Connolly. With regard to appeals, as of 25 May there have been 1,518 appeals. Some 11%, or 166, were granted and 1,352 were refused. As of 20 May, the breakdown of the reasons for the 157 granted appeals were as follows: 62 were exempt vaccine, PCR or other exempt reasons, two appeals had completed quarantine, one appeal had a negative PCR test after quarantine, 50 were granted for medical and exceptional reasons and 42 were granted for humanitarian reasons. I would be very happy to provide the Deputy with the information she seeks. I referred in my opening contribution and she will be aware of it. The regulations are available. A panel of barristers is used.

Questions were asked by several Deputies about the exemptions. Deputies will be aware of the exemptions listed in the original Act, which included valid annex 3 certificates for drivers of heavy goods vehicles, airline pilots, aircrew, maritime masters and many more. Six exemptions were added as follows: passengers transiting through an Irish port or airport; athletes competing in events of international standing; newborn infants born abroad returning to the State with their families; travellers who are fully vaccinated against Covid-19; travellers returning to the State after receiving unavoidable imperative and time-sensitive medical treatment, which extended to their carers or dependents as well; the sixth category of exemption was for travellers providing an essential service to the State. They are the exemptions that are in place.

Several Deputies referred to the need for fully vaccinated people from the United States being able to avoid mandatory hotel quarantine. I want to restate that this is currently the case. Those who are fully vaccinated in the US, in the vast majority of cases are vaccinated with one of three of the four vaccines approved by the EMA, so people coming here from the United States who are fully vaccinated do not need to go into hotel quarantine once the vaccine is one of the EMA-approved vaccines.

Some Deputies asked for stronger engagement with Northern Ireland. There is ongoing engagement with Northern Ireland. I share the view that we need as close an all-island approach as possible. Various Deputies asked for a report on the operation of mandatory hotel quarantine. I would be very happy to provide that. There are a lot of facts and figures. I will ask the Department to kick that piece of work off immediately. There is an awful lot of ongoing daily and weekly facts and figures and reporting on the system. It is being managed very closely. If

Deputies find it useful, I would be very happy to ask for an up-to-date report encompassing all of the information we have.

Some Deputies asked if we could consider additional vaccines. The one that is of most interest is the Sinopharm vaccine, which is used in the Emirates. It is not one of the ones approved by the EMA. My understanding is that it is under rolling review. My information might not be up to date, but the last time I checked authorisation had not been sought within the EU from the EMA. I understand the point and, as Deputies have indicated, Sinopharm is part of the EU digital green certificate recommendation as it has been recognised by the WHO. That is certainly something we can ask the public health experts to take a look at.

In terms of barriers to travel, there has been a fair amount of comment on Ireland not moving quickly enough. A wide range of views have been expressed. We had the usual position from People Before Profit, whereby it demanded mandatory hotel quarantine but then opposed it when we brought it in. That of course is the right of Deputies. Others very reasonably expressed a broad range of views. Some believe that we should not have mandatory hotel quarantine and that the domestic public health measures are too harsh. Others believe we should have had mandatory hotel quarantine from day one and we should have essentially sealed the island off and gone for a zero Covid approach, which would require much harsher measures to be in place and we would not be having a conversation about relaxing any of those measures now. There is no monopoly on wisdom in this regard. There is no right answer to any of this. For what it may be worth, in terms of Ireland's timing on mandatory hotel quarantine and the measures we have in place for international travel, for quite some time Ireland has either adopted the EU-wide approach or we have gone considerably further than that. Ours is the only country in the EU that has such a system of mandatory hotel quarantine. The system we have here is by a country mile the most comprehensive in the European Union and it is now more comprehensive even than the United Kingdom in terms of the list of countries. Even when we did not have it, we had considerable measures in place, and we did that as part of an EU-wide approach. Measures have been in place for a very long time.

It has been suggested that if we had mandatory hotel quarantine in December, for example, we could have avoided the awful situation here towards the end of December and in January. I do not believe that would be the case at all. If we had the current system of mandatory hotel quarantine in place, the protocols we use to designate countries, which is by a mile the most comprehensive of its kind in the EU, would not have stopped what happened in January. The UK signalled that it had a very serious issue with a variant of concern, which was discovered in Kent on a Friday in the run-up to Christmas. We worked right through the weekend and by Monday we had met and very serious restrictions were put in place, including a complete ban on travel to the UK, which is more comprehensive than mandatory hotel quarantine. The genome sequencing which was done subsequently has shown that there was a lot of it here. The idea that the current system of mandatory hotel quarantine would have somehow stopped what happened here in January simply is not true. We moved very quickly. We moved much quicker in fact in response to the UK variant than the current system of mandatory hotel quarantine allows in terms of designating states as category 2 states. That is just where that is.

I conclude by thanking Deputies for what is a really important debate. As I said, we are only looking to extend this to July. People have very reasonably asked why we are not looking to extend it longer. It is because we have advice from the Attorney General to that effect, which we just got in the last few days. It reflects the fact that the protocols on international travel are moving very quickly right now. The digital green certificate is coming. I get a sense there is

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very broad support for this around the House. The Taoiseach will make a very detailed statement tomorrow on Ireland's timing and criteria for it. On the basis that the situation is moving so quickly, we thought it would be prudent to just seek an extension from both Houses for the minimum time required, as has been commented on by many Deputies right across the House in regard to these powers for mandatory hotel quarantining and, indeed, the Bill we are moving straight onto, the Health and Criminal Justice (Covid-19) (Amendment) Bill 2021, in terms of the public health measures. They are draconian powers and they do not sit easily with me. These are powers I would much prefer no Government in Ireland had. They are time-limited, as they should be.

On mandatory hotel quarantining, like the public health measures, while of course we have not got everything right, it has worked. The public health measures have worked and they are working. Mandatory hotel quarantining, which first and foremost is about stopping the uncontrolled spread of these variants in the country, has worked really well. For those reasons, I ask Deputies to support the motion, which is for a relatively short extension, so we can maintain our protections against these variants of concern while we get up and running with the digital green certificate and we keep going with the vaccine programme.

Question put.

**An Ceann Comhairle:** In accordance with Standing Order 80(2), the division is postponed until the next weekly division time.

### **Health and Criminal Justice (Covid-19) (Amendment) Bill 2021: Second Stage (Resumed)**

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

**An Ceann Comhairle:** Deputy Pringle was in possession.

**Deputy Thomas Pringle:** I will continue from where I stopped yesterday. I was talking about the level of communications we have been receiving from people in recent weeks. I do not believe these are from conspiracy theorists, anti-vaxxers or Covid hoaxers. Some of their arguments have some basis in reality. They argue that the Act has caused an unacceptable level of collateral damage and suffering, including in relation to physical and mental health, loneliness and isolation, increased domestic violence, and damage to the livelihoods of many people. Public opinion is moving rapidly against the continuing lockdown which Part 3 enables, with a Kantar-Sunday Independent poll finding "huge frustration with the level of Covid restrictions" and 50% believe the lifting of restrictions is too slow. Human rights and civil liberties must be respected, even when this is difficult. They note that a liberal democratic society does not abandon its commitment to human rights and civil liberties as soon as that commitment becomes inconvenient. They argue lockdowns are not a normal pandemic response and, in fact, represent a radical departure from normal practice in responding to pandemics. Moreover, the original rationale for the restrictions - to flatten the curve - has long since passed. It is difficult to argue with some of these points. Indeed, the Irish Council for Civil Liberties, ICCL, produced and circulated an analysis on the renewal of emergency Covid-19 powers earlier this month.

I note that the Seanad began the debate on this Bill at the start of this week and it is again being rushed through. Tuesday saw the Committee and Remaining Stages of the Bill in the Seanad before it came to us. I would like to acknowledge the work of some Senators, particularly those in the Civic Engagement Group, who put forward detailed and proportionate amendments. I agree it is unacceptable to create provisions for rolling three-month renewals of the legislation.

There are growing concerns about the spread of a new variant in England and the efficacy of the vaccines against this new variant. None of us knows what is coming and what could happen next, but what we do have is 15 months of experience. The jury is still out on the effectiveness of what the English have done in their vaccine programme because the variants can run riot in a half-vaccinated population.

I reiterate my support for public health measures and the need for some emergency measures. Again, at the beginning of the pandemic, we did not know what was going to happen and what we were going to do. However, I will not just pander to the Government because of public health concerns. I have had public health concerns for those working in meat packing factories and I still have concerns for those in overcrowded and congregated settings, such as direct provision.

The ICCL has called for a “meaningful and robust debate” on the extension of the Covid-19 legislative measures. Senators were not given time for a meaningful and robust debate. I note, however, that the Minister, Deputy Donnelly, while addressing Committee and Remaining Stages in the Seanad on Tuesday, said that he would look at bringing an amendment on Committee Stage in the Dáil for just one five-month extension. That decision followed the debate in the Seanad on Monday and the concerns raised there, and I look forward to seeing that amendment.

The ICCL analysis asks for the following: a meaningful and publicly demonstrated proportionality test; better consultation with the Irish Human Rights and Equality Commission, IHREC; pre-legislative scrutiny; Oireachtas approval; a limit on broad powers; a regular review of powers extended to gardaí and Ministers; and a human rights impact assessment. It is an excellent and measured analysis and I thank the ICCL for consistently providing much-needed analysis to Oireachtas Members. I agree with the ICCL’s point that enforcing public health should be based on education and advice. It pointed to behavioural science research that indicated positive reinforcement of messaging, targeted communication and provision of supports would ensure compliance, capability, opportunity, and motivation at a higher rate than the threat of punishment. An example of this was the Garda hotline set up in Donegal for people to report others for breaching restrictions. The hotline was discontinued very soon after launch because it was never going to work. That is not the way to motivate the public.

The Health and Criminal Justice (Covid-19) (Amendment) Bill is quite a name for legislation. There is much that needs to be improved in our health service and also in our criminal justice system. The facts and figures available on the Irish Penal Reform Trust, IPRT, website about the prison population across Ireland include the following: there are 3,831 people in prison custody in Ireland; the rate of imprisonment in Ireland is approximately 73 per 100,000 of the general population; the overall daily average number of prisoners in custody in 2019 was 3,971 compared with 3,893 in 2018, an increase of 2%; the majority of Irish prisoners have never sat a State examination and over half left school before the age of 15; the average number of females in custody in 2019 was 170, a 3% increase on the 2018 average of 165; the daily av-



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erage number of female offenders in custody rose by 29% in the ten-year period between 2006 and 2016; and as of October 2020, there are 47 people in prison slopping out, without in-cell sanitation. The list goes on.

The figures for the restricted regime do not include the Covid-19 infection control measures. The Prison Service worked very well in keeping Covid out of the prisons but it meant that most people were on restricted regimes of long lock-up. We should think about these facts and figures as they give an insight into the much bigger problems in our criminal justice system. There has been a huge increase in the number of women prisoners, most likely to be from deprived areas, and a big increase in those not paying fines, and this extends further to our policing of marginalised communities and deprived areas.

On the Garda Síochána website, the statistics on Covid-related fines has some categories separated out under “fine offenders”. Some 74% of those fined are male, 53% are in the 18 to 25 age group and 24% are in the 26 to 35 age group. Most of the fines were given out on Saturdays and Sundays, and the southern region has the highest number of fines issued, at 6,157, with Cork city and Limerick being the areas with the highest number of fines in that region. Some 886 fines have been given out in Donegal out of 5,013 in the north-western region. There are better ways to go about things and I believe increasing Garda powers is not one of them, especially not until unconscious bias training has taken place and is implemented across the force. I said months ago that it would be interesting to see the level of policing in different postcode areas and the likelihood of those getting away with breaching restrictions depending on their address or socioeconomic status.

It is nearly a year since I started calling for a zero-Covid strategy, instead of the stop-start disaster that has been the *modus operandi* of the Government. Since Fine Gael handed over the Department of Taoiseach and Department of Health to Fianna Fáil, it feels like Leo, Harris and company have been sitting back, rubbing their hands with glee, and watching Fianna Fáil internally combust. The public has lost confidence in the Government’s handling of the pandemic. Yes, pandemic fatigue is a thing, but when the Minister for Health starts comparing the dangers of trampolines and road safety to an unprecedented airborne global pandemic, people start to take things less seriously.

I do not agree with the extra powers being extended for the Garda and I definitely do not agree with unlimited powers being extended to the Government. That is the reality of the situation.

