



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

Ceisteanna - Questions . . . . .	583
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions . . . . .	583
Covid-19 Pandemic . . . . .	583
Flood Risk Management . . . . .	585
Public Procurement Contracts . . . . .	588
Freedom of Information . . . . .	590
National Development Plan . . . . .	592
Ceisteanna Eile - Other Questions . . . . .	598
National Lottery . . . . .	598
National Monuments . . . . .	599
Ceisteanna ar Sonraíodh Uain Dóibh (Atógáil) - Priority Questions (Resumed) . . . . .	601
Public Sector Staff . . . . .	601
Ceisteanna Eile (Atógáil) - Other Questions (Resumed) . . . . .	603
Public Sector Pay . . . . .	603
National Monuments . . . . .	606
Departmental Expenditure . . . . .	607
Ceisteanna ar Sonraíodh Uain Dóibh (Atógáil) - Priority Questions (Resumed) . . . . .	608
Covid-19 Pandemic . . . . .	608
Special Educational Needs . . . . .	613
Education Policy . . . . .	615
Apprenticeship Programmes . . . . .	616
Ceisteanna Eile - Other Questions . . . . .	619
Irish Language . . . . .	619
Special Educational Needs . . . . .	621
Education Schemes . . . . .	623
School Staff . . . . .	626
School Equipment . . . . .	628
School Transport . . . . .	630
Ceisteanna ó Cheannairí - Leaders' Questions . . . . .	633
Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation . . . . .	642
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters . . . . .	650
Ombudsman for Children's Initiative on Eliminating Child Poverty and Child Homelessness: Statements . . . . .	651
Saincheisteanna Tráthúla - Topical Issue Debate . . . . .	683
Ambulance Service . . . . .	683
Tobacco Control Measures . . . . .	687
National Parks . . . . .	689
Commissions of Investigation . . . . .	692
Criminal Justice (Public Order) (Quadbikes and Scramblers) (Amendment) Bill 2021: Second Stage [Private Members] . . . . .	695

# DÁIL ÉIREANN

*Déardaoin, 23 Meán Fómhair 2021*

*Thursday, 23 September 2021*

Chuaigh an Leas-Cheann Comhairle i gceannas ar 9 a.m.

*Paidir.*

*Prayer.*

---

## Ceisteanna - Questions

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

#### Covid-19 Pandemic

1. **Deputy Mairéad Farrell** asked the Minister for Public Expenditure and Reform if he has given further consideration to amending the public sector sick pay or occupational injury and illness schemes in the context of long Covid; if so, if the estimated cost or estimated range will be provided; and if he will make a statement on the matter. [45428/21]

**Deputy Mairéad Farrell:** We know long Covid is a real, serious and debilitating condition from which many people are suffering. I previously raised with the Minister the possibility of amending the occupational injury and illness scheme or public sector pay. He told me at that point that he was aware of the situation and it was under active review. Is there any update in that regard or an estimation of the cost of doing this?

**Minister for Public Expenditure and Reform (Deputy Michael McGrath):** I thank the Deputy for her question. The position in respect of Covid-19 absences in the public service has not changed since her previous question on the matter, which was answered in January. At the onset of the Covid-19 pandemic, it was decided that special leave with pay would be used for self-isolation or a diagnosis of Covid-19 for public service employees in order to assist with the prevention of the onward spread of Covid in the workplace. The arrangements relating to special leave with pay are reviewed and monitored by my Department on an ongoing basis, taking into account the evolving circumstances and public health advice.

The Government agreed Ireland's plan for the next and final phase of our response to the Covid pandemic and published its Covid-19: Reframing the Challenge, Continuing Our Recov-

ery and Reconnecting plan on 31 August. Subject to the continued progress we have seen as a result of the vaccination programme, and all of our efforts in preventing the spread of Covid, we will enter a final phase on 22 October. This phase will see the majority of restrictions lifted and replaced by guidance and advice to enable us to work together to protect ourselves and to live our lives to the fullest extent possible.

We have provided support for our public service employees, including our front-line workforce, through the provision of special leave with pay for Covid-19. The current arrangements, like all other Covid-19-related policies and regulations, will be reviewed and will be subject to amendment as we see the continued benefits of the vaccination programme as we enter the next and final phase of this pandemic. My officials are keeping all Covid-related working arrangements for public service employees under regular review. Although special leave with pay is available for self-isolation and where a person has been diagnosed with Covid for certain time periods, public service employees may access the public service sick leave scheme thereafter. The scheme provides for certain payments to staff during periods of absence from work due to illness or injury.

*Additional information not given on the floor of the House*

It provides for a maximum of 92 days on full pay in a rolling one-year period, followed by a maximum of 91 days on half pay in a rolling one-year period, subject to a maximum of 183 days paid sick leave in a rolling four-year period. There is access to additional sick leave in certain circumstances as guided by the critical illness protocol.

**Deputy Mairéad Farrell:** I have been contacted by several young women who have been affected and deeply impacted by long Covid. I will recount the story of a woman named Karen who contacted me. She is 36 years of age and a front-line worker who tested positive on 31 December. She was admitted to the Mater Hospital on 8 January and had to be put on an oxygen machine because she had double pneumonia. Although she recovered from Covid in April, she was referred to the respiratory post-Covid clinic at which she was seen by a range of consultants. Other people who contacted me do not work in the public sector but have had an equally difficult experience. Karen returned to work in late April but relapsed seven weeks afterwards and was forced to go on sick leave and has remained on it. She suffers from headaches, chronic fatigue, dizziness, bad brain fog, breathlessness, high heart rate, palpitations and a lack of energy and she is always tired as a result of long Covid. We need action for people such as Karen.

**Deputy Michael McGrath:** That sounds like a very difficult case. My thoughts are with that lady. It might be helpful for me to put on the record the arrangements for special leave with pay in the context of Covid. Where an employee had been in the work premises outside of home during the 14 days prior to contracting Covid, special leave with pay may be paid, including for long Covid where necessary and for as long as needed. Where an employee has not been in the workplace in the 14 days prior to contracting Covid, special leave with pay may continue for up to 28 days. If an employee is still unwell after 28 days, he or she will move to ordinary sick leave arrangements. The Deputy will be familiar with the details of the ordinary sick leave arrangements, which, in general terms, are pretty good across the public sector. All of this will be kept under review. In the context of long Covid, there is provision in certain cases for special leave with pay to continue. If that does not apply in any individual case, the normal public service sick leave scheme will kick in and apply.

**Deputy Mairéad Farrell:** This woman told me that she is on a couple of new drugs which

23 September 2021

are used to address long Covid and which cost more than €100 a month. Neither of these drugs is covered by the drug payment scheme. For people who are out of work and cannot afford such drugs, this really is crippling. It can be equally difficult for those in receipt of sick pay who are likely to have other outgoings such as mortgages, rents, etc. I know the Minister is not responsible for health but he is the Minister for Public Expenditure and Reform and the power of the purse lies with him. These people are suffering from long Covid. This is a woman who worked on the front line in the public sector but several young women who have been out of work have come to me on this issue. They may have been the main breadwinner in their relationship and they are now really struggling. It is an issue that we will encounter more and more and we really need to tackle it now.

**Deputy Michael McGrath:** Long Covid is very serious. It is a condition that the Government takes very seriously. We acknowledge how debilitating it can be for individuals in various circumstances. The truth is that we are learning more and more about it with each passing day. As I have outlined, in certain cases the special leave with pay applies for employees who suffer from long Covid. The particular context for that is where they had been in the work premises in the 14-day period prior to contracting Covid-19 so there is a demonstrable possible link between the contraction of Covid and their attendance at the workplace. In that scenario, the special leave with pay can continue for as long as necessary. I do not know if that applies in the particular case to which the Deputy refers. If it does not apply, the normal public service sick leave scheme kicks in. The latter has certain provisions relating to the number of days in a one-year period and over a rolling four-year period and so on for which people can be out sick and continue to be paid in full. If the Deputy wishes to send me the details of the particular case to which she refers, I will happily consider it and take it up with the relevant Minister.

## **Flood Risk Management**

2. **Deputy Holly Cairns** asked the Minister for Public Expenditure and Reform the status of the flood relief scheme in Bantry, County Cork. [45593/21]

**Deputy Holly Cairns:** As I know the Minister is aware, flooding continues to be a real risk for Bantry, with businesses and homes regularly enduring flooding events. He saw the extreme flooding in the summer of 2020. The Bantry scheme has been in the works for several years. I ask the Minister to please outline the progress made on the project, including any interim defence measures that will be made available.

**Minister of State at the Department of Public Expenditure and Reform (Deputy Patrick O'Donovan):** The Minister and I visited Bantry after the devastating flood last year. We are both well aware of the torment the town faced at that time.

The reality is that interventions cannot come soon enough for Bantry. The flood risk management plan was launched in May 2018 and includes a recommendation to progress the project-level development and planning of a flood defence scheme for the town. A steering group comprising representatives of the Office of Public Works and Cork County Council is in place to progress the Bantry flood relief scheme. The scheme will protect approximately 198 properties when completed. On 11 March 2021, Cork County Council, in partnership with the Office of Public Works, issued tender documentation for the procurement of engineering consultants via e-tenders. Tenders were received on 30 July 2021. An assessment of these tenders has been completed and it is expected that consultants will be appointed in the coming weeks. Once con-

sultants are appointed to progress the flood relief scheme for Bantry, consultation with statutory and non-statutory bodies, as well as the public, will take place in the appropriate stages to ensure that all parties have the opportunity to make an input into the development of the scheme. In the meantime, Cork County Council has engaged a contractor to treat some of the invasive species in preparation for any flood relief scheme that will be undertaken in the town.

The flood relief scheme will be funded from the initial allocated €1 billion for flood risk management over the period of the National Development Plan 2018-2027. Provision for the cost of the scheme is included in the multi-annual capital allocation for the Office of Public Works, OPW, from the Department of Public Expenditure and Reform. Cork County Council has also commenced the preparation of the consultants' brief to carry out the repair and the reconstruction of the Main Street culvert, which has been identified as a significant element contributing to the flooding on Main Street, New Street and north and south of Wolfe Tone Square in recent months. The OPW is liaising with Cork County Council on the integration of these works with the flood relief scheme for the town. In March 2021, an application under the minor flood mitigation works and coastal protection scheme for interim works to mitigate flooding in Bantry, which includes installation of non-return valves. I will continue my response shortly because there is other material the Deputy might find beneficial.

**Deputy Holly Cairns:** I thank the Minister of State for the update. The flooding in Bantry, like other areas of west Cork, is a significant risk and source of uncertainty for households and businesses. Bantry is at risk from both tidal and fluvial flooding. It is important that these elements are considered together to put in place an integrated infrastructure to address the interconnected issues. As we approach the consultation phases of the project, I encourage the Minister of State to proactively engage with the community, which has a wealth of knowledge on the issues and solutions. In addition, the town needs interim measures to mitigate against flooding risk in the meantime. While the council's application for assistance under the minor flood mitigation works and coastal protection scheme is with the OPW, as the Minister of State mentioned, any action he can take to expedite that process would be most appreciated, particularly with the winter months approaching.

**Deputy Patrick O'Donovan:** The Deputy will be aware that during and since the summer of 2020, I have had a number of opportunities to visit the west Cork area - not just Bantry, but also Clonakilty, Bandon, Skibbereen and Rosscarbery. In the intervening period, I have met the Cork county manager and his team to follow up on what exactly has been done in the interim period. The commissioner of the OPW with responsibility for flooding and the director of flood relief and responsibility for the OPW have also been constantly monitoring the progress that has been made.

While I accept there is concern among all Deputies and other public representatives in the area, we have made significant progress in some of the west Cork towns to which the Deputy referred. For instance, the works in Bandon and Clonakilty have been completed and the works in Skibbereen are almost complete. However, significant works in other west Cork areas need to be completed. I am aware that other questions on this matter are to be answered today and I accept there is frustration about the length of time being taken. I am sure Deputies will have an opportunity to air their frustration and perhaps I will be able to discuss how some of that frustration may be addressed later on.

**Deputy Holly Cairns:** The Minister of State mentioned that there are several schemes in west Cork that are at a more advanced stage, namely, Bandon, Clonakilty and Skibbereen. In

23 September 2021

response to parliamentary questions that I submitted, the Minister of State noted that these schemes have been substantially completed, except for outstanding issues in respect of the Cork Road and Rossa Road in Skibbereen and the issues with the fish pass in Bandon.

The residents with homes in those areas that are now protected by flood defences need access to insurance and mortgages but cannot do so in many cases because the schemes are not officially recorded as complete. That has been a major impediment for them. I know that flood insurance is an entirely different issue, but I ask the Minister of State to look into the steps required to ensure each of the programmes or schemes can be signed off and completed as soon as possible so that people can acquire flood insurance, mortgages and planning for extensions. People across west Cork are being held back in that regard.

**Deputy Patrick O'Donovan:** From my perspective, and I am on the record of the House as making the point, when the State, through the Exchequer and the taxpayers, puts large sums of money into protecting communities from flooding, whether in Mallow, Fermoy or elsewhere in County Cork, in Clonmel in County Tipperary or in any other town in the country, and these investments are proven to work, there is a reciprocal expectation that Insurance Ireland will pony up and allow those communities to get on with their lives. I have raised this issue with the Minister of State, Deputy Fleming, through the interdepartmental working group on flooding. I know it is an issue that he is equally concerned about. We need to get to a landing place where local authorities and the OPW, through the Exchequer, make massive investments - worth hundreds of millions of euro - in communities where flood defences are put in and they work-----

**Deputy Holly Cairns:** Sorry to interrupt but can the schemes be signed off? Will the Minister of State provide an update on when, for example, the scheme in Skibbereen will be signed off?

**Deputy Patrick O'Donovan:** Where schemes work and have been finished for years, as a citizen, taxpayer and representative of the people, I would expect that Insurance Ireland would provide insurance. Where that is not the case, I think it is a legitimate question-----

**Deputy Holly Cairns:** I am asking about the OPW signing off the schemes as completed.

**Deputy Patrick O'Donovan:** That is not a matter for the OPW. Those working at the OPW are engineers, not underwriters. It is not our job to assess insurance. That is the responsibility of an entirely different part of the Government.

**Deputy Holly Cairns:** No, but it is the OPW's job to finish the scheme so that people can get insurance.

**Deputy Patrick O'Donovan:** Where we finish schemes, we do so with local authorities. Where schemes are finished, and there is plenty of evidence of this around the country, that is a legitimate question that needs to be asked. However, it is one for an entirely different Department. Insurance Ireland has a role to play in this. There needs to be a bit of honesty attached to it. Where hundreds of millions of euro - in fact, billions of euro - are being spent by multiple agencies of the State to defend people, those people are entitled to legitimately ask why they cannot get insurance.

## **Public Procurement Contracts**

3. **Deputy Mairéad Farrell** asked the Minister for Public Expenditure and Reform the remit of the new interim procurement reform board; the terms of reference of the board; if a list of board members will be provided; the stakeholders that will be consulted; the proposed date for the board to publish its findings; and if he will make a statement on the matter. [45429/21]

**Deputy Mairéad Farrell:** There has been concern, much of which has been reported in the media, in relation to public money that was spent on faulty equipment, for example, PPE, arising clearly from failures in due diligence. The Minister of State has announced the formation of a new interim public procurement reform board. Will he outline the terms of reference of the board, provide a list of its members and the stakeholders that will be consulted and indicate the proposed date for the board to publish its findings?

**Minister of State at the Department of Public Expenditure and Reform (Deputy Osian Smyth):** I will address the Deputy's written question. I am happy to come back to the questions about ventilators in the HSE in my second response.

The interim procurement reform board was appointed by the Minister for Public Expenditure and Reform in May 2017 to oversee delivery of the procurement reform programme, advise the Government on a national public procurement strategy and advise on the Office of Government Procurement's objectives and business plans. The board meets quarterly and publishes an annual report to the Minister. The most recent report for 2020, published in August, is available on the Office of Government Procurement, OGP, website. Its terms of reference include overseeing the implementation of the public procurement reform programme; advising the Government on a national public procurement strategy; advising on the OGP objectives and business plan and overseeing its delivery and performance; advising on the sector sourcing partner organisations' objectives and activities; providing leadership to the procurement executive in relation to its roles and functions and agreeing methods of working and reporting by the executive to the board; representing customer departments and offices and providing leadership and sponsorship for the procurement reform programme across the public service; advising on the development and implementation of strategies to communicate the work of the OGP across the public sector, including any policy and training implications for the wider public sector; and overseeing the development and monitoring of service level agreements between the OGP and Departments as well as bodies under their aegis, including bodies responsible for leading centralised or sectoral procurement programmes.

The membership of the board consists of 11 members. Three are independent members recruited from outside the public sector and eight are senior public servants. The members are the independent chair, Mr. Maurice Quinn; Ms Katherine Licken, Secretary General at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media; Mr. Paul Quinn, chief procurement officer and CEO of the OGP; Mr. Greg Dempsey, assistant Secretary General at the Department of Health; Mr. John Swords, national director health business systems in the HSE; Mr. Eamonn Hunt, assistant CEO of the Local Government Management Agency; Mr. Declan Hughes, assistant secretary general at the Department of Enterprise, Trade and Employment; Mr. Ronnie Downes, assistant secretary general at the Department of Public Expenditure and Reform; Mr. Dónall Curtin, independent member; Ms Brid O'Donovan, independent member; and Ms Deirdre McDonnell, assistant secretary general at the Department of Education.

**Deputy Mairéad Farrell:** According to the Comptroller and Auditor General, more than

one third of our spend on PPE had to be written off. That spend amounted to over €900 million. Much of that PPE was thrown in the bin. For example, hand sanitisers had to be recalled after millions of euro was spent on them. After spending millions on hand sanitiser, the HSE purchased now infamous ViraPro hand sanitiser in March 2020. It received a shipment in July 2020. A month later, the HSE learned that hand sanitiser had to be registered with the Department of Agriculture, Food and the Marine to ensure its safety, but it was not safe so it was recalled. Then there was a massive failure involving the ventilators. In total, 2,200 ventilators were ordered, at a cost of €81 million, from different suppliers not previously used. Fewer than a quarter were delivered and none was put to clinical use. That is extremely concerning when we see everything going on in this State. Can the Minister of State confirm for the record that there were no other such purchases of faulty goods or equipment?

**Deputy Ossian Smyth:** These stories of the delivery of substandard medical equipment to the HSE underline the importance of having central procurement. The aims of public procurement are to make sure that we achieve a good price for the State, obtain a quality product with basic standards and have transparency, whereby we know deals are fair and non-discriminatory. In an atmosphere of emergency procurement, when facing a crisis as great as the global pandemic, of course the three pillars of procurement are skipped and the State runs the risks of obtaining a low-quality product and overpaying for goods. It also runs the risk of a failure in transparency whereby we must ask whether we are sure funds have been correctly allocated. What the Deputy has described just underlines the reasons we have public procurement in place and the importance of having it.

It is possible to obtain goods in an emergency by short-circuiting or bypassing the normal public procurement procedures. While some of the PPE that was delivered to Ireland was unusable and substandard, 80% of it, I believe, was acceptable. If we cast our minds back to the time when health business services representatives of the HSE were on a runway in China trying to negotiate against other countries to obtain vital PPE to protect front-line healthcare workers and elderly people in nursing homes, we must recall that they had to get PPE virtually at any cost. They had to get it back to Ireland. They succeeded with the help of Aer Lingus and the heroic help of many people across the public and private sectors, who joined together and brought back as much PPE as they could. I understand that the HSE currently has a great surplus of PPE and has a supply that is expected to last for many more years than first believed. It is true, however, that some of the PPE was substandard, and that underlines the importance of having public procurement guidelines in place.

**Deputy Mairéad Farrell:** I do not believe anyone would argue that we do not need public procurement guidelines. The Minister of State did not really answer my question on whether there were purchases that we are not aware of. He said 80% of the equipment was to standard but that still implies a significant risk. I am aware that we went outside the normal competitive process and used negotiated procedure but there were clearly huge risks and issues over substandard or totally faulty equipment. A recent study by the World Bank ranked countries' approaches to procurement across a range of factors, including regulation. We did not score well in that regard; in fact, we scored quite poorly. I am interested in having an answer to my first question. Second, what does the reform board plan to do in respect of regulation?

**Deputy Ossian Smyth:** The Deputy's first question was on the extent of the procurement and whether more substandard equipment was delivered to the HSE. As she can imagine, I would expect there was more. I do not have the full report from the HSE. It has sent us initial reports at this stage stating how much of its procurement was done in an emergency fashion.

The Comptroller and Auditor General will also be investigating the matter. In this regard, the Minister for Public Expenditure and Reform, Deputy Michael McGrath, wrote to the Minister for Health, Deputy Stephen Donnelly, to advise him that the emergency phase had now passed and that we now needed to return to normal procurement rules and monitor everything. We must ask what we learn from this and what the outcome or consequence is. It is for the interim procurement reform board and the Government as a whole to assess what happened in the Department of Health, the circumstances, the extent and the changes that need to be made to address the issue.

**Deputy Mairéad Farrell:** Does the Minister of State know when he will have the report?

**Deputy Ossian Smyth:** Later this year.

**Acting Chairman (Deputy Jennifer Murnane O'Connor):** As Deputy Michael Collins, who tabled Question No. 4, is not present, we will move to the next question.

### **Freedom of Information**

5. **Deputy Catherine Connolly** asked the Minister for Public Expenditure and Reform the status of the review of freedom of information, FOI, legislation; the person or body that will be carrying out the review; the terms of reference of the review; the timeline for the completion of the review; and if he will make a statement on the matter. [45634/21]

**Deputy Catherine Connolly:** Is ceist shimplí dhíreach í. It is to ascertain the status of the review of the FOI legislation, the person or body that would carry out the review, the terms of reference for the review and the timeline for completion. Could the Minister make a statement on it?

**Deputy Michael McGrath:** I thank the Deputy very much for her question. I am glad to have this opportunity to provide the House with further details on the upcoming review of the Freedom of Information Act. My Department will shortly publish a roadmap document that will set out in detail the process for the review and give detailed information on how interested stakeholders can get involved.

My firm belief is that we should be seeking to promote a collaborative approach not only to the review process but also to “doing transparency” more broadly. We should recognise that all stakeholders, from the public sector to the media, academia, activists and interest groups, in addition to individual requesters, have a role to play in delivering effective and meaningful State transparency for the Irish public, and must work together to achieve that goal.

The remit and outcomes of the review will be driven by evidence. The review will, accordingly, seek inputs from the broadest possible range of stakeholders throughout the process. It is planned that public consultation will take place later this year. It will largely determine the scope of the review. I urge all interested parties to take this opportunity to make their voices heard and define the issues that will be considered in the review.

Following the scoping consultation, my Department will prepare and publish a document setting out the issues that have been identified. This document will be published and further consultation will take place early in the new year that will allow stakeholders the opportunity to make detailed submissions based on the themes that have been identified. These submissions

will be central to the outcome of the review.

Alongside the public consultation process, my Department will engage in focused and targeted information gathering, driven by any knowledge gaps identified as the review progresses.

Two projects have already been identified as necessary and will commence later in the year. First, a customer satisfaction survey will be undertaken to assess the attitudes of requesters and staff members of public bodies towards the freedom of process. Second, there is to be a project that aims to assess the cost of FOI so that we can have a clear picture of the resourcing demands that are required to operate the system as it stands. In addition, the review will consider international good practice and developments and seek to take account of the transformation in the manner in which people interact with information since the 2014 Act came into force.

**Deputy Catherine Connolly:** I thank the Minister for confirming that there is a review. That was announced in June. I welcome that. I am a little worried about the vagueness of the phrase “in the coming weeks”. Will the Minister be more specific on when the roadmap will be published and when we will have the final result with a view to amending the legislation, if necessary?

I listened last week to the Minister’s speech on the Sinn Féin motion on FOI. I thank him for that speech because he included a lot of detail. I actually agree with him that we should be changing the approach entirely. It would be great if we did not need the FOI arrangement but we do. We went through the circular process of introducing it, which was revolutionary at the time, but it was not broad enough. Then we changed the system and introduced a fee, and then we removed that fee. I notice that 50% of all the requests were by individuals seeking personal information. This is an extraordinarily high rate. Why is that the case? I will keep to the time because I am very strict on it when in the Chair.

**Deputy Michael McGrath:** We will be consulting closely with the Office of the Information Commissioner on an ongoing basis as the review progresses, given the central role that office plays. As the Deputy knows, I announced the review back in June, before any of the recent controversies arose. I want to be clear to the House that the intention of the review, from my perspective, is to strengthen and improve the FOI system; it is certainly not about narrowing the scope of FOI or anything like that. I was of the view, having settled into office, that there was a need for the system to be reviewed. Having said that, it is by no means all bad. There were 41,000 requests processed in 2019. Even last year, 32,652 were processed. The system delivers, in respect of four out of five FOI requests, all or part of the information requested. In about 3% of cases an internal review is sought, and in about 1% of cases a review is sought by the Office of the Information Commissioner. In 70% of the cases on which the Information Commissioner adjudicates, the decision is in favour of the public body. I agree in that we need to improve matters. I thank the several thousand members of staff who work and operate this system. We need to listen to them as well because they can identify gaps in the system and areas for improvement.

**Deputy Catherine Connolly:** I am not sure if I can do justice to this in a minute. I reiterate that of the figure that the Minister has mentioned for 2020, half were personal requests. I am aware of the position with the local authorities. I very much hope that the Minister’s scoping exercise and analysis will look at them and why applicants on housing lists have to go through a torturous application process in order to get their personal details as to where they are on the list or why they were removed from it.

Then, of course, there is the cognitive dissonance relating to Ministers in the context of the Freedom of Information Act and deleting texts while they are obliged to do certain things under the law. There are all sorts of contradictions here. We then have the Information Commissioner, who operates on a presumption that a refusal is not justified unless the public body shows to the satisfaction of the commissioner that the decision was justified. On the other hand, public sector bodies seem issue refusals in the first instance and the information has to be dragged out of them. I may be exaggerating a little but we really need to look at that. We are aware of the case of Ken Fox and the fact that official information was being held on non-official forms. There are all sorts of things going on. Will the Minister provide specific dates as to when he expects the process to be completed?

**Deputy Michael McGrath:** I certainly would like to get to a point where the need for FOI requests would be reduced and where more information would be more readily available, particularly in the context of personal requests. It can be quite a cumbersome process to get for people the information that they need.

I will be bringing a memorandum to Cabinet - I expect to do so as early as next week - setting out the process and seeking formal Government approval. We want to do this properly. It will take some time to complete the process and it will be next year before the review is complete.

I make the point that all public bodies have records management policies and the position is clear regarding the retention of data and what the obligations are in that respect. It must be done in a manner that is consistent with the National Archives Act the data protection legislation, and, of course, the Freedom of Information Act itself. I want to take a collaborative approach to this review. I recognise that while overall the system is working well, it is in need of improvement. I am determined to work with the Opposition, with stakeholders and with everyone else to bring about those improvements. The process in this regard will formally commence once Cabinet has approved the review, but it will be next year before it is complete.

## **National Development Plan**

6. **Deputy Jackie Cahill** asked the Minister for Public Expenditure and Reform when the review of the National Development Plan 2018-2027 will be published; and if he will make a statement on the matter. [45684/21]

33. **Deputy Mairéad Farrell** asked the Minister for Public Expenditure and Reform the date of the final publication of the revised national development plan; and if he will make a statement on the matter. [45416/21]

48. **Deputy Michael Moynihan** asked the Minister for Public Expenditure and Reform when the review of the national development plan will be published; and if he will make a statement on the matter. [45454/21]

74. **Deputy Christopher O'Sullivan** asked the Minister for Public Expenditure and Reform the status of the national development plan; and if he will make a statement on the matter. [45491/21]

**Acting Chairman (Deputy Jennifer Murnane O'Connor):** Questions Nos. 6, 33, 48 and

23 September 2021

74, in the names of Deputies Cahill, Mairéad Farrell, Moynihan and Christopher O'Sullivan are grouped. I call Deputy Cahill, who tabled Question No. 6.

**Deputy Jackie Cahill:** I thank the Acting Chair. When will the review of the national development plan, NDP, be published and can he make a statement on it, please?

**Deputy Michael McGrath:** I thank the Deputies for submitting these questions.

The revised NDP is currently being finalised and it will set out annual expenditure ceilings for the initial five years for each departmental Vote group, including capital ceilings for 2022. This document is due to be published in the coming weeks, following final Governmental approval. Subject to Government approval, it is my intention that the revised NDP will be published before the budget.

As part of the programme for Government, the review was brought forward from 2022 in order to assess the resourcing requirements for the most important challenges facing us, as a nation, including Covid-19, climate action, housing, balanced regional development, healthcare, etc. The final phase commenced in October 2020, which included public consultation, Review to Renew, as well as further evidence-gathering by way of sectoral submissions for Departments and a series of technical papers. The results of phase 1 were published in a report in April on my Department's website. The technical and consultative work carried out as part of phase 1 forms the evidence base to underpin the decisions being taken in phase 2 of the NDP. The objective of phase 2 is to set out the revised sectoral capital allocations as well as providing a renewed focus on delivery of efficient and cost-effective public infrastructure. The range of indicated sectoral priorities will be identified as part of the final revised NDP.

It is important to note that the NDP is fundamentally a high-level financial and budgetary plan which sets the framework and broad direction for investment priorities. Following the intensive work by my own Department and all other Departments on these issues, I look forward to being able to publish an ambitious plan that balances the significant demand for public investment across all sectors and regions of Ireland along with a major focus on improving the delivery of infrastructure projects to ensure speed of delivery and value for money for the general public.

**Deputy Jackie Cahill:** I want to talk about two road infrastructure projects in Tipperary. The first is essential and relates to the N24. This project will bring about connectivity between Waterford, Rosslare and Limerick. Tipperary town is completely choked with traffic congestion. It is essential that it gets priority and is dealt with first in the context of this very essential road infrastructure project across the southern part of the country.

My hometown of Thurles is suffering the same serious traffic congestion. There is relief road plan for Thurles that is ready to go. It has all of the permissions, the land has been acquired and is awaiting capital investment. We also need a financial commitment to a ring road for Thurles. Again, the commercial viability of Thurles, like Tipperary town, is completely threatened by traffic congestion. It is essential that those road infrastructure projects be included in the capital development plan. We need action on N24 project, with particular emphasis on the bypass of Tipperary town, and the ring road for Thurles.

**An Leas-Cheann Comhairle:** I now call Deputy Mairéad Farrell..

**Deputy Mairéad Farrell:** Can I just confirm that I can only contribute once because there

a couple of-----

**An Leas-Cheann Comhairle:** The Deputy can come back in as this is her first time to speak.

**Deputy Mairéad Farrell:** That is great. Thank you.

Can the Minister confirm if the €1.1 billion in additional capital outlined in the summer economic statement will be allocated across Departments under the revised NDP? Health and housing are two massive areas in respect of which there are serious infrastructural deficits. I hope that the revised NDP and the upcoming budget will tackle these deficits. Can the Minister confirm the ceilings for housing and health for 2022? Will he indicate how much more capital the Department of Housing, Local Government and Heritage will receive under the NDP for 2022 compared with the capital provision and the projected outturn for 2021?

**An Leas-Cheann Comhairle:** Two of the Deputies who tabled these questions are not present. Deputy Mairéad Farrell is allowed in once because she is coming in as an extra-----

**Deputy Mairéad Farrell:** That is what I thought. That is why I asked all my supplementary questions.

**An Leas-Cheann Comhairle:** I will allow the Minister to answer. The Deputies who have indicated will be allowed to speak afterwards.

**Deputy Mairéad Farrell:** This was Deputy Cahill's question.

**Deputy Jackie Cahill:** I spoke first, so I will not go again now. I will speak afterwards.

**Deputy Christopher O'Sullivan:** Can I have an opportunity to speak for one minute?

**An Leas-Cheann Comhairle:** If the Deputy's question is one of those grouped, he would be entitled to come in twice.

**Deputy Mairéad Farrell:** One of the questions in this group is in my name.

**An Leas-Cheann Comhairle:** That is what I was trying to establish. I do not have a list of names in front of me.

**Deputy Christopher O'Sullivan:** We are all rusty after the recess.

**An Leas-Cheann Comhairle:** We will just get through this. Deputy Mairéad Farrell's question and that Deputy Christopher O'Sullivan are both in this group. There are three other questions grouped with that of Deputy Cahill. Anybody else who wants to come in may do so later.

**Deputy Christopher O'Sullivan:** We are all very rusty. There is no reason to worry about it.

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

**Deputy Christopher O'Sullivan:** I have lost ten seconds already.

**An Leas-Cheann Comhairle:** I have the names now.

23 September 2021

**Deputy Christopher O’Sullivan:** I thank the Minister for his reply. This is a unique opportunity for us, as Deputies, to highlight the importance of certain infrastructure projects within our constituencies. There are some that I would certainly like to see included in the upcoming revised NDP. The first I will mention is the need for a southern relief road in Bandon town. Bandon is the largest town in my constituency. It has major potential but at the moment it is experiencing serious traffic congestion. There is a transportation and public realm enhancement plan, TPREP, work which would make the town more pedestrian-friendly and which should ease traffic within the town, but this will not work unless a southern relief road is provided. There is a partial road in place at the moment and it needs to be completed. It is a vital piece of infrastructure, not just for Bandon town but for all of west Cork and I would love to see that included in the plan. I thank the Leas-Cheann Comhairle.

**Deputy Michael McGrath:** The additional €1.1 billion in capital for 2022 outlined in the summer economic statement will be allocated as part of the capital ceilings that will be published in the review of the NDP. The detail of exactly what the Departments of Housing, Local Government and Heritage, Health, Transport and so on for next year and for every year out to 2025 will be confirmed when the review is published and the ceilings are set out.

I thank Deputies Cahill and O’Sullivan for raising a number of specific projects they are passionate about and have been lobbying for in the course of the review of the NDP. As they will understand, the selection of individual projects is generally made by the line Department, which then provides material to us in the Department of Public Expenditure and Reform, where we have overall responsibility for co-ordinating and pulling together the revised NDP and setting the ceilings. I have nonetheless taken note of the issues they raised and acknowledge they have raised them with the line Minister as well.

**Deputy Jackie Cahill:** I want to raise a further couple of infrastructure projects in my county, one of which the Minister visited before he took office, namely, the Dean Maxwell nursing home, Roscrea, which is very important to the town but needs significant capital investment. I hope that will be catered for in the programme.

The other project is in Ardfinnan, which the Taoiseach visited on Friday last. A pedestrian walkway bridge in the town would be very important. There is an historic bridge, which is a protected structure, and for the past six years there has been single-lane traffic, which is very disruptive to the village. I urge the inclusion, therefore, of the pedestrian walkway as well. I could list a litany of further projects but they are just two in my constituency that I would love to be considered.

**Deputy Mairéad Farrell:** I am a bit disappointed that the Minister will not outline the ceilings. He is making my life slightly more difficult. I assume we will have them in good time before the budget is introduced. If the Minister does his change his mind and wishes to give us that additional information, that would be lovely.

On the NDP, we have heard many reports of bid-rigging and about the costs of projects and so on being inflated. Officials from the Department of Business, Enterprise and Innovation are on record as stating that this is happening and is inflating costs, which is a matter of great concern. We need to examine the regulation of such tenders. What are the Minister’s plans in that regard?

**Deputy Christopher O’Sullivan:** I appreciate that we must raise these projects with the

line Ministers as well, which we have done, but this is a unique opportunity for us to raise projects with the Minister and highlight the importance of having them included in the NDP. I will outline a few further projects.

The Bantry flood relief scheme was discussed in the Chamber earlier. That needs to be progressed and included in the plan. In health, the need for an endoscopy unit in Bantry General Hospital is very important. Finally, in the area of tourism, there are three key projects I would love to be delivered for west Cork because it is a key tourist destination, namely: the development of the Dursey cable car across Dursey Island - what a fantastic feature that could be; the development of a Baltimore breakwater, which would allow the development of marine facilities at the well-known tourism destination of Baltimore; and the stunning fishing village of Union Hall in west Cork, which needs an upgrade in its marina and pier facilities. Cork County Council is developing a plan in that regard and I would love it to be supported.

**Deputy David Stanton:** As my colleagues have done, I welcome this opportunity to raise these issues with the Minister. He will be aware of the N25, which is probably one of the busiest roads in the country. There is currently a major bottleneck at Castlemartyr. I understand that there are approximately 22,000 vehicle movements per day through one small crossing there. There have been major tailbacks and the area is now highlighted regularly on traffic news as one of the main black spots. Cork County Council and Transport Infrastructure Ireland, TII, are anxious to provide some form of relief road there and have carried out quite a bit of work on that but I understand that unless it is included in the NDP, it cannot proceed.

Another road the Minister is familiar with is that into Cobh. The town has experienced substantial growth in marine traffic, including cruise liners, and there are major plans, as the Minister will be aware, to develop offshore wind energy facilities and so on. The road into the place, however, is Dickensian and the bridge was built in the 1800s.

**Deputy Dara Calleary:** I acknowledge the great work the Minister and his team are putting into the review, which involves a very detailed process. Nevertheless, this is an opportunity to signal the rebalancing of our economy towards the Atlantic economic corridor. There are a number of key projects in this regard. I refer to the Western rail project, which is ready to roll. The project was recently reviewed by Dr. John Bradley and shown to be economically feasible. The Athenry to Claremorris extension is ready to go and would be a key investment in low-carbon transport for the Atlantic economic corridor.

Separately, the N26 is the final major road infrastructure project to have been undertaken in County Mayo. The first phase was completed in 2004 and we now need to move on the second phase, along with a continuation of the project linking the N26 to the N59. We have engaged with the line Department but we need a whole-of-government approach to indicate this review takes seriously the Atlantic economic corridor and the associated counties.

**Deputy Cormac Devlin:** I thank Deputy Cahill for placing the NDP on the agenda. In respect of Dublin and questions over the MetroLink, I ask that it be prioritised in the NDP review, as well as DART underground. These are key infrastructure projects that were mooted previously and need to be retained on the agenda, as does the N11 interchange. Finally, coastal defence is required for Dublin Bay and that could perhaps be linked it with the Sutton to Sandycove walkway and cycleway. All the projects are essential for Dublin and its expansion.

**Deputy Cathal Crowe:** There is a long list for every county in regard to the NDP. I would

love to see the Minister hit the nail on the head with regard to the unsewered villages of rural Ireland. In Clare in particular, there are five or six of them. The Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, visited Broadford just a few weeks ago. It is important that we end that long-standing practice of raw sewage passing into local streams and drains.

The first phase of the Limerick northern distributor road has been approved and its construction is well under way, but it stops at the roundabout. We need to complete it in its entirety and that needs to be a priority.

Finally, in preparation for the new NDP, there has been much discussion of park-and-rail facilities along the Clare-Limerick-Galway railway track. I would love them to be developed in proximity to Cratloe and Thomond Park, near to Limerick city. Would it not be wonderful to get that railway line along the west of Ireland, giving proper connectivity to the west?

**Deputy Michael McGrath:** I thank all the Deputies for raising a host of projects with me directly on the floor of the House. Many of those projects have been brought to my attention over the course of the review of the NDP and colleagues have been in touch with the relevant line Ministers as well, as have I in respect of a number of the projects. I will do so again, particularly in regard to any that have been raised for the first time this morning.

I might make a few broad points. The content of the NDP is not exhaustive. It is not a list of every project that each line Department intends to deliver over the next ten years. Nevertheless, I fully understand the desire to have specific projects called out and included in the plan.

There is a need to improve delivery and address capacity constraints, given that we are seeing significant underspends in the system on the capital side. I do not want there to be underspends because we are allocating the money for a reason. We want the projects to be delivered and completed. I assure the Deputies that balanced regional development is a core objective of the review of the NDP and we will provide a record level of public resources for what will be the largest and most ambitious public capital investment programme in the history of the State. We are going to provide a record amount of public resources for what will be the largest and most ambitious public capital investment programme in the history of the State.

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

**Deputy Michael McGrath:** Finally, on the issues of value for money and the pressures that are arising in respect of construction inflation and so forth, I and the Minister of State, Deputy Ossian Smyth, are both engaging with the Office of Government Procurement on the issues that are arising there in the context of the public works contract. We want to see tenders successfully completed and awarded and jobs delivered.

**An Leas-Cheann Comhairle:** We are way over time given the number of speakers who contributed. We are moving to other questions but one Deputy inadvertently missed his priority question so, with the permission of the House, I am prepared to let him back in because it was inadvertent. I am saying that in case he is listening. The next question is No. 6 and I am going back to strict times now. The Deputy is not present so I will go through the list. I call Deputy Devlin.

## **Ceisteanna Eile - Other Questions**

*Questions No. 7 replied to with Written Answers.*

### **National Lottery**

8. **Deputy Cormac Devlin** asked the Minister for Public Expenditure and Reform when he expects the review of the national lottery to be completed; and if he will make a statement on the matter. [45685/21]

**Deputy Cormac Devlin:** I commend the Minister on initiating the review of the national lottery, which I believe is long overdue. When is it due to be completed?