**Deputy Joan Collins:** I welcome the opportunity to speak on the Bill. What it does is to continue the extraordinary emergency legislation due to expire on 9 June and the Government is extending it to 9 November 2021. It may be further extended for up to three months at a time by resolution passed by each House of the Oireachtas. These include measures in section 1 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020, section 17 of the Criminal Justice (Enforcement Powers) (Covid-19) Act 2020 and section 6 of the Health (Amendment) Act 2020.

These were extraordinarily draconian pieces of legislation as we watched what was happening across the sea, and in Italy where hospitals were overwhelmed and could not cope with the amount of people becoming ill, and the high rates of deaths. Hospitals were being built in China to cater for the sick and dying. We were dealing with an unknown virus. We did not know how it was spread or whether it was airborne only or on surfaces. There were people wiping

down their shopping when it home and wiping their door handles in their home because they were fearful of contracting the virus. It went against all my political principles and instincts to give more power to the State to curtail people's freedoms and human rights and the same can be said of many Members of the Dáil and Seanad.

This debate is about extending the legislation and whether there is a basis for it to remain, particularly now that the vaccination programme appears very effective in stopping the rate of infection and it being passed on, although we do not have peer reviewed information. Recent reports from Israel suggest that the virus is not passed on to others after vaccination, but that will have to be reviewed after a period of time. It is stopping people getting ill and helping stop deaths from the virus. It is fantastic that science could develop these vaccines at the speed it did. Saying that, I am appalled that the pharmaceutical companies have resisted waiving intellectual property rights to the vaccines and sharing their know-how, technology and ingredients to enable greater levels of manufacture in the world, as well as by some of the countries that have grabbed practically all the world's vaccines, including in Europe, Canada and the USA, although it has recently changed its position.

The position we have adopted of not pushing Europe to support the TRIPS waiver is logical based on some of this Government's decisions. While I welcome everyone in Ireland getting the vaccine we cannot be comfortable or smug when two thirds of the world's population will not get the vaccine until 2022 or early 2023 if we continue distributing the vaccine as we have. That increases the likelihood of more dangerous variants. That is one reason why Ireland should urge the Government to support the TRIPS waiver and get the vaccine manufactured as quickly as possible throughout the world to protect everybody.

The information to date on the Indian variant B.1.617 is that it decreases the efficacy of the vaccines, particularly where people have only received their first doses of AstraZeneca and Pfizer. Considering that many 60 to 70 year olds, and 50 to 59 year olds and people in cohort 4, who are very high risk, and cohort 7, receive AstraZeneca and are waiting on their second dose which gives people more protection against the B.1.617 Indian variant, we must be cautious. We do not know the impact of the variant on public health. I know someone who has cystic fibrosis who will not receive their second dose until mid-June. Many of those over 69 years will not receive their second vaccination until June and July. These are the people who are most vulnerable and those who we want to protect more. We have to move with caution on this for the moment.

Some 73% of people in Britain have received their first dose and 35% have had their second. Northern Ireland is now vaccinating those aged 18 years and over. Because of the threat of the Indian variant England has shortened the window between the first and second doses of AstraZeneca from 12 to eight weeks.

I listened to the Minister for Health this morning talking about supply. It seems that of the 600,000 Jansen vaccines promised, we might only receive 60,000. That is a blow for the programme. In the *British Medical Journal* public health experts have said the Indian variant has fundamentally changed the risk faced in their country. We have to take what they are saying on board and learn from their response and their information. In Ireland on 15 May, there were 41 cases of the Indian variant. There were 59 cases in the middle of that week and on 21 May there were 72 cases. Those are the cases we know of but there might be more. I urge the Minister to go back to NIAC and see if there is a case for shortening the 12 week window. I know the 12 weeks was shortened from 16 weeks, but we should shorten it again to eight weeks if we can

because if the Indian variant is so infectious and the protection of the first dose is down to 30%, we must protect people and stop a situation where the virus can develop.

We are debating legislation, but earlier I heard a Deputy say we had handled it well. I do not think we did. We have a lot of questions to ask and lessons to learn. During the first restrictions, where there was huge community support and back-up in towns, villages and cities across the country, there was an opportunity to reach zero Covid. When we came out of the first restrictions, the cases were down to very low numbers. The Government did not take the advice of NPHET about introducing mandatory hotel quarantine. We did not handle our nursing homes well or our direct provision centres. We continued to allow people to travel even though others were liable to a penalty if they were 5 km or 20 km outside their homes. Then we had the Spanish variant, the Kent variant and now the Indian variant is in our community. The Minister said earlier that we would have got the Kent variant in any case, but had we had mandatory hotel quarantine in place much earlier, travelling to Ireland would not have even occurred to many of the people who did come for the so-called meaningful Christmas. That would have had an impact on the numbers travelling, as they would have questioned travelling.

Deputy Ó Cuív is right. The people are ahead of the Government on this. Generally, when they see dangerous situations looming they respond positively. From the feedback I am getting, people are losing trust in the Government. Many of the emails we receive are expressing genuine concerns, although some are not.

*4 o'clock*

We should not be basing our approach on that but we should be noting that people are getting frustrated. They want to know what is happening, they want transparency and they want to have the position explained to them. Once we explain logically why we are adopting a certain position, people will understand the logic and support it. We have tabled an amendment to ensure a review on 9 September rather than in November.

**Deputy Joe Flaherty:** Nobody likes rules, regulations or measures that affect our ability to live our lives as we please. To that end, it is understandable that there is some resistance to the planned extension of the date and the legislation. We have a very light-touch policing policy and that was reflected in the professional manner in which An Garda Síochána dealt with our public health crisis over the past 15 months. There is almost unanimity in the House on the extension of the date until later this year but it is important that the public knows and realises that we may not need the full complement of public health measures that have been in use over the past year ever again. It is important that we have a safety valve allowing us to call in the statutory measures again if necessary. There could be some need for local and regional restrictions to control outbreaks over the coming months but we hope that will not be the case.

It is easy and popular to be critical of the legislation. No self-respecting government would ever consider such legislation and we only did so against the backdrop of 2,500 deaths, heartbroken families and many devastated business sectors.

It is getting very hard to keep track of the emerging variants. Many speakers have alluded to this. We are particularly conscious of the challenges faced by the people of India. We can doubtlessly expect further strains to emerge over the coming months. We need to be prepared for them and have the capacity to deal with them as they arise.

I noted earlier that we have now gone 12 days without a Covid-related death. It is a trend

we wish to see continue. We are now on the cusp of seeing 50% of the population receive their first vaccine. That is an important landmark on our road to recovery. We have surely travelled a long journey together since I first voiced concerns and reservations about the vaccine roll-out in March.

I make no apology for taking the opportunity to commend the Minister on the success of the vaccine programme to date. There is no doubt but that its success rests with him and the national vaccination team. We have come a long way but we are not there yet. While the current circumstances give great reason for hope, we need to retain the capability to react to any adverse developments, and this legislation provides that capacity for a specific period of five months.

I am relatively new to this House and never imagined that in my time here, I would see this legislation or anything similar. I earnestly hope that no Irish Government will ever again have to invoke such extraordinary powers, which surely run contrary to the very spirit of this great nation. I accept that the powers are draconian. We asked people to stay in their homes and told them they could not go to work or visit relations and family in hospitals or nursing homes. We told them there were to be no weddings and only limited numbers at funerals. We told their children they could not go to school. I acknowledge the legislation is not legislation that the Minister wanted to invoke. While hindsight and history may reveal that mistakes were made, I believe the Government has performed well in the face of a public health crisis. We rolled out the largest ever vaccine programme in the nation's history and can now rightly see an end to this crisis is in sight. The original legislation was for eight months and the period was then extended for a further seven. The Minister is before the House today seeking a further five-month extension, with a three-month sunset clause. It will provide the background that will allow us to unwind further the restrictions that have paralysed this country for the past 14 months. Before Christmas, I would have been bullish and pushed for the fast-tracking of the reopening of our economy. We did so on a limited basis for Christmas and ultimately it came at a price. I concede that today.

This legislation is a safety net and it will not deny the Government the right to ease restrictions for hospitality, aviation, sport and the arts, arguably the last four sections of our commercial and social set-up that are caught in the crushing arms of this crisis. I look forward to the Taoiseach's statement on this tomorrow.

I reluctantly agree to the extension but do so in the certain knowledge that it is purely a safety valve to protect this nation and our great people. I also do so in the hope and expectation that we will never again need this or similar legislation.

**Deputy David Stanton:** At any time, being the Minister for Health is a tough job. We all know that. Being landed with a Covid-19 global pandemic on top of that is not easy, to say the least. Being asked to look after a vaccine roll-out of an unprecedented scale was challenging. Having had to take charge of a quarantine regime was rather unsettling and demanding, to say the least. Topping it all, the recent hacking experienced by the HSE and Department was the icing on the cake. For dealing with all those issues, as the Minister has done, I take my hat off to him and say, "Well done." I mentioned to him privately in the past that he should look after himself. The amount of work he is dealing with and the stress and strain are enormous. I pay tribute to him on the work he has done, in addition to his team in the Department and the HSE.

This brings me to the issue of healthcare workers. We have all been speaking on and off

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about the stress they have been under. I spoke to some of them, particularly young doctors. They were absolutely shattered and exhausted when the pandemic was at its height. They were dealing with people who were dying or were on the verge of dying and they were trying to keep people alive. They were working all day in personal protective equipment on very long shifts. That is extremely challenging. We all have to appreciate the work they did. We must also appreciate the work of the Garda in respect of meeting people on the streets and roads and dealing with people in a civilised, disciplined and co-operative way to try to curtail the spread of the virus. We must also recognise the impact of the pandemic on children and young people. I heard an individual saying on television that young people in their teens and early 20s are programmed to socialise but they could not do so at all. Neither could older people. It has been a really tough time.

Today we are dealing with four legislative measures, namely, Part 3 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest Act) 2020, Part 5 of the Emergency Measures in the Public Interest (Covid-19) Act, the Criminal Justice (Enforcement Powers) (Covid-19) Act 2020, and the Health (Amendment) Act 2020. All were enacted as temporary measures and were time limited, and rightly so. In the explanatory memorandum that the Minister has kindly circulated among us, there is a sentence that is slightly concerning. It comes after the setting out of the context and references to the trajectory and spread of the disease, variants and so on. It states: “It is in this context that the emergency provisions in the four named Acts, aimed at preventing and minimising the spread of Covid-19, will still be required in the near future and should therefore be continued in force.” We all hope to God the provisions will not be required in the near future. I suggest that if the wording “may still be required” were used, it would be better.

Many colleagues on all sides have said this is extraordinary legislation that gives the Government extraordinary powers. I was taken very much by Deputy Bruton’s comments in this regard. November 2021 is a long way off so I wonder why that month was picked. The provision stipulating a period three months after that brings us to some date in January or February. It is after the Christmas period so that may be the reason. I suggest to the Minister that he consider an extension until September so he could have an Oireachtas committee examine the provision before the Dáil returns in the autumn. We can then have another debate on it at that stage and see where we are going.

We are all getting emails from constituents and citizens who are concerned about the powers the State has. These include the power to require people to remain in their homes, which is an extraordinary power, the power to prevent various events, including private events, and the power of arrest. Many of these were necessary. It is strange because before these powers were in place, we had regulations and guidelines. They were followed by the people at the start because people were concerned, afraid and wanted to comply. They did not want the disease to spread. There was great fear at the start when the pandemic broke out. There was footage on screens of patients in Italy and other parts of the world being treated in emergency rooms that were overflowing.

I suggest the Minister consider extending this legislation to September and not November. He might tell us in his summing up why November was chosen. As a previous speaker said, we may not and hopefully will not need the full complement of powers. There might be need for further amendment in that regard.

I pay tribute to the officials who drafted the legislation passed in 2020, including those in



the Office of the Parliamentary Counsel and the Office of the Attorney General. I know from my time there that it took immense work to put together those four Acts without making serious mistakes. There must have been a great deal of midnight oil burned. However, the measures were supposed to be temporary. I notice today that the HSE has reported a collapse in the number of deaths. Thankfully, we are at that point, although we should still bear in mind the 4,841 people who have died of Covid-19.