**Deputy Michael McGrath:** I thank the Deputy for tabling this question. I was pleased to announce recently that Indecon International Consultants have been commissioned to support the Department in the review of the effectiveness and transparency of how national lottery funding for good causes is distributed. The national lottery plays a vital role in generating funding for a wide range of clubs, charities and community groups throughout the country each year. Close to 30 cent of every €1 spent on national lottery games is transferred to the Exchequer to fund good causes projects. Approximately €6 billion has been raised since national lottery operations commenced in 1987, and over €254 million was transferred to the Exchequer last year for good causes.

It is timely that we should review the existing funding model now to ensure that it can continue to support good causes projects in an effective manner into the future. My Department will be engaging with a number of relevant Departments and other key stakeholders during this process, and the review will also examine international best practice in this area. I envisage that the review will conclude in the first half of next year and I intend to bring any new proposals arising to the Government as soon as possible afterwards.

**Deputy Cormac Devlin:** I note the figures the Minister gave for Ireland. In the UK, approximately 53% of every £1 spent goes to the prize funds, 25% goes to good causes, 12% goes to the UK Government as duty, 4% goes to the retailers and 5% goes to the operator, with 4% of that 5% for operating costs and 1% of it for profits. The Minister mentioned €6 billion for good causes in this country. What percentage of sales in the Irish system goes to good causes, prize funds, State levies and the operator? I appreciate the Minister might not have that information with him this morning, but he might forward it to me. While I know funds go to good causes in various sectors such as sport, culture, heritage, the arts, youth, welfare and amenities, can the Minister give the House an indication, or arrange to send us that information as well, of how much was allocated to each of those sectors?

**Deputy Michael McGrath:** I will arrange for a more detailed reply to be issued to the Deputy. However, I will give a sense of my thinking in asking for this review to be conducted. My view is that, at present, it can be difficult to track the good causes expenditure that has occurred and at times it can be difficult for clubs and organisations to navigate the funding options available and to identify if they are eligible for funding. Some Departments do not publish details of which organisations have been awarded funding, while others may publish details of expenditure grants but not mention that the grants have any link to the national lottery. Furthermore, while the National Lottery Act 2013 sets out the areas to which funding can be assigned,

there is no framework in existence which sets out how funding should be assigned. While all the spending is voted expenditure and subject to robust oversight and audit by the Comptroller and Auditor General, a lack of clarity can create a perception that money is not distributed in a fair and transparent manner. The Regulator of the National Lottery has conveyed a perception, which exists among some members of the public, that funding goes to certain constituencies, for example, and this is an issue that must be addressed. I want to improve the oversight and transparency of the system and ensure it is operating fairly and that all organisations get a fair crack of the whip.

**Deputy Cormac Devlin:** I appreciate the fact that the review is taking place. I am not sure if a review of this scale has been undertaken since 1987 so it is very important. The Minister highlighted the example of the sports clubs. All Members of the House have been contacted by sports clubs, community organisations and others that are eager to access any type of funding, but there has to be a clear pathway to that funding. It is very generous funding but we must have transparency. We discussed freedom of information earlier, so it is important that there is transparency in respect of funding for all the good causes that the national lottery has funded over the years and will fund in the future.

**Deputy Michael McGrath:** I strongly agree with the Deputy's sentiments on this issue. As part of the review, a steering group will be set up, led by my Department, comprising representatives from a number of Departments that have national lottery-related expenditure subheads. Public consultation will be conducted as part of this process, which is likely to involve a targeted group of relevant stakeholders. That will be finalised in the coming weeks. The legislation sets out the areas that can benefit from funding under the national lottery good causes heading but not all of those that are listed as potentially being beneficiaries are currently getting any funding, so we need to improve and streamline the process for the allocation of this funding. That may well lead to some changes and that is something we can manage over time. However, a large amount of money is being distributed and the link between that money and the national lottery and the protection of the lottery brand into the future are very important. That is also a key part of the review that is being undertaken.

## National Monuments

9. **Deputy David Stanton** asked the Minister for Public Expenditure and Reform when he expects Barryscourt Castle, Carrigtwohill, County Cork, to open to visitors; and if he will make a statement on the matter. [45452/21]

**Deputy David Stanton:** When does the Minister expect the works in Barryscourt Castle, which has been closed for up to seven years, to be completed and when will it be open to the public again?

**Deputy Patrick O'Donovan:** I understand from the Commissioners of Public Works that works are continuing on the external walls of Barryscourt Castle. The conservation nature of this project requires the use of heritage products and traditional lime mortar, which requires painstaking attention to detail and expert craftsmanship. The OPW is on target to complete its programme for 2021, which will leave 50% of the south wall and 50% of the east wall completed. It is expected that the regrouting of the south wall and east wall will be completed in 2022. Progress has also been made on the specification for the mechanical and electrical works which will follow the grouting programme.

Covid-19 restrictions and lockdowns in 2020 and 2021 have seriously impacted progress on the project and, unfortunately, continue to do so. Notwithstanding that, the Office of Public Works hopes to have the works completed and the castle reopened in 2023. As the Deputy knows, I visited the castle when I had the opportunity to do so with the local councillor, Mr. Anthony Barry, and I pay tribute to the outdoor workers and the craftspeople of the OPW who are based in east Cork. This is a very difficult and constrained project for us, but the OPW is committed to it.

I met the local community as well as Deputy Stanton and other public representatives and I visited a number of the OPW facilities in the Fota, Cobh and Great Island areas. I know the contribution Barryscourt Castle has the potential to make to that particular part of east Cork. I understand the frustrations, but this is the nature of conservation work and the nature of the work at hand. The progress is incredibly slow. I can provide additional supplementary material to the Deputy and we can meet him on-site as well. We are prepared to engage with the Deputy to see if there is additional material that can be beneficial to him on this matter.

**Deputy David Stanton:** Frustration is an understatement. It is seven years since this project was started.

*10 o'clock*

The Minister of State has said it will not be open until 2023. I have a letter here from his predecessor, Deputy Canney, stating that it would be open in 2019. It is very disappointing that it has taken so long. I understand it is painstaking and difficult. Does the Minister of State have any plans for developing the castle and the grounds when it finally reopens? Has he had any contact with the Barryscourt trust which I understand controls a substantial amount of the property?

**Deputy Patrick O'Donovan:** The answer is "Yes". We had a meeting with the Minister of State at the Department of Housing, Local Government and Heritage, Deputy Noonan, to discuss the broader issue yesterday. We are engaged with Fáilte Ireland on the whole issue of how we look at our estate and at the responsibilities we have. As the Deputy will know, during the Covid-19 pandemic, thanks to support I received from the Department of Public Expenditure and Reform, I initiated a programme across the entire OPW estate, offering free admission last year, which was a success with people staycationing. It was an attempt to get people to come into OPW-operated facilities to experience places like Barryscourt and lesser known and lesser visited sites. When Barryscourt is finished it will obviously have a bigger role to play in the wider tourism product of east Cork, including the Great Island, Cobh and Fota. We will be linking with Cork County Council, Fáilte Ireland and the local stakeholders including the local community to do exactly what the Deputy has requested.

**Deputy David Stanton:** I am pleased the Minister of State has plans to do that but I am disappointed it will take until 2023 for this to happen. It has now been seven years and it does not make any sense to add another two years to that. I ask the Minister of State to expedite this because it is frustrating for people in the region. It is a very important project. It is a magnificent castle just off the N25 with great potential. The grounds are also spectacular. I am not sure if any of my colleagues have seen it, but it is worth visiting even though it is not possible to go on the grounds at the moment. I ask the Minister of State to talk to his colleagues in the OPW to see if this can be expedited given that it is now seven years and counting.

23 September 2021

**Deputy Patrick O'Donovan:** Due to the nature of the work the OPW does, social distancing and public health issues have meant that we have been put offsite twice, which has been desperately frustrating. I know the Deputy and other public representatives in the east Cork area would like this to be put on the record of the House. Last year OPW outdoor staff in Barryscourt came to the rescue when a group of local nuns in the St. Benedict's Priory in Cobh needed apples. At that time Barryscourt came to the attention of many people in the east Cork area and beyond. I pay tribute to and thank the outdoor staff of the OPW who came to the rescue of the nuns at St. Benedict's Priory who make jams and chutneys. The OPW has a significant orchard down there. I want to put on the record of the House my gratitude to the OPW outdoor staff for their generous gesture in coming to the assistance of the St. Benedict Order in Cobh.

### **Ceisteanna ar Sonraíodh Uain Dóibh (Atógáil) - Priority Questions (Resumed)**

#### **Public Sector Staff**

4. **Deputy Michael Collins** asked the Minister for Public Expenditure and Reform if funding will be set aside in order to provide an additional two weeks' annual leave to health workers (details supplied). [45920/21]

**Deputy Michael Collins:** All front-line health workers who worked through the Covid-19 crisis should be given an extra two weeks' annual leave or the option to receive two weeks' extra pay instead. Will the Minister for Public Expenditure and Reform set aside the money for these healthcare workers to show them the respect they deserve?

**Deputy Michael McGrath:** I thank the Deputy for his question. The Government acknowledges the contribution of our front-line healthcare workers and all workers across the economy during the Covid-19 pandemic. The value of the contribution made by our front-line workers across the economy cannot be overstated. Their hard work and sacrifice have been crucial to getting the country through this pandemic and the Government is committed to recognising those efforts.

Working together has been a key element of the Government's approach to the pandemic to date and this should form part of any approach to recognition. It is important that in deciding on our approach to recognition, we recognise the contribution of workers across the public and private sector. The Government must consider the whole of society and the economy in its deliberations on this matter.

My Government colleagues and I will be considering many issues regarding recognition. In addition to the breadth of recognition, the timing and service delivery impact of any approach must be taken into account. I assure the Deputy that this issue is a priority for the Government and will be addressed in the near future.

The claim for ten days' additional leave for public service healthcare workers for special recognition due to Covid-19 was referred to the Labour Court and the hearing took place on Monday, 13 September. As the Deputy knows, earlier this week the Labour Court issued its recommendation, which the HSE will now consider. While the HSE is the party directly involved in the Labour Court hearings, my Department will work with it to assist it in bringing

the matter to a conclusion in the coming weeks. It would not be appropriate for me to comment in any further detail at this point. I look forward to engaging with the Deputy further on his supplementary questions.

**Deputy Michael Collins:** I thank the Minister for his reply. The healthcare workers gave so much in a very difficult time and continue to do so. Other than a clap here in the Dáil and a few nice words, they have got nothing. Even in regard to the smallest thing, the nurses had to pay their registration fees last year. That little bit of acknowledgement could have been given so that we could at least have been seen to be caring. It has been a terribly difficult time for everybody and certainly for people on the front line. Many of these people could not go home to their families for days on end for obvious reasons. They were left in great anguish and had difficulties finding people to look after their children. We need to step up to the mark and show some appreciation. What are the Department of Public Expenditure and Reform's plans for nurses?

**Deputy Michael McGrath:** Our healthcare workers have been extraordinary over the past 18 months and that extraordinary effort warrants special recognition from the Government. Whatever we do in the coming weeks must be done in a fair and inclusive way. The Deputy has placed the emphasis on healthcare workers, which is justifiable. However, there are many others across the public service who did great work over this time, including those in the Prison Service, Garda, Defence Forces, the Department of Social Protection and the Revenue Commissioners, all of whom continued to work along with many others in the public sector. In the private sector, shop workers kept the show on the road in the darkest of days of the Covid-19 pandemic along with cleaners and refuse collectors. We need to consider all these issues and to be as fair as we possibly can.

There is a very significant cost associated with the claim that was lodged by the INMO and other health worker unions for ten days' leave across the health service. The minimum cost would be €377 million given that it would almost certainly involve a level of overtime and agency staff to provide the necessary cover, the cost would almost certainly exceed €500 million. To provide the same ten days' leave across the full public service, the cost would exceed €1 billion. The costs are very significant

**Deputy Michael Collins:** I understand the costs might be significant, but the value of these workers must be acknowledged by the country. I know the budget needs to be stretched considerably. The cross-border health initiative has not been properly discussed. The Minister has said the HSE is looking into this, which concerns me particularly when I consider how admissions were closed for 16 or 17 days at Bantry General Hospital, and how South Doc has been withdrawn from the people in Castletownbere. If we leave things to the HSE, we could be in serious trouble not getting the funds these workers need.

There is another issue with visiting patients. People are not allowed visit their partners in maternity units. Nobody can visit the elderly and infirm. I have received many calls regarding elderly people who cannot have somebody by their side during very serious times of their lives in hospital. At the end of the day, the healthcare workers have proved themselves to be invaluable to the country and they need to be looked after. I leave it in the good hands of the Minister that he will do that for them.

**Deputy Michael McGrath:** As the Deputy knows, the Labour Court recommendation provides that the parties to the issue must make every effort to achieve clarity as regards potential

23 September 2021

arrangements to address the claim within the earliest opportunity and in any event during the autumn. The Government intends to deal with this issue in consultation with the representatives of the workers. We recognise the heroic efforts of our front-line healthcare staff, who deserve great praise and to be recognised. I am making the point that there is a wide range of other workers in the public service who also went beyond the call of duty and who we need to treat fairly. We need to do this in a balanced and inclusive way and we also need to engage with the private sector because there are many people across the private sector who also kept the show on the road and looked after all of us when that was needed. We need to take all of that into account. There are always financial constraints but the Government will bring forward a proposal to provide for the special recognition that is richly deserved.

*Questions No. 10 replied to with Written Answers.*

### **Ceisteanna Eile (Atógáil) - Other Questions (Resumed)**

**An Leas-Cheann Comhairle:** The next questioner is not present, we will move on to Deputy Barry.

#### **Public Sector Pay**

12. **Deputy Mick Barry** asked the Minister for Public Expenditure and Reform if he will consider a Covid-19 bonus for public sector workers; and if he will make a statement on the matter. [45607/21]

54. **Deputy Mick Barry** asked the Minister for Public Expenditure and Reform his views on the call for Covid-19 bonuses in terms of improved pay and conditions for frontline workers and those otherwise negatively impacted by the Covid-19 pandemic; and if he will make a statement on the matter. [43773/21]

76. **Deputy John Lahart** asked the Minister for Public Expenditure and Reform if there will be a pandemic bonus for public sector workers; and if he will make a statement on the matter. [45487/21]

**Deputy Mick Barry:** The pandemic showed who the real essential workers in society are. They are not the millionaires or billionaires but our nurses, healthcare workers, transport workers, retail workers, cleaners and many others. What plans does the Minister have to provide a Covid bonus payment to our front-line workers and when does he intend to pay them?

**Deputy Michael McGrath:** I thank the Deputy for raising this issue. Following on from my exchange with Deputy Michael Collins, I wish to reiterate the position of the Government. The Government is committed to addressing this issue in the coming weeks and we do not want to allow it to drag on. We have a clear recommendation from the Labour Court, which we intend to abide by, and we will deal with this in the coming weeks. There are a range of factors that we need to take into account. We have a public sector pay deal and that will involve, as the Deputy knows, an increase in public service pay on 1 October. I have put on the record some of the costs involved with the claim that was brought forward by the Irish Nurses and Midwives Organisation, INMO, and the other healthcare worker union representatives. That includes a minimum cost of €377 million but with the inclusion of overtime and the need to deploy agency

staff to fill the particular service gaps that would arise in giving the extra holidays, the cost would probably be over €500 million. That excludes the people the Deputy referred to, including bus drivers; members of the Irish Prison Service; gardaí; members of the Defence Forces; and our civil servants who worked so hard over the period to process emergency payments and so on.

The Government wants to be fair in how it approaches this issue. We have incurred a large increase in our national debt over the course of the pandemic because we have done our best to look after people by way of income supports and to keep businesses going. We are seeing the benefits and fruits of that in the way the economy is rebounding very strongly. We recognise that there is a need to address this, we intend to do so in the coming weeks and we will consult with others as to the best way to do that. We are also examining the approach taken in other countries. A number of other countries have made efforts in this direction and we are looking at what they have done. We need to be fair, balanced and as inclusive as we possibly can be to recognise the efforts that so many made to help our country get through a very dark period in the last 18 months.

**Deputy Mick Barry:** Front-line workers died from Covid, which they contracted while working. Many others got sick and some of them got long Covid. All suffered from stress, fatigue and mental health pressures for their services to society. Does the Minister intend to announce details of recognition payments in the budget? The Minister talked about the coming weeks but does he intend to announce it on or before budget day? What year does the Minister expect payments to start? The Minister mentioned costs of €377 million and €500 million. Is he considering the idea of a Covid wealth tax in the budget so that very high earners and corporations that made mega profits during the pandemic will be made to pay for this from the gains they made in the course of the pandemic, rather than any other sector of society paying for it?

**Deputy John Lahart:** There is always a theme of punishment and reward coming from the other side of the House. I trust the Minister on this. I would not rush into it but I do not want that to be misinterpreted as me saying that I am not enthusiastic about this. I support the thrust of it but it could easily end up being quite a divisive issue if it is not handled sensitively. The Minister rightly mentioned the front-line retail workers and I would support any call-out to industry, business and employers, particularly those in the retail space. I am sure many of them have responded in how they look after their employees but we need to get some examples of that. Then there are the unseen who we might not know about and who never get paid anyway. There are carers and SNAs but I trust the Minister and the Government to handle this with sensitivity. If this is handled the wrong way, it could go awry and be very divisive.

**Deputy Michael McGrath:** Deputy Lahart makes an excellent point. There is a need for us to recognise the extraordinary efforts of so many people, particularly front-line healthcare staff. Nobody has an issue with them being singled out for praise which is richly deserved. If we get this wrong it could be divisive in society. Deputy Lahart touched on carers and the extra burden that fell on them over the course of the pandemic because day services were shut down in the interest of protecting public health. There is a wide range of issues that need to be taken into account. Some private sector employers have already, as Deputy Lahart acknowledged, provided recognition to their workers by increasing the discount percentage on their staff cards, for example, and so on. That has been done in some instances but not in all. A lot of private sector employers are under great pressure and we should not forget that. To answer Deputy Barry's question, I am not committing to a particular date. I am saying that in the coming weeks we need to work through this and get it right. The Deputy is asking about points of detail about

23 September 2021

exactly when it will be paid and so on. That is the subject of consideration and I want to consult with colleagues on that.

**Deputy Mick Barry:** Writing in the *Irish Examiner* on Monday, Daniel McConnell wrote “a key question is whether the Government can get private sector buy-in”. It is a key question. Given that the Minister agrees that private sector front-line workers such as those he mentioned, including retail workers, cleaners and many others, deserve a Covid bonus, what steps has the Minister taken and what steps does he intend to take to ensure they get it?

**Deputy John Lahart:** I said that I trust the Minister on this. My experience of any bonuses offered is that they end up being taxed and so the bonus that comes into an individual’s hand is minor. I do not want that to be interpreted as a lack of enthusiasm for this. I am really enthusiastic, as the Minister clearly is, to recognise some of the real heroes in the early days of Covid. If we remember them, and it is so easy to forget, some of the real heroes include those who were stacking the shelves and who kept food on the table when we thought there were going to be rushes and panic buying etc. It also includes those who collected our waste. Bonuses get taxed and people may end up with very little and there are many ways of marking, including financially, the extraordinarily heroic efforts people made. That heroism needs to be marked in many ways and in a lasting way. I support bonuses but one gets a bonus and then it is gone. Society needs to look at ways of seriously symbolically marking how everyone contributed, whether it was in a small or big way. I am not a capitalist but those big employers kept this economy going right through the pandemic. They continue to do so and that ensured we had significant and sufficient revenues for the State to be able to fulfil its side of the contract it has with its citizens.

**Deputy Michael McGrath:** It is important to make the point there is no uniformity in how the Covid pandemic impacted on businesses across different sectors in the private sector economy. It was wide and varied. Some businesses closed while others thrived. Many others are struggling and others are staying afloat because of Government supports. I do not agree with the approach that the Government should seek to compel or force the private sector to do certain things to recognise the efforts of workers over the pandemic period, but the Government can, and will, provide leadership on this issue. Even in the course of the past few minutes, we have got a sense of the complexity of this issue. Many issues need to be considered. More than 5,000 people, to date, have lost their lives due to Covid-19 and it is not over. Covid has not gone away; it is still here. We all have to continue to be vigilant and recognise that reality. There can be no declaration of victory that we are at an end point - we are not. All the issues raised by colleagues are being actively considered and we are determined to deal with this issue in the next few weeks.

**An Leas-Cheann Comhairle:** I ask the Minister to comply with the rules on time so we can get as many Deputies in as we can.

## National Monuments

11. **Deputy Jennifer Murnane O’Connor** asked the Minister for Public Expenditure and Reform the progress of the Office of Public Works project at Carlow Castle; and if he will make a statement on the matter. [45070/21]

**Deputy Jennifer Murnane O’Connor:** When I met the Minister of State on Tuesday in Kilkenny at Granagh Castle, I spoke about Carlow Castle. I visited the castle in Carlow town

yesterday and was delighted to see works going on there. Can the Minister of State tell me about the progress of the Office of Public Works project at Carlow Castle?

**Deputy Patrick O'Donovan:** I thank the Deputy for raising this issue. As she is aware, on the night of 8 and 9 February 2020, extensive damage was caused to Carlow Castle following Storm Ciara. Subsequent investigations led to the discovery that the base of the collapse was constructed on clay foundations. This had major consequences for the safe repair and reconstruction of this section of the wall. The Office of Public Works is in the final stages of rebuilding the collapsed area of the tower. Once the steelwork is down, the OPW can complete the rebuild and repair of the part of the tower that collapsed. It is expected that there is approximately three to five weeks' work remaining.

As I said to the Deputy when I met her the other day in south Kilkenny, with Deputy Phelan, I hope to be back in Carlow-Kilkenny within the next month and I hope to meet her then. There are a number of different projects in Carlow town and the surrounding areas. I hope to visit Carlow Castle, with my officials in the OPW to get an update on the works under way and the progress that is being made. This issue is of interest not only to the Deputy and other public representatives, but to Carlow County Council and the tourism community in Carlow.

**Deputy Jennifer Murnane O'Connor:** I am heartened to hear the project is progressing and I am thrilled with the good news that the Minister of State will be coming to Carlow. We have many projects to show him. To give him some background, Carlow served as the administrative capital of the lordship of Ireland under King Edward III from 1361 to 1374, so it can be said with confidence that we were once the capital of this fair land. Carlow Castle had survived largely intact until an attempt to remodel it as an asylum in 1814, which demolished all but the west wall and towers. As the Minister of State said, in February 2020, masonry collapse resulted in disintegration of a large part of one of the castle's turrets. The site is being discussed by Carlow County Council as part of an ambitious plan under the urban regeneration and development fund, URDF. It is very important we get these works done and I welcome that. I understand the new phase involves surveys and archaeological investigation at the base of the structure to assess its current condition. What is the timeframe for that?

**Deputy Patrick O'Donovan:** As I said in a previous response to Deputy Stanton, I met yesterday with the Minister of State, Deputy Malcolm Noonan, to discuss the issue of properties for which the OPW is responsible. These are owned by the Minister for Housing, Local Government and Heritage but we have responsibility for managing their maintenance and preservation. I have opened discussions with the Minister and I hope to engage with Fáilte Ireland and the Local Government Management Agency, which are the agencies with ultimate responsibility along with what we would traditionally call the county managers. There is a local interest in these monuments that has to be brought to the fore. The Department of Rural and Community Development, through the town and village renewal fund, is a critical driver of what I would call the second and third division monuments in some of our larger and smaller towns. We want people to visit what are, possibly, the lesser-known monuments that have a wealth of stories to be told and will help to drive the tourism industry in towns like Carlow, and other provincial towns in places like Carlow-Kilkenny.

**Deputy Jennifer Murnane O'Connor:** That is important. A Carlow town forum group has been set up that works in conjunction with Carlow County Council. A subgroup has particularly focused on the castle and the tourism potential of it. Gerry, Bobby, Audrey and Carmel are part of that and are excellent. Members of these groups have been working for years to

23 September 2021

promote Carlow Castle because the bigger picture here is the tourism potential of it. It will be the hub and centre of a tourist attraction for Carlow. We are trying to make Carlow similar to the medieval mile in Kilkenny. That is what we have. Carlow has so many historical buildings and sites and we need Carlow Castle as a tourist attraction. We also need the funding that goes into that. We have a castle that can give so much to Carlow. It offers so much to people and tourists who visit it. I ask for a commitment from the Minister of State that the funding will be there to make Carlow Castle a tourist attraction, which will filter throughout Carlow town. Again, it is just one excellent tourist attraction we have.

**Deputy Cathal Crowe:** My contribution is in a very similar vein to Deputy Murnane O'Connor's. In the Clare constituency, and the Minister has been to see it, Clare Abbey, an Augustinian abbey built in the 12th century, possibly by Domnall "The Great" O'Brien, King of Munster, has been roofless since the 1600s and its inner yard is a burial ground. The graves are being desecrated, smashed with bottles and broken in half. The Minister of State very kindly visited the abbey recently along with some of his staff, Deputies and councillors. The Slattery grave there has been desecrated on three occasions. We are looking for some form of CCTV camera. We hope the Minister of State can accede to that.

**Deputy Patrick O'Donovan:** I am sure Deputy Murnane O'Connor will acknowledge that we made a significant investment recently in County Carlow through the dolmen project, which I am glad has finally been finished. I hope to be able to see it when I go there within the next few weeks. Every Deputy in the House performed a *tour de force* recently in looking for money from my senior colleague, the Minister, Deputy McGrath. I may as well do so now on behalf of the OPW. I ask for any assistance he can give me to find money for Deputy Murnane O'Connor and every Deputy in the House that will come begging for money from me, including the Leas-Cheann Comhairle, who I am sure has a list of OPW projects in Galway. Every shilling the Minister can give me from his good colleague in the OPW, we will only be too glad to spend.

Deputy Crowe is correct that there is a particular problem at Clare Abbey. We have engaged with An Garda Síochána and Clare County Council, which is ultimately the statutory authority that has responsibility for CCTV there. If it could provide that sort of assistance to catch the people responsible for this, I am sure it would be strongly welcomed by the local community.

### Departmental Expenditure

13. **Deputy Colm Burke** asked the Minister for Public Expenditure and Reform if he will consider instituting a change in the tendering process which would facilitate further submissions to be made after a closing date, similar to the recent changes in Northern Ireland; and if he will make a statement on the matter. [45570/21]

**Deputy Colm Burke:** My question is on the tendering process and when a tender is submitted, where there is a variation between tenders one and five and a 16% gap in the amount being tendered. There is no process or provision for further engagement if there is a sudden increase in the cost of delivering a project between the time the tender is submitted and the time it is accepted by a Department. Can the regulations dealing with tendering be changed to accommodate that?

**Deputy Ossian Smyth:** Public procurement is governed by EU legislation and national rules and guidelines with the aim of promoting an open, competitive and non-discriminatory

public procurement regime which delivers best value for money. The EU public procurement regime is set out in a suite of EU procurement directives.

Article 56(3) of the principal directive governing procurement rules for public bodies gives contracting authorities discretion as to whether to accept further submission of documentation after the closing date of a tendering process providing this is done in compliance with the principles of transparency and equal treatment. This provision enables errors or omissions in tender submissions to be remedied where in accordance with the principles of equal treatment and transparency. For example, it might allow for the further submission of licences, insurance documentation and so on, if omitted in error in the tender competition. Any additional information or clarification provided cannot materially alter the substance of the tender submission. The provision in the directive is not intended to admit additional tenders to competitions once the submission date and time for tenders under the competition rules has passed or to allow for material changes in tender submissions, such as changes to specifications or price.

Procurement procedures in Northern Ireland were regulated up to the end of 2020 by the same directive and are now covered by the EU-UK Trade and Cooperation Agreement. In that context, it is expected that procedures operating in Northern Ireland will be analogous to the EU rules.

It is a complex area. The Office of Government Procurement is happy to engage with the Deputy on the details. Of course, in any normal competition, there is a deadline. If the deadline is changed for one of the participants, that could lead to an unfair situation. We must consider the matter within that context. There is a legal framework that allows for submissions after deadline in specific circumstances.

## **Ceisteanna ar Sonraíodh Uain Dóibh (Atógáil) - Priority Questions (Resumed)**

### **Covid-19 Pandemic**

79. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education the steps she has taken to ensure the return to school is safe and sustainable; the investments that will be required for this; and the work she has undertaken with other Departments in furtherance of this aim. [45807/21]

**Deputy Donnchadh Ó Laoghaire:** Sinn Féin has always said that the priority must be a safe and sustainable return to school. We all know that in-school learning is unmatched in terms of children's development but there is clearly a distance to go in terms of some of the mitigation measures. There are issues to address in schools, not least securing CO2 monitors and adequate ventilation. How does the Minister plan to ensure all schools have the mitigation measures they need?

**Minister for Education (Deputy Norma Foley):** I thank the Deputy. Ensuring that schools can open and operate sustainably has been a key priority for me as Minister for Education. To support this objective, the Department of Education has engaged extensively with all of the education stakeholders, the Department of Health and the public health team in the HSE.

All schools across Ireland have fully reopened safely after the summer break, which is

hugely welcome, as the Deputy acknowledged. Public health has reviewed the measures put in place to ensure safe operation of schools and has advised that the new variants of the disease do not change the infection prevention and control measures required in schools. The Department has been always guided by public health advice on appropriate Covid-19 infection prevention and control measures. Those measures protect students, their parents and school staff, and are effective.

Each school was provided with an updated Covid-19 response plan in advance of the return to school. Significant additional resources of €639 million were put into schools in the last academic year to keep schools safe. Further funding of €57.6 million has been paid by way of Covid-19 capitation to schools for the implementation of infection prevention and control measures for this term alone. This funding will cater for school costs related to hand hygiene measures, personal protective equipment, PPE, requirements, enhanced cleaning supports and supervision. At primary level, additional management resources for principal release days were provided for principals and deputy principals. Principals have one day per week away from teaching duties to concentrate on leading teaching and learning and administration duties. Teacher supply panels were also expanded to cover the majority of primary schools nationwide.

The Deputy specifically referenced the CO2 monitors that were recommended. Measures have been put in place to ensure that CO2 monitors will be provided in our schools. Some 96% of primary schools and all our special schools have their allocation. Indeed, each of our post-primary schools has at least ten monitors. There was an issue with the supplier, Lennox Laboratories, which was identified. Lennox has now informed the Department that resources, in terms of CO2 monitors, will be made available in October. In the meantime, should schools wish to purchase them on the ground, the opportunity for local purchase has been made available.

**Deputy Donnchadh Ó Laoghaire:** The Minister instanced the return to school documents that schools have received. As I demonstrated on Tuesday, and as has been borne out since, there are contradictions between that document and the HSE advice.

On Tuesday, at a meeting of the Joint Committee on Education, the Minister said that she did not expect any significant changes in terms of contact tracing or mitigation measures. That has obviously proven not to be the case. Indeed, what has transpired has gone significantly further than reporting on the matter had previously suggested. We recognise there was an issue that undoubtedly needed to be addressed but it is poor form that the education spokespersons for the Opposition were not briefed on these changes. The Minister was not fully transparent with the education committee about the changes that were on the way. More importantly, it is incredibly important that teaching staff, parents and students are hearing from the Chief Medical Officer, CMO, the rationale behind these changes. More importantly again, they should hear from the Minister what these changes will mean in our schools. I urge the Minister, along with the CMO, to address the nation, particularly the teaching staff and parents, on these changes.

**Deputy Norma Foley:** I thank the Deputy. I will take the opportunity to refute the Deputy's assertion that I was less than forthright about the changes that were impending at the time of the meeting. The Deputy referenced the fact that all of society knew there were going to be changes and that there was a particular direction of travel. However, that direction of travel was not confirmed to me by the CMO. As the Deputy is aware, the CMO and the National Public Health Emergency Team, NPHE, released their final recommendation yesterday. It was yesterday evening that documentation came to us. There was an indication earlier that changes were afoot. I had discussed the matter with the Minister for Health but the final recommendation did

not take place until further updated data were reviewed. Those data have been reviewed and, as a consequence of that, the decision was made.

It is, might I say, a NPHEP decision. The changes were made on foot of the recommendation of the CMO and NPHEP, who have guided the school sector throughout the pandemic, as they have wider society. It is not my decision as Minister for Education but it is my decision to accept the advices of the CMO and NPHEP.

**Deputy Donnchadh Ó Laoghaire:** Using my words as a suggestion that the Minister was forthright is not totally consistent. However, if the Minister is saying she was not fully aware of the situation as it was at that stage, of course I accept that. That said, I still urge her to ensure the CMO addresses parents and school staff about these changes and that the Minister makes it clear what these changes will mean on the ground and addresses the nation in that regard. There are still questions about how these changes will work out in practice.

Ten CO2 monitors for a secondary school that could have 40 or 50 rooms is not good enough. It is not even close to good enough. In the context of Covid-19 or in any context, when one considers issues such as supervision, the idea of teachers and school staff moving monitors around the classrooms between classes is clearly not practical or workable. We have been raising this issue since Christmas, as have many others. It is clear this was left to the last minute and that is why we do not have enough monitors. Has the Department examined the potential and benefits of filtration?

**Deputy Norma Foley:** I thank the Deputy. On the matter of guidance for schools, I will again say to the Deputy that the confirmation was received only yesterday evening. It was the recommendation of the CMO and NPHEP, accepted by the Minister for Health. Guidelines are issuing to schools today on foot of that recommendation and will be with the schools today.

I acknowledge that public health and other issues were addressed by the CMO and by various individuals involved in public health at various times yesterday and will no doubt be addressed again today. There is no shortage of discussion between public health officials and all our stakeholders. In fact, those stakeholders are fully briefed and meet on a regular basis with public health officials. That is something I was determined would be a key feature of the procedure within our schools. There are public health meetings with various unions and representative bodies and they will continue.

The CO2 monitors are in place, as I have already outlined. There was a shortfall but it will be met by October. There was an issue that was addressed by the supplier, Lennox Laboratories. Any issues that are outstanding will be dealt with.

**Deputy Donnchadh Ó Laoghaire:** Will the Minister comment on filtration?

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

### **Covid-19 Pandemic**

80. **Deputy Paul Murphy** asked the Minister for Education the number of CO2 monitors required to provide one for each classroom, learning support room, staff room and other school spaces in which they are required; the number that have been provided to schools to date; and when the remaining monitors will be delivered to schools. [45677/21]

23 September 2021

**Deputy Paul Murphy:** We are a year and a half into a pandemic. We know very well the virus is airborne and that ventilation is crucial, and yet we still do not have CO2 monitors in every classroom across the State. According to what the Minister has just said, we are almost finalised and, therefore, there is not even a plan to have CO2 monitors for every classroom across the State. Why are we scrimping and saving on children's health? Why are we not ensuring there are CO2 monitors in every classroom, HEPA filtration systems where necessary, especially considering the moves that are being made in terms of contact tracing?

**Deputy Norma Foley:** Managing ventilation is just one of a suite of public health measures in place to keep our schools safe. Updated guidance for schools on practical steps for the deployment of good ventilation practices in schools was provided at the end of May, following the work of an expert group that carefully considered the role of ventilation in managing Covid-19. A copy of the guidance is published on the gov.ie website.

The overarching approach in the guidance is for schools to have windows open as fully as possible when classrooms are not in use and partially open when classrooms are in use. The guidance outlines that carbon dioxide monitors can play a part in providing a useful general indication that areas or rooms may not be adequately ventilated. They can enable occupants to become familiar with the impacts of activities, outdoor weather and window openings on levels of good ventilation. The Department procured portable monitors, as recommended, and these are currently being distributed to schools at a rate of between two and 20 per school at primary school level and between 20 and 35 at post-primary school level, depending on school size, at an estimated overall cost of €4 million. The monitors are portable, simple to use and will give a digital reading. The provision of portable CO2 monitors provides schools with the flexibility to focus their use on those rooms where they will be most beneficial to inform strategies for optimising ventilation in the school.

Deliveries of CO2 monitors to schools commenced in the third week of August. In total, it involves over 35,000 CO2 monitors being distributed to primary and post-primary schools. Some 25,000 CO2 monitors have been distributed to schools. This has facilitated monitors being provided to each school with 96% of primary schools, including all special schools, having received their full allocation of CO2 monitors. Ten CO2 monitors have been provided to schools at post-primary level with the balance of their allocation expected to be distributed in October. As I have said earlier, should they wish, schools have the option to purchase monitors locally rather than drawing down from the central framework. With regard to the Deputy's reference to scrimping on expenditure in schools, more than €635 million has been allocated for Covid measures within our schools in this past year, including €57 million for this first term alone. There has been no scrimping on Covid measures for the school sector.

**Deputy Paul Murphy:** The Government has taken a policy decision not to provide a CO2 monitor for every classroom in this State. That is a scandalous policy decision. The Government has also taken a policy decision not to provide high efficiency particulate air, HEPA, filtration systems where necessary. To make our schools reasonably safe from a ventilation perspective would cost €10 per child but the Government is choosing not to do so. I was speaking to a principal yesterday who had to go down the precise route the Minister advocates. The board of management had to go and buy its own CO2 monitors in order to have an adequate number. Children are those most at risk of Covid at the moment. It seems that the policy of the Government is to allow Covid to run riot through children. If this approach is followed, the consequence will be a small but important proportion of unvaccinated children ending up hospitalised. It is very important to note that up to 10% of those who get the disease could end

up with long Covid.

**Deputy Norma Foley:** I have to disagree with much of what the Deputy has said. It was the view of the expert group under Professor Wenger that portable CO2 monitors should be provided. The Deputy should be mindful that monitors are just that; they monitor when it is best to increase ventilation. This might mean opening additional windows or doors or whatever the case might be. They just give an instruction. That is all that they do. I acknowledge that there is already excellent practice within the schools sector. Indeed, Professor Wenger himself commented on the excellent guidelines provided to schools. It was envisaged that these monitors would be used as a spot check. That is why they are portable. They can be moved from room to room.

With specific regard to air filtration or any additional measures that might be required, the Department is prepared and is working with schools. If any additional measures are required to increase ventilation, these can be carried out under the minor works scheme or the expertise of an engineer or architect can be provided either locally or from the Department and, if works are necessary, they will be carried out as emergency works. If air filters are required in the short term, they can also be put in place.

**Deputy Paul Murphy:** The change in policy with regard to close contact tracing does not make sense. If a child goes to a birthday party for half an hour, that child is counted as a close contact and has to be tested. However, if they are in school and in the same pod as another child all day, every day, for a week, all of a sudden they no longer count as a close contact. It is hard to avoid the conclusion that this is an approach of hear no evil, see no evil, speak no evil. If we do not test children, we will not see just how widely Covid is running through our schools. It seems this decision will have quite negative consequences if it is not reversed. Parents should obviously be facilitated. Their lives should not be made more difficult. They should be facilitated in getting children tested but the idea that we should just turn a blind eye to the Covid transmission happening in the schools and treat schools as some sort of magical place where transmission does not happen does not make any sense.

**Deputy Norma Foley:** There is absolutely no question of a blind eye being turned to anything within our schools. I want to be very clear that all of the mitigation measures recommended by the public health officials are in place in our schools and remain in our schools despite what is happening in wider society. These are rigorous measures. The advice offered yesterday is the best expert medical advice of the CMO and NPHET, who have collectively reviewed all of the population data relating to the cohort of children under 13 years of age. It is their expert view that the reopening of schools has not led to an increased incidence of Covid-19 among schoolgoing children or the wider population. I have discussed this with Professor Philip Nolan who, as the Deputy will be aware, is carrying out the modelling and it is the expert view of NPHET that, prior to the schools returning, the positivity level among children under 13 years of age was at 15%. On the return to school, that rate is now 5%. These measures are being introduced on foot of expert data analysis and the advice of the CMO, Dr. Tony Holohan, and NPHET.

### **Special Educational Needs**

81. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if her attention has been drawn to the significant impact of school closures on children with special educational

23 September 2021

needs; the steps she has taken to ensure that every child with special educational needs can catch up after these closures; and if she will make a statement on the matter. [45808/21]

**Deputy Donnchadh Ó Laoghaire:** The cohort comprising children with special educational needs is the cohort most affected when school buildings are closed, along with those who suffer educational disadvantage. These children were among the greatest victims of the lockdown. At a meeting of the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science in March, I raised with the Minister the devastating impact removing in-school supports from children with special educational needs as an element of the progressing disability model could have. I welcomed the pause put on those elements of the progressing disability model in special schools in April but I am now hearing reports from schools in my area that those elements of the progressing disability programme have resumed and that access to those in-school supports has been lost. How has this been allowed to go ahead?

**Minister of State at the Department of Education (Deputy Josepha Madigan):** I thank the Deputy for his question. All of us, especially myself as Minister of State with responsibility for special education, are aware of the difficulties children with additional needs have faced during the pandemic, not the least of which were the difficulties they faced in respect of remote learning. However, it is important to stress that supports were given at the time. There was enhanced digital communication, there were teaching and learning platforms and additional guidance was given to schools. We can all accept that it was not an ideal learning environment not only for children with additional needs, but for children without additional needs as well. For this reason, we prioritised support for this vulnerable group. It is important to stress that special schools and special classes were the first cohort of children to come back after the school closures. They were prioritised. We matched our words with action and action ultimately means funding. The first programme we put in place was the supplementary programme, which was available to schools and children between February and April of this year. Funding for this amounted to €10 million and approximately 14,000 to 15,000 children availed of the programme. It provided five hours of one-on-one tuition per week. This was important in ensuring the risk of regression was not realised because that can understandably happen. We also put in place an expanded programme of summer provision. We doubled the funding to €40 million this year. Some 34,000 children availed of that programme. We wanted children to be able to rebuild their confidence. We wanted them to be motivated and we wanted to promote their well-being and inclusion. We also have the new Covid-19 learning and support scheme, CLASS. This has €52.6 million in funding and is available to schools to help children with additional needs and to further their inclusion.

**Deputy Donnchadh Ó Laoghaire:** I thank the Minister of State. Much of her answer is irrelevant to this topic. While much of what she has laid out is good, the answer does not address the key point I raised which was that, from my contact with schools, it seems to be the case that the elements of the progressing disability model which we had understood to be paused have now resumed and that in-school supports for children with special educational needs are now being withdrawn. The Minister of State announced the CLASS programme, which could have greater funding attached but we will return to that another day, to recognise the disruption school closures had on the children who are most vulnerable. In the same breath, her Department is allowing children with special educational needs, who are at high risk of educational disadvantage and regression, to lose their access to in-school therapies. This is very much a question of these children's right to an education. Without adequate and timely access to resources, it will have an impact on their progression. They are back in school buildings and

making up for lost time. Now is not the time for special schools to be losing their therapists under these elements of the progressing disability programme.

**Deputy Josepha Madigan:** The Deputy's question may be more pertinent to the Minister of State with responsibility for disability, Deputy Rabbitte, in terms of the progressive disability scheme relating to special schools. I understand this had been paused for a period. The supports the Department of Education gives to special schools have continued and been enhanced during the pandemic. Extensive supports are available, particularly in respect of technology. The assistive technology scheme is vital for children with additional needs.

On therapy and in-school therapy, we will move towards the school inclusion model and expand that to two further community health organisation areas over the coming years. That will complement the existing therapy services children will get outside the school premises.

**Deputy Donnchadh Ó Laoghaire:** I will raise the matter with the Minister of State, Deputy Rabbitte. It is cross-departmental and does not belong exclusively to her. The Minister of State, Deputy Madigan, should be concerned about it and I urge her to speak to the Minister of State, Deputy Rabbitte, as well and find out if this is happening in special schools. That is a key element of the Minister of State's portfolio and it is what I am hearing from schools.

This is International Week of Deaf People 2021. In a speech to the Irish Deaf Society yesterday, the Minister heralded the importance of making the educational experience enjoyable and inclusive for all children. However, there are deaf children in our country who cannot enjoy their education fully. One such child is 12-year-old Callum Geary from Cork, who attends St. Columba's unit for deaf children. Callum needs an Irish Sign Language, ISL, interpreter in his classroom to allow him access education. His family have been campaigning for this to be put in place, particularly under section 5 of the Irish Sign Language Act. It seems bizarre we expect teachers in Gaelscoileanna to have qualifications in Gaeilge, correctly so, but we expect teachers in special schools to learn ISL in their own time with very little support or criteria to be met. Will the Minister commit to resolving these issues and ensure deaf children like Callum receive the ISL interpreters they need to participate in education?

**Deputy Josepha Madigan:** If the Deputy is aware of any special school that has a lack of therapy services as he outlined, he should let both the Minister of State, Deputy Rabbitte, and the Department of Education know of that. I speak to Deputy Rabbitte and to the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, regularly and we have tripartite meetings on furthering the work we can do collaboratively. The Deputy is right that there has to be joined-up thinking between relevant Departments.

It is important to stress that we have an unprecedented sum of €2 billion going to special education, which is almost a fifth of the education budget and represents an increase of 50% since 2011. We now have 18,000 SNAs, which is a huge number. They are all clearly needed but it is an increase of 70% since 2011. We have about 13,650 special education teachers, an increase of 40% since 2011. There is more we need to do in terms of supports, but we are making inroads.

**Deputy Donnchadh Ó Laoghaire:** What about the interpreters?

**An Leas-Cheann Comhairle:** I thank the Minister. We are moving on to the next question.

23 September 2021

## Education Policy

82. **Deputy Denis Naughten** asked the Minister for Education her plans to address large classes in primary schools; and if she will make a statement on the matter. [45180/21]

**Deputy Denis Naughten:** If the Minister spreads marmalade too thin on a slice of toast, she will not even taste it. That is effectively what we are doing with teaching resources in super-sized classes. Last year, one in seven primary school pupils were in classes of 30 or more and, in these instances, both the weaker and stronger students lose out, causing disruption in the class which has an impact on the whole class.

**Deputy Norma Foley:** In the programme for Government, there is a strong commitment to making further progress in reducing the pupil-teacher ratio in primary schools and supporting small schools. As part of budget 2021 measures, the Government has sought to deliver on this commitment by the announcement of a one-point change to the primary staffing schedule and the introduction of a three-point reduction in the number of pupils required to retain a teacher. For the 2021-22 school year, the staffing schedule is on the basis of one classroom teacher for every 25 pupils. This budget improvement has resulted in the lowest pupil-teacher ratio ever at primary school. The latest figures relating to pupil-teacher ratio show an improved pupil-teacher ratio from 16:1 to 14.5:1 at primary level, when comparing the 2015-16 school year to the 2020-21 school year. This compares favourably with the OECD pupil-teacher ratio, which is 15:1. In the same period, the staffing schedule moved from 28:1 to 25:1 for this school year.

The most recent budget announcement will continue this positive trend of improving class sizes this school year. Statistics on this will be published later in the year. The staffing schedule, which now stands at a historical low, will help to ensure better teacher retention in primary school and that less pupils are required to retain or recruit a teacher. Significant improvements have been made in terms of pupil-teacher ratio, looking from 2016 through to 2021. It has been a considerable achievement that we are at an historically low level of 25:1.

I appreciate and know from experience that there are always opportunities to do more. I am committed to doing all we can to reduce that further. We have a significant budget and will have a further budget coming before us in October. There will be considerable negotiation involved in that but there is a strong commitment under the programme for Government to address the issue of pupil-teacher ratio further.

**Deputy Denis Naughten:** I acknowledge the investment made by the this Government and that which preceded it. Our core objective needs to be that no child should leave primary school not being able to read and write. Children need to be supported to do that, yet statistics show that up to one in ten children into that category. These larger class sizes result in less teacher time for each pupil and, while I accept that the pupil-teacher ratio has come down, we still have a significant number of pupils in large classes. I urge the Minister to ensure this is reflected in the budget investment. Not just that, we need investment to support teaching principles and in the context of capitation.

I will give an interesting figure in relation to the area of disadvantage. Looking at students in large classes of 30 or more, 10% of urban band 2 DEIS pupils fall into that category and, in rural DEIS, nearly 12% of pupils fall into those larger class sizes. Something needs to be done.

**Deputy Norma Foley:** I appreciate the Deputy's acknowledgement of the progress made to

date. I know from my experience in the classroom the importance of continuing to pursue this direction. I reiterate the strong Government commitment to doing that. It is worth repeating that 25:1 is an historic low in our schools.

A budget of €8.9 billion is significant, particularly when one looks at other Departments, and shows the priority that is placed on education. We are further resourcing schools this year through the class programme, which is to provide additional learning support in schools. We have made provision for additional teaching hours for schools this year, specifically as a Covid measure. For example, an 800-pupil school will have 900 hours, which is one and a half full posts for a school year.

**Deputy Denis Naughten:** I have raised this matter on a number of occasions since the Minister's appointment and I will continue to do so. The 2019-20 statistics for my constituency show that in County Galway, one in five pupils were in classes of more than 30. In County Roscommon, it was one in six. I do not believe that is good enough. We need to see priority given to the investment required in primary education to reduce those very large class sizes and ensure every child can fully participate in the education system and, when they leave it, in society as a whole, which has long-term dividends for us all.

**Deputy Norma Foley:** I do not disagree with the Deputy about the importance of the issue. In the past year we have made significant inroads in this area. A further commitment is that we are making available to schools additional teaching resources in terms of teaching and learning for pupils, who may even more so this year have felt disadvantaged because of Covid. That is significant. An 800-pupil school will get 900 hours, which is 51 weeks teaching or one and a half full posts for a year. It is a significant additional investment in our schools.

*11 o'clock*

Equally, I would point to the three-point reduction that was brought in as a consequence of the budget last year which allowed for the retention of a teacher within a school. I am very cognisant of the importance of this. I think substantial progress has been made but, as always, we are committed to doing even more. Our commitment here is not to be underestimated.

### **Apprenticeship Programmes**

83. **Deputy Richard O'Donoghue** asked the Minister for Education how apprenticeships can be merged into the education model much earlier in order that early school leavers can be encouraged to start apprenticeships in advance of completing their education. [45918/21]

**Deputy Richard O'Donoghue:** How can we merge apprenticeships into our education model much earlier in order that early school leavers can be encouraged to start apprenticeships in advance of completing their education? We are at crisis point when it comes to skills shortages in our country, particularly in respect of vocational subjects. Without getting into particulars around housing, I want to focus on the junior cycle and its students who have a basic interest in the academic subjects.

**Deputy Norma Foley:** It is important to acknowledge that apprenticeships represent a meaningful, valuable and realistic pathway for all learners. That is hugely important. The Department of Further and Higher Education, Research, Innovation and Science published the

23 September 2021

Action Plan for Apprenticeship 2021-2025 earlier this year. Under the plan, the development of apprenticeship taster courses will be explored as part of transition year and senior cycle reform with the National Council for Curriculum and Assessment, NCCA.

The leaving certificate vocational, LCV, programme operating in our schools is designed to enhance the vocational dimension of the leaving certificate established, with a focus on enterprise and preparing students for working life. The leaving certificate applied, LCA, programme in our schools also includes modules on vocational preparation, including work experience and enterprise.

The Deputy will be aware that the NCCA has undertaken an extensive review of senior cycle programmes and vocational pathways, including transition year, the leaving certificate applied, the leaving certificate vocational programme and the leaving certificate established. A key theme of this review is the future form and reform of the existing senior cycle programmes. This includes the range of learning programmes and pathways available to students at senior cycle, with an express desire that senior cycle should provide adequate supports for whatever progression pathways students choose. The important consideration here is that the senior cycle must be in a position, as the Deputy has outlined, to provide a myriad of pathways forward for students, whatever those pathways might be and however they determine themselves. The Department of Education is considering the report and other aspects of the NCCA's advisory report, as I have outlined, and it will be published shortly. There is a very clear understanding that we are looking towards and focusing on providing as many pathways forward and diversity for students as possible.

**Deputy Richard O'Donoghue:** From my experience, I have found that students are forced into an academic cycle to complete their leaving certificate where vocational subject time is reduced, particularly in respect of the leaving certificate programme. My suggestion to the Minister for Education is to commence the process much earlier and to merge the Further Education and Training Awards Council, FETAC, framework at junior certificate stage, possibly during transition year. Building a two-days-per-week work experience into the apprenticeship, the school would be encouraged to build a partnership with local industry. There are lots of possibilities in this suggestion. Employers could feed into an app or a site. The employer could then be encouraged to highlight its employee shortage for the coming year.

The reason I say this is that I myself left school at junior certificate level. If there were such a system in place when I was in school, I would have then gone on to do my leaving certificate. I went into construction and am in construction still. I see an awful lot of skilled people in school who do not want to be there but if there were this type of cycle, it would encourage people to do their leaving certificate and also have their apprenticeship.

**Deputy Norma Foley:** I am very much open on this, and the Deputy is pushing an open door here. I absolutely want the new senior cycle, as we are talking about senior cycle review, to offer maximum potential and possibility to all students. As for even more pre-apprenticeship courses, as the Deputy referred to, pre-apprenticeship programmes are targeted at young people aged, we will say, from 16 to 24 and the aim is progression to an apprenticeship. They are designed to give young people the skills, confidence and connections they need to access and successfully complete an apprenticeship. A call for expressions of interest issued at the end of 2019 for the development of pre-apprenticeship programmes involving approximately 500 learner places to roll out from quarter 1 of 2020. Over 589 Pathways to Apprenticeship places were subsequently awarded to post-leaving certificate, PLC, providers. Students and learn-

ers can access information on this on the website. Separately, as I said, whether it is the LCV programme, the LCA, transition year or the leaving certificate established, there is an absolute openness to recognise in the senior cycle review many of the points the Deputy has raised.

**Deputy Richard O'Donoghue:** My office is inundated with emails from constituents in County Limerick who want to raise awareness about the shortage of school funding. Funding is particularly low in Ireland at €1 per child per school day. I know the Minister's office has responded to this as in her written reply, and I am delighted to be able to get back to those constituents and show them that she is rectifying the numerous issues I have raised. Schools funding is very important, especially for rural schools that have working principals. They must have the backup they need for school administration, especially where numbers are under 100. It is so important that things are put in place such that the smallest schools, the rural schools, have the same moneys available to them as other schools and can get in clerical staff to help them and free up some of the time for the working principals.

**Deputy Norma Foley:** I appreciate the Deputy's comments on my office reverting to him in response to any queries he might have. Specifically regarding teaching principals, I am very conscious of that and of rural schools and was very pleased to be in a position to introduce the additional administrative day leave for teachers in order that teaching principals were guaranteed at least one day per week. We successfully ensured in the vast majority of cases, where a network of five schools or whatever clustered, that a designated day was made available for the administrative work that needed to be done by principals, deputy principals or whoever else in the school, and that is important. Even in the wider sector of education in terms of Covid measures, whether it was exams at post-primary level or whatever else, I was always very conscious of the need to put in place, for example, assistance that could be provided to school leadership, whether exam aid or whatever else, and even for the return to school aid was provided. I am very conscious of that. I hope to build on that. It has worked very well in our school system. I have a unique understanding of and appreciation for the issues the Deputy has raised, whether in small schools or larger schools.

## **Ceisteanna Eile - Other Questions**

### **Irish Language**

84. **Deputy Dara Calleary** asked the Minister for Education the status of supports provided to Irish-language schools to promote the use of Irish; and if she will make a statement on the matter. [45667/21]

**Deputy Dara Calleary:** First, I wish to query the status of supports that have been provided to Irish-language schools, an tacaíocht atá ar fáil do scoileanna Gaeilge chun Gaeilge a mhúineadh.

Second, I ask the Minister for an update on the consultation on the leaving certificate specification. We had a very good discussion with her at the coiste na Gaeilge before the recess. Táim ag iarraidh a fháil amach an bhfuil aon athrú nó aon rud ag tarlú. I wish to find out whether there have been any changes to that process or whether there is any update.

23 September 2021

**Deputy Norma Foley:** Gabhaim buíochas leis an Teachta as a cheist.

My Department's commitment to supporting Irish-medium education and promoting the use of Irish in Irish-medium schools is evidenced by the progress which has been made by the Department, along with partners, in implementing the actions set out in the Government's 20-Year Strategy for the Irish Language 2010-2030, the five-year action plan for the Irish language and my Department's Policy on Gaeltacht Education 2017-2022.

An estimated budget of €20.3 million, a significant budget, has been allocated to support the implementation of actions arising from the policy on Gaeltacht education since its commencement in 2017. This includes the provision of a range of additional resources such as grant supports and additional teaching hours provided annually to schools participating in the Gaeltacht school recognition scheme. Further supports are being provided to five post-primary island schools.

Regarding staffing, primary schools in the Gaeltacht are allowed a more favourable appointment and retention staffing schedule. At post-primary level, an additional post is allocated to all Irish-medium post-primary schools both within and outside the Gaeltacht.

Gaelscoileanna outside of the Gaeltacht are in receipt of additional capitation at a rate of €23 per pupil, in addition to the standard capitation rate paid to all primary schools. This is to give an extra incentive for Gaelscoileanna to promote the use of the Irish language in their school communities.

An additional *per capita* bilingual grant is paid to schools in the voluntary secondary sector, both within and outside the Gaeltacht, where instruction is through the medium of Irish in full or in part. An additional €110.50 per pupil is paid to schools where students are taught all subjects through Irish. Where some subjects are taught through Irish, an extra €22 is paid for each student, per subject, up to a maximum of four subjects.

Irish-medium teacher education has been supported through the provision of ongoing continuing professional development and upskilling options for teachers. In addition, funding is also being provided for places on two new Irish-medium teacher education programmes, allowing for up to 60 new funded places annually.

**Deputy Dara Calleary:** I thank the Minister for her comprehensive reply, which shows there are significant supports available. She mentioned the context of the €20 million budget to support policy on Gaeltacht education. We need to be careful about where that money is being spent and whether it is being spent effectively in all Departments. As she knows from her engagement with Coiste na Gaeilge, there is considerable concern at this time in regard to the ongoing assessment of the draft leaving certificate specifications for Irish. If we are to encourage people not just to learn Irish but to use it as part of their daily lives and leave school with an ability to use it in their profession or career, we need to make sure we get this process right. Is any consideration being given to revising the consultation process that is under way within the Department, which has been impacted by the various Covid issues? All these wonderful supports will be diluted unless we get the specifications right and there is confidence in those specifications among the Irish language teaching community.

**Deputy Norma Foley:** I reiterate that there is an enormous commitment to this issue within the Department. The funding in excess of €20 million speaks for itself. Significant work has been done and supports put in place, not just for the teaching of the Irish language but also for

providing supports to Irish-medium schools within Gaeltacht areas and, indeed, outside them. Work has commenced on the development of a new policy for Irish-medium education, as outlined in the programme for Government, with the view to providing a framework for the delivery of a high-quality Irish-medium education in Irish-medium schools and early learning and care settings outside the Gaeltacht. The new policy will complement the separate policy on Gaeltacht education, which will continue to support early learning and care settings and schools within Gaeltacht areas.

Efforts to promote extended use of Irish in local communities and the implementation of local Gaeltacht language plans are set out in the Gaeltacht Act 2012. An interdepartmental working group has been established within the Department to progress this work as efficiently as possible. The planned next steps to be taken to inform the development of the new policy include the commissioning of a review of relevant national and international literature and research, along with an extensive consultation process with key stakeholders. Implementation of the policy will commence following the conclusion of all necessary stages of policy development, including comprehensive and extensive stakeholder engagement, which is vital to ensuring well-informed policy development.

As regards the leaving certificate specifications, there was an extension of the consultation process in that regard. This is important because the wider the consultation, the more effective it will be.

**Deputy Dara Calleary:** For policy in this area to be effective, it is essential that it goes from réamhscoile to ollscoile, that is, from preschool right through to university, and there is consistency around the standards. I ask the Minister once again to have a look at the consultation process within her Department and to engage with An Gréasán do Mhúinteoirí Gaeilge, which has commissioned very comprehensive research among its members, who are the people at the coalface. Time is needed to allow the junior cycle reforms to bed in and be assessed and to ensure they feed through in a proper manner into the leaving certificate reforms. I certainly acknowledge and welcome the huge supports the Minister is making available for Gaeltacht teaching, but it is important that we get every aspect of this right.

**Deputy Donnchadh Ó Laoghaire:** Deputy Calleary is right that having a focus on the whole strategy, from infants classes right through to third level, is key. That should come before the proposals regarding the leaving certificate. The problem with what is on the table in regard to the leaving certificate examination is relatively easily to comprehend. If we are going to put in place a more challenging course that is not a second, additional course that someone can take on top of the existing Irish course and there are no bonus points available for it, why would anyone take it? That is the key question. In fact, we would be discouraging people from taking on the more challenging course. Students who have fluency in Irish and go to a Gaeltacht school or Gaelcholáiste will be discouraged from taking on more challenging work unless the course is an additional course or it offers bonus points. That is easily comprehended.

The other part of the consultation that is being lost is the potential that foundation level will be ended. There are students who find Irish difficult. If we are talking about getting rid of the foundation level examination, we are closing the door on their being able to study Irish for the leaving certificate. It is an absolutely bonkers proposal and it needs to be put in the bin straight away.

**Deputy Ruairí Ó Murchú:** I want to add my voice to those of the previous two speakers

23 September 2021

in regard to the need for any system we put together for Irish language teaching to take into account provision from naíonra level right up to third level. That consultation is necessary before we put plans in place.

I thank the Minister for her support for Coláiste Ghlór na Mara and its satellite school, which was previously known as Coláiste Lú, in County Louth. There are still logistical difficulties but I know there has been a conversation about the possibility of satellite schools being a means of dealing with the problem of reaching critical mass in regard to numbers for Gaelcholáisti. We need to make sure we get the whole system to work in delivering Irish education provision. I ask the Minister to ensure we get the supports that are necessary to deliver a satellite school for Dundalk. It is an absolute necessity.

**Deputy Norma Foley:** I welcome Deputy Ó Murchú's very positive comments in regard to the development of satellite schools. It is testament to people's innovation and absolute determination to find pathways forward where there might be difficulties, and to discover ways and means of addressing issues in order to be as inclusive and proactive as possible. We are hugely committed to continuing to do that into the future.

The previous two speakers referred to issues relating to T1 agus T2. I absolutely appreciate the views that have been expressed here. There are myriad and contrary views as to how this should progress. It is the beauty of the consultation process that there is an opportunity to hear all views, experiences and wisdom on how best to proceed. The key objective is that we grow, nurture and support the Irish language. That is the objective and it is what we will do.

### Special Educational Needs

85. **Deputy Pádraig O'Sullivan** asked the Minister for Education when she expects the National Council for Special Education to complete and submit its policy advice on education provision in special classes and special schools, which was originally requested in 2018; and if she will make a statement on the matter. [45216/21]

**Deputy Pádraig O'Sullivan:** In September 2018, the National Council for Special Education, NCSE, was requested to develop policy advice on the educational provision that should be in place for students educated in special schools and classes and to make recommendations on what is required to enable them to achieve better outcomes. When does the Minister expect the NCSE to complete and submit its policy advice on education provision in special classes and schools?

**Deputy Josepha Madigan:** In 2018, the then Minister for Education and Skills requested the NCSE to advise on the educational provision that should be in place for students in special schools and classes. Ireland is not alone in evaluating its educational provision for students in special education settings. Many European countries are thinking about the future direction they should take. This is particularly pertinent in the light of new obligations and responsibilities arising from the United Nations Convention on the Rights of Persons with Disabilities, UNCRPD.

The NCSE strives to ensure its policy advice is informed by robust and wide-ranging consultative and research processes. Its policy advice is always informed by international best practice. Much work has been done in this regard and the NCSE published a progress report

in November 2019. At that stage, the council had reviewed existing educational provision in Ireland, conducted a detailed literature review, consulted various stakeholder groups and visited a number of Irish schools. It had also looked at fully inclusive schools and practice in Canada and Portugal. The report ultimately found no evidence to show that one type of special education placement is better than another. It also stated that any decision to move towards greater inclusion would require careful consideration and planning. It is not something that could be achieved in the short term. However, since the publication of the progress report, the NCSE has conducted further research and analysis. It has engaged in a public consultation survey and received further submissions and expert inputs. Obviously, it has examined the implications arising from the United Nations convention. Before the advice is finalised, every effort is being made to ensure the NCSE has consulted widely with a view to developing shared understandings on the critical issues involved and proposed solutions. I expect to have that report completed by the end of the year.

**Deputy Pádraig O’Sullivan:** I welcome the comments of the Minister of State, particularly in respect of the report being published by the end of the year, which will be most welcome. I note that the former Minister, Deputy McHugh, stated that each child should be educated with his or her mainstream peers wherever feasible. That is very much reflected in what the NCSE has stated in its progress report. The former Minister also stated that the decision on whether to move towards greater inclusion of all students in mainstream schools requires very careful consideration and that it is a long-term vision that will happen gradually and by emphasising the needs of children with the most complex needs at the heart of it. As a former educator, I know it can be seen at ground level that there is undoubtedly a shift towards greater inclusivity in all schools, which is most welcome. That is the model shift that is occurring but, obviously, it brings its own challenges and issues. There will be issues in respect of the anxiety of parents, students and educators. Fundamental to any shift or change in light of the report will be supplementing schools with the appropriate resources and investment. That will be a prerequisite.

**Deputy Josepha Madigan:** I thank the Deputy. I accept his point regarding the majority of children with additional needs being educated in mainstream schools. That is the case. Obviously, there are special classes that cater for approximately 8,000 pupils and there are 124, or almost 126, special schools that cater for an equal number of children. Each of these educational environments provides a vital service to children with additional needs. Depending on the level of complexity of need, such children will be in a mainstream class, a special class or a special school. The Deputy is right to say that if there were to be a shift - there is no such shift envisaged at present - it would have to be done over a long period. However, I believe inclusivity is at the heart of the education system and a review of the Education for Persons with Special Educational Needs, EPSEN, Act is on my list of action priorities.

**Deputy Pádraig O’Sullivan:** I welcome the comments of the Minister of State but several issues and challenges would be ahead of us if there were to be any shift in terms of delivering for special needs students. The challenges I highlight are that it would be a phased process if it needed to happen. The number of students about whom we are speaking reflects approximately 2% of the school community. It is a small minority but they are the minority who have the greatest need. The questions we need to ask ourselves include whether a four-year-old or five-year-old child should be put into a special setting immediately or given the opportunity to interact with his or her peers first. Another question we need to ask ourselves is whether students with the most complex of needs can have those needs met in a mainstream environment. These are fundamental questions that we need to ask. Of course, a fundamental question is

why students should have to travel 30, 40 or 50 miles to an appropriate setting under the current model. Those are the main issues that need to be addressed.

**Deputy Josepha Madigan:** The questions the Deputy has posed are valid. The EPSEN Act, which is the main legislation underpinning special education, was published 17 years ago, in 2004, and the focus in respect of the provision of special education has changed substantially since then, from a model that was diagnosis-led to one that is now driven by the needs of the child. Therein lies the answer to the questions regarding whether children with complex needs can fit into a mainstream school or, indeed, the other way around. My view is that at present there is a place for all these special class, special school and mainstream settings to cater for the range of children with additional needs who are in the system. I thank the Deputy for his interest in this matter.

*Questions Nos. 86 and 87 replied to with Written Answers.*

### Education Schemes

88. **Deputy Catherine Connolly** asked the Minister for Education the status of the consultation process with education partners regarding the technical aspects and implementation of the new DEIS model; when she expects the work on the new model to be completed; and if she will make a statement on the matter. [45659/21]

**Deputy Catherine Connolly:** My question relates to the DEIS model. This is a specific question to the Minister regarding an update on the status of the review that has been going on, where it is at, when it will be completed and when the DEIS scheme will be open to new applicants.

**Deputy Norma Foley:** A key part of the DEIS plan was the introduction of a new DEIS identification process based on an objective and statistics-based model to determine which schools merit inclusion in the DEIS programme. An extensive body of work has been undertaken in terms of the refinement of this model based on the latest school enrolment data and data available from the 2016 census under the HP deprivation index. A detailed quality analysis of the data has been carried out by members of the DEIS technical group, which contains representatives of the Department's statistics and social inclusion units, the inspectorate and the educational research centre. My Department has commenced a consultation process with education partners on the technical aspects of this model and work is ongoing on its final elements. It is envisaged that it will provide the basis for the development and application of a refined DEIS resource allocation model to ultimately match resources to identified need.

All schools will be considered for inclusion under the refined DEIS model. Until this work is complete, it is not intended to extend the DEIS programme to any further schools. Nonetheless, additional resources have been made available to DEIS schools in order to address educational disadvantage, such as an increase in the budget for the school completion programme, the expanded summer programme which ran this year and which, incidentally, was open to all schools at primary and post-primary levels for the first time, and the reduction in the pupil-teacher ratio for DEIS band 1 schools, as well as for all other schools. As noted earlier, it is at a historic low of 25:1. While this work continues, there have been significant other resources put in place for schools that do not currently have DEIS status. That said, the work will be expedited as quickly as possible. Stakeholders are currently being consulted on it.

**Deputy Catherine Connolly:** Several years ago, the former Minister for Education and Skills, Deputy Bruton, along with all of the Deputies representing Galway West, had a meeting in a school that is really suffering as a result of its failure to be recognised as a DEIS school. That is what spurred me on to keep asking questions, as other Deputies have done in the Dáil. The DEIS programme is a very good scheme but, as it stands, it excludes schools that we all think should be in it. Clearly there have to be objective criteria but in the case of the particular school to which I refer, the former Minister was aghast at what had happened in that context. I note the Minister's statement that extra resources were made available for non-DEIS schools. I appreciate that and I will go back to the school to check how it benefits but more than one school has been affected as a result of the very strict criteria being applied in the manner they are. I welcome that the review has taken place but when will it be completed? Can we have some specifics, please?

**Deputy Norma Foley:** I absolutely appreciate the conviction with which the Deputy poses these questions. She has recognised that it is very important that there is a body of work that can be used as an appropriate framework for DEIS. It is at a very advanced stage - it is at consultation stage with stakeholders, which is important. We are in the final stages of it but it is an enormous body of work. There is an enormous number of schools within the remit of the Department. Conscious of that and recognising the needs of all schools, there have been significant other offerings for schools within DEIS and those outside it, some of which I have referenced, such as the reduction in the pupil-teacher ratio and the enhanced summer provision programme. The increased investment in the school completion programme is another most important aspect. Equally important, as I previously stated, are the additional resources that are now going directly into schools via the class programme, meaning that an 800-pupil school will have 51 additional weeks of teaching, which amounts to 1.5 additional teaching posts for a school year. Therefore, significant resources are being employed in advance of the completion of the DEIS programme.

**Deputy Catherine Connolly:** I appreciate the Minister outlining the extra supports for schools, but the question is not about that. The question is about the DEIS programme. For as long as the DEIS programme has been in place, schools have been excluded from it by very strict criteria that are difficult to understand by principals, teachers and politicians. I accept there have to be objective criteria, but it is those criteria that we drew to the attention of the former Minister some years ago. By any stretch of the imagination, it was very difficult to see how the school in question was excluded. I am not just speaking for one school; other schools are in the same position. There has to be fairness in the scheme.

The Minister spoke about the enormous body of work to be done; I appreciate that. When did the process start and when will it be finished? We must appreciate the enormous work facing principals, teachers and schools that are not given DEIS recognition. They face enormous challenges.

**Deputy Donnchadh Ó Laoghaire:** I know the Minister is passionate about this issue and that there is a cross-party desire to resolve these matters. The criteria are dated. I can think of numerous examples of schools affected. Two that occur to me immediately are Togher boys and girls schools. They are in a RAPID area. Around 200 additional units of additional social housing have been built there in the last three years. There is a significant number of children with additional language needs and with English spoken as a second language in the home. I invite the Minister to examine that issue because I was surprised these schools were not included in the previous DEIS cohort.

23 September 2021

I will make two points. The first is an ask and the second is something for the Minister to bear in mind. The Minister has spoken about engaging with stakeholders. I am not sure who those stakeholders are. I believe that Deputies, and communities as a whole, have something to offer here. There should be an open opportunity for submissions. I would certainly participate in that and many community organisations in my constituency would do likewise. I ask the Minister to let us feed in what we think would be useful criteria around the housing assistance payment, HAP, and other elements. It was a huge missed opportunity that no new DEIS band 2 schools were added when a new cohort of additional DEIS schools was last announced. That was a big mistake because it is much less expensive and such schools get access to home school liaison and school completion. Many schools would have benefited from that. It needs to happen this time.

**Deputy Norma Foley:** In the first instance, I acknowledge, as Deputy Ó Laoghaire stated, that there is enormous cross-party support for, and recognition of, this area. I appreciate the points that Deputy Connolly made. I must say that for all the reasons outlined by the Deputy, a new DEIS identification process and mechanism based on statistical information will be found going forward. The important point here is that we get this right. The Deputy has spoken of fairness, access and inclusion. It is for all of those reasons that I am very conscious of our obligation to get this right.

The consultation is with the education partners. I have absolutely no difficulty with anybody bringing forward ideas in relation to it. A very wide consultation, which predates my term in office, was completed. Following the 2017 inclusion of additional DEIS schools, a line was drawn under it so as to allow this process to continue and be completed. I appreciate the urgency around it. It will be expedited as much as possible to ensure that is done. However, the priority is to get it absolutely right - as right as we can, at the very least.

### School Staff

89. **Deputy Claire Kerrane** asked the Minister for Education the status of and position regarding ongoing talks regarding pay and entitlements for school secretaries and caretakers; and if she will make a statement on the matter. [45575/21]

**Deputy Claire Kerrane:** I ask the Minister for an update on ongoing talks regarding pay and entitlements not just for school secretaries, but also for caretakers. I appreciate and understand that talks are ongoing but perhaps the Minister will outline what she can tell us in relation to the matter.

**Minister for Education (Deputy Norma Foley):** School secretaries and caretakers are valued members of the school community and the Department is fully aware of the vitally important role played by them in the running of our schools.

I welcome the significant progress that has been made through the Workplace Relations Commission, WRC, in recent days. This builds upon previous recommendations of an independent arbitrator for a cumulative pay increase of 10% between 2016 and 2019 and that a minimum hourly pay rate of €13 be phased in over that period. Fórsa trade union has tabled a follow-on claim and officials from the Department and school management bodies have been engaging with Fórsa on the issues. On 27 October 2020, under the auspices of the WRC, an understanding was agreed on a pathway to progress the issues.

Following intensive discussions at the WRC on 13 September, significant progress has been made in this dispute. Subject to agreement on all elements of the claim, the Department has offered to move school secretaries' pay rates to a scale which is aligned with the clerical officer grade 3 pay scale within education and training boards on a *pro rata* basis, with an effective date of implementation for these new pay arrangements of 1 September 2021. There is also agreement in principle to take the same approach to the consideration of appropriate pay and conditions of grant-funded caretakers. When the final package for secretaries has been agreed and an implementation plan put in place, intensive engagement will begin on achieving that.

I welcome the deferral of the action scheduled for Wednesday, 15 September to allow for intensive talks to resume aimed at resolving the claim and agreeing a final package. I also look forward to continued progress under the WRC. Significant progress on this issue has been made. I acknowledge the generosity of all concerned around the table to make this possible and the engagement via the WRC. As I said, what has been advanced thus far for school secretaries has also been agreed in principle for caretakers.

**Deputy Claire Kerrane:** I, too, acknowledge the work of school secretaries and caretakers. Without them, our schools simply would not function. They have obviously had to battle not just for fair pay and equality, but also fair terms and conditions. They have been in a most unfair system for some time. I also acknowledge the work of Fórsa in bringing this dispute to the position that it is in now.

I welcome the moves and the details outlined by the Minister in relation to pay scales and pay equality. The Minister noted that this has been agreed in principle for caretakers, which is welcome. However, when the Tánaiste made that commitment on 8 October 2020, he said it would apply not just to pay but also to improved terms and conditions and pension rights for school secretaries. I am seeking reassurance from the Minister that that remains her position, and it does not just relate to pay equality, but also to the terms and conditions and sick pay and pension entitlements. Perhaps the Minister will outline her position on those points.

**Deputy Norma Foley:** Again, I acknowledge, as the Deputy has done, that considerable work has been done and it has demanded the co-operation of all involved. I acknowledge that in respect of the union, the Departments, given that this involves the Department of Public Expenditure and Reform as well as my Department, and the WRC.

To give some background, on 13 September the parties engaged at the WRC, whereby the Department, subject to the agreement of all elements of the claim, made an offer. That is important. We have referenced the pay scale, but it is subject to the agreement of all other elements of the claim. We offered to align school secretary pay rates to that of the clerical officer grade 3 pay scale within the education and training boards. As I said, this included agreement on the implementation date of 1 September 2021.

Discussions in the WRC last week focused on the very significant concessions around pay that have been offered to Fórsa on behalf of school secretaries and signalled that further talks are to take place on matters relating to the implementation of the pay scale and leave arrangements, etc. As set out in the joint statement following the WRC engagement in May 2021, it was acknowledged that the issue of public service status is more complex and needs to have regard to the state of the public finances and the repercussive effects.

I acknowledge that one follows the other and there continues to be discussion as regards all

matters.

**Deputy Claire Kerrane:** Perhaps I have missed it and it is included in what has been agreed, but I refer specifically to pension and sick leave entitlements, which are very important terms and conditions that other school secretaries enjoy. That has been a major part of the issue as regards equality. I ask the Minister to outline specifically what is happening in relation to those entitlements.

The Minister stated that agreement had been reached in principle in relation to caretakers. In the deal on pay and entitlements, will school secretaries and caretakers be dealt with together, although school secretaries have advanced slightly? Why are caretakers coming second? Why could both categories not have been dealt with together? Could I have a clear timeline for the delivery of everything? Those affected have waited for a very long time for equality and a fairer system. I welcome the progress that has been made. Pensions are really important to school secretaries and caretakers.

**Deputy Matt Carthy:** School secretaries and caretakers are the heartbeat of our school communities in many instances. Beyond the principals, they are the most public faces of our schools. They are the people who keep the schools ticking. It was a travesty that, for so long, they were operating under a set of unfair and insecure conditions. I welcome the progress that has been made. The big lesson for all workers to take from the school secretaries on all this is that the benefits of unionising and working together remain valid. My appeal to the Minister is to ensure that our school secretaries and caretakers get a fair deal. This is particularly required when it comes to pension entitlements and sick pay. There must be full equality between those who work in schools outside the ETB arrangements and those who work within them.

**Deputy Donnchadh Ó Laoghaire:** There is no doubt but that this has dragged on for far too long. I welcome the progress that has been made. I appreciate that the Minister is working on this and that negotiations are continuing. I urge her to continue to engage and try to ensure a fair and equitable solution. The fact is that schools would come to a halt without caretakers and secretaries. It is vital that caretakers not be forgotten. The Minister's words suggest they will not be.

Pay equality is not an outrageous demand, nor is fairness in terms of conditions and access to sick leave. Meeting this demand has to involve ensuring school secretaries and caretakers have pension entitlements also.

Deputy Carthy took the words out of my mouth in saying great credit is due to Fórsa over how it has represented the caretakers and secretaries. It is an advertisement for the benefits of being a member of a union. I urge every worker who is struggling with terms and conditions and pay to join a union because there is strength in unity.

**Deputy Norma Foley:** I appreciate the points the Deputies have made. They do not have to tell me the value of school secretaries and caretakers. I have worked all my teaching life in the school sector and I am very familiar with the work of school secretaries and, indeed, caretakers.

Specifically on some of the points that have been made, a phased approach is being taken to these discussions. The first phase was on aligning the specific pay rates with those of a grade 3 clerical officer. However, there is an understanding and an agreement by all parties that no single aspect of the claim will be regarded as resolved or conceded until agreement is reached on the resolution of all aspects. That principle will continue to apply during the course of the

current talks.

There was a question on why there was an advancement in respect of school secretaries. The necessary data have been collected on secretaries and therefore there has been an advancement in respect of them. Fewer data are available on caretakers. Data need to be collected so there will be clarity on the caretaker issue. It has been acknowledged that, in principle, what applies to one category applies to the other.

There has been great co-operation on the part of all concerned, and a generosity and willingness to come to the table to engage in discussion and find the pathway forward. The most positive aspect of this has been the willingness of all concerned to address the issues as they need to be addressed and to do so as expeditiously as possible. I appreciate the points made by previous speakers on the time span but it is our wish to bring this to a conclusion as soon as we possibly can.

*Questions Nos. 90 to 92, inclusive, replied to with Written Answers.*

### **School Equipment**

93. **Deputy Brendan Griffin** asked the Minister for Education the position regarding air quality monitors in classrooms; if they are working; and if she will make a statement on the matter. [45695/21]

**Deputy Brendan Griffin:** I am raising this question today because many parents have been in contact with me because they want to know more about the air quality monitors, the carbon dioxide monitors. They want to know whether they are working and effective. A concern people have is that, as we move into the winter months and as windows are closed and classrooms have to be kept warmer, the monitors will not be effective. Could the Minister update the House on their effectiveness?

**Deputy Norma Foley:** Managing ventilation is just one of a suite of public health measures in place to keep our schools safe. Updated guidance on practical steps for the deployment of good ventilation practices in schools was provided at the end of May, following the work of an expert group that carefully considered the role of ventilation in managing Covid-19. A copy of the guidance is published on the website *www.gov.ie*. The overarching approach in the guidance is for schools to have windows open as fully as possible when classrooms are not in use and partially open when they are. The guidance outlines that carbon dioxide monitors can play a part in providing a useful general indication that areas or rooms may not be adequately ventilated. They can enable occupants to become familiar with the impacts of activities, outdoor weather and window openings on levels of good ventilation.

My Department procured portable monitors. They are currently being distributed to schools, with allocations of between two and 20 at primary school level and between 20 and 35 at post-primary school level, depending on school size, at an estimated overall cost of €4 million. The monitors are portable, simple to use and will give a digital reading.

Deliveries of carbon dioxide monitors to schools commenced in the third week of August. In total, the process involves over 35,000 monitors being distributed to primary and post-primary schools. Some 25,000 carbon dioxide monitors have been distributed to schools, which

23 September 2021

has facilitated the provision of monitors to each school. Ninety-six percent of primary schools, including all special schools, have received their full allocation of carbon dioxide monitors. Ten monitors, at a minimum, have been provided to each school at post-primary level, with the balance of each allocation expected to be distributed in October. An issue arose with Lennox over the final balance of carbon dioxide monitors but provision has been made for them to arrive in schools in October. Schools have the autonomy to purchase carbon dioxide monitors locally if they wish and deem it necessary.