There are some who believe that all this is some kind of global hoax, a power grab by the World Health Organization and others to subjugate the world. Some believe that Bill Gates is involved somehow or another. We have all seen those conspiracy theories. Notwithstanding that, there are people who are very concerned about the powers the Minister has. They are concerned about what is, as they see it, the curtailment of various freedoms that we should and otherwise would have in a democracy and that we all want people to have. We need to explain further why we need these powers extended. We also need to have more flexibility with the application of some of them.

I have said in the past that we need a one-stop-shop to find out about exemptions. I know of doctors who wanted to come from abroad to work here as locums. They were expected to quarantine in a hotel for two weeks at their own expense. Maybe the Minister or his officials might take that on board to see if anything can be done in that regard. That might not be required. The issue of hotel quarantine was already discussed in the previous debate.

I am concerned about the aviation industry. If we lose it, it could be a long time before we get it back. I would like some clarity from the Minister with regard to travel from the United States and Canada in particular. Can people travel to Ireland from the US and Canada? What is required? Will they need a certificate? What certificates are recognised, if any? What kind of quarantine would be required if they come here? Will they have to quarantine for five days in a home or hotel? We need to start looking at trying to open up international travel again as soon as possible.

There are four Acts involved here. They all sound a little similar but they are all somewhat different. The first relates to the Emergency Measures in the Public Interest (Covid-19) Act. We are talking about extending the mental health provisions in that Act. There are also provisions in Part 2 to amend the Residential Tenancies Act 2004. This has not been mentioned. The Minister might comment on these when he speaks later. Section 17 of the Criminal Justice (Enforcement Powers) (Covid-19) Act is also being extended. This Act gives gardaí the power to enter and inspect premises. Section 4 gives gardaí powers to shut down premises. We have heard reports of shebeens operating throughout the country during this period. Gardaí have done the best they can.

I salute vintners and publicans as they have complied with the legislation and regulations in the main. Not even a handful have failed to comply and they are to be commended. We need to support them as best we can as they open up. We need to look at small businesses as well because there will be unknown unknowns, to use that expression. Some business owners will open up and find that their business has vanished. This morning someone used the phrase “zombie businesses”. We need to look at that as well as businesses start opening up. That discussion is perhaps for another time.

It is good to see that vaccines are being rolled out and working. That is most important. We are all looking for a vaccine benefit and we will get more and more freedoms because of the

vaccines. I will finish with that.

I thank the Minister for the work he and his team are doing. It has been very challenging on everyone but I hope we can move forward with a certain amount of confidence in the future, get our economy open again and get back to normal or as near as we can get to it.

**Deputy Marian Harkin:** I am up here in the Gods. Like many other Deputies, I have real concerns about the proposed amendments. As Deputy Stanton has told us, we are looking at four amendments. Two relate to health, one relates to emergency measures in the public interest and one relates to criminal justice enforcement powers. These amendments were put in place to deal with an emergency.

As the nature of the emergency has changed since we first put the measures in place, we have to take account of those changes when we are discussing these proposals. Until now, I have voted with the Government in supporting the legislation and rolling it over. I had concerns but I took the view that the approach was a measured response. Any legislation, but especially emergency legislation, that gives significant and unprecedented powers to law enforcement, medical officers and the Minister has to be closely examined. We would be failing in our duty as Deputies if we did not do that.

I believe this legislation got the balance right last year and in January last. However, circumstances have changed considerably since then. In other words, we got the balance right but the balance has shifted. The legislation before the House does not reflect that shift in balance.

As we know, the vaccine roll-out has been successful. Time and again, many in the House questioned the ability of the Minister, the Government and the HSE to deliver. I was not one of those because I genuinely believed that everyone was doing their best and that the Minister was competent to do so. The result is that approximately 50% of the population are now vaccinated. I know that means 50% are not vaccinated but those who are vaccinated were those most at risk of hospitalisation and death because of Covid-19. Despite the disappointing news this morning with regard to the Johnson & Johnson vaccine, our roll-out is still proceeding. When the Minister brought this draft legislation to the House the target was that 80% of the population would receive a first dose by the end of June. The Minister may correct me if I am wrong, but approximately 55% of the population was to receive a second dose by that date. However, it is a totally different context from last January, when fewer than 10% of people had been vaccinated. Our response needs to reflect that change in context. In fact, I agree with Deputy Bruton who said that we should actually be looking at unwinding these powers rather than simply rolling them over. My colleague, Deputy McNamara, will bring forward an amendment. When this legislation was enacted, we gave the Minister unprecedented power to bring in specific regulations to increase restrictions. We are now rolling over this legislation and again giving him this power. I believe the specific regulations should come before the Dáil. We have to be able to debate the specific regulations rather than just the legislation that enables the Minister to make them. We have an oversight role. People outside the Houses may not often see that role as being very important until it affects their lives but, when it does, they realise just how important it is. It is incumbent on us, as Deputies, to ensure that oversight and to ensure the Minister is held to account.

In that context, I also support the Sinn Féin amendment which proposes to bring the date forward to 9 July. It is close but gives the House control, which is crucial. I have no doubt but that, if the Minister was on the Opposition benches and another Minister was bringing in

legislation of this sort to give him or her unprecedented power to make regulations, he would also have concerns. An end date of 9 November is not reasonable. It is far too far away. It is not proportionate and does not strike a proper balance between public health and civil liberties. As I have said, I can live with a constraint on civil liberties in the middle of a pandemic because such liberties must be balanced against public health. We are, however, emerging from the pandemic, albeit slowly. We are therefore in a different space and a different approach is required.

It is also important to note that this legislation amends social welfare Acts. If a person is diagnosed with Covid and is sick or has to self-isolate, that person must retain entitlements to illness benefit, jobseeker's benefit and jobseeker's allowance. These provisions need to be rolled over. This presents us in the Opposition with a horrible choice. We know these provisions must be rolled over but we have serious concerns about some of the other aspects of the legislation. It is no choice at all because people have to be protected but, to some extent, what we are doing is protecting people from themselves when there is no longer a need to do so. That is a serious issue. Those protections around jobseeker's payments and illness benefit need to be rolled over but the other provisions need to be nuanced.

The Minister can improve this legislation by accepting some of the proposed amendments. They would help to provide the necessary safeguards and allow us to emerge with a proportionate legislative framework for not only the current circumstances, but the circumstances likely to arise in the near future.

Have ten minutes or 20?

**An Ceann Comhairle:** The Deputy has 20 minutes.

**Deputy Marian Harkin:** Okay. I have been flying but that does not matter. The other issue is the rolling sunset clauses. These are not acceptable. I have listened to a good bit of this debate but I did not catch it all. I believe I might have heard somewhere that the Minister is willing to amend the wording. I am not sure about that but I hope he is. In truth, however, it tells us a great deal about the mindset of those drafting the legislation and of those who approved the legislation that these provisions remained in the draft legislation. I will listen carefully to hear what the Minister has to say on that matter.

On a very much related note, may I ask that, in the announcements expected tomorrow, we get guidelines that are simple and clear? I have just argued for nuance in legislation because that is where it is appropriate. When it comes to guidelines, however, we need simplicity and clarity. For example, when I hear of the possibility of different guidelines for tables that are 1 m apart and for those that are 2 m apart, to be honest, I lose the will to live. I understand where the abundance of caution and the attempts to manage things come from but what happens when people push their chairs back a little bit? The 2 m is now 1.7 m. Are they breaking the law? Is the owner of the restaurant or hotel breaking the law? Is somebody going to take out a measuring tape and measure the distance? This type of guideline is unenforceable. We all know that. It brings the law into disrepute. People who have followed guidelines to the letter and who want to do so will start to ignore them. If we make the guidelines simple and clear, they are much easier for people to follow.

I am not making up the following story. It actually happened today. I was speaking to someone on the phone. It was just a general conversation, I was not speaking to a constituent. This person was talking about families not being able to dine together. I said that is to be al-

lowed and that there is to be an allowance and a different number when children and adults are involved. This person watches the news and reads the newspapers but was still confused about this. To be honest, unless we have very simple guidelines that everyone can understand, many people will be in that situation. I am not telling the Minister, the National Public Health Emergency Team, NPHE, the national immunisation advisory committee, NIAC, or anybody else what decisions to make. I am saying that these decisions should be made and that we should be then given one distance. We should be given a number rather than a series of numbers. We should then let people get on with it.

The possibility of time limits on dining has been raised. Let the owners of hotels and restaurants decide that. It is not something that should be decided centrally. I hope it will not be. In addition, if hotels can open their restaurants, then all restaurants should be allowed to open. As I said, if we are given rules that are simple and straightforward, it is much easier to comply.

I will make one or two final points. With regard to the green certificate, I hope the Minister will tell me I have heard wrongly as it was only on the grapevine, but I have heard that while member states will, of course, have flexibility in when and how to introduce the certificate, there is a possibility that they may pick and choose provisions. There are three conditions. If one has been vaccinated, has recovered from Covid or has a negative test, one should be able to access this green certificate. I have heard rumours that we may pick and choose and perhaps it will only be those who have been vaccinated who will have access to this certificate. That would be devastating for the aviation industry. It is only speculation and I hope what I have heard is incorrect. Yesterday, I spoke of the importance of the aviation industry, of Shannon Airport and of the transatlantic connection to the whole west coast. I am from the north west - Sligo - but I recognise the value and the importance of that service. Our aviation industry is on its knees. I am calling on the Minister to ensure that the green certificate introduced here is in conformity, inasmuch as possible, with that of our European neighbours. I ask him please not to pick and choose as to one or the other.

By and large, this Government has done a reasonable job on Covid. It is a global pandemic. There are no rules. No rules could have been written beforehand. When it's over, rules can still change because we cannot negotiate with a virus. It is easy to be wise after the fact. In my view, those who have to make the decisions beforehand have the really tough job and they have to stand or fall on those decisions. As I said previously, I think the Minister and the Government have done a reasonable job in extraordinary and completely unforeseen circumstances.

In regard to the legislation we are discussing now, the timeframe is too long. We should be looking to unwinding rather than rolling over measures. I hope that in our consideration of the Bill on Committee Stage the Minister will take on board some of the amendments that are proposed because I genuinely believe they will improve this legislation. That is what everyone in this House wants to see happen.

**Minister for Health (Deputy Stephen Donnelly):** I thank Deputy Harkin and all other Deputies who contributed to the debate. It has been a worthwhile, thoughtful, reflective and important debate in regard to the exceptional times we are in and the legislation and public health measures and powers that have been put in place to respond to the pandemic. I do not have a closing speech. I propose instead to try to capture the various comments, questions and themes raised by colleagues across the House. I will run through them as best I can, but inevitably there will be some that I will miss so I apologise in advance for that.

I will start by reiterating that nobody wants this Bill. I do not want it. I do not want anybody to have to need these powers, even temporarily. They do not sit easily with me, nor should they. I do not believe they would sit easily with anybody.

**Deputy Mattie McGrath:** On a point of order, this is the about the fifth time the Minister has said that he does not want the Bill. Why is he introducing it? He did not want it in opposition and he does not want it now yet he is introducing it. This is codswallop.

**An Ceann Comhairle:** That is not a point of order.

**Deputy Mattie McGrath:** It is codswallop. Why is he introducing it? He should just take it away.

**An Ceann Comhairle:** That is not a point of order.

**Deputy Michael McNamara:** It is still possible, even now.

**An Ceann Comhairle:** The same applies to you, Deputy McNamara.

**Deputy Stephen Donnelly:** Nonetheless, the powers are necessary. Notwithstanding Deputy Mattie McGrath and a few others, most of us in this Chamber understand why we need public health measures, why they have been important in terms of saving lives and why they need a statutory basis to be brought in.

Deputy Harkin and others mentioned that what we should be doing in this legislation is unwinding the measures and the powers. That is exactly what we are doing. The Bill does not seek to make any changes in terms of having more comprehensive regulations or measures in place. All that it seeks to do is extend the ability of Government to bring in measures. That is it. There is a lot of focus on the officeholder of the Minister for Health and the powers that I have, as the current holder of that office. I want to assure colleagues that these are regulations which are introduced by Government. They are not regulations which I, or we in healthcare, are coming up with and signing into law. The process by which this happens is that Government meets and considers measures, just as it will do tomorrow. What is due to happen tomorrow is another example of this. This evening, following this session, there will be a meeting of the Covid committee. There has been a lot of analysis done. NPHET met yesterday. A lot of analysis and thinking has been happening over the last few days and weeks in the build-up to tomorrow's Cabinet meeting. There will be memo provided at Cabinet, which will propose to Cabinet that various measures are undertaken. I imagine, hope and expect that when we meet tomorrow, it will be about the further unwinding of measures and the further relaxation of measures. What happens then is that I and the Department of Health take on board those proposals and we create the regulations in consultation with the Attorney General's office and other Departments and Ministers as appropriate. The regulations are then published and brought into law. I want to assure colleagues, in regard to these measures, that while under statute they are powers that are introduced by the officeholder of the Ministry for Health, the process is about decisions Government is making. They are not other regulations being brought in without Government decisions.

I return to Deputy Harkin's point that we should be unwinding measures. That is what we are doing in this legislation. To unwind the measures in a safe, sustainable way so that they do not all disappear in one day, which is exactly what would happen, we need an extension of the Act, via this Bill, to be able to do that. As we move further through the summer, it is absolutely



my expectation and, I think, the expectation of all of us, that the regulations will become fewer and that it might be the case that by November - I very much hope it is November - there will be no measures in place. A number of Deputies asked why November. I am aware that amendments have been tabled on Committee Stage that it should be July. Most people would accept that having the measures extended for just a few weeks is not where we are at in terms of this disease. This disease is still very serious. We are stuck at in or around 400 to 500 cases per day. That level has not reduced. While severe illness and fatalities have reduced, the number of cases is still quite high. We are very concerned about the Indian variant and the impact it has had in parts of the UK. Most people would accept that we really do need measures for a while longer. As to whether that should be until September, October or November, I do not believe there is a right answer. However, we have from day one been public health led. The public health view is that measures of some sort are likely to be needed through the autumn and early winter. As an example, in September it is the hope of all of us that schools, childcare and third level education will return in full on campus. That is what we all want to see happen. It could well be the case that the public health view at that time will be that, for example, on third level campuses, it may be safe and prudent and cautious to begin with the wearing of face masks in certain settings. I have no idea if that is what will be recommended, but it is entirely possible that we will have variants like the Indian variant and others. It is the view of public health that up until then, it is possible that public health measures will be required, however minimalist they, hopefully, may or will be. To have those measures, we need to have the ability to make these regulations.

Tomorrow, I will seek Government approval to make a very significant amendment to the Bill. I have read the submission from the Irish Council for Civil Liberties, ICCL. I have listened very intently to colleagues in this House and to the debate in the Seanad. I agree with the point that has been made in a wide number of places that we should not have the ability simply to roll on the sunset clauses again and again. Tomorrow, I will seek Government agreement to bring forward a series of amendments on Committee Stage to propose that only one sunset clause be allowed, for up to a maximum of three months but it does not have to be for three months, after which the Bill would fall. I hope colleagues will support this. Colleagues have tabled amendments on different versions of this with regard to timing, and I hope they will support my proposal.

I also hope colleagues accept that this is the legislative process at work. There has been comment that there has not been enough time for debate or oversight. We have spent many hours on Second Stage. The Bill has been through the Seanad. We will spend hours on Committee Stage. Through the legislative process the Bill is being amended in a substantive way. I hope colleagues recognise that this is oversight. This is the legislative process at work.

Some Deputies suggested that there has been very little oversight or transparency in respect of the regulations. On this, I respectfully disagree quite fundamentally. There has been, and continues to be, a vast amount of analysis done and it is available for discussion. The health committee and the sectoral committees can and do look at individual issues in their own sectors. They debate them. We have had debates in the House not every week but many weeks. Members can always table Private Members' Bills and motions. There is a facility for any regulation to be debated in the Oireachtas and annulled within a certain number of days of it being laid before the Houses. This mechanism has not been used by any Deputy in respect of the regulations put in place. I can certainly say as somebody who-----

**Deputy Michael McNamara:** On a point of order, I invite the Minister to correct that

because a motion to annul a regulation was tabled in the House. It was voted down by the Minister and he corralled in behind him the sheep in the flock-----

**An Ceann Comhairle:** That is not a point of order.

**Deputy Michael McNamara:** To say that the mechanism was not utilised is misleading the House.

**An Ceann Comhairle:** It is not a point of order.

**Deputy Mattie McGrath:** Our group introduced a motion to declare null and void a statutory instrument. The Minister has said this before. He accuses us of misstatement. He said this before and he was corrected. He is in some kind of a cloud cuckoo land. It happened on the floor. We lost the vote but we did table it. The Taoiseach begged us not to table it but we did so.

**An Ceann Comhairle:** We will all have to agree to disagree on this.

**Deputy Mattie McGrath:** No, the Minister cannot mislead the House. This is the second time he has done it in respect of this issue. He cannot have it both ways. He is in some kind of euphoric state whereby he does not know what he is doing. He does not want to introduce this but yet he is doing so. He is telling absolute porkies and lies. We had a motion here. The Dáil-----

**An Ceann Comhairle:** Please do not accuse a colleague of telling lies.

**Deputy Mattie McGrath:** I ask the Minister to correct the record immediately. He did it before.

**An Ceann Comhairle:** We will go back to the Minister.

**Deputy Mattie McGrath:** Yes, and I ask him to correct the record. We introduced a motion to annul a statutory instrument.

**An Ceann Comhairle:** Let us hear the Minister, without interruption.

**Deputy Stephen Donnelly:** I thank the Ceann Comhairle. It is not a point of order. If that is incorrect, and if there were such a motion tabled to annul a specific regulation-----

**Deputy Michael McNamara:** Thank you.

**Deputy Stephen Donnelly:** -----I am more than happy to accept that with no problem whatsoever. However, I would point out that we all listened to the diatribe, quite frankly, from Deputy Mattie McGrath but we listened nonetheless. We did not keep jumping up like a jack-in-the-box and interrupting him. We do afford each other the space to make our points. Deputy Mattie McGrath might consider the same.

We have addressed the issue of Oireachtas oversight and transparency. We have addressed the issue of dates and why 9 November has been suggested and the substantive amendment for which I hope to get Government agreement tomorrow.

Other issues were raised on the details relating to the Mental Health Commission. I am very happy to ask the Department to provide colleagues with a report as to how it has worked. The briefing I have is that while the regulations have allowed for tribunals to be held by a

single psychiatrist rather than by the normal three, this did not happen. When they were held remotely, the three-psychiatrist model was in use. It is my view, and it is view of the Mental Health Commission and the HSE, that we need to get back to in-person tribunals as quickly as possible. The HSE is in contact with the professional body and the professionals involved to bring this back as quickly as possible.

Questions were raised about the assessment of the regulations and what type of assessment is done before these regulations are brought in. I can share with colleagues there is a wide variety of assessments. There are public health assessments obviously, and social impact analysis and economic analysis is also done. This is considered by the Cabinet and, typically, by the Covid committee also. The measures are then introduced. Certainly the analysis and advice from NPHET is all available online. The minutes of the NPHET meetings are available. The analysis that NPHET considers, including the projections on epidemiology by Professor Nolan's group, is all available online, as are the letters from the Chief Medical Officer to me on his advice based on this analysis. A lot of analysis is available online. Somebody asked whether enforcement data could be published. My understanding is An Garda Síochána does publish the enforcement data as it pertains to the various offences.

Various other issues were raised. One was on the ability of groups such as the AA and other support groups for those in addiction to be able to meet up and for greater numbers to be accommodated. This is something I will certainly feed in.

There was very useful debate on human rights and the infringement on people's civil liberties that these regulations and measures cause. There is no question but that they do infringe and have infringed in serious ways and with very serious consequences, as we know. There has been huge hardship, isolation and loneliness. Many people are dealing with their mental health. Businesses have had to close. People have lost their livelihoods. People have not been able to travel. They have not been able to move far from where they live. People have not been able to mourn their friends and families in the way they normally would or attend weddings and celebrate the way they normally would. I assure colleagues that these things are taken very seriously and none of this is done lightly.

The other side of this is the right of people to be protected from the disease and the right of people to be able to live in a society in which appropriate measures are put in place to keep everybody safe and break the chains of transmission. It is a balance and I do not think there is any way of ever getting that balance perfectly right but we certainly try to do so. What colleagues will see is that as the risk of the disease to individuals has increased at certain times the measures have increased, and as the risk of the disease decreases, as it has now, the measures applied decrease correspondingly and, hopefully, proportionately although perhaps not always. Perhaps some measures should have been introduced earlier and some measures should have been got rid of earlier. The effort has always been to be proportionate and balance the measures against the risk to people's safety, lives, the healthcare system and, ultimately, to public health. I hope the meeting tomorrow will be very positive and that we will be able to relax further the measures insofar as possible.

I will make two final points. First, whatever we may think about the measures, they are working. Ireland has had one of the lowest excess mortality rates in the European Union during the pandemic. That is not to minimise what has happened or the pain and suffering caused by loss of life; I am just saying that compared with other countries of similar societal and economic make-ups, Ireland has a low excess mortality rate by those standards. We also achieved

one of the earliest reopenings of primary and secondary schools, that is, in-person teaching, in Europe this year, which was one of the priorities. We saw an enormous fall in the number of cases from that very high peak in January. That worked very well. We know that in the past 12 days eight fatalities linked to Covid have been reported. Again, eight is eight too many but, relative to what we have been dealing with, that number is a sign that the most severe impacts of this awful pandemic are being dealt with, partly by the vaccine programme, obviously, but also partly because people have backed the measures. I know there are widely held views as to which measures were right and which measures were not right, but the reason they worked was that, broadly, I think people trusted the public health advice and complied with the measures to the best of their ability. The result of that is that an awful lot of lives have been saved and that we are now in a positive position for a sustainable exit from the pandemic.

Finally, I wish to take a moment to thank the Department of Health officials. I and many colleagues have quite rightly thanked the HSE, our healthcare workers and everybody who has been involved in our national response on numerous occasions. The Department of Health officials have tended not to get so much thanks but they have been working away in the background seven days a week and at all hours of the day. The Department has had its entire normal workload of the healthcare system increased by: the resumption of services; mandatory hotel quarantine; all the measures and the incredibly complex regulations that have to be done and redone; the entire vaccine programme; testing, tracing and genome sequencing; and all the other things we are aware of. The Department has done this with not a huge amount of additional resources. What has happened is that the same people have worked seven days a week, week after week. They start very early in the morning; I regularly talk to them at midnight. A vast amount of work goes into turning Government decisions into workable and reasonable regulations and public health measures. I will end by acknowledging the enormous work the Department of Health has done and continues to do through this pandemic.

**An Ceann Comhairle:** I should say on behalf of the House that while Members may disagree on the approaches to be taken to particular measures, all of us recognise the enormous contribution those who have been involved in the battle against this pandemic have made, the enormous efforts they have put in and the immeasurable hours and everything else that has been involved. We acknowledge that and thank everyone who has been involved.

Question put.

**An Ceann Comhairle:** In accordance with Standing Order 80(2), the division is postponed until the weekly division time, which I think will be next week.

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

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case: (1) Deputy Louise O'Reilly - to discuss the need to provide a statutory entitlement to domestic violence paid leave; (2) Deputy Réada Cronin - to discuss cases in which planning permission for housing is granted with childcare facilities included but the facilities are not built; (3) Deputy Bernard J. Durkan - to discuss the serious breach of international law involving the hijacking of a Ryanair passenger plane travelling between two EU cities; (4) Deputy Joan Collins - to discuss the imminent closure of Hesed House, an integral counselling and psychotherapy service for young people and their families in Inchicore; (5) Deputy Pat Buckley - to discuss the

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reopening of pubs and the hospitality sector; (6) Deputy Verona Murphy - to discuss existing online capacity for driver theory tests for all vehicle categories to address urgently the backlog of 100,000 driver theory tests; (7) Deputy Ciarán Cannon - to establish a dedicated portal for the submission of video evidence of close passing of cyclists by motorists; (8) Deputy Catherine Connolly - to discuss the serious problems for the local community in Galway city as a result of the organised but uncontrolled weekly “Salthill Sundays” event; (9) Deputy Chris Andrews - to discuss regeneration of social housing and flat complexes, given the finding of the European Committee of Social Rights of breaches of the Social Charter by the Irish State; (10) Deputy Paul McAuliffe - to discuss the reopening of day care centres; (11) Deputy Thomas Pringle - to discuss a review of the disabled drivers scheme and primary medical certificate qualification assessment criteria; (12) Deputy Pádraig O’Sullivan - to discuss the length of time people are waiting for decisions on social welfare appeals; (13) Deputy David Stanton - to discuss the issues that led to a large flotilla of trawlers gathering in Cork Harbour and the subsequent demonstration by fishermen; and (14) Deputy Niamh Smyth - to discuss the development of Cavan Institute as a hub for further education and training.