**Deputy Brendan Griffin:** It is important that all classrooms have these monitors in place. It is regrettable that some have not been able to avail of them to date. I acknowledge, however, the work done on providing these important pieces of equipment for the vast majority of classrooms in a relatively short period. It is important that the Department try, where possible, to monitor the data, including data on where outbreaks of Covid occur, to determine whether there is a correlation between classrooms that are not particularly well ventilated and outbreaks. The Department should try to learn from the data and intervene and take corrective measures where required. I hope that the target for providing 100% of the monitors, as outlined by the Minister, will be met because it is really important that no child in any classroom be without the benefit of a monitor.

**Deputy Norma Foley:** I thank the Deputy. There is international demand for carbon dioxide monitors. We ordered them more than four months ago. We are moving into the fifth month now. Ninety-six percent of our primary schools are in possession of their allocation of carbon dioxide monitors. All of our special schools have received their allocation, and all of our post-primary schools have a minimum of ten monitors. Complementing the guidance already available to schools — the excellent guidance on the operation of ventilation in our schools — it was suggested, through the expert group under Professor John Wenger, that the monitors be portable. The idea was that they could spot-check and be moved from room to room. We accepted that and therefore we ordered them centrally. Where there is a small shortfall, schools do have the autonomy to purchase locally.

Where issues arise regarding ventilation in a school, whether they concern the need for improved vent or window work or otherwise, funding is available for that school through the minor works scheme. Alternatively, emergency funding applications can be made. If there are bigger issues, there is absolutely no question but that the expertise of the Department, be it in engineering or another area, can be availed of. If any additional measures are required to be put in place and have been done in other cases, we will continue to do that on a case-by-case basis also. There is no question of our sourcing and resourcing this area within our schools.

**Deputy Matt Carthy:** I am satisfied that Question No. 94 has been answered previously. Can I move to Question No. 95 please, Acting Chairman?

**Acting Chairman (Deputy Bernard J. Durkan):** Yes, the Deputy may.

*Question No. 94 replied to with Written Answers.*

### **School Transport**

95. **Deputy Matt Carthy** asked the Minister for Education the steps she has taken to ensure that capacity will be available in school transport for all applicants in 2021-22. [44739/21]

**Deputy Matt Carthy:** I ask the Minister the steps she has taken to ensure that the school transport system has capacity for all applicants for the current school term.

**Deputy Norma Foley:** I thank the Deputy for his question. The school transport scheme is a significant operation managed by Bus Éireann on behalf of the Department. In the 2020-21 school year, more than 114,100 children, including over 14,700 children with special educational needs, were transported on a daily basis to primary and post-primary schools throughout the country at a cost of over €224.7 million in 2020.

All children who are eligible for school transport and who completed the application and payment process on time for the 2021-22 school year will be accommodated on school transport services where such services are in operation. This year I have extended measures to all post-primary pupils who are otherwise eligible for school transport but are attending their second nearest school. Prior to this it was their nearest school but this year I have extended it to ensure that the second nearest school is also part of the framework. All those who have applied and paid on time will be accommodated on school transport services. This arrangement is in place for the current school year pending completion of the full review of the school transport scheme.

Children who are not eligible for school transport may apply for transport on a concessionary basis and are offered seats where capacity exists after all eligible children have been catered for. Late applications or families who pay late or both are not guaranteed a seat and will only be allocated a seat if capacity is available once seats have been allocated to those who have applied and paid on time for services for the 2021-22 school year.

Planning for school transport for the 2021-22 school year has proceeded on the basis that the public health measures in place as schools closed at the end of the last school year would remain as term began in this new school year. This includes the recommendations from public health that post-primary services would operate at 50% capacity and that masks would be worn. However, as the vaccination programme for children on post-primary services is rolled out and as the lifting of restrictions on public transport services proceeds, the capacity limit of 50% on post-primary school transport services will be subject to ongoing review and the Department will be considering the position in this regard over the coming weeks.

Bus Éireann has confirmed that to date, 104,324 pupils, including 54,728 post-primary eligible pupils and 14,735 post-primary concessionary pupils have been issued tickets for the school transport scheme. This number is changing as tickets continue to be allocated to pupils. In the region of 98% of all valid and paid-on-time applicants have been issued with a ticket.

**Deputy Matt Carthy:** I thank the Minister for that response.

Last year, the biggest issue that my own office dealt with was the issue of school transport. I am aware of parents where one of them had to give up their work because they went through the whole academic year with their child being unable to secure school transport which they were eligible. There are often difficulties arising from the deadlines in place. We know that deadlines are in place to make the management of the system a little more controllable but there are often valid reasons people cannot meet a deadline including, in some instances that I am aware of, where parents simply do not have the money at a particular point in time to pay for that school transport.

There were particular issues with the information technology, IT, system employed by Bus

23 September 2021

Éireann with regard to medical card holders. I would appreciate if the Minister could outline the specific efforts that have been made to ensure that the student who fall into those two categories are catered for on their local school bus.

**Deputy Norma Foley:** I thank the Deputy. I appreciate the issues being brought forward to constituency offices. I am a rural Deputy myself and I understand that and the importance of the school transport system. We have made significant progress in the past year in addressing many of the issues that were problematic last year. This has been helped in no small measure by the review that is in place and as a consequence of the decision I made to ensure that the second nearest school would also be part of the terms of agreement for access to school transport.

The figures and the statistics speak for themselves, in that 98% of all valid and paid-on-time applicants have been issued with a ticket. That is a phenomenal figure to be able to discuss with the House here today.

On specific cases that the Deputy might raise, there is always a mechanism where, if there is an exception for whatever reason, whether due to family circumstances not allowing payment on time or if something has happened, this can be reviewed.

**Deputy Matt Carthy:** I thank the Minister again. There are two particular issues I will mention. The Minister referred to 98% of valid and paid-on-time students having secured their place on their school bus. That means that 2% have not. In percentage terms this may be a small number but it is a substantial number in real terms and the impact is very real for those families. I urge the Minister that she might ensure that this figure reach 100% as quickly as possible.

The second point I will raise is where the Minister has mentioned the current 50% capacity which our school buses are operating on and her ambition to move that to 100%. Can I ask the Minister to ensure that when that happens, that the additional capacity that this will allow for is actually used to ensure that more students receive concessionary bus tickets and that those for whom other anomalies have emerged are catered for, rather than simply dividing in half the number of buses available? We should use the opportunity that this will present to ensure that more students can avail of their local school bus.

**An Leas-Cheann Comhairle:** Before I ask the Minister to respond, I notice that Deputy Kerrane wishes to contribute.

**Deputy Claire Kerrane:** Gabhaim buíochas, a Leas-Cheann Comhairle. The Minister has confirmed that she will review the 50% capacity rule for buses for post-primary schools in line with the 100% capacity that obviously is the case for public transport. Since the roll-out of the vaccinations for younger people, particularly those who are going to post-primary schools, has the Minister sought advice on the capacity rules to increase it from 50% given that roll-out? As the Minister will be aware, in rural areas where there is no alternative to the car, this obviously is leaving parents in very difficult positions, particularly those who are working. It is not very environmentally friendly either to have several cars on the road when children could actually be on their school bus. We very much need to look at that 50% capacity rule and getting it to 100% and doing that as quickly as possible, in line with public health advice.

**An Leas-Cheann Comhairle:** I call Deputy Ó Laoghaire now.

**Deputy Donnchadh Ó Laoghaire:** I support what Deputies Carthy and Kerrane have said.

It is very clear and the inconsistencies in my constituency are very frustrating for people. Most students who travel to school will do so on public transport where if they get a bus, they will travel on 100% capacity. However, for the minority of cases in my constituency and probably for the majority overall, they are on 50% capacity. It is difficult and frustrating to comprehend this and I am glad that this is being reviewed.

I agree with Deputy Carthy that it needs to be done on the basis of expanding capacity rather than on dividing what is there.

In the long run, expanding school transport is a no-brainer in every respect, from an equality, traffic, and crucially, from a climate change point of view. It makes sense in every respect to try to continuously scale up school transport in order that most students are not going to school in a car but are going to school in a bus with their peers. That is what makes sense.

**Deputy Norma Foley:** I thank the Deputies. I confirm, once again, that the planning for school transport for the 2021-22 school year has proceeded on the basis that the public health measures in place at schools closed at the end of last year would remain as term began in this new school year. This included the recommendation from public health that post-primary services would operate at 50% capacity and that masks would be worn. However, as we have said, as the vaccination programme for children and post-primary services have rolled out and as the lifting of restrictions on public transport services proceeds, the capacity limit of 50% on post-primary school transport services will now be subject to an ongoing review by the Department and that will be considered within the next number of weeks.

I wish to acknowledge again that in the region of 98% of all valid and paid-on-time applicants have been issued a ticket. This is a significant percentage but as I have also already alluded to earlier, a further percentage change will happen because tickets are continuing to be issued. This is distinct progress on where we were in previous years.

I also note the comments of the Deputies in moving from 50% to 100% but this will be done on the back of public health advice and prudence for our students.

*12 o'clock*

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

**Deputy Pearse Doherty:** Tá na mic linn taobh amuigh den Dáil agus iad ag agóid mar go bhfuil siad ag stopadh in óstáin, i lóistín Bhia agus Leaba agus i mbrúnna óige. Tá mic léinn eile ag taistil ar feadh uaireanta fada gach uile lá, óna dtithe féin, isteach go dtí an chathair ar maidin agus ar ais tráthnóna agus níos measa arís, tá mic léinn ag bogadh ó tholg go tolg gach oíche. Is é an cheist atá againn ná cá huair a bheidh deireadh leis an scannal seo?

You would have to have a heart of stone not to be affected by the stories we heard this week from the countless families and individuals who have been failed by the Government's housing policy. I refer to stories from those of the families whose houses have been affected by mica and who continue to campaign for 100% redress as their homes crumble around them to those of students who told us how what should have been one of the proudest and most exciting moments for any students, namely, going off to college, has turned into a nightmare for many of them because they cannot meet the most basic needs, namely, finding a place to live.

I am not sure whether the Tánaiste heard the harrowing stories told yesterday by those who further on in years. On “Liveline” we heard the reality of a broken system laid bare. We heard Sandra, a woman in her 50s, share her story with us. In tears, she said she could not afford her rent and is living in a shed with no running water. She said she felt ashamed and that there is no hope, but the only people who should feel ashamed are those sitting on that side of this House. I refer to the Members on those benches who have presided over a situation where people today are living in sheds with no running water.

This is a crisis that is ruining people’s lives. It is absolutely devastating. It is a crisis that impacts on every citizen in the State, from the cradle to the grave. As we meet here this afternoon, outside the gates of Leinster House students are protesting due to the lack of accommodation for them. Many of them are staying in hotels, bed and breakfast accommodation or hostels, and are paying crazy prices. Others are commuting the long distance from home to college every day, with many more of them going from home to home, house to house, couch to couch, with a rucksack on their back and a sleeping bag under their arm. This is having a profound effect on access to education and it particularly disadvantages people from rural communities.

This is a ridiculous and unsustainable situation, but it has been well flagged to the Tánaiste, his Government and previous Governments for many years. It is a situation made worse as a result of the provision of tax breaks to those who were supposed to provide purpose-built student accommodation, only for many of the units in question to be now repurposed into tourist accommodation. The Tánaiste will trot out a line, as he has been doing in the media, about Fine Gael wanting to see tax cuts in this budget, while people like Sandra cannot get a roof over their heads, while there are 1,000 students in Waterford who do not have a home and while students across the State cannot find accommodation. The Government’s priorities are clear.

Does the Tánaiste accept that the Government’s housing policies have failed the young and the old to a spectacular degree? When he answers that question, I ask him please to listen to the stories and voices we heard over this week, from mica families to students and people like Sandra and other women. Does he accept, as the president of Dublin City University, DCU, said today, that the Government’s Housing for All plan is uneconomic, based on a false assumption and will only result in rents beyond the ability to pay for most students and their families? Will the Government, as an immediate measure, do what our party spokesperson for higher education, Deputy Conway-Walsh, has been calling on it for many months to do, namely, legislate to prevent purpose-built student accommodation being repurposed as tourist accommodation?

**The Tánaiste:** There were a lot of threads to the Deputy’s question. I will, perhaps, focus my reply on the issue of student accommodation in recognition of the fact there will be a student protest today on that issue. Students have suffered a lot during this pandemic. They have seen changes to the leaving certificate cancelled and calculated grades. Many of them have had to experience college from home, from a bedroom or a boxroom. There have been no sports, no societies and no ability to socialise in a normal way.

We are now entering a new phase of the pandemic and, because of that, it is possible for students to go back on campus. That is something everyone in the House will welcome, but it does, of course, bring back into sharp focus the issue of student accommodation and the shortage thereof. The Government is very much aware of the challenges students face as they return to third level. We have responded by increasing the student assistance fund. Covid-19 has had a significant impact on the availability of bed spaces in on-campus accommodation. With the exception of National University of Ireland, NUI, Galway, shared rooms are not being offered

this year, because of concerns around Covid. This removes the most affordable option available in most universities and decreases the number of places available. There is also evidence fewer people are willing to offer digs than was the case in previous years. Both these issues have contributed to the shortage this year.

The Departments of Housing, Local Government and Heritage and Further and Higher Education, Research, Innovation and Science have been engaging on a number of issues, including the use of privately owned accommodation for other purposes, and this is contrary to the student accommodation strategy. The Government has also put in place measures in respect of affordability. As the Deputy will know, the cost of student accommodation is capped under the rent pressure zones. In addition, legislation brought forward by the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, to restrict the upfront payments that students used to be asked to pay has been passed. Previously, a student or his or her family was asked to pay a lump sum each term of €2,500 or €3,500; thankfully, that is now gone. Students also have the option to pay monthly. That lowers the upfront payment costs required for student accommodation and we think that can help against losses such as those suffered by students. In addition, under Housing for All, Ministers have secured Government approval to allow the new technological universities to borrow in order to build student accommodation, which, I think, will increase availability a great deal. One thing we need to see, which has been happening but needs to happen more and faster, is universities and technological universities building on-campus student accommodation on a cost-rental basis and thereby providing more options for students to live on campus or near campus and pay affordable rents.

**Deputy Pearse Doherty:** This is not just a Covid story. Students down through the years have lived in tents, hotels, bed and breakfast accommodation and hostels. There is a housing crisis right across society, as I laid out for the Tánaiste, from mica families to the women we heard yesterday. What they had to say was devastating. I do not know whether the Tánaiste heard them but he should listen to what they said. This has happened because the Government has looked at homes as an investment, as a potential profit margin for investors or individuals, as opposed to looking through the prism of securing a roof over somebody's head, whether it is the student, the woman in her 50s or the mica families, who have had to take their campaign to the streets.

The Tánaiste talks about his plans in Housing for All. Is he not listening? The president of DCU stated, very clearly, that it is uneconomic, based on a false assumptions and will only result in rents that are beyond the ability to pay for most students and their families. There are immediate steps the Government can take. More than one third of all purpose-built student accommodation, which gets tax breaks and planning for student accommodation, is being repurposed as tourist accommodation. Will the Government introduce the legislation we, and in particular Deputy Conway-Walsh, have been calling for to stop that in its tracks and provide the capital for the State to build the necessary units?

**The Tánaiste:** The Minister will give consideration to any legislation brought forward by the Opposition. I am very aware that we face a housing crisis and I am also very aware of the many personal stories. The Deputy does not have a monopoly on compassion or understanding. He may think he does but he does not. Every Member of this House has constituents and friends and family. Every Member of the House can recount personal stories about how people have been impacted by the housing crisis, be it through high rents, the difficulty finding a place to buy and the many other issues the Deputy mentioned. That is why we have Housing for All, the biggest investment in social housing in the history of the State. That is why we have cost

23 September 2021

rental for the first time and why we have introduced a rent freeze in real terms, linking rent increases to inflation.

**Deputy Pearse Doherty:** Inflation is at 3%.

**The Tánaiste:** It is why we are doing so many things. The Deputy said earlier that Members on the Government benches should be ashamed. Maybe he should ask himself whether he should be ashamed too. His party voted to increase rents in Northern Ireland in a pandemic.

**An Leas-Cheann Comhairle:** Thank you, Tánaiste.

**The Tánaiste:** The Deputy never misses-----

**Deputy Pearse Doherty:** Get out of here. The Tánaiste has been in government for ten years and there are people lying in sheds without running water. He should be ashamed.

**An Leas-Cheann Comhairle:** Deputy Doherty-----

**Deputy Pearse Doherty:** A bit of humility from him would go a long way. It is ridiculous.

**The Tánaiste:** A bit of humility from the Deputy, too, would go a long way. A Leas-Cheann Comhairle, we have the usual display. The truth hurts, and they go mad. It drives them crazy.

**Deputy Louise O'Reilly:** Get up the yard.

**The Tánaiste:** Sinn Féin increased rents in Northern Ireland. It never misses an opportunity to oppose housing here in the South.

**Deputy Thomas Gould:** Did the Tánaiste not read our Bill?

**Deputy Pearse Doherty:** Will the Tánaiste listen to the voices of the people? Forget what we are saying and listen to them. Have a bit of humility and maybe look at it through the prism of individuals as opposed to the landlords and speculators, whose side he always takes.

**An Leas-Cheann Comhairle:** Deputy Doherty, you had four minutes to put a question and a further minute to put a question.

**Deputy Pearse Doherty:** That is the reality. The truth hurts.

**An Leas-Cheann Comhairle:** The Tánaiste-----

**The Tánaiste:** It hurts the Deputy more.

**Deputy Pearse Doherty:** Did the Tánaiste listen to "Liveline" yesterday?

**An Leas-Cheann Comhairle:** The two gentlemen are acting in a most ungentlemanly fashion. Would you please have a little respect for the Leas-Cheann Comhairle? If you are going to use my name, would you please listen to the response? We are going to stick to the times. Unfortunately, I am going to be focused on you, a Teachta Kelly, for your three minutes. Perhaps you could stick to the three minutes.

**Deputy Alan Kelly:** With your indulgence, a Leas-Cheann Comhairle-----

**An Leas-Cheann Comhairle:** I have used it all up.

**Deputy Alan Kelly:** That is true. Before I commence my question to the Tánaiste, I wish to acknowledge the passing of Mr. Mervyn Taylor, who has been an incredible servant to this State. He brought in many progressive policies. The list is long. We went through it earlier and I cannot list them here, but obviously at the top was his handling of the divorce referendum in 1995. I acknowledge and remember him. Our party has suffered a huge loss this morning.

**Deputy Mary Butler:** Hear, hear.

**Deputy Alan Kelly:** I am a little concerned about revisionism from the Government, so I will take the Tánaiste back to the spring of 2020. A virus with no cure was terrifying the world and our country went into lockdown. The Tánaiste announced it. We turned to our front-line workers to keep public services running and essential retail open. A call was put to the diaspora around the world asking those with the right skills to be on call for Ireland. I would like everybody in the House to put themselves in the shoes of a nurse at that time. Nurses were turning up for work in hospitals with little or no personal protective equipment, PPE. They were separated from their families and their children, isolating themselves to keep away from their loved ones due to the fear of Covid-19 and its impact. Crèches and schools were closed and they struggled to arrange childcare. Shifts and leave went out the window. They were there to work as long as necessary, to save as many lives as possible and to protect our people. They made massive sacrifices - personal, professional and financial. When we asked them to serve they reported for duty. In this House, we would literally have paid them anything to get us out of what was unknown to us in the pandemic, and we are not out of it yet.

It was not just in the hospitals that workers turned up; the list is endless. From gardaí to bus drivers, our workers did their bit. Cleaners, carers and retail workers all played their part. Anybody reading the news headlines this morning about a Covid bonus for front-line workers will hear the sounds of wheels rapidly reversing in the Departments of Finance and Public Expenditure and Reform. On Monday, it was floated that a recognition payment would be announced in the budget, but the scaremongering is now under way. Sources today say that a special payment or leave would eat up the cash available for the budget. What is happening? Are we forgetting these workers? On Monday we were informed that it would impact on the budget numbers because it would come out of this year's revenue. The HSE is saying it would cost at least €377 million to grant ten days of extra leave. The health unions have disputed this and are seeking engagement. The Tánaiste told me on Tuesday: "Whether that is a financial bonus or additional annual leave needs to be discussed but I would have a strong view as well that it should not be limited to front-line workers in our health service". The Taoiseach said on Tuesday that the Government is giving active consideration to extra payment or leave.

Will the Government effectively engage with unions? Can the Tánaiste guarantee that their work will be recognised in the budget?

**An Leas-Cheann Comhairle:** Thank you, Deputy.

**Deputy Alan Kelly:** People need to know if the cost of this will be paid out of this year's revenue. Will the Tánaiste confirm that this is the case and that this House will not engage in revisionism?

**The Tánaiste:** I had not heard that Mr. Mervyn Taylor had passed away until I heard it from the Deputy now. I extend my condolences to his family and friends and to the Labour Party. He was a fine man. I met him only once or twice, but he was a democratic revolutionary. He served

as the Minister for Equality and Law Reform in the Fine Gael and Labour Party Government headed by Mr. John Bruton. I will never forget the role he played in the divorce referendum. I was a teenager who was getting interested in politics at the time and I remember that day when the referendum was won by such a small margin. I remember his speech that evening after the count and him saying that it was done. That heralded the many changes and social reforms that happened in this country afterwards. The course of our history would have been very different but for 10,000 or 20,000 votes that might have gone the other way. That shows how much every vote matters in politics and democracy, and people such as Mr. Mervyn Taylor really matter.

To answer the Deputy's question, first, he should not believe everything he reads in the newspapers, particularly in the run up to the budget. I do not know how many absolutely contradictory stories I have seen in newspapers over the past couple of weeks regarding what is and is not in the budget and what is and is not being considered. I can say that we will engage with the unions and worker representatives on a recognition bonus for staff who went out of their way and did the extra mile during the pandemic. We want to do it, they deserve it and the public wants us to do it as well. We want a recognition payment or additional leave. I am not sure exactly how it will be done. It would be better if it fell into this financial year rather than next year, but that is not the most important thing. The most important thing is that it is done.

However, it also must be done fairly and in the right way. As the Deputy acknowledges and I acknowledged earlier this week, it is not just people in the health service who went the extra mile during the pandemic. Others did too, such as the gardaí and the Defence forces and many people not considered to be front-line workers but who administered the pandemic unemployment payment and the employment wage subsidy scheme and people in many other parts of the public service. We must have regard to that. Calculating how to do it in a fair way is complicated too. There were people who put in enormous numbers of extra hours, as the Deputy mentioned, but there were also people who did not. That might not have been through any fault of theirs. It was just that their services were reduced or shut down and they were not redeployed. Therefore, calculating it in a way that is fair is not straightforward. We do not want to create a division between some sectors and others in the public service and we do not want to create a division within sectors either, so we have to do it in a way that is fair. The Minister for Public Expenditure and Reform, Deputy Michael McGrath, is exploring options. He is keen to bring proposals to the party leaders. It is something we are committed to doing, and we believe it is the right thing to do.

**Deputy Alan Kelly:** I ask that we do not engage in revisionism. I am glad to hear the Tánaiste's commitment not to do so. However, I have been raising this issue for a considerable period of time, in fact, since last April. We are very slow on this. Other countries have moved on this more quickly than us. A proposal is being brought to party leaders now, and it is 19 days away from the budget. This is a comprehensive amount of money and I am concerned that it is coming only now. Many people have to be considered in this. One example is sections 38 and 39 organisations, who do not often come to the forefront when one thinks of the organisations that had to go out of their way to help people during the pandemic. Will the Tánaiste engage very quickly with the trade unions on this? Will he recognise those outside in the non-public service and private areas? In what time period will he ensure the unions and those involved know this will be a satisfactory arrangement?

**The Tánaiste:** The Deputy is right that many things need to be considered. While some countries have already paid a recognition bonus to staff, they have done it on a very narrow basis. For example, it has often been limited to healthcare workers only. The Deputy and I agree

that we need to do something broader than that. That also must be borne in mind. I cannot give exact timelines. This does not need to be a budget-day decision, but it might be. This is something that is being led by the Minister for Public Expenditure and Reform. I know that the Minister wants to engage with the unions and the Labour Employer Economic Forum, wants to talk to the party leaders about it and wants to be able to come up with a proposal that the Government can then endorse.

**Deputy Peter Fitzpatrick:** I wish to raise an important issue that affects all parts of the country. Electric scooters are now commonplace. They have soared in popularity in recent times. Their ever-increasing popularity is also creating some serious issues for many people. One of the biggest single complaints my constituency office receives is from people who are taking issue with electric scooters. I also have many issues with electric scooters. Electric scooters have the ability to travel at between 20 km/h and 40 km/h. Unfortunately, many users are travelling at these speeds not only on roads but also on footpaths. It is this travel on footpaths that causes most concern. I have heard many stories from constituents of near misses they have had with these electric scooters. I know from experience how dangerous they can be. I have had a number of near misses with electric scooters. Since the start of the pandemic, the number of people walking has increased. People should feel safe walking on footpaths but they do not. There are those who are riding electric scooters at high speed on footpaths and who are intimidating others. People should feel safe on the roads.

I am sure that nearly everybody in this Chamber has had some kind of near miss or accident with a scooter. Even this morning coming to Leinster House, I was stopped at traffic lights and I saw a young fellow on an electric scooter cross the road onto another road. He even went into a shop on the scooter. He did not have the decency to get off the scooter. These are serious issues.

A few weeks ago, one of our national newspapers had a photograph of a family of four - a man, a woman and two children - on a scooter. The man had a two- or three-year-old child on his shoulders. This is getting very serious. It is now common for electric scooters to come in ones, twos or fours. My understanding is that users of these motorised bicycles or scooters are not permitted to use them on public footpaths. In order to use them on public roads, insurance is required. Are those who ride scooters allowed to carry one, two, three or more passengers? Are they allowed to drive them on footpaths or roads, or into shops? At night, they can be seen on the wrong side of the road or in cycle lanes. Those riding them have no lights and they wear dark clothes. It is important to have clarity on this, not only for the general public but also for the users of electric scooters and bikes. Does the Government have any plans to introduce regulation for the use of these electric scooters on our public roads?

This is a serious matter and it must be sorted out as soon as possible. People need to feel safe on our footpaths and roads. It only a matter of time before someone is seriously hurt or even killed as a result of the of the improper use of electric scooters.

**The Tánaiste:** Currently, e-scooters are not covered by the law here in Ireland. In order to deal with this, Government intends to legislate for e-scooters and e-bikes in accordance with the commitment in the programme for Government. Department of Transport officials have now drafted the necessary changes to primary legislation as part of the forthcoming road traffic (miscellaneous provisions) Bill 2021. This will provide the basis for regulating what will be described as powered personal transporters, PPTs, including e-scooters. The general scheme of the Bill has completed pre-legislative scrutiny and will go to the Government shortly with a request for permission to publish, before proceeding to the House of the Oireachtas.

When the forthcoming Bill is enacted, it will give the Minister the powers to make regulations for the use of these vehicles and other PPTs. Once this new category of transport has been defined, the vehicles will be incorporated into the existing legal framework, which includes a range of powers and offences. It will permit the Minister for Transport to regulate the use or misuse and the standards of different types of PPTs through the introduction of regulations. Furthermore, the existing powers of An Garda Síochána in road traffic legislation concerning offences relating to careless and dangerous driving, driving under the influence of intoxicants or driving an unroadworthy vehicle can be extended to these personal powered transporters where required.

**Deputy Peter Fitzpatrick:** As I said, it is only a matter of time before someone is seriously hurt or even killed as result of the improper use of electric scooters, which have become very common. We need to act now, particularly in view of the number of near misses I have seen recently. Those on electric scooters think they have a God-given right to be on our footpaths and roads at night. Even when gardaí are asked, nobody seems to want to do anything. I plead with the Tánaiste to contact the Minister for Justice and the Garda Commissioner so that gardaí can start enforcing the law. It is only a matter of time before someone is seriously hurt. It would be good idea to start a public awareness campaign to highlight the safe and proper use of electric scooters along the lines of other campaigns in the past.

E-scooters could be good if they are regulated and looked after properly. Many young people use these to go to colleges and jobs and I do not have a problem with that. However, regulations need to be put in place. I plead with the Tánaiste to act now.

**The Tánaiste:** I appreciate the Deputy raising this issue. I agree with his sentiments entirely. There is a gap in the law. These new vehicles and new methods of personal transport have emerged in recent years. The law as it is now written is written for cars, vehicles, animals and bikes, not for these PPTs, as they will be described in the law. We need to close that gap in the law. The Minister for Transport, Deputy Eamon Ryan, is keen to do so soon, ideally during this parliamentary session.

**Deputy Michael Fitzmaurice:** It must be said by those on all sides that no one can condone the protest outside the Tánaiste's house last weekend. Nothing seems to be out of bounds at the moment. I stand in solidarity with him on this.

I wish to speak about rural Ireland. When I was going to school in 1980, old yellow buses used to bring youngsters to school in all parts of Ireland. With Covid, the capacity of buses was reduced by 50%. Unfortunately, some children have been left behind. This seems to be an annual thing. We have become a more affluent society and we are leaving children behind. As buses in cities are rightly back to operating at full capacity, obviously children can get to school. However, in rural areas, mothers and fathers who need to go to work are trying to solve the problem of bringing their youngsters to school. A few months ago, the Tánaiste and his colleagues decided to vote in new climate change legislation. Now, we are putting more people on the road.

In today's edition of the *Irish Farmers' Journal*, there is a report in which the Taoiseach and Minister for Agriculture, Food and Marine speak about stabilising the herd. There is considerable confusion. Youngsters starting out in farming who approach a bank need to know their future and where they are going. Will the Government go back to 100% capacity on buses and sort out the children whose fathers or mothers are now going on the road? If the Government

is so interested in climate change, will it sort them out by ensuring that the buses go back to 100% capacity, which will thereby allow them to cater for most of the children who are being transported in cars and SUVs at present?

In light of what is reported in the *Irish Farmers' Journal* this morning, it is important for farmers and others in rural areas for the Government to indicate if it is staying with the roadmap in respect of nitrates - with different figures for dairy cows, suckler cows, calves, etc. - or is there a new agenda under the climate legislation. Can we have clarity for those farmers going forward? Energy prices have soared. You will say that people will get more in their fuel allowance but I am talking about the people who make up middle Ireland here, Taoiseach. They are paying more on fuel to bring their kids to school, paying more to go to work and more to heat their homes. Middle Ireland does not get any of those subsidies. Will you please answer those questions for me?

**The Tánaiste:** The Taoiseach is in New York chairing the UN Security Council. I, as Tánaiste, am just the first substitute, in case anyone was not aware of that, but I am happy to be first sub here today.

First, on the carbon budget, the plan is to stabilise the herd, not reduce it. However, that does mean we have to do a lot in other areas to reduce emissions from agriculture. We do not want to have to reduce the size of the herd or the amount of food produced because all that will then happen is that it will be displaced to other parts of the world where they will produce it less sustainably than we do, and that is not good for the environment. The aim is stabilisation and continuing to produce as much meat and milk as we do now but we will have to do a lot more in sustainability in agriculture to enable us to do that.

The point the Deputy makes about middle Ireland is absolutely right. In the budget we are looking at things like an increase in the fuel allowance and increases in pensions and social welfare so that people can keep up with the rise in the cost of living. It is not an increase; it is really just indexation, and the same thing applies to our working people too. That is why we need pay increases and there will be pay increases in most parts of the economy in the coming year, including the public service, as well as an increase in the minimum wage. That is also why we need tax indexation. These are not tax cuts, as Sinn Féin likes to describe them - it is tax indexation. It is just making sure that if people get that pay increase or increment, they are able to keep it. If they are earning €40,000, which is roughly the average income, and they get a pay increase of 2%, that is €800. At the moment, someone would lose half of that in tax and would only get €400. That is not enough to keep up with the rise in the cost of living. With indexation, they will keep most of that €800. They will get €650 or €700. That is the whole point of indexation. It is not a tax cut. It is just making sure that middle Ireland holds on to whatever small pay increase or increment they get. In the same way as we increase pensions or welfare to take account of the rise in the cost of living, we should do the same when it comes to income tax and that is what indexation is. It is not a tax cut.

**Deputy Peadar Tóibín:** That is not what IFAC says.

**The Tánaiste:** It is just making sure that middle Ireland is not left out and that is why I am sure the Deputy will be supporting that measure in the budget.

Regarding school transport, to date over 100,000 tickets have been issued for children availing of transport on primary and post-primary school transport schemes, which is an increase

23 September 2021

of 7% on the tickets issued this time last year. Planning for school transport for the 2021-22 school year has proceeded on the basis that the public health measures in place when schools closed at the end of the last school year would remain as the term began in this new school year. These include recommendations from public health that post-primary services operate at 50% capacity. All other measures relating to hygiene, preassigned seating, cleaning and the wearing of masks by post-primary students are also in place. However, as the vaccination programme for children on post-primary services is rolled out and the lifting of restrictions on public transport services proceeds, the capacity limit of 50% on post-primary school transport services will be subject to ongoing review. The Department will make decision on that in the coming weeks.

**Deputy Michael Fitzmaurice:** If we are interested in talking about climate change, the first thing we should be doing, as a minimum requisite, is saying to all school-going children in rural Ireland or, indeed, in the cities, that there is a ticket there for them. We should not have cars or the SUVs or whatever going up and down the road with one child in them. That is the first common-sense thing. It is not going to rob the bank because there is plenty of money wasted in this country. That is the first thing.

I welcome what the Tánaiste said about tax and the other measures in the budget but there are more than public service workers in rural Ireland. There are private operators, people who set up their own businesses and people working in the private sector. I understand that the tax system the Tánaiste talked about will help them but the reality of it is, with electricity over the last year, heating their homes and transport for going to work, these people are probably about €1,200 out of pocket. That is what we need to be talking about.

The Tánaiste spoke about stabilising the national herd. I want clarification on this. Will young farmers who are starting up-----

**An Leas-Cheann Comhairle:** Deputy, we are out of time.

**Deputy Michael Fitzmaurice:** -----be allowed and able to go into stocking if they want to? Is it going to be on the nitrates, with X amount of units per hectare, like it was proposed, or is there a new system coming?

**The Tánaiste:** I cannot answer that question today. The carbon budget and climate action plan are not agreed yet but they will be agreed in the next couple of weeks and hopefully that will give certainty not just to people in agriculture but to people across the economy and across our society. We as a Government want young people going into farming. We want them to know that this is a career, a livelihood and a lifestyle that they can have. We want Ireland to continue to be a food producer. I am proud of the fact that this is a country that produces enough food to feed 45 or 50 million people, which is nine times our population. I do not think we would achieve anything in terms of food security or climate by producing less food. That food is going to be needed. There will be an increased demand for food across the world and we produce it more sustainably than others. We are going to have to produce it more sustainably again but it would be a retrograde step if we produced less food and then had other countries produce it for us in a way that would be much less sustainable.

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

**An Leas-Cheann Comhairle:** Rather than me interrupting each time, I ask Deputies to

stick to the time, please.

**Deputy Pearse Doherty:** On learning of the sad passing of the former Teachta, Mervyn Taylor, on my behalf and behalf of Sinn Féin, I express sympathy to his family, friends and colleagues in the Labour Party.

In April, the personal injuries guidelines came into effect and slashed personal injury awards. Finally, there was an opportunity for insurance premiums to be reduced significantly. Again, I ask that the Government remove the stay it has placed on my legislation, which would hold those insurance companies to account in terms of passing on these savings to consumers. Just when there was a glimmer of hope for consumers, this month the Department of Finance published a proposal to impose an additional levy on premiums that will ultimately be paid by the consumer. We already have seven levies on insurance products: 3% on stamp duty; 2% on general insurance; 2% on motor insurance; 1% on life insurance; additional stamp duty on non-life insurance; and another 3% on motor insurance. Now, the Government is proposing another one to fund a bailout for the industry; not a windfall tax on industry profit to cover costs after the event but a levy imposed on consumers. I ask that the Government get real and rule out this proposal.

**The Tánaiste:** My understanding from the Minister for Finance is that the he is not proposing a new or additional levy. It is just a review of the existing levies.

**Deputy Alan Kelly:** As the Tánaiste knows, we have a student accommodation crisis and the SUSI grant has not been increased. I want to raise a very specific issue relating to the crisis. In Dublin, developers of luxury student apartments are now trying to change their planning permission so they can be used as hotels for tourists. This was predicted by my colleague, our spokesperson on housing, Senator Rebecca Moynihan, back in 2018. We brought forward a Bill, the Planning and Development (Amendment) Bill 2021, to deal with this issue. The Government needs to find holistic solutions to this issue over the coming years. Will it work with our Bill to ensure that speculators cannot use the planning system to change purpose-built student accommodation into apartments for tourists?

**The Tánaiste:** The Minister for Further and Higher Education, Research, Innovation and Science is aware of several student accommodation developments in Dublin that have applied for and received planning permission for ancillary use of their properties for short-term visitor accommodation. This provision is temporary and will lapse in May 2022. However, for accommodation to be removed from student use at a time when there are significant student accommodation shortages runs contrary to the national student accommodation strategy and is contrary to Government policy. For this reason, officials are engaging with the Department of Housing, Local Government and Heritage on this matter. We are exploring all options available to us to ensure that purpose-built student accommodation remains in use for students and not for tourists. The two Departments met on this last night and expect to make a further announcement over the coming weeks.

**Deputy Gary Gannon:** My question also pertains to the student accommodation crisis. Many of the 1,055 student accommodation units that have been transferred to short-term lets are in my constituency.

I will switch angle and go another way on an issue similar to that raised by Deputy Kelly. There is a rental crisis throughout the country. The Social Democrats has been advocating a

23 September 2021

three-year ban on rent increases. There are a multitude of innovative and practical solutions that will alleviate the housing crisis experienced by the students outside the gates of Leinster House and people all over the country at present. Will the Government finally commit to a ban on rent increases for three years that will alleviate the accommodation crisis they are experiencing?

**The Tánaiste:** The Government has introduced a rent freeze in real terms. That means rents cannot increase by more than the rate of inflation.

**Deputy Paul Murphy:** It is 3%.

**The Tánaiste:** It means that rents will rise at a similar rate to the cost of living and, most likely, at a lower rate than the rise in incomes and wages. As things stand, and we always keep things under review, we believe an absolute rent freeze, or a 0% increase for three years, would be counterproductive. It would mean a rent reduction in real terms and would drive more property owners out of the rental market. People who currently own a rental property getting a reduced return in real terms each year-----

**Deputy Paul Murphy:** Put the houses on planes and fly them out.

**The Tánaiste:** -----would be more likely to sell up. What happens if they sell up? The person living there gets a notice to quit and there is one fewer place for people to rent. We have to be careful not to do things that may be well intentioned but could be counterproductive.

**Deputy Paul Murphy:** I ask the Tánaiste to go outside to meet the students who will sleep out overnight to highlight the student accommodation crisis. They will tell him this is the worst the crisis has ever been. They will tell him stories about the very many students who still have no accommodation, who are commuting long distances every day, who are paying extortionate money in hotel fees or who are couch-surfing. As their slogan states, “No Keys, No Degrees”. It is an unsustainable situation. As it stands, students will not be able to complete their education and we will have huge numbers dropping out as a consequence. They are the victims of a housing policy that has prioritised hotels over sustainable, purpose-built student accommodation and allowed private developers to build private student accommodation with, again, extortionate, unaffordable prices for most. Their request is for action now from the Government. What will it do?

**The Tánaiste:** As I mentioned, we have increased the student assistance fund, which will assist students who are in financial distress and need assistance. We have brought in affordability measures on student accommodation, including capping increases in rent pressure zones. Legislation has also been passed to restrict the upfront payments students used to have to make, payments of up to €3,500, which are no longer allowed. There is also an option to pay monthly and, crucially, we are giving technological universities the ability to borrow to build student accommodation because a big part of the solution is more student accommodation on, or near, campus on a cost-rental basis.

The difficulty we have, which has been identified by the universities, is that the cost of building is now so high that even on a cost-rental basis it still results in high rents. It is still the view of the Government that a major part of the solution, given the huge expansion in the number of students and the fact more people are attending third level education than ever before, and from more diverse backgrounds than ever before, which should be celebrated, is more on-campus and near-campus accommodation.

**Deputy Verona Murphy:** The programme for Government states that delivery of mental healthcare will be through the Sharing the Vision roadmap. It appears this road map has bypassed Wexford. We have no full child and adolescent mental health service, CAMHS, team in Arden House and we have no paediatric dietician, even though I pointed out on a number of occasions in the House that there is an increase in anorexia patients in County Wexford. You can imagine the disgust of the people of Wexford when the Minister of State, Deputy Mary Butler, announced a crisis resolution team, CRT, for her constituency, which covers 110,000 people. Wexford has 150,000 people. When will the Government deliver for Wexford? So far, this Government has given Wexford a quango that is not yet set up, the maritime area regulatory authority, MARA, to be housed in a building that is not yet built. When will the Government assist the people of Wexford?

**Minister of State at the Department of Health (Deputy Mary Butler):** The Government is very serious about mental health issues. We have had a lot of engagement and we have the largest budget in the history of the State. As the Deputy knows, a consultant psychologist was appointed to Arden House three weeks ago. It was difficult in relation to-----

**Deputy Verona Murphy:** After three years.

**Deputy Mary Butler:** -----recruitment and retention but that post has been filled. On the crisis resolution team I announced this week covering the areas of Waterford, south Kilkenny and Dungarvan, every community healthcare organisation CHO, and every area were able to put forward an application. The application was won for the Waterford area on its own merit because of the challenges it has in relation to bed capacity and the fact there was no other-----

**Deputy Verona Murphy:** And the fact that the-----

**Deputy Mary Butler:** -----out-of-hours support there. We already have one crisis resolution team in Cork, another in Dublin and this will be the third. More pilot sites will be rolled out over the next year.

**Deputy Michael Collins:** On 26 June, I raised the issue of the crisis the West Cork Development Partnership finds itself in with the walks programme, which benefits more than 600 farmers in west Cork. The Sheep's Head Way and the Beara Way are among some of the stunning walks covered by this scheme, bringing in €14 million in walking tourism revenue to west Cork. For the past few years, west Cork has had two part-time recreation officers to oversee the payments and visits to 600 farmers, while other parts of the country with 25 farming participants have a full-time recreation officer. Since I raised this issue in June, the two existing recreation officers in west Cork have finished working simply due to the pressure they have been put under.

I am reliably informed that a long-awaited external review of the walks scheme given to the Minister for Rural and Community Development, Deputy Humphreys, is lying on her desk and needs to be published. I am astonished that the Minister was in west Cork for several days during the summer, on the Fine Gael-Fianna Fáil roadshow with two chosen Oireachtas Members, and failed to meet with the West Cork Development Partnership despite all Oireachtas Members asking her to do so the month before. Will the Tánaiste personally intervene on this issue immediately in order that the West Cork Development Partnership can get four recreation officers, and payments to farmers and landowners in west Cork can be made this year?

**Minister for Rural and Community Development (Deputy Heather Humphreys):** I am

getting a briefing on this matter this afternoon. I will bring forward plans on the recreation scheme in due course.

**Deputy Thomas Pringle:** I noted this morning that what is described as a senior Government source is now briefing the media that 100% redress for families affected by the mica issue is now being considered. This is some position shift from the Tánaiste's statements of last week and, as always, there are caveats with this latest kite-flying exercise, which is testing the waters to see what might be acceptable. It is nothing to see this Government all over the place on an issue. I have to say "fair play" to the Donegal mica redress campaigners because the pressure of their protest is clearly moving the Government's position on the issue in the right direction by the day. Their message is clear; 100% redress, nothing less. Will we see a Cabinet decision on mica redress in the first week of October as the Taoiseach stated in New York last night or should we expect more delays from the Government?

**The Tánaiste:** The figure of 100% is not off the table; it is very much on it. If the Deputy reads the comments I made the other day, I did not say anything contrary to that. Others chose to present it in a particular way and that happens sometimes, but 100% is very much under consideration. As things stand, we are working on an enhanced scheme. It is being led by the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, in consultation with the affected families. Once the scheme is developed, it will require approval from the Department of Public Expenditure and Reform and will then go to Cabinet. While I have seen speculation in the newspapers, as the Deputy has, I see nothing in writing and I have no information on the details of the enhanced scheme. It is being worked on by the Minister for Public Expenditure and Reform, Deputy Michael McGrath, and when it is available I am sure we will be able to share the details with people.

**Deputy Neale Richmond:** Every morning when I drop my son off and every evening when I come home to my wife, I am reminded of the very serious challenges posed to our early years sector. While it is very welcome that the joint labour committees, JLCs, have been established under the programme for Government, will the Tánaiste commit to resources being provided by the Government to the men and women, predominantly women, working in this sector and that they will be adequately provided for to ensure they can have a living wage and a true pathway to a professional wage?

**The Tánaiste:** The Government supports the establishment of a JLC to establish new minimum terms and conditions for people working in the childcare sector, to help us further professionalise that sector and to improve the terms and conditions in it. We also realise that will have an impact on childcare costs. We need to be honest with people about that, but it is worth it if means people working in the sector will get a better wage, the sector is professionalised and standards improved in the coming years. This project is being led by the Minister of State in my Department, Deputy English, but it is important to point out that JLCs require the co-operation of employers and staff. Provided that is in place, we will make sure it happens.

**Deputy Barry Cowen:** I wish to raise the matter of the Housing for All document and the commitments contained therein. A section of the document refers to a planning reform Bill that may come before the House. I am particularly conscious of a proposal I put forward earlier this year, the purpose of which was to find a means by which a time limit on the decision-making process of An Bord Pleanála would be put on a statutory basis. Can the Tánaiste confirm that such a time limit will be a part of the proposal that is brought before the Dáil by the Government to address this and other issues which are creating a logjam in adequate planning that could

provide adequate housing?

**The Tánaiste:** I thank the Deputy. The Bill is currently being drafted. It is a priority and the Attorney General in particular is taking an interest in it. One of the things under consideration is exactly what the Deputy has suggested, that is, that statutory timelines are set within which An Bord Pleanála must give its decisions. That is to avoid a situation where a development has been approved by a council but is then stuck with An Bord Pleanála for months on end. Tied to that, obviously, is making sure that An Bord Pleanála has the resources and staff to meet those deadlines. That is the solution we are working on and I know it is one the Deputy has proposed in the past. The legislation is only being worked on at the moment. It will take a bit of time before we can work through the proposed legislation and publish the it. That is the plan we are working on.

**Deputy Louise O'Reilly:** On my behalf and that of my family, I offer my condolences to the family of Mervyn Taylor, and to his friends, colleagues and comrades in the Labour Party.

The starting salary for a secretarial assistant is €24,423.37 per annum. I will save the Tánaiste the trouble of working it out; that is below the living wage. As he knows, secretarial assistants are engaged in conciliation at the Workplace Relations Commission. They are growing increasingly frustrated. This issue has been on the go since 2017. Will the Tánaiste engage with the Minister for Public Expenditure and Reform, Deputy Michael McGrath, and request that he sends officials with decision-making powers to the next conciliation conference in order that this matter can be brought to a close? I remind the Tánaiste that secretarial assistants do fantastic work and enjoy the full support of all politicians and parties, right across this House. We want to see this issue resolved as a matter of priority.

**The Tánaiste:** All of us in the House value the work of secretarial assistants. That is true on a cross-party basis. I will certainly mention to the Minister for Public Expenditure and Reform that Deputy O'Reilly raised the matter and I will pass on the request she has made. I am not sure to what extent it is an issue for the Houses of the Oireachtas Commission more than the Department of Public Expenditure and Reform. I believe the commission is the employer but I will check that with the Minister.

**Deputy Chris Andrews:** Residents in Glovers Court flat complex, which is very close to here, have a visible protest highlighting neglect by Dublin City Council and the shocking conditions in which families have to live. Right across Dublin's inner city, residents are living in rat-infested conditions. Dublin City Council has failed in its responsibility to tenants. There is no independent arbitrator to whom residents can bring Dublin City Council. That, in my view, means that the Government needs to step in and ensure that the council does what it needs to do to address the many outstanding maintenance issues. Will the Tánaiste ensure that the council lives up to the duty of care it has to the tenants of its flat complexes?

**The Tánaiste:** I thank the Deputy. I appreciate this is an important issue but it is probably more a matter for local government than for central government. I will certainly let the Minister with responsibility for local government know that the Deputy raised the matter.

**Deputy Cormac Devlin:** Is the Tánaiste aware of the alarming trend of urban post offices closing and the impact this is having on communities? In that past year alone in the Dún Laoghaire-Rathdown constituency, Monkstown and Foxrock post offices have closed. Residents in Dalkey were told this week that their local post office will be closing on Friday, 8

October, and that the postmaster is retiring after 14 years of service. On a personal note, I wish Christopher Good all the very best in his retirement and thank him and his staff for all the work they have done. An Post has advised that it is trying to get another post office into Dalkey but despite its best efforts, it has had no such luck to date. Dalkey is a town of almost 7,000 residents, on a par with Tuam, Ballinasloe and New Ross. It would be unthinkable for such a large town to lose its post office. I note that the programme for Government commits to maintaining the national post office network. Can the Tánaiste advise the House what the Government is doing to retain post offices in urban and rural areas? We do not want to lose any more of them.

**The Tánaiste:** I am aware of a number of closures in urban areas, including in the Dún Laoghaire-Rathdown area. The Deputy has raised the issue before, as has Deputy Carroll MacNeill. It is not so much that An Post or the Government ever decides to close a post office, it is more the case that when the postmaster retires, it can often be difficult to find somebody who is willing to take on the role. The policy of Government is clear that certainly within urban areas, nobody should be more than 5 km away from a post office. That is the policy we are trying to uphold.

**Deputy Alan Dillon:** I am seeking an update on the proposed introduction of the right to request remote working following the public consultation which closed in May. Rural communities around the country have benefited greatly from people being able to work remotely, and it is undoubtedly a trend that some people will wish to continue. We have seen amazing projects come on stream in Mayo, such as the DigiWest hub in Swinford and the Gteic facilities in the Gaeltacht regions, such as, for example, in Belmullet. Many more broadband connection points, BCPs, are being supplied, which provide additional resources to local entrepreneurs and workers in surrounding communities. We now need to ensure that employees have clarity on their rights to continue this trend if they so choose and guide employers on such requests. I would, therefore, appreciate if the Tánaiste could advise on the up-to-date situation regarding legislation around the right to request remote working, when the legislation will be brought to the Cabinet and when it will be debated in the House.

**The Tánaiste:** As part of the remote working strategy, the Government committed to legislating to give workers the right to request remote working. Responsibility for that legislation now falls to me and the Minister of State, Deputy English. We intend to have heads of the Bill - the general scheme - published in this parliamentary session and the legislation itself published in the first quarter of next year, with a view to enactment.

**Deputy Marc Ó Cathasaigh:** By way of context, I will share a message I received from the owner of a local business in Waterford, a bike shop, as it happens. He told me that the shop got a batch of bikes from the UK at the end of July. All the paperwork was in order but the batch was selected by customs for inspection. The bikes were finally released one month later. Once they go into that process, business owners are totally blind on the progress being made. In this case, two e-bikes had been bought and paid for by a very understanding customer, but it could easily have meant a loss of business for the company. That was only one part of the order that the business in question had placed. Has the Tánaiste any indication of how common and prevalent a problem this is? Is there anything we can do to make the process more transparent so that even if a company has delays, at least they have certainty about when their orders will arrive?

**The Tánaiste:** I can certainly see how products behind held up in customs could be a real difficulty for businesses. That is a matter for Revenue rather than for me. If the Deputy wants

to pass me on more details, I can get my office to make inquiries with the Revenue Commissioners and see can we get the Deputy a better response.

**Deputy Peadar Tóibín:** For more than ten years, Fine Gael has been looking to shut the accident and emergency department in Our Lady's Hospital in Navan. For ten years, the people of Meath have been marching in their tens of thousands to keep it open. Shockingly, in March 2020, the Government went public with the decision to close the accident and emergency department for 12 hours overnight. Covid-19 happened and those plans, thankfully, fell apart.

For the past 18 months, the health service has been battling against Covid without enough staff or beds and, critically, without enough ICU beds. I have learned this week that the board of the HSE has decided to close the accident and emergency department in Navan for overnight periods. I learned this morning that the ICU in Navan is closed today. This is an outrageous situation. The Government should have learned something as regards the number of people who have suffered due to Covid over the past year and a half. Most people caught Covid either in hospitals or nursing home settings and, given that, it is incredible that the Government is looking to cut the capacity in Navan hospital. The Tánaiste worked in the hospital. Will he guarantee that Fine Gael will keep the hospital accident and emergency department open 24-7?

**The Tánaiste:** I am not aware of any such decision by the HSE board, but the Deputy may well be correct. My strong view has always been that if the emergency department in a hospital is going to be closed or have its hours reduced, then there is a need to be absolutely sure there is sufficient capacity in other hospitals in the region and that the ambulance service is able to deal with the situation.

*1 o'clock*

As I have said, I am not aware of that decision by the board of the HSE, if such a decision has been made. I have just mentioned it to the Minister, Deputy Stephen Donnelly. He is going to check up on it and come back to the Deputy with a further reply.

**Deputy Gino Kenny:** A number of weeks ago, the Comptroller and Auditor General briefed the Committee of Public Accounts on the amount the State has spent on personal protective equipment, PPE, over the last 18 months. That spend has amounted to more than €1 billion so far. The Comptroller and Auditor General stated that the HSE has written off €375 million worth of PPE thus far. This is an eye-watering figure but it gets worse. This figure includes more than 1,800 ventilators, ordered at a cost of €81 million, which were never received. These were paid for but never received. We all understand there was a clamour for these products internationally and that we had to move very quickly but this is public money, that is, taxpayers' money. Will the Minister launch an investigation into the squandering of all of this public money?

**Minister for Health (Deputy Stephen Donnelly):** I thank the Deputy for the question. Last year, when I came into office, I requested that the board of the HSE conduct a full audit into the PPE that had been purchased because a huge amount of public money was spent at very short notice in extremely difficult circumstances. That audit has been completed and is being considered by the HSE with a view to ensuring best practice. With regard to the ventilators, the HSE is looking to recover moneys from a company based in China. I am sure the Deputy will be aware of this. There has been public commentary on it. I both agree and disagree with the Deputy. I agree wholeheartedly on the need for best practice and very clear lines of responsi-

bility with regard to all procurement right across the healthcare system. It is a vast budget and every euro that is spent has to be spent in the right way. However, I will sound a note of caution. When we look back at the procurement as Covid was arriving here, the Deputy and I were in the same room, as were many others, when we were being briefed by the Chief Medical Officer and others. We all demanded and insisted that anything that had to be done would be done, that we would not run out of PPE and that we would not run out of ventilators. The HSE did what we asked it to do. I urge us all to remember that we in the Oireachtas demanded immediate action from the HSE. It took that action.

**Deputy Rose Conway-Walsh:** I listened really intently to what the Tánaiste had to say about student accommodation. I also listened to what the Taoiseach said in recent days. He said he was going to keep a close eye on the matter but that there were limits on what Government could do. That tells me, students and their struggling families that the Tánaiste and the Government are completely out of touch with where things are. The Technological University Dublin report estimated that the cost for students who need accommodation is €14,000 a year. That is for one student. Families who have two or three students at third level do not have a hope in hell. We talk about the cost of living. For these students and their families, this is the cost of surviving. Will the Tánaiste now accept that the unaffordability and unavailability of student housing is an absolute emergency? That is what this Government does not get; this is an emergency. We know with certainty how much student accommodation is going to be needed in 20 years' time for babies born today. We know what the percentages involved are. It is completely predictable. Will the Tánaiste commit to funding purpose-built student accommodation? Will he end the conversion of purpose-built student accommodation into tourist accommodation, as I have been asking for months? The year 2022 will be too late.

**The Tánaiste:** I thank the Deputy. The Government absolutely acknowledges that we have a severe shortage of student accommodation across the country and that for very many students it is unaffordable while for others it is unavailable. There are many reasons for that. Some are long-standing, some relate to Covid and some relate to the big increase in the number of people attending third level education, which we all welcome. We have a student accommodation strategy that includes measures that have been implemented already such as caps of rent increases and a ban on accommodation providers charging very large lump sums but what is fundamentally required - and I agree with the Deputy on this - is the building of more purpose-built student accommodation on and near campuses. We are giving the universities and technological universities the authority to borrow to do that on a cost-rental basis. However, as the Taoiseach acknowledged, that will take some time.

**An Leas-Cheann Comhairle:** Like the Tánaiste and all other Members, I did not know about the death of Mervyn Taylor. I extend my sympathy to his family, his extended family and all of his friends. I am sure the Ceann Comhairle will also speak on this.

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

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case: (1) Deputies Brian Stanley and Barry Cowen - to discuss the situation with the National Ambulance Service and the situation in counties Laois and Offaly; (2) Deputy Cian O'Callaghan - to discuss conditions in Gaelcholáiste Reachrann secondary school, Donagh-

mede, Dublin; (3) Deputies Rose Conway-Walsh and Dara Calleary - to discuss the renaming of Ballycroy National Park to Wild Nephin National Park and the lack of consultation with local communities; (4) Deputies Martin Kenny and Claire Kerrane - to discuss the establishment of a commission of investigation into the death of Fr. Niall Molloy; (5) Deputy Pearse Doherty - to discuss a State apology for the families of the Ballymanus mine disaster in County Donegal; (6) Deputy Chris Andrews - to discuss pest control policy for local authority flat complexes; (7) Deputy Mark Ward - to discuss the illegal use of fireworks in the run-up to Hallowe'en; (8) Deputy John Lahart - to discuss the significant delays experienced by customers of An Post of international parcels, as a result of Brexit and new EU customs rules; (9) Deputy Matt Carthy - to discuss plans for ensuring the opening of the group home in Carrickmacross for people with physical and sensory disabilities; (10) Deputy Donnchadh Ó Laoghaire - to discuss the challenges facing teaching principals in smaller schools who manage special classes; and (11) Deputy Colm Burke - to discuss implementing laws to restrict imports of tobacco products exclusively containing warnings in English.

The matters raised by Deputies Brian Stanley and Barry Cowen; Colm Burke; Rose Conway-Walsh and Dara Calleary; and Martin Kenny and Claire Kerrane have been selected for discussion.

*Sitting suspended at 1.06 p.m. and resumed at 1.46 p.m.*

### **Ombudsman for Children's Initiative on Eliminating Child Poverty and Child Homelessness: Statements**

**An Ceann Comhairle:** I am happy to call on the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, to make his statement under Standing Order 55.

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O'Gorman):** I am delighted to speak to the initiative that Niall Muldoon, the Ombudsman for Children, has been progressing over recent weeks. It is a timely debate as we see the impact of our vaccination programme on the levels of Covid-19 in the community and the return of children, young people and young adults to schools and further education campuses.

The well-being of children should be a central priority for every government but for this Government that need is acute as we emerge from the Covid-19 pandemic. I am here to speak to the work being progressed by my Department, as well as that of the Department of Social Protection in tackling child poverty, of the Department of Housing, Local Government and Heritage in tackling child homelessness, of the Department of Education in relation to education of children from disadvantaged backgrounds and, more widely, how this ties in with the proposal from the Ombudsman.

Growing up in a marginalised and disadvantaged community and experiencing intergenerational cycles of poverty, educational disadvantage and unemployment seriously hinder a child or young person's opportunities in life. Our approach to these well-known risk factors needs to be sharper and more systematic, focusing on addressing core characteristics around entrenched child poverty. The prerequisite for these next steps is a renewed and strengthened cross-Government focus on children and young people and to continue to progress in reducing child poverty further with the objective of meeting our ambitious targets. We need to continue our efforts to address the child poverty agenda, building on progress to date and taking full ac-

count of the opportunities provided by the EU to resource innovative responses.

The Better Outcomes, Brighter Futures policy framework included a commitment to lift 70,000 children out of consistent poverty by 2020. To date, considerable work has been carried out to target the needs of children in this cohort, involving a cross-governmental and collaborative approach with the non-governmental organisation, NGO, sector and working with the Department of Social Protection and other relevant Departments and agencies. Progress has been made with a 4.6% drop child poverty rate between 2014 and 2019, at which point 8.1% of children were still living in consistent poverty.

Clearly, and let there be no doubt as to the Government's position on this, much more needs to be achieved. We must redouble and refocus our efforts if we are to reduce child poverty further, particularly in light of Covid-19 pandemic. Critically, we need to look at enhancing policy coherence and improving integrated service provision in tandem with the measures introduced by Government in the past five budgets.

The full impact of the pandemic on the economy is yet to be understood, but it is clear that we need to mitigate its effects on children and young people in particular. It goes without saying that child poverty and our efforts to eradicate disadvantage for the most vulnerable will remain a top priority for the successor national policy framework for children and young people.

The proposal put forward by the Ombudsman for Children is important. In coming through the worst of the Covid-19 pandemic, there is now the opportunity to explore what a better normal could and should be for children and young people. This allows us to open a broader conversation on the issues, experiences and impact that were brought into even sharper relief during the pandemic. It also demands of us a redoubling of efforts to ensure that our focus is firmly on many of the key and enduring challenges facing children and young people. These issues and our responses to such challenges will inform our approach to the very important next steps: Ireland's implementation of the EU child guarantee to address child poverty, and the development of a new national policy framework for children and young people as a successor to Better Outcomes, Brighter Futures.

The EU child guarantee provides Ireland with a real opportunity to refocus and, where necessary, re-evaluate our approach in tackling child poverty and promoting children's well-being. The objective of the guarantee is to prevent and combat social exclusion by guaranteeing access for children who are in need of a range of key services. It calls on member states to guarantee for children in need free access to early childhood education and care, education, including school-based activities, and healthcare and to ensure effective access to healthy nutrition, a healthy meal each school day and adequate housing. The guarantee seeks to promote equal opportunities for children at risk of poverty or social exclusion and to break cycles of intergenerational disadvantage. In 2020, 18 million children in the EU lived in households at risk of poverty or social exclusion. The plan suggests a target for the EU to reduce the number of people at risk of poverty or social inclusion by at least 15 million by 2030, of which at least 5 million would be children. The EU child guarantee offers countries guidance on integrated strategies to tackle child poverty and promote children's well-being. It goes beyond welfare and labour market policies in order to promote access to quality services and the active participation of children themselves. It further highlights the importance of EU cohesion policy in mobilising reform. The text of the recommendation for an EU child guarantee was agreed and adopted by the European Council on 14 June and Ireland played an active role in the drafting of the text and the related discussions. Member state governments will submit to the Commission national

action plans on how the child guarantee is to be progressed by mid-March 2022. Another key part of the child guarantee will be the development of an enabling policy framework to deliver on milestones set out in the national action plan. The children and young people's NGO sector will play an important part in advancing and implementing Ireland's action plan under the EU child guarantee, and I look forward to this fruitful and progressive collaboration.

There is no doubt but that children and young people in our society are facing historic adversity as a result of the Covid-19 pandemic and public health measures. I note the findings of the Growing Up in Ireland special Covid-19 survey, which showed numerous difficulties for children across age cohorts. More than half of all 12-year-olds and 22-year-old students reported difficulty with remote learning. Those from low-income families without a quiet place to study or adequate internet were the worst affected. Those from low-income households were also more likely to live with someone vulnerable to severe symptoms of Covid-19 and also reported spending less time outdoors and missing organised cultural events and sports. The Government is committed to mitigating and addressing these problems in a co-ordinated way.

Better Outcomes, Brighter Futures, the national policy framework for children and young people, continues to inform our approach to developing policy for children and young people, offering a positive, inclusive vision for the future of our country. This framework was developed to help all of government make a difference to children and young people's lives. The significant majority of commitments made by the Government under this strategy have now been delivered. As of 2019, almost 70% of commitments are now complete across the Government, with more in progress, and five of six commitments relating to housing are completed or in progress.

The Department of Social Protection works to alleviate and prevent child poverty by providing a number of income supports for families. Budgets over recent years have introduced a number of measures that have had and will continue to have a direct and positive impact on poverty generally and child poverty in particular. The Irish social transfer system is consistently one of the most effective systems at reducing poverty across the EU.

The roadmap for social inclusion is the national poverty reduction and social inclusion strategy and includes the goal of reducing child poverty in Ireland and ensuring that all families have the opportunity to participate fully in society. The roadmap includes a specific commitment to continue to target a reduction in poverty among children and families on low incomes as part of the annual budget process, along with commitments related to the establishment of monitoring of new child poverty targets at national and EU level.

Feedback from the child poverty workshop at the 2021 social inclusion forum noted that the new child poverty target requires whole-of-government support, that the new target should be that no child be in poverty, with adequate poverty-proofing measures, and that income adequacy should be ensured, with increased targeted social welfare supports to prevent families entering poverty.

Work on the development of a new national child poverty target is in the initial stages and will be developed in the context of the new EU child guarantee and the headline poverty target for the action plan for the European pillar of social rights.

The school meals programme provides funding towards the provision of food to over 1,500 schools and organisations, benefiting 230,000 children. The objective is to provide regular nu-

23 September 2021

tritious food to children who are unable, due to lack of good-quality food, to take full advantage of the education provided to them. The programme is an important component of policies to encourage school attendance and extra educational achievement. A budget of €65.1 million has been provided for the scheme in 2021 and the programme will continue in 2022. I saw the impact of the additional investment for myself on Monday in a new kitchen facility in Ladyswell National School in my constituency.

My Department is also addressing the impact of child poverty through a focus on prevention and early intervention. Prevention and early intervention means anticipating possible problems, minimising risks as they arise and targeting resources at those at high risk or showing early signs of a problem. Since the publication of *Better Outcomes, Brighter Futures* in 2014, my Department has pursued a co-ordinated approach to championing prevention and early intervention which addresses the needs of those suffering the greatest disadvantage.

My Department supports the prevention, partnership and family support, PPFS, programme in Tusla. The aim of the PPFS programme is to prevent risks to children and young people arising or escalating through building sustainable capacity and manpower within Tusla and partner organisations to perform early intervention work. As part of the PPFS programme, Tusla also operates the ABC programme, a targeted funding measure aimed at addressing the impacts of child poverty in 12 areas of disadvantage across Ireland. This funding measure is designed to mitigate the impact of poverty and improve outcomes for children, young people and their families across disadvantaged areas through the PPFS implementation structure, including children and young people's services committees, CYPSCs, family resource centres and child and family support networks. The ABC programme is now fully integrated into Tusla as part of the PPFS programme and delivered as part of Tusla's core budget. By integrating it into the wider Tusla infrastructure, my Department has ensured that the Tusla ABC programme is linked into the wider range of measures and responses to addressing child poverty.

I also recognise, however, that these initiatives alone do not meet the needs of children, young people and their families experiencing poverty and disadvantage in our society. As a result, my Department designed the What Works initiative, with funding from the Dormant Accounts Fund, to harness our investment in the area of prevention and early intervention. What Works is regarded internationally as a very innovative initiative led by the Government. It takes a co-ordinated approach to mainstreaming prevention and early intervention and provides investment in this sector to maximise its impact on children, young people and families suffering disadvantage. Recently, I announced that more than €1 million will be allocated to children's services in 2021 alone through the What Works initiative. This funds initiatives such as the What Works training fund, which is designed to support non-profit community and voluntary organisations that are members of child and family support networks, which provide direct services to children, young people and families in areas of disadvantage to meet their training needs. Another example is the Ark's Live from the Ark, funded through the Rethink Ireland's children and youth digital solutions fund, which is aimed at delivering creative workshops and downloadable activity packs to Delivering Equality of Opportunity in Schools, DEIS, schools nationwide, reaching children who might otherwise not have access to this resource.

As for addressing the issue of child homelessness post Covid, *Housing for All: A New Housing Plan for Ireland* is the Government's housing plan to 2030 and was launched recently.

*2 o'clock*

It is a multi-annual, multibillion euro plan that will improve Ireland's housing system and deliver more homes of all types for people with different housing needs. It contains a comprehensive strategic approach to tackling homelessness. An important aspect of the plan is supporting families and children experiencing homelessness, which is a priority for the Government. Family homelessness has seen an appreciable reduction since 2019 but remains a key challenge. The overriding objective is to provide homes to households at risk of, or experiencing, homelessness through the various social housing supports available.

Housing for All commits the Government to working towards eradicating homelessness by 2030. This commitment applies to children and families, as well as all who are homeless. Budget 2021 made provision for €218 million in funding for homeless services. This reflects the priority the Government is giving to the issue. The funding ensures that local authorities can continue to provide emergency accommodation and other essential support services to households experiencing homelessness, while also ensuring pathways out of homelessness for households in emergency accommodation are secured as quickly as possible.

For those experiencing homelessness, this additional funding supports the development and operation of increased numbers of family hubs and other supported facilities for single individuals, to ensure that sufficient shelter is available for everyone who requires it. It is important to bear in mind that a hub is not a home and our fundamental objective remains to provide homes for the families concerned. The new facilities provide more security and stability for homeless families than is possible in hotel accommodation. Ultimately, however, the priority must be to exit families and children from emergency accommodation as quickly as possible.

As we are all aware, tackling child and family homelessness requires an inter-agency approach. Housing for All commits to the ongoing enhancement of family supports and prevention and early intervention services for children and their families through a multi-agency and co-ordinated response. It also commits the Government to establishing a new national homeless action committee. This cross-governmental and inter-agency oversight group will be tasked with ensuring better coherence and co-ordination of homeless-related services in the delivery of policy measures and actions. The work of the group will be informed by Housing for All and will oversee the implementation of its inter-agency elements.

In 2020, the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, established a high-level homelessness task force to provide a forum for engagement with key organisations working to address homelessness. The task force is also inputting into the implementation of the commitments on homelessness in Housing for All. Its membership consists of the chief executives of the Dublin Region Homeless Executive, Crosscare, Depaul Ireland, Focus Ireland, the Peter McVerry Trust, Dublin Simon Community, Threshold and the Society of St. Vincent de Paul. Homelessness among young people is a core concern of the task force and has been addressed at its meetings, most recently on 26 July and 1 September this year.

I thank the Office of the Ombudsman for Children for this initiative. I look forward to hearing the views of Deputies, which I will take on board when I meet with the ombudsman on this matter in the coming weeks.

**An Ceann Comhairle:** The next speaker is Deputy Funchion, who is sharing time with Deputies Martin Kenny, Buckley, Tully and Gould.

**Deputy Kathleen Funchion:** I thank Dr. Niall Muldoon and the Office of the Ombudsman for Children for requesting this discussion. Dr. Muldoon has generally been progressive in his role and his office is absolutely excellent in the work it does. We should take every opportunity to discuss issues affecting children, including the impact of the Covid-19 crisis and, in particular, the scourge of child poverty and homelessness.

The pandemic has had an enormous impact on the developmental, physical and mental well-being of children in Ireland. The world as children knew it has fundamentally changed. The unprecedented challenges facing children as we emerge from Covid-19 are not insignificant. The changes have impacted their physical and mental health, the fair and equitable access they should enjoy to education and a secure home, and their social outlets. Children's ability to play was completely curtailed during this period. There was a closure of juvenile sports activities, as well as dance, music and other after-school activities. I have spoken regularly about the Young Irish Film Makers group and the film clubs in which children participate. All those activities were closed or had to go online, which was not great either, particularly for younger children. Interaction was limited and it was difficult for them to concentrate in a Zoom setting. We all find that hard at times and it is even more difficult for this age group.

Children returned to classrooms that were a completely changed environment, with social distancing, segregation by way of pods and the requirement to wear face masks for some pupils. Children in one-parent homes, those experiencing homelessness, persistent poverty and domestic violence, children living in direct provision and young people struggling with addiction and substance abuse have been disproportionately affected by the loss of contact with the outside world. Inequalities already experienced by many vulnerable and disadvantaged children in the Irish Traveller community and Roma and migrant communities have been accelerated as services and supports were temporarily removed or closed during the pandemic. Vulnerable children felt the impact of this the most.

As many parents lost employment or were forced to reduce their economic activity, children were at increased risk of experiencing poverty. The switch to online learning did not work in all households. I personally found the online schooling experience extremely difficult and I do not know how teachers or anybody else does it. It certainly was a challenge. Families already experiencing multiple adversities found that their difficulties intensified during the pandemic. They were unable to access the same level of support from family and friends and, simultaneously, were not able to access the former level of professional support from community health and specialist services. It is unreasonable to expect children of all backgrounds and abilities simply to pick up where they left off. We have a duty of care to help already struggling families and ensure they do not fall into homelessness.

I am also concerned that the pandemic has further embedded the existing developmental gap between disadvantaged children and their peers, which will become apparent when they return to school. I recognise that this is within the sphere of the Department of Education, but anything we can do to help children along must be done. Even if they were not struggling before the Covid crisis, just getting back into the whole routine and system of homework and everything else can be difficult. Many children feel like they went out in third class, say, and came back in fourth class. It is very hard to catch up and anything we can do in that regard will have long-term benefits for children, particularly in terms of their emotional well-being. When children are struggling in school, they start to dread going in and worry about homework. It becomes a very negative circle. Anything that can be done in that regard should definitely be emphasised.

A range of educational, socio-economic and health inequalities have been further exacerbated following the pandemic. Digital inequalities mean that families who might benefit the most from early intervention may lose out. As we come out of the Covid crisis, undetected needs will emerge. As Dr. Muldoon rightly points out, children must be prioritised. As the calls from industry grow louder, children's voices must not be lost. That is key, particularly in the run-up to the budget. We have a real opportunity to address how children are living in Ireland. I and several of my colleagues in Sinn Féin have been working on a document that addresses some of the obstacles facing children and their families as we emerge from the pandemic. In my meetings with various stakeholders and child welfare advocates, I was struck by the need for a cross-departmental strategy for children. A children's recovery plan is essential. We hope to publish our document in the coming weeks.

An issue that continues to come up again and again, and which particularly affects children from disadvantaged and marginalised backgrounds, is that of access to vital early years and childcare hours through the national childcare scheme. Unfortunately, the Department continues to deny that the under-allocation of hours to children on the basis of their parents' employment or educational status is having a detrimental impact. That is unacceptable. I have raised this point in nearly all the questions I have put to the Minister and it remains an issue.

I again thank Dr. Muldoon and his staff for their progressive and excellent work.

**Deputy Martin Kenny:** I commend Dr. Muldoon and his staff on the work they are doing. Poverty strikes at the heart of people's lives and is central to the issues we need to resolve in our country. Last Monday, I visited a family in my constituency whose situation is an example of the gaps that exist in the system. There are two small children in this family and the mother has a serious problem with her back that prevents her from functioning properly and leaves her unable to work. She cannot get disability benefit because, while she worked at different times, she did not always get stamps and does not have enough of them to qualify. She applied for disability allowance but when the total was added up, comprising her payment of €203, plus €134 for the other adult in the house and €38 each for the two children, it came to €413. As her husband earns €30 more than that, she cannot get any payment. I suggested to her that the working family payment was another option. However, her husband is a bread delivery man. He gets up at 2 a.m. to deliver bread so that he can be home early in the day to help her with the children because she is unable to manage with them. As he is self-employed, he cannot get the working family supplement. There are significant gaps. I regularly come across this issue with people who are doing their best to survive but find the system is stacked against them everywhere they turn. I understand why there have to be rules and limits but at the same time there has to be an appreciation of the real experience of people's lives. I looked at the two small children running around the sitting room and playing and I wondered what hope they will have in ten years' time if they grow up in that kind of poverty. This mother and the rest of the family are working so hard but are struggling to pay the rent, to manage and to survive. The problem is that children are the victims in all of this because poverty is something that affects them most. I find it mainly affects families such as that, people who are working and trying hard but are falling just short. The Government needs to do more to step up to ensure it fills those gaps and provides for those families.

**Deputy Pat Buckley:** I thank the Minister for his opening remarks. One has to give credit where it is due, that is, to Dr. Muldoon and his office.

It struck me while researching this issue that the Lisbon declaration was only signed in 2021

but child poverty has been around for a long time. The declaration acknowledges that, “homelessness is one of the most extreme forms of social exclusion, negatively affecting people’s physical and mental health, well-being, and quality of life, as well as their access to employment and access to other economic and social services”. It is a travesty that it is necessary for us to discuss this matter today, in 2021.

The most recent report from the CSO lists several factors of which account is taken in measuring poverty rates among children. This is about basic deprivation. Some 23.3% of children in Ireland have lived with this. The factors listed include: being without heating at some stage in one year; being unable to afford a morning, afternoon or evening out in the past fortnight; being unable to afford two pairs of strong shoes; being unable to afford a roast once a week; being unable to afford a meal with meat, chicken or fish every second day; being unable to afford new - not second-hand - clothes; being unable to afford a warm waterproof coat, which is especially important in this country; being unable to afford to replace worn-out furniture; and, more important, being unable to afford to buy presents for family or friends at least once a year. That is absolutely shocking in this century.

The Minister referred to family hubs and so on. He is right. It was a disaster as well. I welcome any development in this regard. I am a member of the Committee on Public Petitions, which has done a significant amount of work with many of the ombudsmen. I ask that consideration be given to establishing a sub-committee that would give the ombudsmen a voice in these Houses. We would assist them in any way we can. All those on this side of the House are in agreement that this issue must be dealt with and we can certainly work together on it. I welcome any development that can improve these services.

**Deputy Pauline Tully:** I read with interest the A Better Normal report by the Office of the Ombudsman for Children. There are several points I wish to make regarding the report and what it highlights. It is shameful that there is need for such a report. We are supposed to be a civilised society. Although I am not sure that we can ever eradicate poverty entirely, it is frightening that the report indicates that child poverty rates could increase to 19%. That would be almost one fifth of children living below the poverty line. That has long-lasting consequences for children. It affects their health, well-being, life experience, educational attainment and future work prospects.

Better Outcomes, Brighter Futures sets out the Government’s previous target of reducing child poverty by 70,000 by 2020, but that target was missed. Not only was it missed, but the rate of child poverty is increasing. As the Minister stated, Ireland signed up to the European child guarantee in June but has a national child guarantee co-ordinator been appointed? Have adequate resources been given to that person or whoever it is that is co-ordinating and overseeing the implementation of this recommendation?

According to the report, homelessness is indicated as one of the most extreme contributors to poverty and a poor standard of living. A home is supposed to be a safe place to which people, and children in particular, can go. A hotel room or a family hub is not a safe place. They do not have the indoor or outdoor space for children to grow, learn and interact normally. There is no privacy in a hotel room. Children are ashamed of the fact that they are homeless and living in those conditions.

Investment in areas with a history of poverty and deprivation is needed. Targeted approaches such as free school dinners, community childcare and parental training supports, for ex-

ample, need to be rolled out. Families have to be targeted and given the supports they need to get out of the poverty trap because it is frequently inter-generational. A cross-government departmental approach is needed but we have a system that actually reinforces poverty. A single parent recently contacted me to say she got a job but was told that her social welfare entitlements would be cut. She was going to end up financially worse off working than she would if she stayed on her social welfare entitlement. Many people choose to work because they want to work and show a good example to their children but often they lose not only their social welfare entitlements but also their medical card and back-to-school allowance, as well as the right to the housing assistance payment, HAP. Society is encouraging people to remain on State supports and that is not fair and it is encouraging poverty.

**Deputy Thomas Gould:** In a country with as much wealth as Ireland, no child should have to live in poverty. Social Justice Ireland found that there are 190,000 children living in households experiencing poverty. This is a shocking figure. It is a shame on our country that this is allowed to happen. These children are the real victims of the policies of Fianna Fáil and Fine Gael in the past decade. The members of those Governments should be here to answer questions about these children and why they have to live in poverty.

The Government and the Minister have talked about solving the housing crisis. I do not believe the Housing for All plan will deliver. There are children living in accommodation now who are worried about having a roof over their heads, as are their parents. These people have problems that need to be addressed right now, today, not in five years' or ten years' time as that policy suggests. The problem when it comes to poverty and homelessness is that the attitude of the Government is to deal with it in the medium to long term whereas the fact is that it needs to take action now.

The Tánaiste tells us that now is not the time for a living wage. This at a time when one in ten children live in constant poverty and many of their parents cannot afford to work, live, pay for childcare or put food on the table. When will be the right time for a living wage? I am asking the Minister that question. He is part of the Government. Why is a living wage not being brought in? The Government is failing to address the increased energy and heating costs that are coming in. Not alone are there children in poverty, there will be children living in cold and damp conditions this winter. They will probably be hoping that Santa will bring them coal to put on the fire because their parents will not have the money to buy fuel. These children are living in poverty and that is the fall-out from decades of Government policy. We hear the Tánaiste and the Taoiseach talking about pensions and paying mortgages for landlords when there are children going hungry every night. It is not good enough.

**Deputy Ivana Bacik:** I commend the Ombudsman for Children, Dr. Niall Muldoon, and the staff of his office on the publication of the A Better Normal report. It is a very important report and I welcome the opportunity to debate it. I am glad to hear the Minister will meet the ombudsman in the coming weeks to discuss the report.

The report points to the need for urgent political and cross-departmental action and planning for children post Covid. In particular, it calls for the establishment of a cross-departmental time-limited joint Oireachtas committee to address child poverty and homelessness. I hope the Minister will implement that and that all Deputies will be able to join with him in implementing it because clearly this is an issue that requires a cross-departmental and whole-of-government approach, beyond the brief of the Minister and clearly encompassing the Department of Social Protection, Department of Education and Department of Health. That is clear from the report.

23 September 2021

Indeed, it is clear that is needed if we are to further the recommendations of the Better Outcomes, Brighter Futures review by the Minister's Department.

On the issue of poverty, the CSO has published alarming figures. The Minister stated that 8.1% of children in Ireland live in consistent poverty. The ombudsman's report points out that Ireland has missed its 2020 target of reducing by 70,000 the number of children in consistent poverty. In addition to that stark figure, we also know that the CSO figures show that 15.3% of children are at risk of poverty and 23.3% of children are experiencing basic deprivation. This really is a huge problem and failing in our system. Perhaps we might recall the words of the famous Irish suffragette and renowned activist on the areas of poverty alleviation and children's rights, Dr. Kathleen Lynn, who said her work was underpinned by a belief that "every child was an individual and must know himself, or herself, loved". The State should be guaranteeing this commitment to children by guaranteeing equality and a high minimum standard of living for all.

I wish to refer to homelessness and Housing First, and then to education and where we need to do more to ensure that we are living up to the commitments in these reports and in the review of the Minister's Department. We know that fear of, and real risk of, homelessness is damaging our children at key developmental periods of their lives. Yesterday, we debated the Residential Tenancies (Tenants' Rights) Bill 2021. We were glad that the Minister for Housing, Local Government and Heritage did not oppose that Bill. I have already contacted the Joint Oireachtas Committee on Housing, Local Government and Heritage to ensure that the Bill will be making further progress through the committee. We are most anxious to ensure that it becomes law. The Bill seeks to address security of tenure, affordability of rents and deposits and quality of accommodation for those in the rental sector. These are crucial issues for children in particular.