The matters raised by Deputies O’Reilly, Cronin, Durkan and Joan Collins have been selected for discussion.

## **Saincheisteanna Tráthúla - Topical Issue Debate**

### **Domestic Violence**

**Deputy Louise O’Reilly:** The pandemic has reinforced the need for progressive change in the area of paid leave for victims and survivors of domestic abuse and domestic violence. I am sure the Minister will be aware that yesterday National University of Ireland Galway, NUIG, launched the university’s domestic violence leave policy. It is a really good piece of work and I recommend that the Minister take a look at it and engage with some of the people involved. His colleague attended the launch with me yesterday. I thank, in particular, Nata Duvvury, Sinéad Wynne and Daniel O’Hara, who were central to the creation and publication of this policy. I thank also the people within the trade union group in NUIG who worked in partnership with management and ensured that this was brought forward. It is very important we legislate for this. I listened to the Minister’s Cabinet colleague talk about how progressive and fantastic it was that NUIG was leading the way, how wonderful it was that it was taking the lead on this and how he would like to see it established in other higher education institutes. It is that kind of commentator-style behaviour on the part of the Government, almost as if this is not within its gift or power to do, that I think people find a little hard to take at times.

As the Minister will be aware, our party leader, Deputy McDonald, and I tabled legislation in the form of an amendment to the Organisation of Working Time Act to provide for ten days’ paid statutory leave for victims and survivors of domestic abuse. I do not think there is any disagreement between us about the necessity for legislation. I think we fully agree on that. I think there might be a slight disagreement between us about the timing. I think we should progress this quickly. I do not think there is any need - or any excuse - for further delay in this area. An Teachta McDonald and I brought forward the legislation because we had consulted with stakeholders, campaign groups and victims and survivors. We were in receipt of a huge amount of correspondence in the immediate aftermath of the introduction of that legislation from people



who really wanted to see it happen: the trade union movement, employers and victims and survivors, who contacted us individually to say they really wanted to see some progress in this area.

I sometimes doubt that the Government is serious about this. I had that doubt yesterday when I attended virtually the launch at NUIG. Now we see Danske Bank, in conjunction with the Financial Services Union, and NUIG, in consultation with the women's studies centre, the trade union group and HR, moving ahead and the Government not moving at the same pace. That is regrettable. The text of this Topical Issue matter refers to "the need to provide a statutory entitlement" to paid domestic violence leave. We agree on that. We do not need to discuss the need for it; we know there is a need for it. What I want to hear from the Minister is whether he will work with me to progress the legislation I have introduced or indeed whether progress can be made in some other way.

While I am on my feet, there is a Bill before the Seanad that is effectively a carbon copy of the Bill I introduced in that it is an amendment to the Organisation of Working Time Act. It relates to leave for early bereavement in pregnancy. That Bill is being taken by the Department of Enterprise, Trade and Employment. I wonder, therefore, whether a Bill which is essentially the same has fallen between two stools and whether that is why progress is not happening. Perhaps it would be better if it were moved to the Department of Enterprise, Trade and Employment. I am not sure. I would welcome the Minister's view on that.

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O'Gorman):** I welcome the opportunity to come before the House to discuss this incredibly important issue. I thank Deputy O'Reilly for raising the matter and I acknowledge her own work on it.

*5 o'clock*

Since its formation, the Government has made clear that tackling domestic, sexual and gender-based violence is a key priority. A range of measures to tackle this has been outlined in the programme for Government. It contains a commitment to investigate the provision of paid leave and social protection provision to victims of domestic violence with a view to establishing a statutory entitlement to paid domestic violence leave. The Government agreed on 8 December 2020 to examine establishing a statutory entitlement to paid domestic violence leave and to provide a report within six months with legislative proposals to follow within a further four months.

My Department is advancing work on this proposal. It is preparing a report and recommendations which I hope to bring to the Government in the coming weeks. This will be followed by legislative proposals. The report will include a comparative examination of domestic violence leave provision internationally to identify best practices. As part of this work also, a targeted consultation process has taken place with relevant stakeholders and social partners to examine how a scheme of paid leave should operate to effectively address the needs of victims of domestic, sexual and gender-based violence. Consultations have taken place with the monitoring committee of the second national strategy on domestic, sexual and gender-based violence, employers' groups and trade unions, as well as with stakeholders of the national equality strategy committees which fall under my Department's remit.

I have directly participated in a number of these consultations, engaging with the Irish

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Congress of Trade Unions and the Financial Services Union. I am aware of the work taking place and the pressure from trade unions for this legislation to be introduced. I also engaged with employers' groups to understand any concerns they might have in order to properly address them. Written submissions were invited from relevant stakeholders and these submissions are currently being examined. They will form part of the report and recommendations I will bring to the Government.

The purpose of this engagement is to develop a scheme for domestic violence leave which will fully address the need for victims of domestic abuse to be able to access the leave they require, while also being mindful of the role that employers will have to play in sensitively managing vulnerable staff members, along with protecting and respecting their privacy.

The economic impact of domestic violence is not always at the forefront of people's minds when they consider the effect on victims. Experiencing domestic violence can be a contributing factor to women experiencing homelessness and poverty. Lack of economic independence can also be a factor in preventing a victim from leaving an abusive situation. Support for victims who are working, in the form of paid leave, could be crucial to ensuring they retain their employment and have the economic capacity to escape abuse and rebuild their lives.

I am happy to be able to provide to the House this update on the ongoing work to provide for this legislation.

**Deputy Louise O'Reilly:** I do not disagree. Support is absolutely essential. I experienced this personally when I was a workplace representative. Very often people in a domestic violence situation find the abuse is not confined to home. In fact, their workplace becomes a site of abuse. The Minister and I know this happens.

While I respect a consultation process is under way, the Minister must also respect that for a long number of years this issue has been on the agenda for Sinn Féin and others. However, there already has been a delay. It was agreed on 8 December, six months ago. That is now delayed and it will be another four months until there is legislation.

It would be useful and good for those who desperately need this legislation to believe that there is a sense of urgency coming from the Government. I genuinely do not feel there is, however. It feels like the Government is going back over old ground. The proof of the pudding is in the eating. The proof is in the fact that State and private sector employers, along with workers and their representatives, are already moving ahead of the Government. We know there are international examples. There is no way the Irish Government will lead internationally on this. National University of Ireland Galway, NUIG, launched its policy yesterday, meaning such leave is now available to men and women working in the university. Danske Bank did the same, as have Vodafone and other private sector companies. Yesterday, the Minister's colleague indicated he would like to see more HEIs, higher education institutions, do it.

The Minister is consulting about an issue that we all know needs to be addressed. I have produced legislation to deal with it. The simple fact is everybody else is moving ahead. They could be forgiven for thinking there is no sense of urgency coming from the Government in this regard.

**Deputy Roderic O'Gorman:** I strongly disagree with the Deputy's comments on the priority that my Department has placed on this issue. She named a number of individual employers which are bringing in schemes. I absolutely welcome this and commend their work. However,

we are looking at a scheme that will be statutorily applicable across all employers. That is a much bigger order of magnitude. It is important we put in the proper research and engagement with all relevant stakeholders to ensure we get the process right.

We have done this in a tight timeline while my Department is advancing gender equality in the workplace on a range of other fronts as well. We brought in the family leave Bill to increase parental leave. The Gender Pay Gap Information Bill was passed by the House two weeks ago and will be in the Seanad soon. We have committed to engage in research on the issue of leave for miscarriages, as well as the extension of breastfeeding leave. Significant work on a wide number of fronts is being undertaken in my Department in terms of protecting families and, most particularly, protecting women.

The introduction of paid domestic violence leave is a key part of that. We set out a tight time period for it and we are working to achieve the first element in terms of a report and a proposal for the Government. There will then be a four-month timeframe in bringing forward that legislation. I have engaged with the stakeholders. They understand what we are doing and see the Government's commitment to address this issue. I look forward in the near future to steering legislation on domestic violence leave through the Houses of the Oireachtas.

## **Traffic Management**

**Deputy Catherine Connolly:** I thank the Ceann Comhairle for choosing this matter for Topical Issue debate. I am glad the Minister of State, Deputy Naughton, is here because I know she is more than familiar with what has happened in Galway. Many of her colleagues on the council have spoken out on this matter.

It is an issue I raise reluctantly as it should be managed locally. Unfortunately, the event last Sunday, part of an ongoing number of events known as Salthill Sunday, has caused consternation, upset, distress and serious traffic congestion. I spoke to gardaí in Salthill on this matter who said they are doing everything possible. I realise matters of this nature are for the Garda to deal with to a certain extent. I do not wish to intrude on Garda operational matters. However, it is much bigger than that.

All this week the local radio station has been inundated with contact from people affected by this event which has been going on for a number of weeks. It is an organised event but the Garda has told me it is not a controlled one. Therein lies the problem. Last Sunday, Galway came to a standstill. We have restaurants losing business. A person had to be airlifted to hospital because emergency services could not get through. We have had elderly people missing or being delayed for their appointments for vaccination. These are only some of the affected people. We have noise and air pollution, intimidation and people reporting that their children with disabilities have been seriously affected.

I do not want to go into anecdotes about this. However, I am raising it in the Dáil when I would prefer to be raising the housing or health services problems in Galway. It means I am taking this matter very seriously because the councillors have taken it very seriously. More importantly, the people of Galway are greatly distressed. Members of An Garda Síochána are of the view that we should perhaps be looking at a venue for these car enthusiasts. Certainly, there is scope for that and it is a positive way of looking at it. In the meantime, however, to allow these organised but not controlled events to go on is simply unacceptable. This is bigger than

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the Garda and it has to work in collaboration with the management of the city council and the councillors, in the first instance to ensure there are enough community gardaí and community wardens on the ground and then to ensure the safety of the community, which is primarily in the Salthill and Claddagh areas, and also down at the Black Box Theatre, all areas with which the Minister of State is more than familiar. I ask the Minister of State to please not read from a script and tell me that it is an operational matter for the Garda. I am sure she will not do that and that she is as concerned as I am about this.

I am not a great Facebook person but what troubles me is that those who are organising this event are communicating through Facebook. They are telling us that they will persist in doing this until they get what they want. This is not a great way to ensure collaboration with the elected representatives and with the Garda. I seek a pragmatic and practical approach to this but at the top of the list must be the safety and enjoyment of the community areas for everyone and not just for car enthusiasts. I know many people who are not easily intimidated but when they tell me that they could not cycle their bike or turned back and would not walk, then I know there is something radically wrong with these events. I will stop at this point and ask the Minister of State to deal with this issue.

**Minister of State at the Department of Justice (Deputy Hildegarde Naughton):** I thank the Deputy for raising this issue today. I am glad to speak on a topic of concern for many public representatives, both local and national, and for people from the Galway area, as outlined by the Deputy. I spoke this afternoon to members of An Garda Síochána in Galway about the recent event in Salthill and events that may be planned for this weekend or other future dates. I also have spoken to the Galway city manager about this event. While the Deputy will appreciate that the Garda Commissioner is operationally responsible for all policing matters, I am reassured that a policing plan is in place in anticipation of another Salthill Sunday event, if required.

Local members of the Garda are also monitoring social media and will tailor any operations for this weekend or any other weekends as needed. Extra gardaí will be on duty around the city and in Salthill this weekend and they also will be carrying out spot checks.

Those of us from Galway are aware that these recent gatherings have understandably led to significant local concern. On Sunday last, a large number of vehicles gathered in Salthill village and Galway city as part of a Salthill Sunday event. Gardai from Salthill and Galway, together with resources from the divisional roads policing unit, implemented an operation for the management of the event. The public service vehicle inspector for the Galway division was also on duty. The Garda has informed me that 80 road traffic offences were detected by the roads policing unit and by uniformed members on duty at the event and that these will be actioned accordingly with fixed-charge penalty notices or summonses, as appropriate.

While An Garda Síochána has confirmed that there were no public order incidents of note, it has confirmed that the gathering of a large number of vehicles caused disruption to traffic. I fully appreciate the frustration which local people feel about any anti-social behaviour which there may have been around this event, and the concerns they may have in respect of future events.

I have been reassured today by An Garda Síochána in the Galway division that it will enforce legislation and ensure any breaches of legislation are prosecuted as they arise.