We know that three in ten children under the age of 18 are living in rented accommodation, according to the recent census. Focus Ireland tells us that the biggest cause of families entering homelessness is the sale of houses by landlords, with vacant possession thereby ending tenancies. We need to stop this practice. I am aware that it is one of the aims of the Government's own Housing for All plan. The Government is seeking to legislate for tenancies of indefinite duration. Our Bill would provide for that and could, if implemented, play a huge part in addressing the real fear of eviction. It is the fear of eviction that we have heard, from so many individual constituents and respondents to our Labour survey, has such an impact. One respondent who spoke to us last week and who is renting a home from a private landlord, told us of her fears that her children might be without a home upon the impending expiration of the lease. Another spoke of her fear of the health impacts of staying at home with her children in rental accommodation with fungus on the walls and a serious damp problem.

Children across Ireland are facing real impacts on their health and well-being because of poor-quality rental accommodation and fear of eviction. A Labour Party Bill introduced previously by my colleague, former Deputy Jan O'Sullivan, specifically sought to address the impact of homelessness upon children. The Green Party, when in opposition, supported that Bill. I ask that the Department, in collaboration with the Department of Housing, Local Government and Heritage, brings that legislation forward, because we need to ensure that children are protected against homelessness and the fear of homelessness.

On schooling and education, the ombudsman has made recommendations in this area. Indeed, the extent of the recommendations shows the need for a strong intervention from the Department of Education on this issue and for a cross-departmental committee. In February,

alongside my colleague, Deputy Ó Ríordáin, I proposed a catch-up for children scheme. I proposed that the Government put forward €100 million to address the severe impacts upon children from prolonged school closures due to Covid-19. This fund, in addition to making up for lost education, would also seek to ensure children were caught up with on extracurricular activities, such as sporting activities and the arts, and, indeed, personal and social development. We know, in particular, that children who are vulnerable, living in poverty or have particular needs have suffered real set backs in their development because of the closures of schools and associated activities. We were most disappointed to find that the catch-up fund that was much more belatedly announced by the Minister for Education falls far too short of what we believe will be needed to ensure that children's development is not severely impacted on as a result of the Covid restrictions.

As I have said, we support the Office of the Ombudsman for Children in calling for the establishment of a dedicated committee to address these issues, including issues around the impact upon children of Covid restrictions, poverty and homelessness. We must ensure that real, substantive actions are taken and that these are taken on a universal level for all children, not on the piecemeal basis that unfortunately has characterised far too much of Government policy on children and children's rights for too long. The UN International Day for the Eradication of Poverty is coming up on 17 October. We think that the Oireachtas should mark the occasion by demonstrating our commitment to ending poverty for children, in particular, by establishing such a committee, as recommended by the Ombudsman for Children.

**Deputy Alan Farrell:** I take this opportunity to welcome Deputy Bacik to the House. I have not been in her presence in the Chamber because of the manner in which the Dáil has been meeting. She is welcome.

I thank the Minister for his introductory remarks. They were thought-provoking and most welcome. As the former Chair of the Joint Committee on Children and Youth Affairs, I had the privilege of meeting with Dr. Muldoon and his team on many occasions. This report is crucial in ensuring that we refocus on the incredibly important issues of eliminating poverty and child homelessness.

There are, perhaps, few more important issues that occupy public debate than those concerning our children and the future of society. I welcome the initiative launched by the Ombudsman for Children. Child poverty and homelessness are intolerable and we must all strive to alleviate the pressure on those affected. It is often said that the best way to judge a society is to inspect how the most vulnerable among us are treated. Fundamental to this notion is that we are aware of the vulnerability. For many generations on this island, children were not seen and not heard. Thankfully, today we recognise the role of children and young people, but there is considerable work to be done to increase their influence. It did not start in 2012, but the constitutional referendum was a step in the right direction in placing children at the heart of our Constitution.

Children account for 25% of our population and are often overlooked. At any moment there are a great number of interests pressing on Government. This is the nature of politics. In such a climate where those without a voice or platform can easily be overlooked, as Members of this House we must use our platform to give them a voice.

A Better Normal, as proposed by the Ombudsman for Children, should be regarded as a starting point. Eradicating child poverty and homelessness will involve both a multifaceted approach on the part of and commitment from successive Governments. The Covid pandemic

has uprooted all of our lives and we have become all too familiar with concepts and behaviour which, just a short time ago, would have been unfathomable. Children are not exempt from this experience. Their education has been curtailed dramatically. Their ability to engage with friends and relatives ceased and they too have become familiar with the cold and clinical language that has been introduced to our society over this period. The pandemic also hit low-income families hard, preventing regular income and reliable work patterns and left many families struggling to make ends meet. A recent ESRI report on child poverty in Ireland and the pandemic recession suggested that even in a scenario of partial economic recovery, child poverty rates could rise by 3% to 19%. Moreover, the Irish Youth Foundation noted that of the 40,000 babies born in Ireland during the pandemic, 8,000 left hospital to enter into deprivation, and many into homelessness.

In such a modern society in a country that has seen unprecedented economic gains in its recent history, it is natural for us to ask how this can be. Speaking in 1968, Robert Kennedy remarked that “the gross domestic product does not allow for the health of our children, the quality of their education or the joy of their play”. This, I believe, is a noteworthy idea in the context of this debate. For children, poverty affects so much more than their living arrangements. It affects their self-esteem and their ability to engage with their peers. It affects their ability to learn and to access quality food. Their mental health is also impacted. This is a situation no child born on this island should endure. No child should wake up in the morning and feel the dread of economic despair, hunger, or indeed, alienation from the society that they believe has forgotten them, to go through their youth as a spectator with no hope of influencing their surroundings. We in this House, through our ambition and actions, should give them the confidence which many suffering the pain of poverty lack. We can make a profound difference for young people and their families who find themselves in these circumstances.

The initiative, A Better Normal, sets out several goals for us to achieve. Among them are the development of time-limited cross-departmental agendas to address the issues of child poverty and homelessness, the holding of a referendum on the right to housing, continued support for and expansion of free school dinners. I am pleased that 1,500 schools are involved in providing free school meals. Several of them are in Fingal, which the Minister has rightly highlighted. We can make progress on these issues and more. This should be seen as a starting point, not an endpoint.

If we truly want to give children in Ireland the best possible start in life, we must begin by creating a better society, a society in which all of us can participate and with which we can all engage. It is only if we create societal participants that can we give people a sense of ownership of the country. We have long considered ourselves a nation of close-knit communities that believe in a better tomorrow. How better to start in the realisation of that future than by lifting children and other young people out of the depths of poverty?

Increasing after-school activities, which we have debated in this House many times, will provide children with opportunities to grow and flourish, increasing the ability of young people to gain access to transport. It will allow them to engage with the society around them, which I am pleased has been included in the initiative as part of a package of supports for everyday expenses, including in respect of energy and education. Increasing young people’s access to books through school and public libraries can give them the chance to pursue their passions and explore new areas of interest. The Government should consider this for the forthcoming budget.

As I have said on many occasions in this House, continued investment in our local communities, youth clubs and outreach programmes is vital in helping young people. I pay tribute to all those who volunteer and work hard to support youth and outreach organisations.

Encouraging our universities to become more diverse in their recruitment and admissions will benefit all in society. The Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, has launched an ambitious programme to reinvigorate apprenticeship programmes across the State. I eagerly anticipate the development of these programmes. The programmes will give thousands an opportunity to build careers and drive the jobs of the future, particularly in the green economy.

Progress has been made on several fronts. In 2019, there were 3,874 children in emergency accommodation. There are now 2,176 but that number is still far too high. In fact, it should be zero. We must build on the progress, however. In addition, earlier this year Ireland signed up to the European child guarantee, requiring us to develop national plans for children in respect of nutrition, housing, health and education. It is a worthy endeavour by the European Union.

In all these endeavours, we must ensure that we provide the adequate and necessary resources that will allow children to become successful and, in turn, benefit all those living in Ireland and those who will one day call this home.

**Deputy Patrick Costello:** I thank the Minister. This is a matter that the Minister and I have spoken about at times before. I do not doubt his sincerity and commitment to addressing this issue. I am pleased to see there are commitments in the programme for Government on the difficult issue of child poverty. There has been work across government to address the issue of food poverty to ensure no child goes hungry. There has been work on school meals. As expressed in the Ombudsman for Children's report, there is a commitment to a right to housing, this being important in helping to address the issue of poverty. There have been commitments to prioritise and protect supports for lone parents. Children of lone parents are the most likely to be in poverty in this country.

Many of us have been quoting statistics from a variety of reports. The report that really brought the issue home for me and grounded it the most, in the starkest terms, is the one Deputy Farrell quoted, the Irish Youth Foundation's report *Generation Pandemic*. It states that of the 40,000 children born since Covid hit, 8,000 left hospital and spent their first night in marginalisation, disadvantage, poverty and homelessness. That is a bleak statistic. When one adds to that the intergenerational cycle of poverty and how these children are at risk of becoming yet another such generation with the risk of the continuation of such child poverty into their children as well, the need to act becomes very clear.

The Minister has said himself that this is a huge area. Every Department needs to row in behind the initiative. While we could talk to every Minister in this Chamber about what he or she is doing about child poverty, I want to pick up on one area in which we need to act. It relates to after-school programmes. Children, simply because their parents cannot get work, are no longer able to access after-school programmes. After-school programmes are incredibly important where there is educational disadvantage. An education is important in breaking the intergenerational cycle I have spoken about. After-school projects, the community aftercare private clubs that provide support in the areas of education, nutrition, meals and positive relationships, are the key services that children need access to and that the Minister talked about. These are the targeted services that the Ombudsman for Children talks about. Supporting them

is building on the work, already under way, that the Office of the Ombudsman for Children refers to in its report. We need to be considering the community services that provide after-school support and ensure that all children facing poverty or educational disadvantage can gain access to them. We need to regard these services as anti-poverty measures, not simply as childcare or labour activation schemes. That parents cannot get work or are unable to work is not a reason to exclude children from these vital services.

Numerous community groups in my constituency have come together and have engaged with me and lobbied me on this important issue. No doubt they have been on to the Minister also. I am sure they will be working in other constituencies too. This is an issue we must address. We must ensure after-school services — aftercare is another issue that we also need to talk about — can continue and that children whose parents do not work or cannot work will not be excluded from a service that is vital in breaking the intergenerational cycle of poverty.

**Deputy Sorca Clarke:** Any opportunity presented to us to examine and plan for the future of our children should not only be welcomed but also grasped with both hands and acted upon. We have seen report after report outlining the challenges facing the younger members of our society but what we do not see is necessary corresponding action to address the concerns being raised. These concerns relate to the right to live free of hunger, to a stable home and to an adequate standard of living that allows for participation and developmental opportunities and creates the positive environment in childhood that leads to a positive lifestyle in adulthood.

While I was reading the Ombudsman for Children’s report *A Better Normal*, one point was very clear to me, namely, the normal that too many children are now living in, particularly after Covid, is far from what we would have experienced as normal as children. It is far from what their peers are experiencing. We are now putting children at a distinct disadvantage at the earliest possible time in their lives. One way to challenge that and work effectively is to engage in cross-departmental action and planning. The Oireachtas committee, mentioned in the report, has a role to play. Cross-departmental action and planning comprise a strategic way in which we can eradicate poverty and family homelessness before they have a lifelong impact.

The report *Generation Pandemic* states 8,000 babies will have left maternity wards to go into marginalisation, disadvantage and, in many cases, homelessness. That is absolutely shocking. The Children’s Rights Alliance publication states, “At worst, governments’ responses have laid bare and exacerbated pre-existing long-time structural inequalities and social vulnerabilities.” The key phrase is “pre-existing long-time”. Clearly, whatever has been put in place before has not worked because otherwise there would not have been weaknesses to exploit during a pandemic.

These sentiments were echoed by Dr. Mike Ryan from the WHO when he spoke about a deeply unfair and deeply inequitable world. We are aware that the UN Convention on the Rights of the Child requires those who have signed up to it to recognise the right of every child to a standard of living, yet the Ombudsman for Children has expressed concern over the invisibility of children in housing legislation. In this regard, I draw the attention of the Minister to a book entitled *How Will Santa Find Us?*, if he has not read it. These children are not invisible; they are our future. The Better Outcomes, Brighter Futures policy sets out the Government’s target of removing 70,000 children from consistent poverty, which was missed. Earlier this year, the Minister stated that “progression on a policy successor to Better Outcomes, Better Futures has been delayed until 2022”, ironically due in part to the pandemic. This is the same pandemic that is pushing more children into poverty and homelessness, onto a path that is less clear and

less well lit and into greater insecurity than they have ever faced in this State. This is denying children the opportunity to reach their potential. We have a very clear, sensible and important proposal for the Ombudsman for Children, one which will have a positive impact on the lives of the youngest members of our State. I urge the Minister to take that on board and act on it.

**Deputy Chris Andrews:** I welcome this initiative, A Better Normal, from the Ombudsman for Children, in which there are many positives. In that context, I read the Government policy document Better Outcomes, Brighter Futures which refers to making “investment in early years care and education, including maintaining the free preschool year and implementing measures to support and regulate improvements to the quality of Early Years and childcare services”. This is all great but it means absolutely nothing for parents of children with autism.

In June, I asked the Minister for Education if she would intervene in the case of the new Shellybanks Educate Together National School in Sandymount which refused to open an autism spectrum disorder, ASD, class in September 2021, despite having the resources and capacity to do so. No classes opened in the school despite demands on behalf of children with autism. Children are still being bussed out of their community, even though there is space in the school for children with autism. What is missing is the will of the board to open ASD classes and include neuro-diverse children in this school. The two classes have been identified since last March after the National Council for Special Education, NCSE, visited the school. No infrastructural changes are required. I give credit to the Minister and the NCSE for pledging to provide all established additional supports necessary for the school to open these classes in September 2021. Since then, the management committee of the school pushed back against this recommendation. The only reason it has offered for doing so is that the classes are not ready yet and will not open until 2022.

Unfortunately, many parents of neuro-diverse children do not have this luxury. How can such a situation still prevail? How can a school and its management board, despite the Department having cleared every obstacle for them, just say “No” and now is not the time? The Minister has failed to compel the school to open the ASD class, despite advice from her officials. We can have all the reports and plans we like but unless the will is there, children with autism will continue to pay the price.

**Deputy Jennifer Whitmore:** I very much welcome this very important initiative from the Ombudsman for Children regarding child poverty and homelessness. I acknowledge and thank Dr. Muldoon and his team for all of the great work they have done as advocates for children in recent years.

It is almost exactly a year since I introduced my first Private Members’ motion, as Social Democrats spokesperson on children, calling for a very similar initiative to the one the ombudsman has put forward in the document, A Better Normal. In our Dáil motion, we called for the Government to agree to a new and ambitious target of eliminating consistent child poverty within the lifetime of this Dáil, legislate for this target and establish a special Oireachtas oversight committee on child poverty to monitor the implementation this target. This was my first Private Members’ motion and I introduced it with equal measures of enthusiasm, optimism and I think naivety. Coming to the Chamber to move what I thought was a very important motion, I thought that no Government could turn down an opportunity to put in the infrastructure and plans to address what is a national shame. Unfortunately, I was wrong in that. The Government replaced my motion with a countermotion which had a target in line with the Better Outcomes, Brighter Futures target. Whereas my motion did not go anywhere, the Government

23 September 2021

reiterated the Better Outcomes, Brighter Futures target, which set out to reduce by 70,000 the number of children in consistent poverty by 2020. That target was missed.

To compound this frustration, the Minister for Children, Equality, Disability, Integration and Youth announced that the policy successor of Better Outcomes, Brighter Futures, which expired at the end of 2020, has been delayed until 2022. In the years since this Government rejected the Social Democrats motion to eliminate child poverty within the lifetime of this Government, it has missed its own child poverty targets and has delayed the development of its follow-on policy. This is a very worrying track record on the part of the Government as it continues to promote the reopening of the post-Covid economy. If the economy does not recover to pre-pandemic levels, regrettably, the reality is that the child poverty rate in Ireland could increase. The ESRI has calculated it could increase by one quarter.

During the previous recession, child poverty rates doubled, resulting in one in five children being at risk of poverty. It is a stark reminder of the risk to children arising from a recession potentially caused by the Covid-19 pandemic.

When we last debated this issue, I could not get my head around the fact that for many of these children this will be the second recession will have allowed them to suffer through. While we do not have official child poverty statistics for 2020, we can assume that the risks of poverty have increased due to job losses caused by the pandemic, persistent cost barriers to childcare and education, a widening digital divide during school closures and, most crucially, the housing crisis, which is a key focus in the Ombudsman for Children's report. Now more than ever, the Government needs to implement the ombudsman's initiative to establish a special Oireachtas committee with a clear target and cross-departmental engagement to address the endless cycle of child poverty in this country.

It is very welcome that Ireland signed up to the EU European child guarantee in July, reflecting the ambition that every child in Europe should have access to free healthcare, free childcare, decent housing and adequate nutrition, with a primary focus on disadvantaged children, including those experiencing poverty, ethnic minority children and refugee children. However, we have a long way to go. Families continue to face the inordinate task of navigating the high cost of childcare, the cost of education, rising rents, a lack of progress in implementing Sláintecare and growing waiting lists for social and affordable housing across the country. Imagine how families are coping when dealing with being at risk of homelessness and with those emergencies. As soon as this happens, childhood is robbed and life will never be the same again. Preventing this from happening is key.

The latest homelessness statistics show that over 2,000 children are currently living in emergency accommodation. It is an absolute shame that this has continued. We cannot address child poverty without addressing child homelessness. The recent report from the Irish Human Rights and Equality Commission, IHREC, and the ESRI stated - this is something we will all be aware of - that lone parents are predominantly impacted by this. They represent 53% of all homeless families. It is very welcome that the Ombudsman for Children is calling for the right to housing to be inserted in the Constitution. My colleague, the Social Democrats spokesperson on housing, Deputy Cian O'Callaghan, has suggested exactly what the ESRI has also been calling on the Government to do, namely, address the current housing crisis using the low cost of debt to invest in housing. We have very many organisations, experts and now the Ombudsman for Children all saying the same thing. The Minister and Government must respond to these calls and must act to eliminate rather than just reduce child poverty and homelessness.

I also mention a topical issue at the moment, namely, the impending energy crisis. Coupled with rising inflation and the cost of living, this is a devastating cocktail for anyone facing poverty. Energy bills have risen by 19% since last year and are set to increase even more this winter. This will, no doubt, impact on low-income households and those already experiencing fuel poverty. I have asked for statements to be facilitated in the Dáil to discuss the energy crisis and flesh out these issues because this could be a very difficult winter for many people.

I will use the remainder of my time to encourage the Government to set a firm target to reduce and eliminate child poverty in a new national children and youth strategy, to begin immediately working on the successor to the Better Outcomes, Brighter Futures strategy, and to implement the initiative set out by the Ombudsman for Children by establishing a special Oireachtas committee on the elimination of child poverty. The Government has already lost a year due to inaction. In fact, we have lost many years due to inaction and it is time to act.

The Social Democrats, and I imagine the majority of Deputies, are more than prepared to work constructively with the Government to address these issues.

**An Ceann Comhairle:** Gabhaim buíochas leis an Teachta agus anois glaoim ar an Teachta Ó Cathasaigh atá ag roinnt a chuid ama leis an Teachta Higgins.

**Deputy Marc Ó Cathasaigh:** Gabhaim buíochas leis an gCeann Comhairle. I also thank the Minister for facilitating this debate on the initiative of the Ombudsman for Children, A Better Normal. It is an important and timely document as we begin to emerge from the immediate and acute phase of the pandemic and start to consider the long-term consequences and implications on our society, children in particular. I agree with the ombudsman's stark statement that 2020 was a devastating year for children. He states that children were described as vectors and blamed for transmission, seen as carriers and not welcome in public spaces. In a sense, our children disappeared. They disappeared from our streets, our playing pitches and our playgrounds and classrooms, behind the front gate and the front door, or at least the fortunate ones did.

There are too many families and children for whom the front gate, the front door and the roof over their heads are not a given, that is, those in homelessness or at risk of losing their homes. This debate takes place in the shadow of the report of the Irish Human Rights and Equality Commission that showed that lone parents and their children account for 53% of all homeless families. Through A Better Normal, the ombudsman is seeking a Government commitment to prioritising children as we plan for life post Covid. We should give that commitment and put it front and centre in our planning for this budget and beyond, to make the welfare and well-being of our children a central part of the work not just of the Minister's Department but throughout the Government as a whole. Just as has been done in New Zealand, where the living standards framework and well-being budgeting encourages cross-departmental thinking, we should put the interests of our children and young people at the heart of our Government's decision-making.

The roadmap for social inclusion sets out a national ambition for 2025 to reduce the national consistent poverty rate to 2% or less of the population. If we are serious about achieving that target and living up to our sustainable development goal of no poverty, we should go after poverty where it is most prevalent, namely, among children, of lone parents in particular. We should do that in the first instance through our social welfare system. In a very specific and targeted way, we should consider increasing again the increase for a qualified child, IQC, as we did in the previous budget. The tax strategy group examined this option and calculated that a

23 September 2021

€5 increase for under-12s and a €2 increase for over-12s would cost just over €50 million. This would be money well spent in targeting precisely those children we know to be at greatest risk of poverty.

In the medium term and more generally, we should seek to index our social welfare payments against a baseline threshold, such as the minimum effective standard of living, MESL, and take out of the budgetary cycle that kind of simplistic and reductive conversation about the additional €5 on whatever payment it is. Access to affordable childcare is a touchstone issue for working parents throughout the country, with availability in short supply and costs increasing to unsustainable levels for many families. This, again, disproportionately affects lower income families and lone parents in particular, and it is something directly under the Minister's competence. Helping these families access the labour market by providing affordable childcare will make it more possible for them to lift themselves and their children out of poverty.

Dr. Muldoon's report refers specifically to the school meals programme. The Minister will know as well as I that this has been Green Party policy since the time of Trevor Sargent. He, like me, had a background in primary school teaching and I feel the same as he does. The State has the children. We have them in our care, in our schools - let us feed them. It would have a positive impact on nutrition, poverty and social development and benefit all children in the State. If it can be done elsewhere, it can be done here. I reiterate that while we have them, let us feed them.

On the issue of housing, I refer to that harrowing figure from the Irish Youth Foundation that was quoted earlier. Of the 40,000 babies born since the pandemic, 8,000 will have left the maternity hospital to spend their first night in marginalisation, disadvantage and, in many cases, homelessness. We must move on the issue of a referendum on the right to housing.

Zooming out to the big picture, I turn to the heart of why the Minister and I were elected to this House. We need to move with urgency on the issue of climate change. It is our children and their children who will suffer the worst impacts of climate breakdown should we fail to act. Climate strikers will be out again this Friday to make the case and call for radical climate action. It is our responsibility to follow through on the promise we made to our voters to deliver that.

I often think of one of the recurring themes of our President's contributions when he served in this House, namely, that in a republic, there should be a minimum floor of human dignity, below which we should not allow any of our citizens to fall. When we live in a country where almost one in five children lives at risk of poverty, we are not living up to that aspiration. Let us put it front and centre, at the heart of our decision-making, that the welfare of children will be our utmost and top priority.

**Deputy Emer Higgins:** I welcome the opportunity to discuss this initiative. Children have been so badly affected by Covid and lockdowns. Schools were closed, sports were stopped and music, art and drama were all gone. Rites of passage, such as communions, confirmations, graduations, debs and even birthday parties, were put on pause. Children were kept apart from one another and from their families, their aunts, uncles and grandparents. In the very early days, children were even labelled as super-spreaders and excluded from public places. These measures were, of course, necessary to protect children, families and the vulnerable in our communities, but that did not make it any easier. As we prepare to get back to normal life, let us work together to make it a better normal for children.

It is often said children are remarkably resilient, but truth be told, the past 18 months has been really difficult on all of us, including children. As we begin to emerge from the pandemic, it is important we learn lessons and do not return to the all the ways of the past. Instead, we must see how we can improve on how children are educated, cared for and supported in society. A better normal, as the Ombudsman for Children says, is what we need to strive to achieve. This is his initiative, seeking the commitment of the Government to prioritising children as we plan for a life post Covid.

Covid has exposed so many inequalities among children and young people, and the particular disadvantage children from certain backgrounds, and from all walks of life, face. This initiative sets out two issues we simply must address, namely, child poverty and child homelessness. A heartbreaking statistic in the ombudsman's report was quoted earlier. Of the 40,000 babies born since the start of the pandemic, 8,000 will left the maternity hospital to spend their first night in marginalised or disadvantaged circumstances or, in other cases, homelessness. I had to read that statistic about four times before I believed it. It is harrowing to see it in black and white and to think we as a society are living that.

Nevertheless, we have made good on promises and progress and it is important to acknowledge that too. Family homelessness is at its lowest level in five years, while this year almost 2,000 fewer children are living in emergency accommodation than in previous years. One child living in emergency accommodation is one too many, but at least it is progress. Today, the Minister announced the appointment of an independent group to track progress on ending direct provision, a living situation that negatively impacts some of the most vulnerable children. One child living in poverty is one too many, and much more still needs to be done to address this issue. Poverty during childhood is linked to poorer outcomes in many other key developmental areas, such as educational attainment, school engagement, social and emotional development, overall health and quality of life. Our schools offer a great pathway for supporting young people living in poverty and lifting them out of poverty. Targeting services in our schools in order that those most at risk of slipping below the poverty line can be identified, helped and supported is such a welcome suggestion on the part of the Ombudsman for Children and is happening in schools throughout the country and in my constituency.

Food poverty, in itself, is a major issue among children. Today, participants in the Food Systems Summit are gathering at the UN to discuss this very issue, talking about how we can move to a more sustainable model of food production globally. Food poverty among children is both a global and a national issue. The Irish Youth Foundation reported last year that 100,000 children in Ireland were going to bed hungry every night.

### *3 o'clock*

Greater investment in, and expansion of, free school dinners, hot meals programmes and breakfast clubs could ensure that every child is guaranteed at least one nutritious and substantial meal a day. I welcome the progress that is happening with these schemes. It is a factor that is often highlighted for improving school performance, as well as physical health.

The current back to school clothing and footwear allowance is a lifeline for many families in my constituency. I would welcome further expansion of this to help families with the additional costs and with inflation. It is also very important that a policy successor to Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014-2020 is decided on soon. We need a new plan for the current time. We must endeavour

to give the young people of Ireland a better normal.

**Deputy Réada Cronin:** I welcome this initiative from the Ombudsman for Children. I take this opportunity to thank Dr. Niall Muldoon and his office for the professionalism and kindness they showed when I went to them for help recently for some young constituents in north Kildare. Their families, too, were delighted. They are so used to knocking on doors that do not budge that when one finally opens it is a great relief to them, especially when it opens with a welcome.

We need a better normal for children post Covid and I am anxious that all of us do all we can to help in this. In my constituency of Kildare North, there are children who have deep suffering post Covid, on top of their deep suffering before Covid. They cannot see a consultant for chronic pain or a psychologist or therapist for anxiety or depression. School places are an issue, especially for children with special needs. They cannot get their teeth attended to even though it hurts them to eat, and often they are cold because their parents cannot put on the heat. This winter is going to be particularly hard for them in view of the talk about energy prices and with climate change. It will be an issue we will have to tackle.

Many, too, cannot rely on having a home of their own. I do not know if the Minister managed to take a break of a few days this summer, but I recall going on holidays as a young child. One did not want the holiday to end, but going home to one's own house and getting into one's own bed that night was such a comfort. The fact that there are children in this State getting into a bed that is not their own or who do not know what bed they will get into is something we cannot excuse any more. Too many children are spending their childhood on waiting lists and housing lists. It is not yet Hallowe'en, but some homeless children are worried about whether Santa Claus will know where to find them.

Too often, children have been ignored when it comes to health, mental health, dental health, housing, caring, education and special education. It is no wonder the Office of the Ombudsman for Children is so busy. We need this better normal. As the documentation from the Ombudsman for Children states, and as has been stated in this debate, out of 40,000 children born, 8,000 left a maternity hospital to start their lives in poverty, that is, 20% of the children born in the State are born in poverty. It is just devastating for a First World state. We can be under no illusions about the scale of the work involved in this initiative, or the depth of the suffering. I believe there is great will in progressive parties to tackle the inequities, inequalities and the injustices damaging such young lives. We in Sinn Féin will play our part and do all we can to help.

**Deputy Violet-Anne Wynne:** The vision set out in this document is extremely timely and necessary. To eradicate child poverty and eliminate child homelessness are two monumental undertakings. They are outside the child's control. No child deserves to be in homelessness or to live in poverty. All Members of the House would agree on that. For a relatively wealthy First World country, the socioeconomic division across our society is striking. The inequity and inequality that persist across the country reinforce high levels of hunger, poverty and insecurity for many children.

Research by the Irish Youth Foundation has shown that of the 40,000 babies born during the pandemic, 8,000 of them left the maternity hospital setting to spend their first night in marginalisation, discrimination and homelessness. Barnardos Ireland tells us that 90,000 children are living in consistent poverty at present and, according to Focus Ireland, child homelessness

has risen by 200% since 2014. While 1,500 children were homeless in 2014, in June 2021 the number was almost 4,000. It is essential that radical and immediate steps are taken to address these issues. It is interesting to note that our last housing policy, Rebuilding Ireland, did not even feature homelessness on its agenda. Now, in Housing for All, the goal is to eradicate it altogether, which is quite a leap. Although ambitious, there are concerns about its feasibility.

We must take account of the fact that Covid-19 and lockdowns aggravated many domestic situations whereby children's needs were not being met. These were situations where there were addiction issues, mental health issues, neglect, poverty or violence. There have been almost 25,000 domestic violence incidents reported to the Garda to date this year, and 500 of those were in my constituency of Clare. These situations unfortunately lead to adverse childhood experiences. The more a child is exposed, the more impacted his or her outcomes are later in life. I work on the Committee on Disability Matters and I work in the community with parents who are trying to gain access to services for children with additional needs, my son included. There are distinct disadvantages faced by these children. The major costs associated with assessments, interventions and assistive technologies, for example, further expose them to economic disadvantage and put them at risk of poverty. These are situations where the State must assume a stronger duty of care. Bureaucracy and lack of funding cannot justify children's rights being abused.

I could speak for longer but, unfortunately, I do not have enough time.

**Deputy Gino Kenny:** I welcome the debate on the report by the Ombudsman for Children. It is an in-depth critique of child poverty in the context of the pre-pandemic and post-pandemic world in which we live. It lays out a policy to address the historical legacy of the deprivation of children in this country.

The pandemic has done some terrible things but it has revealed the chasm or fault lines in society and what we really are. It has opened up that chasm of disadvantage in how children are treated in our society in respect of social injustice. The ironic thing about this debate is that it has taken a virus that has killed millions of people and caused absolute chaos across the world to have an impact on homelessness in this country. Prior to the pandemic there were over 10,000 people in emergency accommodation. Now there are approximately 6,000 and, with regard to children, the number has gone down to about half of what it was. That is more than it should be, but it is incredible that it has taken an invisible virus to do that. The barometer of any society is how children are treated. We speak for children. We have children and we are the voice for children. It is a very proud thing to speak in this Chamber on behalf of children. With regard to homelessness, that is a legacy that the Minister and his colleagues in the Cabinet must address. It is just not acceptable that children in Ireland in the 21st century do not have a home to go to, but they go to a hotel. If anybody can stand in this House and say with a straight face that this is acceptable, he or she is in the wrong game.

With regard to children in poverty, it is not that long ago that the Labour Party and former Deputy Joan Burton had policies which were Thatcher-esque for single parents. Her policies have had a legacy issue, and I refer back to the historical legacy issues relating to child poverty. The Labour Party will not be forgiven for many things in working-class communities. One thing it will not be forgiven for, particularly for single parents, is what Joan Burton did to single parents. That is on the record.

The report is very good but we see many reports in this House. Some of them never see the

light of day and some of them gather dust. This report has to be implemented in full to address the legacy issues. Children will be adults one day and they will go out and work and so forth. However, families face poverty where there is a family member not working. They may be on a very low income, which has an insidious effect on children's educational disadvantage. In a particular postal area in Dublin, nine times out of ten a person will go to third level education whereas for people from another part of Dublin the chances of going to third level education reduce dramatically. There is no difference between the two children living in different parts of Dublin. What is wrong? It is not about intelligence; it is about opportunity and income leading to the social inequalities we all experience. I do not doubt the Minister's bona fides in trying to address historical societal issues relating to child poverty.

The main thing in the report is the critique. It looks at the post-pandemic world; hopefully we are coming out of it. It provides an opportunity for governments across the world to look at what they have been doing wrong. They may not be able to correct what they have been doing wrong because of their policies. It is important for this critique to look at a different mindset.

The general election was 18 months ago months ago but it seems like years ago. It focused on a number of things, but the main thing was the lack of public services. That is why Fine Gael and Fianna Fáil went backwards not forwards. Fine Gael has been in government for last ten years. That is why they went backwards and other political entities went forwards; they were saying things that were obvious to try to correct. I hope the Minister can correct them over three and a half years. I am not being partisan. Nobody in this Chamber wants us to have homelessness. Political policies are the reason that people are in homelessness, and that poverty and inequality exist. These things do not just exist for the sake of it. They exist because of policy and it is up to the Government to change it.

**Deputy Richard Bruton:** I am glad we are having this important debate and I welcome Niall Muldoon's report. I know the Tánaiste will meet him shortly to discuss this and many other things.

For generations in this country, early childhood has been neglected in a terribly disappointing way. We have failed to develop adequate policies for early childhood which is so pivotal in the development of any child. Parents do not get enough support; they often cannot even get services. Undoubtedly that impacts more on children coming from a disadvantaged background. It is a major hole in our public policy that has only started to be filled since the publication of First 5, and the present Minister is obviously taking that on.

Dr. Muldoon's emphasis on building back better is very timely. We must tackle the structural changes that underpin this. I particularly welcome his emphasis on targeted services like the ABC programme, the back-to-school initiative, preventing families falling into homelessness and the school meals programme. These are crucial for programmes. His emphasis on living standards is also really important. However, in my view he overlooks very important policy dimensions here. He overlooks the importance of work and the progress that has been made in cutting poverty in this country as a result of getting people back to work.

The trends in poverty in this country before the pandemic occurred have been very positive. Consistent poverty has gone down from over 9% to just 5%. The at-risk numbers have gone down from 17% to 12%. We are heading in the right direction and we are implementing important policies.

The ESRI rightly pointed out that the impact on employment of the pandemic could greatly damage poverty. However, it pointed out that the combination of the Government's support programmes with a partial recovery would prevent that happening. That is an important element of its report. The Government has been successful in preventing poverty occurring according to its research by extending those report schemes.

As the Minister, Deputy O'Gorman, pointed out, our social policies have been remarkably effective in reducing poverty. There are more than 40% whose income would be below the 60% median figure but that is reduced to less than 13% as a result of our effective social policies. We are doing some things that are good but we are not doing everything that is needed. Some of the measures that we have seen emerge are ones that we need to see more of. For example, the national childcare scheme supports 85% of the costs of childcare and after-school care for parents with an income of under €26,000. That is a really important scheme and it means that parents on low income can get access to those services. The 55% increase in child dependant allowance now means that for parents on low income, each child is getting up to €4,000 per year. That is a significant measure and is helping to bridge those gaps.

Through the rental schemes we are also providing 85% support of the cost of rent to families who are on housing assistance payment, HAP, or are in social housing. These measures have been really important in stemming poverty and bringing down those figures that I quoted earlier.

I agree absolutely with Deputy Gino Kenny who said we cannot let up on our determination to reduce homelessness. As he recognised, it has reduced by nearly half. However, the child poverty issue is much wider than homelessness. Only about 1% of children who are in poverty suffer homelessness. The needs of the other 99% also need to be addressed. I would like to see a wider context of structural change addressed by the Ombudsman for Children or by the committee should that one be formed.

In my experience we have failed in the education system to adequately address disadvantage. The DEIS programme is useful and has prevented the gap widening between the experience of children in disadvantaged areas and that of those in prosperous areas, but it has not narrowed the gap. We need a much more forensic and more imaginative programme particularly in areas of acute disadvantage where we can address that.

The curriculum is far too narrow and almost sets at a disadvantage from the word go many children who do not have academic-type backgrounds within their family. Access to work opportunities is crucial if we are to take on this issue. While the ombudsman's report emphasises really important issues, the Government must attend to these deeper structural changes.

I agree with what Deputy Ó Cathasaigh said earlier about the support for single parents. The Oireachtas published an important report and the programme for Government commits to implementing that. The programme for Government is absolutely committed to tackling the issue of child poverty. Not only is it explicitly there, but some of the individual programmes that the Government is committing to, such as the national youth homelessness strategy, are a really important element of this. The emphasis on prioritising lone parents is an important part of this.

The introduction of a DEIS-style health scheme in deprived areas will represent a very significant change. For the first time we will be investing more in the health support of children and their parents in areas of acute deprivation. We will be extending the Dublin north inner city initiative which has been successful in bringing communities together to tackle some of these

23 September 2021

embedded problems. I hope to see that particularly in some of the disadvantaged areas of my constituency.

We will be ending direct provision and I know the Minister, Deputy O’Gorman, has personally been highly committed to this.

There are some very solid elements of a programme being formed through the programme for Government. Those also need be considered and given momentum as we seek to address the issue of child poverty and building back better, as we all agree.

The Government needs to give more consideration to the issue of measurement in respect of early childhood and the experience in early childhood. By and large what gets measured gets done and in this country we have failed dismally to measure any indicator of our success in early childhood. We left it almost entirely to parents to take responsibility until relatively recently in our history. The evidence is there that the experience of a child in those early years and their access to a stimulating environment in play, early education, care and socialisation are crucial. I was educated by the Jesuits and I remember Ignatius Loyola said: “Give me the child until he is seven and I will give you the man.” That is not a politically correct comment in these days but there is no doubt that the State in Ireland ignored those early years and left it entirely to parents to try to cope. That is not the way to go if we want to promote progress in our society. We need to start to look at the measures of positive well-being, as well as the measures of failure, which is a measure such as child poverty or homelessness. We also need to measure positive things that we seek to develop and promote, particularly participation in early education and particularly in those disadvantaged areas. In my area of Darndale, the preparing for life programme has been remarkably successful and as a result of that programme, three-year-olds come to early childhood opportunities much better placed to benefit from them than had they not had access to those programmes.

I wish the Minister well in his task. There are massive gaps in early childhood. We need to meet the parents in order that they can participate more fully in the workforce and that is particularly true of families that are on low incomes. We need to create a career structure in order that this sector will thrive and in order that people who go into it and who have problems or special needs can be properly and inclusively supported. We need a genuine developmental strategy for that sector, instead of purely checking the number of spaces and staff per child. We need to develop those 4,000 providers that are the bedrock of creating good early childhood environments. I have been fortunate enough to be in the enterprise sector, where we have 4,000 excellent exporting companies and they have access to training and grants to build their capacity. They also have access to supports if they want to enter new markets or design new products. You name it and they have access to supports. The 4,000 providers that are providing support for early childhood do not, however, have access to any of those supports that could allow them to build their capacity, be more inclusive and offer a wider range of services throughout the day. We also need to look at the assets the Government owns and make sure they are used to support early childhood. We should look at our schools that are empty much of the day and year. Those are assets that could be deployed, as I am sure the Minister would love to be able to, in support of early childhood services.

I am delighted that we have had this opportunity to debate this issue. We are just scratching the surface of the challenges we will face and I would be interested in participating in whatever structure the Minister feels is worth setting up to pursue some of these issues in early childhood.

**Deputy Mark Ward:** I welcome this opportunity to speak on the report by Dr. Niall Muldoon on child poverty, *A Better Normal*. One of the themes in the report was housing and child homelessness, which is a big issue. Whether it is children who are living in the box bedroom with their mothers and fathers or families that are separated because of high rents with the father living in his family home and the mother living in her family home and the children being separated, there is a wide range of issues around child homelessness.

I am the Sinn Féin spokesperson on mental health, as the Minister knows. We had a good meeting of the Sub-Committee on Mental Health yesterday and one of the themes that came up was this cross-departmental approach. The Minister mentioned in his opening statement that this is something that is needed. It needs political will and for the Minister and other Ministers in Cabinet to have this cross-departmental approach and to make sure that nothing falls through the cracks because children are falling through the cracks. These are children who are vulnerable and who are in this situation through no fault of their own.

I mentioned mental health and I spoke about it at the protest on housing we had last week out the front. I have been around the block, I have been through an awful lot over my life and I am from an area of high disadvantage but some things still really get to me. I remember allowing families to use my phone because they had run out of credit because they were ringing hotel after hotel looking for accommodation for themselves and their families that night. I saw the look of desperation and the fear in their children's eyes every time the parent was told there was no room at the inn that night. I saw the parents, as any parent would, trying to shield their children from this. It was harrowing and horrific. When they were eventually told there was a room for the night, more often than not they would have to grab all of their belongings and put their children onto a bus and then another bus just to get one night's accommodation somewhere. If that will not have a long-term impact on children and cause them to experience trauma, I do not know what will.

I saw in the report that child homelessness has dropped by a good bit and that is welcome. We have to bring the factor of Covid into that, including the regulations that were brought in during Covid such as the ban on evictions. The ban on evictions had a huge impact on the number of families that were experiencing homelessness. I have no doubt that child homelessness will rise again because the ban on evictions is not there any more. This is not aimed at the Minister but I was listening to some of his Government colleagues and crocodile tears came into my eyes because the policies the Fine Gael and Fianna Fáil Governments over the years have brought in have led to this housing situation whereby we are putting children after developers and investors. That is no way to run a modern society.

The report states that family hubs are only meant to be there on a short-term and emergency basis. I know families that have been in these family hubs for a couple of years at this stage. That has an impact on children as they cannot bring their friends over for sleepovers and there are curfews for the older children so that they cannot stay out beyond a certain time at night. The older children may have to turn off the lights in the bedroom they all share because the younger sibling is going to bed. Some hubs do not provide residents with the capacity to cook their own food so they are relying on the food that is on offer. This all has long-term effects on children.

On food poverty, in my area of north Clondalkin, in Quarryvale, there is a fairly successful food bank operated by Quarryvale Family Resource Centre and managed by Karin Jonsson called the Clondalkin Cares Food Bank. I spoke on the phone to Karin before this meeting and

learned there were 40 households depending on food from the food bank in September 2020. In September 2021, there are 110 households depending on food from the food bank. That shows the number of families that are in food poverty. If one does not have the basic needs of food in one's stomach or a secure roof over one's head, it is very difficult for any child to go to school and to be able to learn and progress.

Unless radical changes are brought about, I do not want to be here next year talking about the same things again without solutions coming in. It is incumbent on the Minister as the Minister with responsibility on this to get his Cabinet colleagues and start working on a cross-departmental approach to child poverty. That is the way forward.

**Deputy Verona Murphy:** Child poverty and homelessness are concerning issues. Regardless of the number of children who fall into those categories, the aim should always be for zero cases. Zero cases may be almost impossible to achieve because of a wide variety of factors but it should still be the aim. The press release of the Ombudsman for Children, which I welcome, provides food for thought. We can clearly see the link with the general housing problems that exist at present. There is a lack of Government action, the buck is passed and increased barriers to supply are among the main factors preventing the building of both public and private housing. Every time county councillors vote to stop a housing development or every time a law passes here that makes it more difficult to build houses, the problem is made worse.

There is one point contained within the ombudsman's document which needs addressing. On the right to housing he states: "Ireland must enshrine in our Constitution the Right to Housing for everyone in Ireland." Calling for this is a major red herring. If the Government of the day wants to ensure a right to housing then it can do this through policy and action. We do not need to involve the Constitution. Perhaps the problem with such sentiment being contained in the Constitution is a different debate but suffice to say that the goal of eradicating homelessness can be achieved without changing our Constitution and spending millions of euro on a referendum. Those millions would be better spent on building houses and on effective, not ideological, planning policy. I have been very clear on that point a number of times. The ombudsman also calls for the targeting of services, something for which I regularly call. Often, the provision of certain services is limited. The statement mentions free school meals and supports for everyday expenses to help parents with the costs of rearing their children. I would add that supports such as re-training for parents' education and lifelong skills, and employability training, could be also targeted to help alleviate child poverty. In other words, not just a hand-out but a hand-up. Both are important but, perhaps, the hand-up is more important when it comes to trying to break the cycle or to solve the problem on a long-term basis.

How best can this be done? The problems and challenges need to be identified. How often are services evaluated based on feedback from service recipients? It seems to me most State services are designed or amended based on instructions from the Government, often with little or no regard for the end user. Many months ago, I tabled a Topical Issue for the Minister of State, Deputy Rabbitte, about family carers being re-designated and removed from their clients, which was causing those with acute needs much hardship and anxiety. Thankfully, the Minister of State responded and acted on the problem, but that issue served as an example of how a major policy change in service provision did not take into account the perspective of the end user or recipient.

From a business point of view, we must look at customer needs and what the customer wants. Thankfully, in modern times childhood poverty levels have reduced, as have general

poverty levels. I am sure we have all heard our older family members tell stories of walking miles to school in bare feet, having to share a small bedroom with lots of other siblings or a whole variety of other things. However, the general improvement in overall poverty levels in the past century should make us even more keen to continue to help improve the best we can the situations of many of those who are worst off.

**Deputy Peadar Tóibín:** I have listened to many of the speakers. There are a lot of good ideas and conversations happening on this issue but what is required is action from the Government. I will give a couple of examples of where the Government is seriously breaking down and where the weight is being left in this crisis. A couple of years ago, the Meath Food Bank was without a home. I offered those who run it the use of my constituency office. Since then, one of their main activists, Aisling Lowe, has fed countless children and parents from my constituency office in Trim, many of whom are desperately seeking food on a daily basis. The level of child poverty throughout the country is harrowing. I think of Brother Kevin Crowley in the Capuchin Day Centre in Dublin. Again, we regularly see images of mothers with babies in buggies queuing on the roadside for nappies, baby food, etc. It would break your heart.

As a pro-life activist, I find the neglect of these young women and their children by the Government shocking. It has been left to charities to pick up the weight in respect of this issue. We are a nation with a big heart and we like to help. Many people get involved with charities, etc., but it should not be left to the charity sector to deal with this crisis on a daily basis. It should not be reliant on the generosity of the Irish people to pick up this weight. I am hearing about the lack of Departments working together. I know of a homeless student who was refused the Student Universal Support Ireland, SUSI, grant last year. He is homeless and yet was still refused a SUSI grant. Another student who was a primary carer for his or her father was refused the grant. Many people in these situations are slipping through the cracks. I cannot understand why the Department of Health, the HSE, the Department of Children, Equality, Disability, Integration and Youth or Tusla do not work together, for example, with the Department of Further and Higher Education, Research, Innovation and Science on these issues. If it was the other way around and a student was receiving the pandemic unemployment payment, PUP, grant, for example, there is no doubt in my mind that Departments would work seamlessly together with the Department of Further and Higher Education, Research, Innovation and Science to make sure that student was refused a SUSI grant in that situation.

The Minister is talking about ending direct provision, but last year my office received a phone call from a man living in direct provision accommodation who was on hunger strike. I asked that man why and what he wanted; he said he wanted money to be able to buy baby food for his daughter. How can a Government that dresses itself up in progressive political clothes tolerate a situation that is so cruel to so many people in Irish society? Another situation with regard to direct provision is that many people who have been granted asylum and international protection after a long and tedious process still find themselves stuck in these centres because the State is not offering the financial means for them to build a life for their families from scratch. I have asked this question of the Minister through Written Questions and he informed me 1,185 people in this State are in that situation. When I asked members of the Government what they are doing about it, they stated they were talking to the Society of St. Vincent de Paul and the Peter McVerry Trust to sort it out. Again, this is another example of the Government outsourcing responsibilities to other organisations to do the work it should be doing. It is an absolute disgrace.

Where is the comprehensive 360° plan to get rid of poverty in Irish society? Does one exist?

Everywhere I look for that kind of comprehensive focus on ridding this country of child poverty, it is nowhere to be seen. What we have is a Government dressing up itself in a language that sounds good but is not delivering on the action and is offloading the responsibility to community groups and charities to do the heavy lifting. That needs to stop.

**Deputy Carol Nolan:** Tá áthas orm labhairt ar an ábhar fíorthábhachtach seo inniu. Child poverty is not only an affront to the human dignity of the children who are impacted by it but to all of us in this State. It is also something we have been talking about for a long time in this House. Indeed, as I was researching this issue I came across statements made by the former Minister for Education, Seamus Brennan, in 1992 on the publication of the Green Paper on education, Education for a Changing World. This Green Paper included statements on equipping children with sufficient rates of education so they could avoid the poverty traps of deprivation and generational unemployment, which is a key indicator of child poverty rates.

Some 30 years later, we are still talking about the role of education in helping children find routes out of poverty. While the situation of a cycle of disadvantage and education has a very important role to play, it certainly should not lie with the education system to sort out all these problems. That is where the Government must step up to the mark and stop trying to ship the problem to another sector or pass it to another charity. There must be meaningful actions from the Government. It should not take constant reports, which are very informative, from the Ombudsman for Children, Dr. Niall Muldoon. The Government should be more proactive, see for itself and anticipate what needs to be done in advance and allow, and plan, for all of that.

While we have achieved some progress, clearly some of the policies in the intervening decades have been failures because children in this State still go to bed at night hungry. I accept the school meals programme is a success. I know from information provided to me from the former Minister, Senator Regina Doherty, that funding towards the provision of food to some 1,580 schools and organisations benefited 250,000 children in 2019 at a total cost of €54 million. The objective of this scheme is to provide regular, nutritious food to children who are unable, due to the lack of good quality food, to take full advantage of the education provided to them. Unfortunately, the provision of this service to vulnerable children was massively disrupted by the Covid-19 emergency. This does not mean that brilliant and heroic efforts were not made by individual schools, the Catholic Church and charitable organisations, including the GAA and many others. I also spoke recently about helping our children to avoid the pitfalls of geographical disparities in terms of broadband access and the resource inequalities that thousands of students endure. Those students are doing their utmost to try to break the cycle of disadvantage in which they have been trapped and yet they are then faced with more barriers. We have seen that time and time again from the Higher Education Authority, HEA, which has shown us the reports. The HEA has more or less confirmed what we all knew, that is, the students from the most affluent areas will progress and stay in third level education. There are problems with students from disadvantaged areas progressing. Drop-out rates are higher in those areas because students cannot contend with the barriers they face each day.

While we are discussing this issue, I will mention the fact that students from disadvantaged areas who go to college, work part time and do everything right are faced with an accommodation crisis and do not have accommodation. Those issues need to be sorted out if we are truly hopeful and willing to eradicate child poverty and disadvantage in this State. As a former educator and principal, I feel this issue needs to be addressed robustly. It is an issue close to my own heart because I have taught in disadvantaged areas. It is also one of my main policy priorities. That is why back in the pre-Covid world of October 2019, I raised the issue of the

re-establishment of the education disadvantage committee. I feel the re-establishment of the education disadvantage committee needs to happen and would be a worthwhile action.

Of course, there will be always variation in the quality of education but what we have now is something entirely different. We have a system that actively maintains educational discrimination and a closing down of opportunities for capable, interested and bright students. On the issues of broadband and access to technology, we are continuing to send our children to the equivalent of the digital poorhouse, a term drawn from Virginia Eubanks's book *Automating Inequality*. That appears to be exactly what we are doing. We are auto-enrolling students into a system of diminished expectations and, unfortunately, diminished outcomes. The same applies to housing and the potential for families to own their own homes. It is not about doing more, it is about getting it right. Ten effective poverty-reducing policy measures are better than 10,000 ineffective policies that go nowhere and do not bear fruits. We need to learn that lesson quickly and act accordingly.

**Deputy Joan Collins:** Like many other Deputies who have spoken, I absolutely endorse the Ombudsman for Children's report, *A Better Normal*. I want to hear how the Government is going to implement the report. The Minister made a fair point in his introduction that other issues and plans have been put in place but this report goes deeply into the situation faced by children in poverty as we come out of the pandemic.

Like many Ombudsman reports, the report in question sees a problem, investigates in great detail where the problem is and what the needs are, and puts forward solutions based on human rights obligations, needs and demands to which the Government must be committed to solve the issues. The report particularly underlines the opportunity at hand to eradicate the long-standing issues of child poverty and family homelessness which impact on every aspect of children's lives. *A Better Normal* is an initiative designed to ensure that children are considered and prioritised, as opposed to the powerful industries and sectors that all need support. The report states we cannot leave children behind.

For some children, the consequences of Covid-19 will be long lasting. The Economic and Social Research Institute, ESRI, report, *Child Poverty in Ireland and the Pandemic Recession*, explores the probable impact of the pandemic on child poverty and concludes that "even with a partial economic recovery, child poverty rates could increase to 19%, up from 16% in 2018". The report goes on to state that, "This is not surprising as 'previous recessions have exacerbated levels of child poverty, with long-lasting consequences for children's health, wellbeing and learning outcomes'."

The report goes on to state that, "In a report to the UN Human Rights Council in 2018, the UN's special rapporteur on the right to adequate housing highlighted the status of homelessness as a violation of human rights and States' corresponding and immediate obligation to address homelessness." The report then quotes from the special rapporteur's report, stating, "The lived experience of homelessness and inadequate housing challenges the very core of what it means to be human, assaulting dignity and threatening life itself." That is a profound statement and I agree with it.

The main point in the report in question is that we must achieve an adequate standard of living. Adjusting social welfare supports by €5 or €10, depending on economic boom or bust, does not serve children and families well. As was pointed out earlier, the minimum essential standard of living, MESL, data provide a better, evidence-based advocacy benchmark. The re-

port calls for a right to housing for everyone in Ireland to be enshrined in our Constitution and I agree with that. It calls on us to end child homelessness and stresses the need to target services, which is very important. The report does not really touch on the mental health of children. Barnardos has done a good report in that regard and in relation to parents with autistic children. They have been left behind during the pandemic and need to be prioritised. I agree that a committee should be set up, once it is a committee with teeth that will actually do something.

**Deputy Thomas Pringle:** The past 18 months have been incredibly difficult for children. Their schools have been closed and their extracurricular activities stopped. Their rites of passage, freedoms and social lives were taken from them. The Ombudsman for Children's A Better Normal initiative raised issues of grave importance and I am thankful for the opportunity to speak on this matter today and to highlight the issues raised in the report, particularly as they relate to child poverty and child homelessness.

The issues addressed are not exhaustive. Indeed, all children have suffered during the pandemic. However, those who already experienced low income and underprivileged social engagement have undoubtedly felt the effects in a different way. The points raised in this report require acute attention and there needs to be a solid commitment from Government to address them and to prioritise children in their plan for post-Covid life. It is important to note that the Ombudsman for Children does not have a statutory footing. That could be addressed.

The report poses the interesting question as to whether we actually want a return to normal for these children. Was normality good enough? Can we do better? As the report states, this is a once in a generation opportunity to change the course of history and provide a better future for some of the most disadvantaged children. We have an opportunity now to make a real difference and effective change. I believe we can do much better for the children of this country.

Poverty affects all aspects of a child's life. The ESRI report Child Poverty in Ireland and the Pandemic Recession states there could be an increase in child poverty from 16% in 2018 to 19% now. That is shocking. How can we seriously say we live in a modern country with a fair and equal society with numbers like that? This needs to be addressed urgently and in order to do this we need to look at, as Professor Aoife Nolan says, pre-existing long-term structural inequalities and social vulnerabilities.

The latest figures have shown a significant drop in children living in emergency accommodation. There is no doubt this is due to the banning of evictions which was introduced due to the pandemic. I hope the Government will seriously consider who they are affecting when they are looking at lifting the ban on evictions because the ban has had a significant impact.

To address child homelessness, the report recommends that Ireland must enshrine in its Constitution the right to housing for everyone in Ireland. I attempted to introduce this constitutional right in my economic, social and cultural rights Bill which I submitted in 2015, 2017 and in January of this year. If the Government really wanted to address this issue, they could do so through that Bill but when I submitted it at the start of the year, it was delayed yet again and proposed that the Bill be deemed to be read a Second Time in 18 months' time. That shows Government commitment to address these issues is not there. This issue is not something that can be left for 18 months. Action is needed now and that legislation could help. Children in the direct provision system, a group of our society that are already too often overlooked and neglected, have also suffered unique distress throughout the pandemic. The loneliness, isolation and poverty that the children within the direct provision suffer show no sign of abating,

despite the best intentions of the White Paper. It has been nearly eight months since the White Paper was published and it has already stalled and fallen behind in its promises. We have asked much of our children over the last 18 months, it is now our turn now to give back to them, to ensure that they are prioritised and to make sure that they are not left behind. That is what we need to do.

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman):** I thank the Deputies for their contributions to the statements this afternoon. I look forward to my engagement with Dr. Muldoon when we meet in the coming weeks to discuss his proposals in the A Better Normal document in greater detail. The child guarantee I spoke about earlier will help Ireland to sharpen its response and frameworks towards the goal of all children growing up with the same opportunities and access to quality support services that will allow them to thrive in society in a post-pandemic world. The Government is taking steps to prepare for this process. My Department has just established a new EU and international unit that will play a key role in the co-ordination of the necessary actions emerging from the EU child guarantee. The effective implementation of the EU child guarantee will involve the active input of all key Government Departments and agencies. The experience of my Department in the implementation of Better Outcomes, Brighter Futures will inform the design and implementation of the child guarantee to ensure it is collaborative, integrated and impactful. EU funds are available to support measures addressing child poverty, social exclusion and, by extension, the implementation of the child guarantee. The Commission’s proposals emphasise that a child guarantee will only be effective if it triggers national investments and, as was just mentioned, a supportive and enabling policy framework.

The design of any national action plan for its implementation will be crucial to its success. Therefore, a new national policy framework for children and young people for Ireland, or Better Outcomes, Brighter Futures 2, will be an essential future component, working in parallel with our implementation of the EU child guarantee. Of course, given its experience and insight, the National Advisory Council for Children and Young People has already been invited to give input and to collaborate with Government on the implementation of the EU child guarantee. It goes without saying that the implementation of the child guarantee will also necessitate close engagement with and input from key Departments and agencies across Government. My own Department has recently appointed an attaché in Brussels who will underpin critical EU and international work, not least with regard to the child guarantee. This attaché will be a key conduit in managing international matters as part of the EU and international unit. All of this will build on the previous work advanced under the Better Outcomes, Brighter Futures whole-of-government approach to addressing child poverty and will align with existing international instruments to which Ireland is a party, for example, the UN Universal Declaration of Human Rights, as well as future proposed developments such as Better Outcomes, Brighter Futures 2 and existing frameworks such as the roadmap for social inclusion.

Any increases to core social welfare rates are considered in an overall budgetary and policy context and, as part of the annual budgetary process, the Department takes an evidence-based approach in order to ensure that available resources are efficiently allocated to deliver the best impact for social welfare recipients. For example, the minimum essential standards of living, MESL, research, which was mentioned by Deputies, has consistently shown that households with children, and particularly older children, face higher costs than those without. Since 2019, the increase for a qualified child, IQC, rate in respect of children aged under 12 has been increased by €4 per week, while the rate for children aged 12 and over was increased by €8 per

week, bringing the current rates to €38 and €45 respectively. In addition, the Department of Social Protection undertakes social impact assessments using the SWITCH and tax welfare microstimulation models developed by the Economic and Social Research Institute, ESRI. This allows the Department to model the impact of specified proposed budgetary changes such as increases to the qualified child rate, changes to weekly income disregards for the working family payment or changes in weekly rates.

Many Deputies raised the issue of homelessness, and child homelessness in particular. As causal factors and family circumstances vary considerably, so too must the responses. Eradicating homelessness by 2030 is an ambitious goal which necessitates the co-ordinated actions of a wide variety of agencies and stakeholders. Housing for All confirms a housing-led approach to tackling homelessness for all groups. This approach acknowledges that the most effective way to address homelessness is to provide more homes. Under Housing for All, there are specific and costed plans to increase supply across all tenure types, including very significant commitments to social and affordable housing, with over 90,000 social homes, 36,000 affordable homes and 18,000 cost-rental homes, cost rental being a brand new type of tenure that is being introduced, all to be delivered by 2030. Some €4 billion in capital is being invested in social and affordable housing annually. This is the biggest programme of this kind in the history of our State.

Housing for All includes 18 distinct actions tailored to eradicate homelessness. It recognises that suitable housing conditions are a key social determinant of health. Collaborative delivery of housing and health supports will ensure that no person is excluded from either housing or health support and that health support will be an integral component of settlement and a person's return to independent living. The Government has committed to maintaining and consolidating the enhanced health service supports for homeless persons put in place for 2020 and 2021 in response to the pandemic. As part of the public health response to Covid-19, access to health services for people who are homeless was significantly enhanced, initially in the HSE's winter plan, and was subsequently extended to cover all of 2021, with an additional expenditure of €11 million.

Housing for All will build on the co-operation and co-ordination actions already in place and developed in minimising the impact of Covid-19 on homeless persons. As we know, many homeless families have found themselves trapped in long-term homelessness. Housing for All commits the Department of Housing, Local Government and Heritage to working with local authorities and NGOs to identify families experiencing long-term homelessness who have complex support needs. Those who do will be provided with enhanced tenancy sustainment supports to help them exit homelessness and maintain their homes. Additional supports are to be provided to families by Tusla.

Irrespective of their background, all children have a right to education to enable them to live a full life as a child and to realise their potential as unique individuals. There are considerable supports available to children who are homeless both within schools and within the wider system to ensure that homelessness does not impact on school participation and attendance. National Educational Psychological Service, NEPS, psychologists can provide advice and guidance to principals and teachers in respect of the needs of individual students and in the development of a whole-school approach to support inclusion, participation and integration. In addition, NEPS supports schools to implement early intervention and resilience building programmes.

DEIS is the main policy initiative of the Department of Education to tackle educational dis-

advantage at school level. In the 2021-22 academic year, there are 884 schools in the DEIS programme serving more than 186,000 pupils and comprising 687 schools at primary level and 197 at post-primary level. The Department of Education is providing €150 million in 2021 for the suite of supports available to schools participating in DEIS programmes. Supports include additional teaching posts in DEIS band 1 schools, 415 home-school community liaison co-ordinators, DEIS grants, enhanced book grants and some €26 million towards the school completion programme. The rationale for providing supports to DEIS schools is that empirical evidence suggests that students attending schools with a concentration of students from disadvantaged backgrounds have poorer academic outcomes. Where children experiencing homelessness are not attending DEIS schools, they still have access to a range of supports available from my Department, the Department of Social Protection and Tusla educational welfare officers.

The Tusla education support service, TESS, seeks to maximise attendance, participation and retention in school to try to ensure that the education placement does not break down and to ensure that the protective factors of maintaining school engagement are capitalised on. TESS's response to children and families experiencing homelessness, or who are at risk of homelessness, is to identify supports that assist with the educational welfare of children and families who are experiencing homelessness. These include breakfast clubs and homework clubs operated via the school completion programme.

My Department recently announced the Covid learning and support scheme, CLASS, which has been put in place for the 2021 school year to help schools mitigate the adverse impacts of Covid-19 on pupil and student supports, learning loss and well-being issues arising from the periods of school closure in 2020 and 2021. Under that programme, a block of additional teaching hours is being provided to each recognised school from which it can provide additional teaching support for the pupils who have experienced difficulties in settling back into school and engaging with learning. I know from schools I have visited in my constituency in recent weeks that these additional supports are welcomed.

I thank Deputies for their contributions to the debate this afternoon. I have outlined a number of actions the Government is taking to address child poverty and children in homelessness. I have also set out clearly our engagement with the EU child guarantee, which we will see as a major focal point in tackling child poverty and linking that with the Better Outcomes, Brighter Futures, BOBF, successor strategy.

I look forward to my engagement in the next two weeks with the Ombudsman for Children to discuss in greater detail his A Better Normal initiative and to engaging with Deputies in terms of how we respond to that as a House.

**An Leas-Cheann Comhairle:** We will move on but we are a few minutes ahead of schedule so I do not want to take Members by surprise. The first Topical Issue is in the name of Deputy Stanley. It is in the name of Deputy Cowen as well, who is not here. We are a little bit ahead of time so I will take a few minutes.

*Sitting suspended at 4.02 p.m. and resumed at 4.07 p.m.*

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

23 September 2021

## Ambulance Service

**Deputy Brian Stanley:** I raise the problem with ambulance services in Laois-Offaly. There have been a number of cases over the past two years of very long delays and, in one case, a no-show. One case was an elderly man in Clonaslee left lying in a yard. That went on for over two hours. There was a case in Rathanska in a sports field involving a massive delay. There was a case in Portlaoise recently where there was a no-show to pick up the injured party. They had been advised by the ambulance services not to move the injured person. The reason for this, I am told, is there was no ambulance in the county at the time because the ambulance based normally in Laois could be in Waterford, Wexford or other parts of the south east. The deployment can stretch that far, and it is the same for Offaly.

There was a case in Naas recently where a horse fell on a man and he was trapped underneath the horse with a broken hip and internal bleeding. The ambulance was despatched from Portlaoise to pick him up and when they were within 2 km of him after travelling over 50 km, they were stood down and sent to a non-emergency in Athy.

Kilminchy is across the road from the hospital, 500 yd away. An ambulance was sent from Birr to pick up an elderly woman and bring her to the hospital in Portlaoise. There is a case of a Portlaoise ambulance crew being sent to west Offaly. They arrived at the gate, the people inside saw they were there and the next thing they were told they were stood down. The ambulance staff had to explain that the householders had seen them and they could not be stood down.

Having spoken to staff, there are different problems. Dynamic deployment, because of the shortage of staff, is causing problems. I have raised this with different levels of the National Ambulance Service, and indeed with Paul Reid twice in the last two weeks. There is an issue of a shortage of staff, which he has confirmed for me, of up to 25%. Scotland has 5,000 staff; we have 1,800. There are many graduates coming on stream next year and I welcome that but the distance issue has to be examined in terms of deployment. I am aware that there are working groups established and that the distance is being examined, but this is a really important issue to try to get a grip on. It is a key issue.

**Deputy Barry Cowen:** Notwithstanding the debt of gratitude we owe front-line workers, healthcare workers especially, I wish to raise, as my colleague has done, the issue and the plight of the ambulance services. There are serious concerns, worries and fears in my community and constituency as a result of incidents relating to ambulance services. Reports from crews and patients around the country over the past year or so suggest serious concerns about delays in ambulances arriving to treat patients. These delays were once an occasional occurrence but, unfortunately, now seem to be making the news daily. In one week alone, in a small town in my constituency, three cases were highlighted to me in which very serious delays occurred. Paramedics are also being dispatched, as the previous speaker said, to calls way outside of their own regions, irrespective of the levels of cover locally. In turn, many calls in the midlands recently have been answered by crews from as far away as Roscommon, Ballinasloe, Athy, Maynooth and Cavan. This, of course, is because the midlands crews themselves have been dispatched to other regions. Staff suggest that keeping crews in their own areas, as was the case previously, would improve response times. They state that until the centralisation of the control centre there were never, and they do not ever remember, delays of two to three hours or more, as has been the case in recent times. Crews are desperate for things to improve but staff morale because of this, as the Minister of State would appreciate, is very low. It is leading to

huge absence levels. I believe up to 50 shifts were left uncovered in one part of the country last week alone. It has been relayed to us that some staff were released from front-line duty to carry out Covid swabbing. Returning them to front-line duty should be considered as an option to improve staffing levels at present. I implore the Minister of State to insist on improvements and measures that can improve operations and to put in place a mechanism by which that is reviewed as soon as possible and regularly thereafter.

**Minister of State at the Department of Health (Deputy Frankie Feighan):** I welcome the opportunity to address the House, on behalf of the Minister, Deputy Stephen Donnelly, on ambulance resources and services, particularly those in the Laois and Offaly region. I join my colleagues in giving my gratitude to the healthcare workers in these very difficult times.

The National Ambulance Service, NAS, does not operate a station-based deployment system but instead uses “dynamic deployment” on a national basis. Dynamic deployment allows staff in the HSE’s national emergency operations centre to see all available resources and match them with service demand requirements in real time.

While Laois and Offaly have between five and nine vehicle resources, support is also provided by crews based at Athy, Roscrea, Carlow and Athlone and by crews from the NAS north Leinster region as whole.

The 2014 HIQA report into pre-hospital emergency care highlighted this process as a way to improve response times and NAS performance generally. Using dynamic deployment allows the NAS to prioritise resource allocation to the higher acuity calls that require an immediate emergency response. It also allows the NAS to categorise non-serious or non-life-threatening calls and to provide a resource appropriate to the patient’s need. This does mean that lower acuity calls will sometimes experience a longer wait for an ambulance, and this has been a challenge in recent years.

A 2016 emergency service baseline and capacity review highlighted particular difficulties associated with ambulance services in rural areas as Ireland’s population density is significantly different from those of many other countries. This review suggested that the most practical way of providing an initial response to many calls in rural areas is through voluntary community first responders, CFRs. Community first responders are members of the community who are supported by the ambulance service in providing a high level of initial response within their local community. The NAS has worked hard to grow the CFR scheme over the years, and in 2021 a total of 275 schemes have been established, including 19 schemes covering Laois and Offaly. While it was necessary to temporarily stand down these groups due to the pandemic response, 103 of the 275 are now operational again, including ten in Laois and Offaly. The NAS is continuing to work on reactivating all such groups.

As the House will be aware, the NAS also continues to provide significant support to the HSE’s response to the pandemic, particularly in respect of the national testing and vaccination programmes. This is being delivered against a backdrop of an overall increase in both hospital activity and emergency calls in the latter half of this year. The NAS anticipates that the release of staff from Covid-related duties in the coming months will improve resource availability across the board. I can advise that in 2021, the NAS has been allocated additional funding of €10 million, which includes funding for additional paramedic staff in line with the baseline capacity needs that have been identified.

23 September 2021

I wish to highlight to the House the progress that has been made in recent years through the NAS strategic plan, Vision 2020. The NAS has been undergoing a significant process of modernisation that includes service innovations aimed at providing alternative pathways of care and helping to improve resource availability and response times. The Government is committed to this strategic reform plan, which has been developed to ensure we have a modern, agile and responsive National Ambulance Service.

**Deputy Brian Stanley:** I thank the Minister of State for his response and join the other Deputies in thanking the ambulance crews and the staff for the absolutely magnificent work they have done over the past year, in particular the past year and a half.

As for the reply, the Minister of State said that while Laois-Offaly has between five and nine “vehicle resources”, which can mean cars as well, support is also provided by other crews from Athy, Roscrea, Athlone, etc. The problem is that the region has been left exposed because at times all the ambulances are drawn out of the area. It was confirmed for me yesterday and again this morning by Paul Reid that the issue of distance is being looked at. It has to be looked at for a simple reason. I am not going to argue with the Minister of State that there should be a strict county boundary - in other words, that a Laois ambulance has to go to Craiguecullen, which is a distance of 28 miles, and that the Carlow ambulance half a mile away cannot go there. Of course the Carlow ambulance should be able to go there, but there has to be some distance factored into this.

Staff are overworked. They have no breaks sometimes. There is a huge redeployment of Covid staff. That needs to finish. Other staff can provide Covid services. We need to return those staff involved in Covid services to ambulance services now. I appeal to the Minister of State to do that. We need to increase the number of ambulances-----

**An Leas-Cheann Comhairle:** Thank you, Deputy. We are over time.

**Deputy Brian Stanley:** -----and staff. The distance factor-----

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

**Deputy Brian Stanley:** -----needs to be pushed on. Lastly, we need to prioritise deployment in terms of fine-tuning that.

**Deputy Barry Cowen:** I appreciate the Minister of State’s response. Looking over it and listening to what was contained in it, I would respectfully say that the dynamic deployment mechanism, as well thought out and well considered as it may have been, does not appear to be having the desired impact or results one would have expected initially. It is as a result of that and the frustrations and the morale within the service that genuine medics are reconsidering their future role.

I note too that part of the overall package in addressing this included the community first response system, which the Minister of State says is beginning to come back on track after Covid or as it recedes. We welcome that too. There has been a modernisation of many facilities in my constituency among others, which of course helps in ensuring that work is done in a professional manner in the surroundings people deserve. I ask, however, that some effort be made on the part of the Minister’s office to liaise with the HSE in order to ensure that there is some local engagement processes that would lead to new processes that can help in the delivery of the service and, as I said, is monitored-----

**An Leas-Cheann Comhairle:** Thank you, Deputy. We are over time.

**Deputy Barry Cowen:** -----such that engagement is seen to result in improvement.

**Deputy Frankie Feighan:** I thank the Deputies once again for raising this issue, notwithstanding, as we said, the challenges of the Covid pandemic and the demands it places on our services. The National Ambulance Service is committing to reducing response times in the Laois and Offaly regions and across the country. Deputy Stanley noted that the distances are being looked at, which is to be welcomed. I hope we can have better consultation on such issues. Deputy Cowen said that the dynamic deployment mechanism is not working for Laois-Offaly. He asked that the Minister liaise with stakeholders on the issue and ensure there is local engagement. I will take his points back to the Minister.

In line with the National Ambulance Service's strategic plan, Vision 2020, the service is undergoing a multi-annual reform programme that prioritises investment in new developments, increased manpower and fleet, and improved technology. This year, an unprecedented €187 million-plus is being invested in the service, including €10 million in new funding that has been allocated to priority areas that will continue to progress strategic reform. The funding facilitated an increase in paramedic staff numbers to target capacity deficits and is being used to progress the development of alternative patient pathways. These include hear-and-treat and see-and-treat services that are designed to manage low-acuity calls in an integrated manner, which may mean that emergency department attendance can be avoided for those patients.

I assure the House that the Government will continue to support these developments within the National Ambulance Service and to prioritise strategic measures that contribute to better patient outcomes. Deputy Cowen spoke about the need to retain these very valuable staff, including advanced paramedics and ambulance personnel. There are challenges in that regard, particularly following the Covid crisis, when ambulance service staff, like many front-line staff, are burnt out. We must recognise that.

### **Tobacco Control Measures**

**Deputy Colm Burke:** Will the Government consider implementing laws that would restrict the importation of tobacco products into the country exclusively to those with plain packaging that includes both pictorial and text warnings in both the Irish and English languages? A similar system that was introduced in Finland requires health warnings to be provided in words and pictures in both Finnish and Swedish. I am raising this issue because, during lockdown, the value of the sale of tobacco products in Ireland increased by €130 million. This was not because there was a huge increase in the number of people smoking or the number of cigarettes they smoked per day but because people were not able to bring in cigarettes from other countries as they were not travelling abroad for holidays or business. The increase of €130 million gives an indication of the volume of products being brought in from abroad by people coming back from their holidays.

In Finland, only tobacco products with packaging that includes warnings in Finnish and Swedish can be brought into that country. Why not introduce the same requirement in Ireland such that only products with warnings in English and Irish are allowed into this country? That leads me on to another issue, which is that, in Finland, people are restricted to bringing in no more than 200 cigarettes per person. For people coming back to Ireland from abroad, the limit

is 800 cigarettes. This is a health issue to which we need to give priority. We want to reduce the number of cigarettes people smoke. It is also a financial issue.

There is another issue arising in regard to the sale of packet cigarettes. Pricing is based on a packet of 20 but there is nothing preventing the sale of 23 or 27 cigarettes, say, in a packet. If we look at the figures, a packet of 20 cigarettes costs €12.20, 23 cigarettes cost €13.80 and a pack of 35 costs €20. The difference is a cost of 61 cent per unit for a pack of 20 compared with 57.14 cent per unit for a pack of 35. In addition, when a person purchases a packet containing more than 20 cigarettes, the likelihood is that he or she will smoke the whole 28 of them, say, in one day, rather than the usual total of 20.

These are issues we need to tackle. The regulations are not precise and concise enough in dealing with the increase in the volume of cigarettes being consumed in this country. It is an issue we must look at very carefully and which could be dealt with in the budget.

**An Leas-Cheann Comhairle:** All that talk of cigarettes would put the longing on you.

**Deputy Frankie Feighan:** I thank the Deputy for raising this important issue. There is legislation in place in Ireland to ensure that all tobacco products manufactured for sale in the State are in standardised packaging. There is also legislation in place requiring the display of health warnings, comprising a pictorial warning and text warnings in both Irish and English. Under the Public Health (Standardised Packaging of Tobacco) Act 2015, all tobacco products manufactured for sale in Ireland since 30 September 2017 must be in standardised retail packaging. Standardised packaging of tobacco, also known as generic or plain packaging, means that all forms of branding, including trademarks, logos, colours and graphics, must be removed, except for the brand and variant name, which are presented in a uniform typeface for all brands on the market. All tobacco products for retail sale in Ireland must be packaged in a plain neutral colour, except for the mandatory health warnings. The aim of standardised packaging is to make all tobacco packs look less attractive to consumers, make health warnings more prominent and prevent packaging from misleading consumers about the harmful effects of tobacco.

The European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulations 2016 transpose the EU tobacco products directive. These regulations contain comprehensive provisions on the labelling and packaging of tobacco products. Each unit packet and any outside packaging of tobacco products must carry a combined health warning, an image and text. The regulations are clear that the textual warnings must be in both the Irish and English languages. The pictorial and textual warnings are also prescribed in the legislation. The legislation on labelling and packaging of tobacco products is very clear: a person may not manufacture or import a tobacco product that is intended for sale by retail in the State unless it is in compliance with the 2016 regulations.

The Deputy raised some interesting issues, particularly the point that there was an increase in the sales value of tobacco products of €130 million during the pandemic. He referred to the quality and health aspects and rightly pointed out the issues arising from the sale of cigarettes in packets of 28, say, rather than 20. That is worrying because if a person who smokes 20 a day gets a pack of 28 or 30, he or she is likely to finish the pack. We have seen this anecdotally in respect of minimum unit pricing of alcohol, where a person who might previously have bought two 500 ml cans of lager at a cost of €10 will buy four cans for the same price. There is an issue if people are buying packs of more than 20 cigarettes when they would previously have bought a pack containing 20. I thank the Deputy for raising that important point.

**Deputy Colm Burke:** I accept the Minister of State's reply in respect of tobacco products that are sold in Ireland, but my question referred to products being brought into the country. We allow people to bring in 800 cigarettes, compared with a limit of 200 in Finland. There is not the same requirement in respect of products being brought back by people returning from holidays or a business trip that the health warnings be in English and Irish, whereas the corresponding requirement does apply for products being brought into Finland. I am asking that this issue be looked at. I also ask that consideration be given to dealing with the situation whereby manufacturers can still dictate the retail selling price. They are dictating the terms and that is why, for example, they can have more cigarettes in a pack than one would expect. We need to consider this whole issue and deal with health warnings, making sure that we follow through on what we want to do on this. I am not sure that the sales level indicates that more products were imported into the country; it is that there were more sales during lockdown. The figure in question is €130 million. It is a substantial figure and it gives an idea of the scale of product that is being brought in by people who are travelling out of the country and back into the country. It is something we need to look at.

**Deputy Frankie Feighan:** Some interesting areas have been looked at. I will ask the Minister to investigate the fact that in Finland people are allowed to bring in no more than 200 cigarettes while in this country 800 cigarettes is the maximum. We will consider that. There is also the fact that the manufacturers dictate the retail selling price in the context of the number of cigarettes that can be in a packet. The Deputy is right that €130 million is a substantial sum. We need to consider that.

As the Deputy is aware, the introduction of standardised packaging of tobacco products and the display of both written and pictorial warnings on all tobacco products are central to our efforts to reduce tobacco consumption and meet the objectives of a tobacco-free Ireland and the national tobacco control strategy. The Public Health (Standardised Packaging of Tobacco) Act 2015 sought to decrease the appeal of tobacco and reduce the ability of product packaging to mislead consumers about the harmful effects of smoking. The goal of standardised packaging is also to increase the effectiveness of health warnings on tobacco products.

Irish law had provided for health warnings on the impact of tobacco smoking before the introduction of the tobacco products directive at EU level in 2014. The Irish regulations that give effect to the tobacco products directive could not be more clear on the requirements for the labelling and packaging of tobacco products that are imported for sale in the State. They must display pictorial and textual health warnings and the warnings must be in both Irish and English.

A key aspect of the strategy to reduce tobacco use, particularly uptake among children and young people, is de-normalising tobacco use by reducing the visibility and attractiveness of tobacco products and associated imagery. The advertising and promotional potential of tobacco products has been greatly reduced by legislation governing how they are packaged and presented.

## **National Parks**

**Deputy Rose Conway-Walsh:** I thank the Minister of State for being here to address this issue. There are many things that need to be fixed in Ballycroy and County Mayo, including broadband, mobile phone coverage, roads, housing and health. However, one of the things that

23 September 2021

did not need to be fixed was the name of Ballycroy National Park, which has been changed to Wild Nephin National Park. The people of Ballycroy and its diaspora throughout the world are extremely angry that this decision has been made. Nobody asked for it and nobody was consulted about it. Who made the decision and when was it made? When we know that, I will expect that person to reverse or overturn the decision.

I do not want the Minister of State to give me the letter that Deputy Calleary and I have already received as an answer on this issue. It points out to me the names of areas such as the parish of Kiltane, Bangor Erris, Ballymunnelly, Bellacorick, Newport, Mallaranny, Srahmore, Derra, Tubridge, Keenagh and Altnabrocky. I come from Ballycroy, next door to the national park. I know all those places, where they are and their size, so I ask the Minister of State to please not repeat that to me. The letter states that the wish is to reduce confusion. The Minister of State might tell me who is confused. It is certainly not me, Deputy Calleary, the people of Ballycroy or the members of its diaspora who are confused about this. It seems that the Government is confused and completely out of touch with what is happening in these areas. People ask me many things but nobody has ever asked me to change the name of Ballycroy National Park.

**Deputy Dara Calleary:** Ballycroy National Park was established in 1998. The visitor centre at Ballycroy was opened in 2009. At establishment, it had 11,000 ha of some of the most rare and precious bogland in the world and that was to be at its heart. There was never any difficulty with the name Ballycroy National Park. Ballycroy is a centre and a community. It was the people of the area who campaigned for the visitor centre in the first instance. It was they who put their land up and who are the guarantors of the land we are supposed to be protecting.