It is also important to note that the Garda is continuing to provide enhanced support to the

public health effort to combat Covid-19. In this context, we are continuing to appeal to the public to avoid large gatherings and crowds at this time. Personal responsibility and compliance with the public health measures that remain in place continue to be key in minimising opportunities for the virus to spread.

I fully appreciate and it is important to say that in normal times, car enthusiasts may wish to gather and enjoy the company of like-minded people but I would ask that everyone adhere to the public health regulations and I appeal to the organisers of such events to consider the impact they are having on the local population in Salthill. I also ask people to refrain from meeting in large numbers and to follow the continuing public health advice and the necessary restrictions. As our society and economy re-opens, we are also being asked to socialise outdoors and to make the most of our community spaces. With that in mind, all of us have a responsibility to residents in places such as Salthill to be respectful when we gather outdoors. I appreciate how difficult the past 15 months have been for everyone and how many sacrifices people have made to maximise our collective safety against Covid-19. I join all Deputies in welcoming the freedoms that have been restored in recent weeks. However, we are all called upon now to ensure that we can enjoy the outdoors as safely as possible and that we all take responsibility for our own actions.

**Deputy Catherine Connolly:** I am a little disappointed that the Minister of State is reassuring me that there is a policing plan in place and that she is appealing to the public not to gather. This is not about the public gathering but about a relatively small number of people organising an event that is not controlled. It is about the Garda being overwhelmed because when I spoke to some members of the force, they said that they were applying the law as best they could. I empathise with them. This is bigger than the members of the Garda, who are just one aspect of it. We need collaboration with the city council and we need community wardens along with members of the Garda. Before I came in today, I looked out the window and counted 28 gardaí minding us in this august establishment here. I would like to see that presence on the ground in Galway.

The Minister of State is appealing to people who are not listening. I have read their Facebook communications. They are not hearing but are telling us that they are going to keep going until they get what they want. I would call that, at the very least, defiant language. I am all in favour of car enthusiasts when acting in an organised and controlled way. This is not a controlled event but is depriving the majority of people of the enjoyment of public space. This is interfering with people's safety and health where people are turning up. I know that the Minister of State is aware of this but I am asking her to take a hands-on approach in this regard. At the very least, we need a meeting of the Deputies from Galway with the Garda superintendent. We then need an absolute plan for this matter for the next number of Sundays in order that we can reassure the people in Salthill, the Claddagh and the other areas of Galway affected that this will not continue. We cannot have a situation where someone is airlifted because they cannot get through the streets of Galway. At the best of times the traffic congestion is unacceptable because we have utterly failed to deal with traffic congestion but this is an extra element. Once again, I appeal to the Minister of State to take a hands-on approach in this matter in her position as a Minister of State and at the very least to let us sit down together with the superintendent and with the city manager to ensure that this does not continue.

**Deputy Hildegard Naughton:** I reiterate that I spoke to the senior members of An Garda Síochána in Galway and they have assured me that there is a dedicated policing plan in place for this weekend and for any future events. They are monitoring social media and will be de-



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ploying extra Garda resources in the Salthill area or indeed any area where that deployment is needed. If anyone has concerns, the Garda asks that it be contacted directly and to be alerted to any anti-social behaviour. I have also received the assurance of An Garda Síochána that re-sourcing is not an issue and the force will be deploying its full resources as needed this weekend or any other weekend on this issue and it is important to make that point. I was categorically assured today by An Garda Síochána on that point.

There is engagement between the city council and the Garda, which was also confirmed to me today. I spoke to the city manager and I know that the local city councillors are directly engaging with An Garda Síochána locally around other solutions. Whatever resources the Garda needs, we have always said that we will support it in that. I will be guided by the local Garda information that I received and its members are saying that it will deploy all its resources, will be carrying out spot checks within the city and on the outskirts as well this weekend and will be monitoring the activities as they arise this weekend or over future weekends. Of course, this will be constantly monitored and we need to ensure that we support the Garda in whatever way possible. In my communications with the city council, I am happy to assist in any way I can. I have been assured today by An Garda Síochána in Galway that it has the resources, it will deploy them and it will monitor events this weekend and every weekend in Salthill and Galway.

**An Ceann Comhairle:** I thank the Minister of State, and Deputy Connolly for raising that issue. I suspect that if the matter does not find a resolution, the Deputy will return to it, although I hope that will not be necessary.

### International Relations

**An Ceann Comhairle:** Deputy Durkan has tabled the next relevant and important matter. I welcome the Minister of State, Deputy Brophy, to the House.

**Deputy Bernard J. Durkan:** I thank the Ceann Comhairle for allowing me to raise this important issue. Certainly in my lifetime, and I am sure in his too, we have never known of an Irish-owned aircraft and its passengers and crew being hijacked. They were directed to a destination other than that of their choice and were given no opportunity to negotiate that. They were accompanied by a military aircraft and forced to land at a location chosen by the president of a non-EU state.

On its face, this may seem to be just an incident but I believe it was a sinister, terrorist incident. If repeated, which it could be, it will have serious consequences for air traffic, and there are enough difficulties in the airline business with Covid without having another one visit us in this fashion. There is a need for the international community to recognise the seriousness of what this means. If repeated, as is likely, it will create a new terror for people travelling by air. We cannot allow the incident to pass without there being a calling to account of the perpetrators. It does not matter who they are - Heads of State or whoever they may be. The civil and human rights of the passengers and crew on board the aeroplane were at stake and those of others may be put at stake in future.

I raise the issue to let it be known that other European states and democracies throughout the globe need to react to this in a clear fashion. They need to send a message to such perpetrators that this will not go unchallenged, and that it was a criminal act. Because it was a criminal act, it deserves to be referred to the International Court of Justice in The Hague. There is only one

way to deal with this kind of incident. I commend the crew and passengers of the aircraft on their bravery and on having to put up with this intrusion into their journey.

**Minister of State at the Department of Foreign Affairs (Deputy Colm Brophy):** I thank the Deputy for raising what I agree is a very important issue. Ireland has promptly and publicly condemned the coercive forced landing of a Ryanair aircraft on Sunday last and the subsequent detention of Roman Protasevich and Sofia Sapega. We have raised our concerns over this incident with our EU and international partners, including at a meeting of UN Security Council members. We have also made Ireland's position clear directly to the Belarusian Embassy in London.

These acts, which endangered the lives of the passengers and crew, showed a flagrant disregard for international law and were a direct threat to EU aviation security. As the aircraft is registered in Poland and was en route to Lithuania, our Polish and Lithuanian colleagues are actively working on investigations into the incident and we fully support them in their efforts. It is essential that the full details of what happened be brought to light and, in support of that goal, Ireland called for a transparent and independent investigation during a special meeting of the International Civil Aviation Organization today.

We categorically reject the false narrative of the Belarusian authorities as to the reasons for this incident. At a meeting of EU leaders on Monday evening, the Taoiseach clearly communicated Ireland's view that a strong EU response was needed, as is now being delivered through the concrete steps the EU leaders have agreed. EU airlines have been asked to avoid Belarusian airspace and work has commenced on banning Belarusian airlines from EU airspace. The EU will bring additional sanctions against those responsible for what has happened and is actively considering what form of additional economic sanctions it will take. The EU continues to consider our broader relations with Belarus, including its involvement in the eastern partnership mechanism.

I am deeply concerned for the welfare of Mr. Protasevich and Ms Sapega and I reiterate the call for their immediate and unconditional release. There are thousands of reports of human rights violations in Belarus, including numerous allegations of torture and physical and sexual abuse in detention. I know that the plight of those unjustly detained in Belarus is a matter of deep concern for all Deputies. Ireland has repeatedly called for the immediate and unconditional release of all those unjustly detained. I assure the House we will continue to do what we can to press the Belarusian authorities to adhere to their international commitments and obligations.

The repression of the Lukashenko regime has increased in recent months, with independent media and human rights work effectively criminalised. The Belarusian authorities cannot be permitted to continue their heinous acts with impunity. Ireland, the EU and our international partners have been working to ensure those who violate human rights will be held accountable for their actions through international investigations.

Following the successful adoption of an EU-led resolution at the Human Rights Council, the UN High Commissioner for Human Rights has begun establishing a team who will investigate human rights violations in Belarus. We strongly support her and the UN special rapporteur on the situation of human rights in Belarus in their work and urge the Belarusian authorities to engage with them.

Ireland's support for the Belarusian people in their long-standing defence of democratic

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principles and human rights is unequivocal and unwavering. We have stood in solidarity with them since the beginning of this long night of repression and will continue to do so.

**Deputy Bernard J. Durkan:** I thank the Minister of State for his comprehensive reply and note the action that has been taken. As well as that, whatever other measures are necessary need to follow, and will follow, according to what he outlined. If they do not, this will be repeated. Taking a passenger aircraft out of the air, by force, was an effective way of dealing with the situation. There have been incidents with passenger aircraft in parts of eastern Europe in the past, and we should not let it go unchallenged or pass without rigorously registering our concerns about it.

There is no doubt that the aircraft was known to be a passenger aircraft. The Ryanair emblem was clearly displayed. It was an aircraft carrying passengers who were going about their business and they had a right to so do. We talk a great deal about civil and human rights, and rightly so, but interfering in that way shows scant regard for international law, and the full rigours of international law need to be brought to bear on the perpetrators. I have every confidence that the Minister of State, the Taoiseach and the Minister for Foreign Affairs will utilise and mobilise all forces necessary to ensure the seriousness of the act does not go unchallenged or unnoticed, and that action will be taken to ensure it does not happen again.

**Deputy Colm Brophy:** I fully agree with what the Deputy said about the seriousness of this act. There is no question but that the international hijacking, effectively, of an aircraft and forcing it to land is totally unacceptable. I reiterate we are working with our international partners in response to this. We are determined to ensure accountability and will continue to support measures that seek to make those responsible, not just for this but for all human rights violations in Belarus, accountable for their actions. The Irish people have long had a care and concern for the people of Belarus that goes back to the Chernobyl disaster and its aftermath. We have supported the Belarusian people and Belarusian civil society in many ways. I take the Deputy's point on board that this is a very serious international incident and we will continue to work to ensure accountability for it.

### Social Welfare Appeals

**Deputy Pádraig O'Sullivan:** I thank the Minister of State for being here. I do not raise this topic in the House with any appetite. I must commend the work many people who work in the Department of Social Protection have done throughout the pandemic, particularly with the pandemic unemployment payment. It has been great to see the massive turnaround time in terms of people getting their entitlements. At the outset, I must put that on the record. There are, however, a number of cases I have come across in recent months in respect of which there have been excessive delays in processing applications for various entitlements, be it for carer's allowance, disability allowance, pension applications, or whatever the case may be. For people who seek an appeal, there seems to be a very long list.

In preparation for this debate, I looked over figures from previous years and I saw that back in 2011, the average waiting time for an appeal was up to 32 weeks. When the Minister of State responds, I would be interested to hear how that compares with today's figures in terms of how long people are waiting for their appeals to be heard.

As I said, I do not raise this issue lightly. In the case of people who are appealing a decision

on the carer's allowance, for example, and are awaiting an adjudication, they cannot take up other employment in the time being. They are mostly likely caring for someone full-time. In many cases, people are waiting for a period of time, with some waiting up to six months, from what I hear.

I got an email from a Department official this week which stated that one pension appeal being dealt with could take anything up to six months before a final decision is made. That is what triggered the bringing forward of this Topical Issue matter this evening. In the case of people waiting on carer's allowance, or whatever the case may be, many risk destitution if they have to wait that length of time or risk borrowing money in the meantime. Some might borrow from friends or family, if they have that type of resource, but others, unfortunately, will resort to moneylenders and that is where we face a risk.

I have a number of questions for the Minister of State. If he has breakdown of waiting times for the various entitlements, I would appreciate that. What is the breakdown of waiting times for the number of appeals? What is his opinion on what is an appropriate time to wait to hear an appeal? We can work back from that. If it is a case that we do not have sufficient staff or resources, I would make an appeal to the Minister of State, and the Minister, Deputy Humphreys, that it would be appropriate to provide additional staff and resources to bring down those waiting times.

As I said, it is more about information. I commend the Department of Social Protection and its staff on the work they have done throughout the pandemic. If the Minister of State could elaborate on the issue of waiting times, I would appreciate it.

**Minister of State at the Department of Social Protection (Deputy Joe O'Brien):** I thank the Deputy for raising this issue. The Social Welfare Appeals Office functions independently of the Minister for Social Protection, and of the Department, and is responsible for determining appeals against decisions in relation to social welfare entitlements. The Department of Social Protection processes around 2 million new claims each year. Approximately 85% of these are successful, in that the customer receives the relevant payment. By comparison, a total of 23,664 appeals were made to the Social Welfare Appeals Office in 2020 and 26,790 appeals were finalised. This was a 19% increase on the 2019 figure of 22,572 finalised appeals. Some 7,795 appeals have been made to the Social Welfare Appeals Office up to the end of April 2021 and 7,637 appeals have been finalised.

The time taken to process an appeal reflects all aspects of the appeal process, including the time spent in the Department reviewing the decision in light of the appeal contentions and-or preparing the appeal submission. Some 20% of cases will be revised in favour of the appellant as a result of this review process. In some cases, further investigation may be required at that point and this can add to the time taken to process an appeal. The quasi-judicial nature of the appeals process impacts the processing times which are proportionate to the complexity of many of the issues under appeal and often require a high level of judgement in addition to the need to ensure due process and natural justice. Appeals may be determined summarily or by means of an oral hearing. When an oral hearing is required, the logistics involved in scheduling the hearing and giving the appellant, and any other witnesses, adequate notice adds to the time-frame involved. Other factors which impact on processing times include increased complexity, an increased demand for oral hearings, and the loss of appeals officer experience and corporate knowledge due to the high number of retirements in recent years.

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The output target for 2020 to maintain the number of appeals on hand at the end of the year - between 8,500 and 9,500 - was achieved. The number of appeals waiting to be determined at the end of 2020 was 5,662. This represents a significant decrease of 36% in the number of appeals on hand compared to 2019, when more than 8,700 appeals were on hand at the end of that year. The output target for 2021 is to maintain the number of appeals on hand at the end of the year to between 7,500 and 8,500. The number of appeals on hand at the end of April 2021 was 5,820. The average processing time for all appeals finalised during 2020 was 16.5 weeks. This compares with 24.7 weeks in 2019. The overall average processing time for an appeal dealt with by way of a summary decision in 2020 was 15.5 weeks, as opposed to 22.1 weeks in 2019. The average time taken to process an appeal which required an oral hearing in 2020 was 27.1 weeks. It was 26.9 weeks in 2019.

Due to Covid-19 restrictions, in-person oral hearings were suspended in March 2020 and, with the exception of a short period in August-September 2020, remain suspended. The Social Welfare Appeals Office has been holding online and phone hearings since October 2020. Supplementary welfare allowance appeals are prioritised at all stages of the appeal process. In 2020, it took an average of 13.4 weeks for appeals to be determined summarily and 29.3 weeks to determine appeals which required an oral hearing.

**Deputy Pádraig O'Sullivan:** There is quite a bit of information there, so I look forward to going through it afterwards. I welcome the fact that since 2019, appeal times have decreased from, I think the Minister of State said, roughly 20 weeks down to 16 weeks. That said that, I would appreciate if he could, by way of further communication, write to me with the details of the number of community welfare officers we have per county across the country, and juxtapose that with previous years to see what the staffing arrangement is.

I welcome that many appeals are taking place online. That is to be welcomed in the pandemic. Obviously, the show must go on in getting people whatever entitlements they are due, so that is welcome. I acknowledge the majority of claims are ratified and do not require this process, and that only a small percentage go to appeal. However, for those who apply for these entitlements and must subsequently appeal them, it is often the case that they are the most vulnerable people who require that help. That must be recognised as well.

Regarding the cutting of future waiting times, I hope additional resources and staff can be allocated. If the Minister of state, in further correspondence, can provide detail on any plans for rolling out further staff and resources, I would appreciate that.

**Deputy Joe O'Brien:** I am acutely aware that the time taken in processing appeals is hugely important to the people who submit an appeal, and that it directly impacts on their lives. It is a very important point to note that those who apply for formal payments, like carer's allowance or jobseeker's allowance, can apply for a supplementary welfare allowance from the community welfare officer while they are awaiting the payment application to be processed. That is an important point to note.

The drive for efficiency must be balanced with the competing demand to ensure decisions are consistent, of high quality, and made in accordance with the legislative provisions and the general principle of fair procedures and natural justice. The chief appeals officer has assured me she continues to monitor processing times and ensures every effort is made to reduce the time taken to process an appeal. The chief appeals officer ensures the programme of training for newly appointed appeals officers is completed as early as possible. The appeals process is



heavily reliant on paper files and an IT project is under way to modernise the process. While the project will take some time to complete, the new structure should reduce the office's reliance on paper files, radically change the current processes and help to reduce processing times.

I thank the Deputy for raising this matter and assure him that everything is being done to ensure appeals are processed as quickly as possible. I will respond to him in relation to the question on CWOs.

**An Bille um an gCeathrú Leasú is Tríocha ar an mBunreacht (Athchóiriú Cuimsitheach Buiséid), 2014: An Dara Céim [Comhaltaí Príobháideacha]**

**Thirty-fourth Amendment of the Constitution (Inclusive Budget Reform) Bill 2014: Second Stage [Private Members]**

**Deputy Pearse Doherty:** Tairgim: “Go léifear an Bille don Dara hUair anois.”

I move: “That the Bill be now read a Second Time.”

It is seven years since this legislation was first introduced in the Dáil on 16 April 2014. That is reflected in its Title, “Thirty-fourth Amendment of the Constitution (Inclusive Budget Reform) Bill 2014”. Since the Bill was introduced, we have had five amendments to the Constitution, reflecting the scale of change that has occurred in this State over recent years. There is more to be done and more change to come. A constitutionally protected right to housing, which is a priority and commitment of my own party, and the great recasting of the Constitution in the event of reunification of our country are things to look forward to.

Returning to this Bill, the change that has occurred is reflected in its Title. In the event that this legislation passes Second Stage, I have been assured by the Bills Office it will be renamed the “Thirty-ninth Amendment of the Constitution (Inclusive Budget Reform) Bill”. It is a short Bill with huge ramifications, impacting how the Dáil operates, how we discuss, debate and deal with budgets and how we discuss and debate legislation. The Bill would pave the way for a referendum to appeal or amend Article 17.2 of the Constitution. That is an article little discussed in this Chamber but one which stifles its ability in regard to legislation and budgeting, a function which should be, ultimately, its job and our job.

In order for an executive to govern effectively, fiscal control is essential. However, there is a difference between executive control and executive monopoly. It is a long-standing practice in Westminster-style systems of parliamentary governance that opposition members are prohibited from introducing Bills, amendments or resolutions that have financial implications for the exchequer. This prohibition or ban paves the way for the executive monopoly I refer to. The ban exists in this Dáil and frustrates Opposition Members during every Finance Bill and nearly every Bill. It is a hangover from the British Empire and colonialism and is enshrined in Article 17.2. Its history is much older than that. Article 37 of the Constitution of the Free State provided that:

Money shall not be appropriated by vote, resolution or law, unless the purpose of the appropriation has in the same session been recommended by a message from the Representative of the Crown acting on the advice of the Executive Council.

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That article in the Free State Constitution was regurgitated in Article 17.2 of Bunreacht na hÉireann in 1937, which provided that:

Dáil Éireann shall not pass any vote or resolution, and no law shall be enacted, for the appropriation of revenue or other public moneys unless the purpose of the appropriation shall have been recommended to Dáil Éireann by a message from the Government signed by the Taoiseach.

Article 17.2 acts as the basis for the introduction of standing orders in this Dáil that further restrict the ability of opposition Teachtaí Dála to introduce Private Members' Bills or table amendments with financial implications for the State. These standing orders ensure the functions of the Dáil to deliberate and revise are significantly curtailed, reducing the scope of Deputies to contribute in meaningful debate, discussion and parliamentary activity and allowing the Government the exclusive right to impose expenditure and taxation without adequate balance or checks in place. It is outdated and does not serve the citizens we are elected to represent. These restrictions which muzzle the Dáil are mirrored in other jurisdictions once colonised by the British Empire, including Canada and Australia.

Article 17.2 was considered by the Convention on the Constitution which met between 2012 and 2014. As part of its work on Dáil reform, convention members voted in favour of amending Article 17.2, with the seventh progress report of the all-party Oireachtas Committee on the Constitution citing the prohibition as unjustifiable.

The Government may disagree with me on a number of grounds. This disagreement can never be considered an objective one, because it is in the Government's interest to neuter the Opposition as much as possible. The Government may argue that to repeal or amend Article 17.2 would lead to time-wasting or an unruly Dáil. First, if the current prohibitions were repealed or amended to allow for Bills or amendments with financial implications from the Opposition, such Bills and amendments would be subject to exactly the same scrutiny as Government Bills and amendments. Second, to disallow such Bills and amendments from the Opposition on the grounds that it is unacceptable is to load the system against the Opposition twice. A majority is the basis of every functioning Government's ability to govern. That majority is an adequate safeguard to counter any proposed legislation from the Opposition that the Government disagrees with.

As I have said, Article 17.2 in its current form is an importation and unfortunate inheritance of the British system that serves us poorly, based on the practice of attaining the assent of the Crown before the collection of public money is allowed. Although the prohibition enshrined in Article 17.2 persists in this State and in Britain in a different guise, the rules have been relaxed with looser interpretation in Australia and Canada. We should not aim just to be like Australia or Canada; we should aim for better.

During the Convention on the Constitution, Professor Meg Russell of University College London expressed surprised upon learning that this State continues the practice of banning the introduction of Bills and tabling of amendments by Members of the Opposition.

As I said before, amending Article 17.2 of Bunreacht na hÉireann was a recommendation of the constitutional convention. That recommendation was kicked to the Select Committee on Arrangements for Budgetary Scrutiny, where it was summarily dismissed after meeting only three times and has been held in cold storage ever since. This recommendation from the consti-

tutional convention was ignored and not given the attention it deserved and was not acted upon.

This Bill paves the way for a referendum to repeal Article 17.2 of the Constitution. It is an article which does not serve the Dáil, its Member or citizens well. The Government could oppose this Bill because it is in its interest, as a centre of power, to do so. However, I ask the Government and other Members to take a different view. They know the recommendation of the constitutional convention to amend Article 17.2 has not been taken seriously, was not subject to serious deliberation since it was recommended and was thrown in the bin. That was the wrong approach. This Bill, were it to pass Second Stage, would move to Committee Stage, where the recommendation of the convention can be given the attention it deserves. Constitutional experts could be called in from here and abroad to look at how we modernise the Bill and ask the following question: is the prohibition of Bills and amendments with financial implications from Opposition Members good for the representation of citizens or is it not? Does it empower the Dáil or does it muzzle it? The answers to these questions are clear and that is why I ask the Dáil tonight to support this Bill, so that it can progress to Committee Stage where Article 17.2 and the recommendations of the Constitutional Convention can be given the attention they deserve. It will then be up to the Members of this House now or in future to decide our own Standing Orders, our rules and our practices on the passing of legislation and where the legislation or amendments would incur a charge on the State or the people, and what should be appropriate or not. We should not be muzzled by Article 17.2 of the Constitution. As I have said on numerous occasions tonight, it is a relic of colonial times, a time when the Free State Constitution was being drafted and required the consent of the crown before any public moneys were spent by the new envisaged parliament.

We saw only last week how Article 17.2 has real effects on Members of this House. After a huge amount of attention being paid to the policy of the Government on investment funds or vulture funds in housing, which were snapping up residential property and pushing up house prices, the Government came forward with a resolution that increased stamp duty to 10% on a number of those homes, and exempted others. Not one member of the Opposition was able to increase the rate or decrease it. Not one of us was able to change the date on which the measure would come into effect, even by one day, as was attempted by a member of the Opposition. Every single amendment from numerous parties, including my own, that sought to vary the date or the rate was ruled out of order because of Article 17.2 of the Constitution.

People are elected to this Parliament to discuss, amend, legislate, debate and share our views. If we have this constitutional provision, which is a throwback to the times of colonialism, it frustrates us and shackles us in doing that. It makes a mockery out of really dealing with legislation and allowing us to table and discuss different ideas at an early stage of the legislative process. It is taking it to an extreme.

I understand that it would be the instinct of the Government not to allow this amendment to pass - to close it down because it means the control rests with the Executive and it has the monopoly - but I appeal to the Government to accept it. The matter was dealt with at the Constitutional Convention and in a vote a majority wanted this provision amended. Let us look at it in greater detail. Let us amend the legislation I have proposed if needed. I am open to that but let us have a proper grown-up debate on Article 17.2 and whether it is fit for purpose in a modern democracy and how we deal with the legislative process.

**Minister of State at the Department of the Taoiseach (Deputy Jack Chambers):** I am pleased to have the opportunity to speak on behalf of the Government on the Bill before the

House this evening. Deputy Doherty's Bill from 2014 proposes that a referendum should be held with the aim of removing Article 17.2 from the Constitution. The drafting of legislation for the holding of any constitutional referendum requires detailed consideration of the proposal at issue. Significant analysis should be done on the implications of the constitutional change. There should be consultation with stakeholders and experts, legal opinions and analysis should be sought and, importantly, the fiscal implications should be closely investigated. Nothing of that nature is evident in this proposal. If such work had been done on this Bill, which proposes the deletion of one of the essential components of our democratic framework, it would have become clear that this is not a credible proposition. It is certainly not a Bill the Government can support.

Our parliamentary democracy, like very many others across the world, is founded upon a three-way balance of power between the Legislature, the Executive and the Judiciary. In any healthy democracy there exists a system of checks and balances between the Parliament, the Government and the courts. Bunreacht na hÉireann provides our democracy with just such a framework, one that has served this State well over the decades.

Article 17.2, which this Bill proposes to remove from the Constitution, states:

Dáil Eireann shall not pass any vote or resolution, and no law shall be enacted, for the appropriation of revenue or other public moneys unless the purpose of the appropriation shall have been recommended to Dáil Eireann by a message from the Government signed by the Taoiseach.

Put plainly, the deletion of this provision from the Constitution would have a detrimental impact on the important balance of power that lies between the Legislature and the Executive. Article 17 cannot be read in isolation. It is not a stand-alone proposition in the Constitution, but rather one that must be read in conjunction with Articles 11, 21, 22, 24, 28 and 33, as together they address the State's finances. In essence, when read together they provide that neither the Executive nor the Legislature can validly authorise the expenditure of public moneys without the consent of the other branch. In this way, they provide us with what might be seen as a double lock.

Article 11 of the Constitution creates a Central Fund and provides that:

All revenues of the State from whatever source arising shall, subject to such exception as may be provided by law, form one fund, and shall be appropriated for the purposes and in the manner and subject to the charges and liabilities determined and imposed by law.

Article 17 of the Constitution provides routes for the Dáil to address financial matters through the Estimates process, the Appropriation Acts and under specific legislation. Article 17.2 provides that the right of initiative in relation to public finance is vested in the Government. This is reflected in our Dáil Standing Orders which are agreed by this House and provide that a Bill or an amendment to a Bill which imposes or increases a charge upon the people or appropriates revenue or other public moneys, or a motion to grant money for the public service, can be initiated only by a member of the Government. Furthermore, any motion to grant money must be decided without amendment. Accordingly, in relation to expenditure, taxation, or charges on the people, it is for the Government to initiate the proposals and place them before the Dáil for approval. It is then for the Dáil to either approve or refuse the measures proposed.

The concept of the balance of power between the Legislature and the Executive is further

emphasised by looking at Article 17 in conjunction with Articles 15 and 28. Article 15.2.1° states that “the sole and exclusive power of making laws for the State is hereby vested in the Oireachtas: no other legislative authority has powers to make laws for the State.”

Article 28.2 states that “the executive power of the State shall, subject to the provisions of this Constitution, be exercised by or on the authority of the Government.” Therefore, neither the Government nor the Legislature can validly authorise the expenditure of public moneys without the approval of the other. This is a fundamental proposition of our constitutional model.

Article 28.4.1° states that “the Government shall be responsible to Dáil Éireann”. As it is the Government that is accountable to the Dáil, the absence of Article 17.2 would mean that the Dáil would be free to initiate spending proposals, but without the corresponding, essential accountability to the Dáil for such expenditure. It is evident, therefore, that Article 17.2 of the Constitution is an important provision to support the sustainable management of the public finances. It reflects the Government’s responsibility for raising revenue and its accountability for expenditure within the overall constitutional framework. Such decisions lie across the full range of policy areas, including health, justice, education, social protection, climate, the arts, sport, an Ghaeilge, defence and many others. Given the need to ensure any legislative proposals on additional spending or tax matters can be funded within the overall financial resources available, Article 17.2 provides an important safeguard. This provision supports the sustainable funding of legislative proposals within the context of the national and EU fiscal parameters and the fiscal position of the State, including the overall level of debt.

The management of the public finances is subject to both domestic and EU legislation. Fiscal policy must comply with the Stability and Growth Pact and the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union in which the budgetary and debt rules were given effect by the Fiscal Responsibility Act 2012. Given that the Government must operate its budgetary policy within this legislative framework, a key consideration of legislative proposals that have fiscal impacts is the potential funding implications that may arise.

While Deputy Doherty’s Bill presents itself as the foundation for what he terms an “inclusive budgetary process”, it is far from clear how this proposal genuinely achieves that aim. In opposing this legislation, the Government is certainly not opposing an inclusive budgetary process. In this regard, a number of reforms have been implemented in recent years to support a more open budgetary process and to facilitate greater engagement with the Oireachtas.

#### *6 o’clock*

The programme for Government commits to a continuation of this process of reform. Budgetary reforms in recent years have included the publication of the summer economic statement and the mid-year expenditure report which supports advanced pre-budget scrutiny. Alongside the mid-year expenditure report, the spending review papers are now published. Among the objectives of the spending review process are the assessment of the effectiveness of public spending in delivering on policy objectives and the development of policy making informed by evidence.

Performance budgeting has been a key focus of budgetary reform. With the change in the budgetary timetable in 2013, and the Revised Estimates Volume, REV, now being published in December each year, this provides an opportunity for earlier engagement by Oireachtas committees with the Estimates. The REV itself has developed significantly in recent years and



now routinely includes details on activities, outputs and context-specific outcome indicators. Dáil reform has also seen the establishment of the Committee on Budgetary Oversight in 2016, which has enhanced the role of the Oireachtas in the budgetary formation process. The committee carries out *ex ante* scrutiny of revenue and expenditure options before the budget. It also does *ex post* scrutiny to evaluate budget measures or to assess how budgeted spend or revenue projections compare with outturns. It monitors macroeconomic developments and fiscal risks and prepares an annual pre-budget report. This budgetary reform also included the establishment of the Parliamentary Budget Office which assists the committee through providing it with evidence-based research and analysis.

All of these reforms have facilitated greater input by the Dáil in the overall budgetary process; indeed, one might say it is an inclusive budget process. The principal point at issue is that while the Executive has the right of initiation in regard to the expenditure of public moneys, the Dáil is the only body that can approve any such proposals. The Government is accountable to the Dáil for any such proposals. These constitutional propositions form part of the fundamental building blocks of our democratic parliamentary arrangements. They have, as I said, served the State well over the decades. The deletion of Article 17.2 would seriously undermine the balance of power between the Legislature and the Executive, and could also have grave consequences for the economy.

Nearly 300 years ago, Montesquieu laid out the basis of the doctrine of the separation of powers as we know it in his famous work, “The Spirit of the Laws”. His fundamental political premise has been and continues to lie at the heart of every functioning parliamentary democracy the world over. The key is to have checks and balances between the different branches of the State. Article 17.2 of the Constitution, in its own perhaps understated way, is a crucial part of this balance of powers in our democratic system when it comes to the expenditure of the people’s money. It is essential that it remains part of our Constitution. The Government is opposing this Bill.

**An Leas-Cheann Comhairle:** As there are no other speakers, the Minister of State can speak again a second time. He will not be entitled to come in after the proposer speaks.

**Deputy Jack Chambers:** No, I think I have covered it.

**Deputy Pearse Doherty:** The Minister of State talked about scrutiny of this legislation and he will be well aware that the next step in the legislative process is pre-legislative scrutiny. If he had responded to my contribution as opposed to just reading the script, he would have heard me say that the next step would allow us to really scrutinise the implications of the recommendation of the Convention on the Constitution, which was to amend Article 17.2 of the Constitution. He would have heard me say that we would have the ability to bring in constitutional experts from home and abroad to look at the implications, and to ask the question of whether it is a good or a bad provision at this point in time, and whether it muzzles and stifles debate in our democracy. That is the next step.

The Minister of State, or at least the officials who drafted his speech, try to present this as coming out of the blue. It did not come out of the blue. This has been in the ether for seven years. This was dealt with by the Convention on the Constitution. Are the Minister of State, his officials or those in the Department of Finance - it is a pity the line Minister is not here - genuinely suggesting that the Convention on the Constitution did not give this adequate scrutiny, did not listen or did not weigh up properly the different types of testimony that was received

at that convention over a period of days? I quoted some of the testimony, for example, that of the professor from London who was surprised that this provision was still enacted in this State.

The Minister of State says this is essential in terms of the balance, and I can understand some of the argument. However, this is not the case in all modern democracies across the world. As I said, this was a throwback to the issue of colonialism. If this was amended or repealed, it would be for us, as legislators, to set our Standing Orders. The Standing Orders are not something we can freely choose in this case; they have to be in line with the Constitution, and the Constitution, as a result of Article 17.2, places strict criteria on this House in terms of what type of Standing Orders we could have in this regard. It might be the case that there would still be strict prohibition in regard to amendments on final stages of legislation that would have a charge on the people or not. However it is the height of ridiculousness, in my view, that Members of this House and, in some cases the majority of the House, as, for example, under the last Government, could hypothetically want to decrease a charge on the public or, indeed, increase a charge on the people, which would bring in additional revenue to the State, and we would not even be allowed to debate that.

This provision in the Constitution has prevented elected representatives of this House from even introducing legislation on First Stage, from even talking about what type of safeguards we, as a Parliament, could or should put in place to make sure it was adequately scrutinised and that it had passed whatever hurdles needed to be passed. We cannot make sure, as the Minister of State said, that there would be no disruption to the economy, and that it would properly be thought out and teased out before enactment of any amendment or resolution. The idea that we cannot even debate, as legislators, or cannot even publish legislation is beyond belief and is taking this to the extreme.

I said in my opening contribution that I was not aware where the Government was going to go with this but, as I said, it is the instinct of Government to vote against this legislation, and not only to vote against it, but to not even allow it to be discussed at the next stage. The Government can decide not to allow this legislation to proceed after the scrutiny but what it is basically doing tonight, through its vote, is exactly what Article 17.2 of the Constitution does. It stops and stifles debate and it prohibits the Opposition from even being able to discuss in a proper way the proposals that it has. That is deeply regrettable.

There are buzzwords that fly around this place. They usually fly around after an election, and “new politics” was the one after the last election. By God, this is the same old politics. This is the Executive saying, “You will not go any further.” We have this scenario and it will be just as ridiculous over the coming months. Members of this House pass their own legislation. I have passed two pieces of legislation and enacted them into law. Key provisions of one of my pieces of legislation will come into effect later in September. I have another piece of legislation that will be before the House on Tuesday and other pieces that are on Committee Stage. Therefore, I am familiar with the legislative process and I am also familiar with how to get legislation passed, despite Article 17.2. However, let me say clearly what I think every Member of the Opposition and, indeed, Government Members know, as many of them were there themselves, namely, this is an outdated provision. If it is not repealed, it should be at least amended. If the Government is not even willing to go that far, I would appeal to it to at least allow it to be discussed. That would show respect to the members of the Convention on the Constitution who sat between 2012 and 2014, held their deliberations, listened to the experts, voted on the matter and believed that Article 17.2 of the Constitution needed to be amended.

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I will leave it at that. It is deeply disappointing to hear what the Government has said. The Government can talk all it wants about parliamentary reform and all that stuff; they are just more buzz words. However, when we are dealing with legislation there is so much acrobatics with reports on this and that, it is just nonsense. The fact that none of the more than 70 Opposition Members of this House could not even change a date in legislation last week screams loudly that there is a problem with Article 17.2. Until this article is either amended or repealed then we in this House will be unable to relax our own Standing Orders to allow for consideration at least at an early stage and debate our proposals. Instead, we cannot even put those proposals forward because of this article.

Cuireadh an cheist.

Question put.

**An Leas-Cheann Comhairle:** In accordance with Standing Order 80(2), the division is postponed until the weekly division time next week.

The Dáil adjourned at 6.12 p.m. until 2 p.m. on Tuesday, 1 June 2021.