The national park was added to in 2017 with another 4,000 ha from a Coillte industrial process. That is now being used as the reason the name of the park needs to be changed to Wild Nephin National Park. We are also being told by the National Parks and Wildlife Service, NPWS, that Wild Nephin Ballycroy National Park is too long. I point out to the Minister of State that there is a national park in Scotland named Loch Lomond and the Trossachs National Park. Killarney National Park comprises 10,500 ha that extend way beyond Killarney but nobody is suggesting removing Killarney from its name.

This decision speaks to more than just a name. Deputy Conway-Walsh referred to the lack of consultation. Nobody will take responsibility for this. The fact that a decision such as this can be made without any engagement with the community or public representatives speaks to a system that thinks it is not answerable to anybody. It speaks to a system that thinks it does not have to answer for decisions. That is happening across so many areas. As Deputy Conway-Walsh stated, the name of the national park is incredibly important to the people of Ballycroy and its diaspora, but this is also about the principle of how this was and is being done. There is a hope that we will go away and accept it. I know that Deputy Conway-Walsh and I will not do that. It was previously agreed that it would be known as the Wild Nephin Ballycroy National Park. Why was that changed and who changed it?

When the extra land was added, it was identified for rewilding. Experts proved at that time that the direct participation of local communities would be essential to rewilding. With this decision, the NPWS is destroying participation by communities. It needs to be stopped now.

**Minister of State at the Department of Justice (Deputy James Browne):** I thank the Deputies for raising this very important matter that I am taking on behalf of the Minister for

Housing, Local Government and Heritage, Deputy Darragh O'Brien, who sends his apologies for not being able to be present. He has asked me to assure the Deputies that his Department is deeply committed to the development of the national park in Mayo.

In December 2017, the Department with responsibility for heritage announced the expansion of Ballycroy National Park to include the area known as Wild Nephin. This expansion was the result of a long-standing collaborative project between Coillte and the NPWS of the Department. The addition of the Wild Nephin area and, separately, a private acquisition of 1,200 acres at Altnabrocky have expanded the total size of the park to more than 15,000 ha of the Nephin Beg mountain range. The expansion adds significantly to the overall biological diversity of the national park, which will be augmented further under park conservation management.

With the consolidation of the entire Wild Nephin area into the ownership of the NPWS, the potential for the park is enormous. One of the major advantages of this consolidation of land is that access to the national park, which historically had been problematic, will be greatly improved. The expanded park will be the key link from the Great Western Greenway going north into Bangor Erris and Ballycastle and will be an important tourist hub and a gateway for cyclists and hikers from the greenway into north Mayo.

These acquisitions also mean that some 65% of State-owned lands making up the park are outside the Ballycroy catchment area. Of the circa 15,000 ha making up the national park, 33% is in the parish of Ballycroy, 26% is in the parish of Kiltane, approximately 20% is in the parish of Burrishoole and 20% in the parish of Crossmolina. Included in this are the 4,200 ha leased from Coillte and the acquisition at Altnabrocky, neither of which is within the parish of Ballycroy.

The name change is intended to assist the integration of the original park and the newly acquired land fully into the Nephin Beg mountain range in the north Mayo landscape, to integrate with all the communities in the townlands in question and to provide a clearer indication of the location to tourists and reduce confusion, especially in terms of the Nephin wilderness area. The new name provides a clearer indication and reflection of the entire landscape, which fully represents this unique area on an international platform, with International Union for Conservation of Nature recognition for Ireland's sixth national park.

**Deputy Rose Conway-Walsh:** The Minister of State has not answered any of my questions. He did what I asked him not to do, which was repeat the written answers that Deputy Calleary and I have been given already. We asked who made the decision, when it was made and whether it is going to be overturned or reversed. Nobody has asked for this. If there is nobody capable, within the Department or politically, of marketing, advertising and branding Ballycroy National Park, and the name needs to be changed to Wild Nephin National Park when nobody asked for it, then its capacity needs to be looked at seriously. Why does this Government do these things to people? Why does it insult people, when national parks and wildlife and Government have enjoyed the co-operation of landowners and people around the national park? For many years, relationships have been built up but they have been destroyed.

**Deputy Dara Calleary:** The make-up of the national park and the percentage of parishes within it has not changed much with the addition. It was always thus and it was always fine when it was called Ballycroy National Park. There was no demand for the other parishes to have their name attached to it. I acknowledge that the Minister of State is not the line Minister. I ask him to go back to question the process. We need to know who is responsible and who has

the power to take such decisions.

Finally, the Minister of State said that the name change is to provide a clearer indication of the location to tourists. I assure him that somewhere such as Ballycroy can be found. It is not just a place; it is a community that is strong and proud. It fought hard for this park and for the creation of it, and made sacrifices doing so. It will fight hard to retain its name in the naming of the national park. Wild Nephin is not an area. It is a marketing concept, which we all support and we see the benefits of, but it is not immediately identifiable to visitors. I ask the Minister of State to talk to his colleagues and get them to see sense on this, and to challenge the process that ignores people in the way this is.

**Deputy James Browne:** I thank the Deputies for bringing up what is clearly a most important matter for them both and for County Mayo. I am not in a position to answer the specific questions on who made the decision and when it was made, and on the issues in respect of consultation, but I understand and hear the incredible importance of the name to the Deputies. I will certainly bring those points to the relevant Minister. I thank the Deputies again.

While the name has changed to better represent the areas the national park inhabits, the commitment of the Department of Housing, Local Government and Heritage to both Ballycroy and the national park remains unchanged. The official state-of-the-art visitor centre remains in Ballycroy village. The Department of is currently developing proposals, in conjunction with Mayo County Council and Fáilte Ireland, to upgrade and invest in this area, including examining the potential for a planetarium and observatory to complement the national park's designation as a gold tier dark sky park. The location of the visitor facility in Ballycroy village and the associated walks and educational facilities, which attract visitors to Ballycroy, will remain on all road signage in the region as we continue to grow the visitor numbers and new link to both the parish of Ballycroy and the wider north Mayo region, with the support of Mayo County Council.

Overall, this reflects the ongoing commitment of all stakeholders to improve the recreational potential of this area while ensuring the high standards of nature conservation. This Government is committed to preservation and presentation of our natural heritage for future generations of citizens and visitors alike to enjoy. In a nutshell, the Minister for Housing, Local Government and Heritage is looking to improve the recreational potential and visitor amenities of our national heritage sites, whilst also ensuring the high standards of nature conservation. I hear the Deputies' questions and comments and I will convey them to the Minister.

### **Commissions of Investigation**

**Deputy Martin Kenny:** I am sure the Minister of State will be aware of the documentary that was aired on RTÉ over the past number of weeks on this issue. On an evening in 1985, Fr. Molloy was found dead in a bedroom in a house in Clara, County Offaly, the home of the Flynn family. They were a wealthy family with whom Fr. Molloy had both personal and business relationships, as it subsequently turned out.

The issues around this are clear. We have had 36 years of cover-up and an unwillingness of the State to examine the issue. From the beginning, it was clear that every effort was made to smother what was happening. I believe the first that people outside of the household knew of the death of Fr. Molloy was when the parish priest in Clara knocked on the door of the local

Garda station. The conversation immediately was about how it could be kept quiet. That has been how it has gone on since then.

I wish to commend the family of Fr. Molloy, and Bill Maher in particular, who was one of the key people involved with the recent documentary, and indeed, RTÉ on showing the documentary. It is an outrage that we have a situation where a priest was found dead in a bedroom and the people who were involved walked away without any recourse to justice. If we remember, at the same time in the mid-1980s, how the family of Joanne Hayes in County Kerry was treated, we will note the stark contrast between a poor family and a wealthy family and how they were treated by the State. It is something that slaps us all in the face and should wake us up to what needs to happen here.

There needs to be a full investigation into how this happened. The only way that can be done is through a commission of investigation that will compel people to tell the truth about what happened. It is a scandal that has gone on for too long. I certainly hope that the Minister of State will inform us today that the commission of investigation will be put in place as quickly as possible to ensure that this family gets justice. It has gone on for too long and it simply cannot go on for any longer.

**An Leas-Cheann Comhairle:** Names were mentioned. I advise caution in the mentioning of names.

**Deputy Martin Kenny:** They are all in the public domain.

**Deputy Claire Kerrane:** Fr. Niall Molloy was a son, a brother, an uncle, a neighbour, a friend and a parish priest to the people of Castlecoote, County Roscommon. He was held in the highest regard by those who knew him and those whom he served in his parish. Fr. Molloy was brutally murdered 36 years ago. It is 36 years later and there have been no answers and, more importantly, there has been no justice. There has been no justice for Fr. Molloy or for his family who has to live with the injustice every day. I cannot begin to imagine the pain of that.

This happened before I was born, but there is not one person growing up in County Roscommon who does not know about Fr. Niall Molloy. The recent documentary shown on RTÉ has put a spotlight on the case yet again. There is no doubt in my mind that this was a cover-up. It is wrong. This Government should bring the injustice to an end, once and for all, by establishing a commission of investigation into the death of Fr. Molloy. It is the very least that he and his family deserve. We must remember in all of this that Fr. Niall Molloy was a person. His life mattered. I plead with the Minister of State and the Government to end the injustice for this family, 36 years later. I ask them to establish that commission of investigation into his death to give the family the justice they deserve and those answers that they have not yet received 36 years after somebody that they loved was killed.

**Minister of State at the Department of Justice (Deputy James Browne):** I thank the Deputies for raising this most important matter. As the House will be aware, Fr. Niall Molloy was a Catholic priest who tragically died in undetermined circumstances on 8 July 1985. Fr. Molly was the parish priest of Castlecoote, County Roscommon at the time of his death. I wish to send my sympathies and those of this House to the family of Fr. Molloy for the grief and trauma this tragedy has caused them in the years since his death.

It is important to emphasise that the investigation of any crime is strictly a matter for An Garda Síochána, which is, by law, responsible for all law enforcement in this State. I advise the

23 September 2021

House that the Garda serious crime review team, SCRT, carried out a major review of the case, which involved an extensive examination of the original investigation, as well as a detailed inquiry into additional issues raised. The SCRT report was submitted to the Director of Public Prosecutions, DPP, who advised in July 2013 that there should be no further prosecution in the case. The DPP is, of course, completely independent in the exercise of her functions, and the Minister for Justice has no role in any decisions made by the DPP regarding any case.

In an effort to address continued concerns over Fr. Molloy's tragic death, it was decided to appoint Mr. Dominic McGinn SC, to independently assess what information could be put into the public domain regarding the SCRT review of the case and to advise as to whether a further inquiry would be warranted.

This was an exceptional course of action, motivated by the desire to bring the greatest possible transparency to bear. On 31 March 2015, the former Minister for Justice and Equality, Frances Fitzgerald, published the report. The thrust of Mr. McGinn's report was to shed light on as many issues as possible to minimise the number of unanswered questions regarding the case.

The report by Mr. McGinn outlines how some of the concerns expressed regarding this case were not supported by evidence. It details shortcomings in the original investigation, which were identified by the SCRT review.

The McGinn report concluded that the precise events surrounding Fr. Molloy's death cannot now be ascertained. It concludes that, given the passage of time, the death of many of the pertinent witnesses and the reluctance of others to give evidence, it is unlikely any further inquiry would have a reasonable prospect of establishing the truth.

In light of all of the above, the establishment of a commission of investigation would be inappropriate at the current juncture because, as Mr. McGinn pointed out previously, it is unlikely that any further inquiry would have a reasonable prospect of establishing the truth. As such, this course of action is not being considered by the Department of Justice or the Government at this time.

**Deputy Martin Kenny:** I am surprised and deeply annoyed that the Government would refuse a commission of investigation having seen what was put before the public in recent weeks in the documentary on RTÉ, which exposed the reality that there was no appropriate or full investigation, even at the time of Fr. Molloy's death. Many of the people who were at the party in the house on the evening in question were not interviewed. Many of them were never spoken to. Issues concerning the business involvement of the woman of the house and Fr. Molloy were never properly investigated or looked into. The manner in which the case was hushed up is really what needs to be examined. Anyone with an ounce of common sense will realise that the only way this can be done, and the only way we can get to the truth here, is by compelling people to tell the truth and to speak clearly and openly at a commission of investigation. It is simply not good enough that the family has been let down. It is not the only one. There are many other families in similar circumstances around the country but the one in question is one we are focusing on this evening. It is absolutely wrong that the Government would refuse point-blank to have a commission of investigation when it has realised what has been seen on our television screens in recent weeks.

**Deputy Claire Kerrane:** In the Minister of State's contribution, he referred to the major

review that was conducted and the subsequent report of Mr. McGinn. Neither has provided any answers or justice to the family. It is not good enough to say it is unlikely that what actually happened will come to light, and that this is why a commission of investigation will not be established. This is a position that the Minister of State and Government should re-examine. It is not good enough to say it is unlikely that evidence will be found and that the Government will therefore not even consider a commission of investigation. That is deeply regrettable. Ultimately, the family of somebody who died 36 years ago remains without answers and justice. In this day and age, that is a great shame. I ask the Minister of State to reconsider the proposal for a commission of investigation.

**Deputy James Browne:** Again, I thank the Deputies for raising this matter. I am very aware of the claims that have been made over many years regarding Fr. Molloy's death but I must emphasise again that the Minister for Justice has no role in any investigation of any crime or the decision to prosecute any crime. These are strictly matters for An Garda Síochána and the DPP. The question of any further prosecution is a matter for the DPP, who has already issued a direction in that regard. It is important to recall that the investigation into the death of Fr. Molloy remains open and that anyone with any relevant information is encouraged to contact An Garda Síochána.

I must also emphasise the independence of the courts and the Judiciary in the exercise of their functions. Neither I nor the Minister for Justice can comment on the conduct or outcome of any court proceedings, no matter how long ago they occurred, or the claims made. These are strictly matters for the presiding judge.

I acknowledge that the Minister's position is not the outcome that the Deputies would want or that the family of Fr. Molloy have sought but it remains the only reasonable conclusion that can be reached following Mr. McGinn's careful analysis of the SCRT review. A further inquiry into Fr. Molloy's tragic death is not appropriate at this juncture as it is very unlikely that any further inquiry would have a reasonable prospect of establishing the truth, which must be the fundamental criterion in establishing any further inquiry. As the McGinn report concluded, the precise events surrounding Fr. Molloy's death cannot now be ascertained. It concluded that, given the passage of time, the death of many of the pertinent witnesses and the reluctance of others to give evidence, it is unlikely that any further inquiry would have a reasonable prospect of establishing the truth.

I would like to close by extending my sympathies and those of the Government and this House to Fr. Molloy's family on its terrible loss, the pain of which is still clearly felt by many of them so many years later.

**An Ceann Comhairle:** I thank the Minister of State, and I thank the Deputies for raising these matters.

*Sitting suspended at 4.57 p.m. and resumed at 5.03 p.m.*

**Criminal Justice (Public Order) (Quadbikes and Scramblers) (Amendment) Bill  
2021: Second Stage [Private Members]**

**Deputy Paul Donnelly:** I move: "That the Bill be now read a Second Time."

23 September 2021

I will be sharing my time with Deputy Seán Crowe. I acknowledge that the Government is not opposing this Bill and I hope that not all of the elements of it will be in the Government's long-awaited legislation dealing with illegal and dangerous scramblers and quads that are being ridden in our parks and open spaces. I say "long-awaited" because the Tánaiste stated in February 2020, when Deputy Ellis brought this Bill forward, that the Government would have legislation ready to go for autumn 2020. It is now autumn 2021 and we have yet to see that legislation but I hope that we see it fairly soon.

The purpose of this Bill is to extend the powers to gardaí to seize and detain quad bikes and scramblers used unlawfully in a public place, including in public parks and green spaces. It will give power to An Garda Síochána to detain and seize scramblers and quad bikes used unlawfully in a public place, it establishes an offence of driving a quad bike or scambler in a public place and provides for penalties and fines and-or seizure or a term of imprisonment not exceeding six months.

It is important to say that this is not all we need to do. Legislation on its own is useless. This will just be words on a document if we do not action those words. We must ensure that An Garda Síochána has the resources, the training and the equipment to tackle the problems in our communities. We also need to ensure that we provide education, training and other resources for youth services in order to deal with this in a kind of holistic way.

I brought this Bill forward and I persisted with it for many years. I was talking to a councillor in my own area today who said that I was promoting my Bill today and have been battling away on this for a good number of years, and I have. This has been for a very real reason and I know Deputy McAuliffe also has experience of this, as do nearly all of the Deputies who live in urban areas in how it affects them.

My experience is that I have a green space beside my road where our kids and our neighbours' kids play. Unfortunately, I have had to stand in the middle of that green time after time to appeal to the young people that are going up and down it on the quads. Not only is it dangerous for them but it is also dangerous for everyone else in our community. I have had to repeatedly call the gardaí and I am on speed dial with them at this stage. When I ring both 999 and the community gardaí, I receive the same answer where they say they will send a car up to try to get them to move off but there is not a great deal that we can do. In this day and age, considering how dangerous this is, this is not an acceptable way forward in our society.

Unfortunately, I have also spoken to parents of children who have these quads and scramblers. I have asked them not to allow their children to go out on them. If they need to go somewhere, there is a track in Mulhuddart and they should be encouraged to go there, to join up and do it properly. We see all too often, particularly around Christmas time, so many young people being hurt and some have even been killed. One such person was killed on Christmas Day not too long ago because of the actions of parents who buy these machines. I appeal to any parents listening today who are thinking for even one second of getting a quad or scambler for their child, please, do not do so. Please do not put such a dangerous machine in very young children's hands. If you see a scambler out in your community and your young child is on it, go out and challenge them. Even if it is not their bike challenge them and take your child off it and deal with it in that way because it is so dangerous.

The other day I put up a request on social media to find out what people's experiences were of scramblers and quads and I would like to read out just a couple of them. One of the neigh-

bours in a neighbouring estate said that: “They’re forever on the green across from millennium park and have nearly knocked down kids on the footpath I have reported this a number of times via messenger I’m sure you can you hear them from your house.” We hear them pretty much every week. Jacqui said:

Drives you mad ... damaging the fields doing donuts. Makes them look like a dirt track.

Bernard said: “People can not listen 2 de television because of the [noise of the] bikes”. Imagine sitting in one’s sitting room where this is going on hour after hour and one cannot even listen to one’s own television.

Paul in Mulhuddart told me about when he was collecting his child from school. He said:

I was recently outside the school, an adult was flying down the fenced off walkway between the field and the main road and almost knocked out on the lollipop lady, he was [very] aggressive and came up [so] close to her [in such] an intimidating way. It’s quite a regular occurrence at this school. Every day we have them out and one of these days they’re going to kill some child. These scrambler bikes and quads that we have to endure day in day out [really disturb people]. Sometimes it can be from early morning to late afternoon. The majority of the people here ... [are] elderly people.

They cannot bear the noise outside their homes all day.

I found the following comment particularly upsetting: “[W]e have a local girl who’s in a wheelchair who was traumatized by two guys on the motorbike racing towards to get out of the estate and their child was roaring crying screaming because they fear that they given to a local 3 year old and a wheelchair is our way to live.

Another girl from Dundalk contacted me. She is in a place called Castletown, which I do not know, and she has been persecuted by them all day but it is a similar story. We hear story after story of what people have to endure every single day. I thank all those people who contacted me and shared their stories.

It is through those stories we can change people’s minds and attitudes and give people who may not have experienced it an idea of what it is like. I am sure others will outline their experiences as well.

I know some of the children and young people who drive these bikes. They deserve our care. As adults, as people who are in a position of responsibility and as legislators, we have a duty to ensure we look after their care. If they are not mature enough or old enough to understand how dangerous their behaviour is, we have to step in. As a parent, I step in, and I am sure other Deputies who are parents do the same from time to time with their children and tell them if their behaviour is not appropriate. That is what we need to do now. We need to ensure we do our best to keep those children, the ones who engage in this behaviour, safe. We are not being killjoys; we are doing this for their own health, welfare and safety.

I look forward to the next Stage. This campaign was initiated in 2017 by Deputies Ellis and Munster, and I hope much of what their Bill sought to achieve will be included in the road traffic (miscellaneous provisions) Bill. I hope there will be action. As I said, this is just one part of a process and that process should be holistic, including us as the legislators, the Garda in implementing the legislation, the youth services in how they deal with young people at risk, and

local authorities in how they provide facilities and services for young people. That is critical, particularly in growing areas. As people in our communities, we need to stand up, speak out and ensure this will be dealt with once and for all in a much more comprehensive way.

**Deputy Seán Crowe:** I come to this debate very frustrated but hopeful the issue can be progressed. I look forward to the rest of the debate, and no doubt I will hear stories from various Deputies. The misuse of quads and scrambler bikes in our public spaces is a problem stretching back years, as we heard from the previous speaker. From the dangers posed to both untrained users and pedestrians to the scars left on our parks and playing pitches, the difficulties presented by these noisy death traps are immense.

Over the years, I, like others, have been contacted by local elderly residents and young families who are almost afraid to step foot outside their door in case they are knocked down by scramblers tearing by their front gate. Without helmets, safety gear or training, the riders of these machines are a menace and a threat. I have lost track of the number of times I have seen a previously perfect playing pitch or a patch of grassland in a park torn up and left looking as though it has been ploughed up, due to the wanton vandalism of these scramblers and bikes. Our parks and green areas should be inclusive spaces, but in many cases they are not.

There is also clear evidence these bikes are being used by some to transport drugs within our communities. I would like the Garda to be empowered to be more proactive in tackling that through seizures, but that is part of the difficulty we have faced in the past. I recall raising the issue years ago with the local superintendent, who talked about gardaí being trained and upskilled and so on. There was a different approach in one part of Dublin city, where there was a representative from that area, but in our area we did not take a proactive approach, although action was taken by the Garda. Children are being drafted as drug couriers because while the Garda can stop a car, the law is much murkier in regard to stopping a scrambler, and that is just the type of problem we need to fix.

As I was preparing for the debate, I came across a contribution of mine to the Misuse of Motor Vehicles (Public Spaces) Bill, which my colleague Deputy Ellis had introduced. I spoke in this Chamber on that Bill in March 2014. That is how long Sinn Féin has been trying to get this matter sorted. We have for seven years been trying to get the Government of the day to take this seriously. Part of the problem related to the fact the Ministers of the day did not have the necessary experience or did not realise it was a problem. I think there is a difference between rural and urban areas in respect of this matter but it is not just a Dublin, Limerick or Cork problem. It is a problem growing throughout the State.

Three years ago, when I spoke to Deputy Ellis's Road Traffic (Quads and Scramblers) (Amendment) Bill, I was told by the then Minister of State with responsibility for the matter, Jim Daly, that a multi-agency task force was devoted to tackling the misuse of scramblers and quad bikes by a number of means, including enhanced enforcement measures, education and awareness-raising measures, and relevant legislation. Nevertheless, scramblers still tear past people's houses, probably even at this hour of the day, as we speak. Two years ago, I asked the then Minister for Justice and Equality, Deputy Flanagan, what his plans were. I was again told about a multi-Department committee, but scramblers still rip up our parks. It baffles me that something as simple as banning the use of quads and scramblers from public spaces has become a seven-year saga that has suffered from a lack of support or interest from whichever government was in power.

I commend my colleague Deputy Ellis, and others such as Deputy Paul Donnelly, who spoke earlier, on not letting the matter drop and on continuing to push to make our streets, parks and other public spaces safer. I regret the response from the Government has always been about what cannot be done and not what can. The key issue we want to hear from the Minister of State during this debate relates to what can be done. I want an end to these vehicles being driven on our roads, in our parks and in a way that destroys pitches and green spaces. What is more, their use destroys residents' quality of life. Parks should be inclusive spaces but they are not, with people excluded because of the reckless activities of others. It is wrong that people are afraid to enter their local park, as was especially evident during the lockdowns, when people would have loved to use their local park but in many cases were too frightened to do so.

The Road Safety Authority, RSA, has stated that half of all accidents related to quads or scramblers involve riders under the age of 18. I appeal to parents to recognise the danger they are putting their children in by buying these vehicles. Christmas is coming in three months' time. It is still far away but many people will be already thinking about it. If their children have nowhere to ride a scrambler or quad except for the local park, down the street, on the footpath or just outside the house, I ask parents, please, not to buy one for them. That is one message we can all agree on.

This is a story of two Irelands. The issue does not affect every area. I recall some rural Deputies stating previously in the House that a ban would impact on farmers being able to travel from one field to another. It is not about that. It is about what is happening on our streets. We need to hear what action is happening. The use of these vehicles dominates many people's environment. A woman rings me at least once a week to tell me what is going on. She cannot participate in Zoom meetings because people will ask whether her washing machine is turned on or somebody is using the vacuum cleaner and so on. This is happening day and night in that woman's area. I could take the Minister of State, if he is interested, to a number of areas in my constituency where this happens daily. I guarantee the House it is happening now and there will be no Garda response. In many cases, because of the current law, the Garda does not want to get involved. There is too much danger involved in it, including for the people using these bikes, but we need to do something for our constituents and respond to their needs.

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth):** I am sharing my time.

I thank the joint sponsors of the Bill, Deputies Paul Donnelly, Ellis, Seán Crowe, Mitchell, Ó Snodaigh, O'Rourke, Ó Murchú, Ward and Quinlivan, for raising what we all know is a very real problem, namely, the dangerous misuse of scrambler bikes and other vehicles. Deputies Donnelly and Crowe spoke from the heart. When Deputy Donnelly stated that urban Deputies would be more familiar with this problem, that is certainly true in my case. I thank Deputy Crowe for his invitation to visit his constituency. While I am willing to visit any constituency, I am aware of the issue. I was a councillor until last year and I was, and still am, directly in contact with people who have this problem. I imagine it is a problem in urban areas throughout the State.

I am taking this matter on behalf of my colleagues, the Minister for Transport, Deputy Ryan, and the Minister of State at the Department of Transport, Deputy Naughton, who are attending a Council of Europe meeting of energy and transport ministers in Slovenia. We are not opposed to any measures which will successfully deal with the illegal use of such vehicles but officials in the Department of Transport, following consultation with the Department of Justice, An Garda

Síochána and the Office of the Attorney General, are now finalising legislation which will comprehensively deal with the illegal use of quads and scramblers as part of the forthcoming Road Traffic and Roads Bill 2021. This legislation will ensure that scrambler and quad riders and owners can be prosecuted, and their vehicles detained, when they are being illegally used.

While not opposing the Private Members' Bill in principle, there are a number of provisions which cause concern and it is for this reason that the Minister for Transport would prefer to wait to introduce legislation which has been drafted by the Office of the Parliamentary Counsel and approved by the Attorney General, to ensure its robustness. The definition of "all-terrain vehicle", while intending to deal primarily with quads and scrambler bikes, would need to be carefully examined to ensure that it does not inadvertently include agricultural vehicles, Army vehicles, mining vehicles and other industrial vehicles which are also primarily intended to be used off-road. The introduction to the Bill states that its purpose is "to amend and extend the Road Traffic Acts 1961 to 2020 to give gardaí the power to seize and detain quad bikes and scrambler motorcycles when being used unlawfully including in public parks and green spaces and to provide for related matters". Section 41 of the Road Traffic Act 1994, as amended, sets out the circumstances in which a garda may detain a vehicle in a public place. However, section 2 of this Bill provides that such vehicles be detained under the Non-Fatal Offences Against the Person Act 1997, and this could potentially lead to legal confusion. The Bill, in spite of the opening declaration, does not propose any amendments to the Road Traffic Acts.

The Bill empowers the Minister to make regulations as may be necessary to enforce this legislation and for anything described as prescribed in the Bill. However, the Bill does not describe anything as prescribed, and it is not clear what regulations would be required. In summary, the Bill is an attempt to address a real problem, but is misguided. It is mostly aimed at providing powers which already exist under separate legislation and would, at best, create confusion around the current legislation relating to Garda powers. The legislation the Government will shortly introduce will tackle the issue of the illegal use of quads and scramblers comprehensively and effectively by creating an appropriate offence, and further empowering An Garda Síochána's powers of enforcement in this area. In this context, the Department of Transport, the Department of Justice and An Garda Síochána are satisfied that it will achieve this.

I will do a summary in my wrap-up speech later in the debate.

**Deputy Paul McAuliffe:** I welcome the Deputies bringing this Bill forward. We were fortuitous in it being drawn from the lottery. We have been talking about this issue for some time. There is a broad understanding of this in the House, both from the Deputies who have spoken but also on the part of Deputy Lahart, who brought forward an earlier Bill which has now gone to the next Stage, and Deputies Chambers and Haughey. What we want now is action. I welcome what the Minister of State said, because it outlines the action the Government is going to take on this matter. It is interesting to compare the debate we had when I introduced my Bill in November last year with the debate now. There has been a change in the Government's policy. The Deputies are correct that Deputy Ellis and I have been talking about this for some time in our constituency, but the difference between Deputy Ellis and me was the decision last year to enter government. It is from within the Government that we can change policy, and there has been a significant policy.

When the Government gets things wrong, the Opposition correctly points that out. However, it is important to note that when something has been done right, credit should be given to the new Government for reshaping new policy. What is that new policy? It did not happen by acci-

dent. It happened because the Taoiseach took a very serious interest in this issue. He convened a cross-departmental meeting last November in his office. After one meeting it was very clear what the solution was and after some persuasion with the Attorney General and officials, the solutions were brought forward. They are very clear. We have brought forward a new class of vehicle and of location which outlines clearly the offence and violation specific to scramblers. That resolves some of the issues we had with vehicles outside of anti-social behaviour use.

It also empowers gardaí to impound the vehicles on the spot, which avoids us having to redefine the public place and the common law implications. Importantly, it gives gardaí the powers to seize a vehicle on foot of a warrant if the person involved is suspected of having committed the first offence I outlined. That is the significant and important difference between the two Bills. The fourth difference relates to the offence of dangerous driving being applied to other locations, which is also significant.

Major progress has been made, and the Joint Committee on Transport and Communications has already been briefed on it. I look forward to the amendments being introduced. We have not waited for that either. The Minister of State, Deputy Browne, has done significant work. Community groups in my area and in other areas have already received invitations to apply for more than €200,000 of funding for diversionary tactics, and they have applied. Much work has been done and there should be credit when it comes through. Like other Deputies, I look forward to seeing the final items of legislation. They will make a real difference for people in my community.

**Deputy Emer Higgins:** The use of scramblers, antisocial behaviour and organised crime present a real threat to law and order in urban communities. The revs and the roars of scramblers translate into anxiety, intimidation and fear in communities, which is simply unacceptable. I am really pleased, therefore, that the Government has already drafted legislation in respect of this matter which will allow for the seizure of these vehicles when they are used in public places.

Clondalkin councillor Kenneth Egan and my Government colleague, Deputy McAuliffe, have done considerable work in shaping this Government legislation. In my area of Clondalkin, Councillor Egan has been a voice for people who were too scared to speak up. These people just do not want to live in places that are unsafe. They want safe communities, safe parks and safe streets. I welcome the Government's legislation, which will give extra powers to gardaí so they can tackle this where it counts, namely, on our streets, in our parks and on our footpaths.

Communities are simply fed up listening to the revs and roars. They are fed up of the intimidation and the antisocial behaviour. The legislation that the Government is finalising will change that. It will make a real difference to our communities across Dublin and in urban areas throughout the country. I welcome the Government's initiative on this.

**Deputy Mark Ward:** I was really happy to be able to co-sign this Bill. I thank Deputies Paul Donnelly, Ellis and Munster for bringing it forward originally. Looking around the Chamber, one can see the issue of scramblers in public spaces is a big issue in my area in Dublin Mid-West, particularly in Clondalkin and Lucan, because three Members from different parties who represent that area are here this evening to talk about it.

I took a walk along the canal that runs between Clondalkin and Lucan earlier today. It is an amenity I often use as a cyclist. I am not a very good cyclist, rather I am a novice. Mostly

23 September 2021

it is great, nice and peaceful, but all of a sudden a scrambler can come out of nowhere, which is frightening. Residents walking their dogs along the canal sometimes feel they need to jump in the water to get out the way of these scramblers, which is not good enough especially with amount of infrastructure South Dublin County Council, other organisations and Departments have put into that canal to make an amenity for all. We should be able to enjoy it.

I am also a keen footballer and I am involved with the local clubs in the area. We have had matches called off during the bad weather when the pitches are damper than usual. It just takes a scrambler two seconds to go across a pitch and the pitch is then ruined and cannot be used. This is something that good community organisations are facing on a daily basis.

I give great praise to South Dublin County Council. Three Members present were previously on that local authority. It has had many good initiatives recently, with new playgrounds being put in place and parks being improved. Our children and young people are now able to enjoy them. It is very difficult to enjoy a playground when a scrambler comes in when the children are playing. It is really dangerous and it is a weapon in the hands of the rider.

Deputy McAuliffe mentioned speaking to gardaí. I have spoken to gardaí in my area and they welcome this legislation. They welcome any legislation that strengthens their hand in dealing with this problem. Gardaí are inundated with people contacting them in respect of this issue. The Garda needs to be resourced in order to tackle it. While we can give the Garda legislation, we also need to resource it to make sure that gardaí can go out and take these scramblers of the streets. We just need to stop this scourge.

There seems to be all-party support across the House for most of what is in this Bill, and the Government is not opposing it. We just need to progress it through the Dáil.

Deputies Seán Crowe and Paul Donnelly mentioned personal responsibility on parents who purchase these scramblers for their children at Christmas or at any other time. It is just not good enough. They are putting a dangerous weapon in the hands of somebody who is not capable of using it. Their child could be hurt or could hurt somebody else. If they do not hurt somebody else, they are impacting on the quality of life of neighbours, friends and people in the community. Parents need to take that into consideration before they purchase these bikes for their children.

At one point along the canal - in fairness, the Garda carried out a big operation there - these scramblers were used quite openly to assist drug dealing. It was very clever with one lad going up with drugs in his hand and another lad coming back collecting the money. This meant that they never had the drugs and the and the money in the same place. If these lads put their brains to something else, they would do well in life. Unfortunately, they do not. Scramblers are being used as a way of getting away from the Garda or as a way of conducting business very quickly and using other areas of our communities that are inaccessible to cars.

There is also a group of people in my area who use scramblers correctly. They are involved in motocross clubs. They have to go outside our area unfortunately because there is nothing there. They enjoy themselves and use the bikes in the safe regulated manner. There is a nice community of people involved in this. I would fully support any infrastructure that would allow people who wanted to use scramblers and quads in a safe way.

When I was mayor of South Dublin County Council, I took part in an initiative across the four Dublin local authorities, South Dublin County Council, Dún Laoghaire-Rathdown County

Council, which is in the Minister of State's area, Dublin City Council and Fingal County Council. It was a harm-reduction measure relating to scramblers. It focused on teaching young people of the dangers of using scramblers and their effect on their community. That was a good initiative which may be repeated.

The Government has a tactic of not opposing Private Members' Bills, which is different from supporting them through the Oireachtas process. The Government is not opposing some of our very good housing Bills. It is letting them go through, but they are not getting any further. I introduced a Criminal Assets Bureau Bill to put money seized by bureau back into disadvantaged communities. It has passed Second Stage. The Government claims it will introduce legislation better than my legislation. I do not really care once it goes through and once it is done properly. We need to get away from what is happening. This is really good, tangible legislation that the Opposition has introduced. I said from my first day here that while I am in opposition, I am working on bringing solutions. This is one of the ways we are trying to bring solutions. Deputy McAuliffe had a previous Bill, which I would fully support if it is a way to move this forward because we need to work together on issues like this.

We need to stop getting into the argument that the Government legislation is better than ours. While I know this is what politics is all about, we need to work together. Deputy McAuliffe is in a party in government. He can dress it up however he wants, but his party refused to talk to my party when the government negotiations took place. He cannot throw it out that we did not try to go into government-----

**Deputy Paul McAuliffe:** Sinn Féin had other options.

**Deputy Mark Ward:** -----when we did everything possible to go into government and Deputy McAuliffe's party decided not to have a conversation. Fianna Fáil is a party of exclusion. It excluded more than 500,000 people in the State from that conversation. He can dress it up any way he wants.

**Deputy Paul McAuliffe:** We are getting on with fixing the problems.

**Deputy Mark Ward:** This is what we are doing in opposition. We said we would be the most effective opposition in the history of the State, and that is what we are doing. We are offering solutions in respect of real problems that people are experiencing. We are putting things in place that will improve people's quality of life.

**Deputy Alan Farrell:** They are not.

**Deputy Mark Ward:** I urge those on the other side of the House to allow this legislation to go through. The Minister of State, in his feedback, engaged in pre-legislative scrutiny. If there are problems with the Bill, that is what pre-legislative scrutiny is for. The Government should allow it to go into pre-legislative scrutiny and we will have the debate at that stage. It should not stop the legislation at this stage for the sake of it.

**Deputy Gino Kenny:** We have debated this issue numerous times. I come from the point of view that there is irresponsible and responsible use of scramblers and quad bikes. We have spoken about this matter numerous times and legislation on it has had many manifestations but the central argument is that the irresponsible use of these vehicles in public spaces is not only a danger to the user but also to pedestrians and road users. We all agree on that. Whether it is a Sinn Féin Bill or whether the Government implements a Bill and changes the law is academic.

That is the main point.

In the area I am from this is an issue because vehicles are being used irresponsibly. There is no doubt about that but we cannot police our way out of the problem. If we think we can police our way out of it, we will lose. I will start from the responsible side of things. I welcome the initiative of the Minister of State at the Department of Justice, Deputy James Browne, to provide a community-based response to the misuse of scramblers. That is a very good and holistic approach that engages young people.

I hate the phrase “anti-social”. I try not to use it and instead to speak of a pro-social approach because if using the term “anti-social” all of the time puts a label on people. Young people in particular get labelled as being anti-social. Wealthy people engage in a lot of stuff in society that is anti-social but that term is never used to describe it. It is always used for young people, in particular, working class people.

This community approach provides better outcomes for communities, which is the most important issue, as well as for the Garda and young people. There are some great projects around the country for scramblers and quad bikes. When young people are engaged in these projects they learn about the mechanics and how to be responsible for these vehicles. They could even get a job from that. These are all positive things and I welcome the initiative of the Minister of State in that area.

When scramblers and quad bikes are used irresponsibly, as they are, particularly in parks and on roads, it is inevitable that there will be a serious accident. There have been some very bad accidents with these vehicles. If we change the law tomorrow, will the irresponsible use of these vehicles stop? It probably will not stop because, as Deputy Ward said, these vehicles are used for other purpose, including drug-dealing. They are not being used for sport but for carrying drugs from A to B and it is done in a clever way that makes it difficult for the Garda to apprehend people. We can change the law but we must also have a different approach, namely, a community-based approach that treats scramblers and quad bikes in a different way. This is a major sport in this country. The responsible use of these vehicles in a controlled and safe environment is a great hobby. If we provide for that, we will have a better approach to this issue, one that comes through the community, as opposed to a policing approach, which will not ultimately work.

I commend Sinn Féin on introducing this Bill and I wish the Minister of State luck on the community-based approach he is taking to the misuse of scramblers.

**Deputy Alan Farrell:** I thank the Minister of State, Deputy Ossian Smyth, for sharing his time. I welcome the opportunity to debate this Bill with the Members opposite. It is a good proposal and I know Deputy Ward has been on this issue for some years. It might come as a surprise to him to learn that in our 100 years of democracy, only about seven Private Members’ Bills have been passed into law, to the best of my knowledge. The figure may be six or eight but it is very low. That being said, I have personally written several Bills, some of which I have submitted and some I have not. All have influenced the outcome of legislation that followed, however. That is what we are supposed to do with Private Members’ Bills and, as such, I commend the Deputy on that.

I welcome the Minister of State’s contribution on what the Government is proposing to do. In particular, I echo what the previous speaker said on the work being done by the Minister of

State at the Department of Justice, Deputy James Browne, on the education side. I have been in politics for 17 years, seven of which were spent on Fingal County Council. Members, particularly Deputy Paul Donnelly, will know of my service as we were in the council chamber together for some years. The most important activity the council members are involved in is the road safety roadshow, which takes place nearly every year in the Helix. I held the positions of mayor and deputy mayor of Fingal on separate occasions, during which times I attended these roadshows, at which harrowing stories are told to children in the presence of An Garda Síochána and educators. If what the Minister of State, Deputy James Browne, is proposing is to establish this roadshow as a Garda-backed scheme that will go around the country and be constant in the lives of young people, I will welcome it because this is an effective approach. On one occasion, a scrambler that had been involved in a crash was brought up as an example. A victim of that crash, the pillion passenger who had been left in a wheelchair, told a pretty effective story.

What Sinn Féin is proposing and what the Government is now proposing to implement are two commendable steps. I welcome the opportunity to debate this Bill and the other two Bills when they are introduced. I genuinely thank the Deputies opposite for proposing the Bill, which has been on the cards for some time. A lot of work has been done on this issue over many years. If nothing else, the Bill has served the purpose of informing the Department when it drafts its own Bill. That is most important and it will be for the benefit of Deputy Ward in particular.

**Deputy Mark Ward:** I thank the Deputy for that.

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth):** I will follow on from what Deputy Ward said. When he was mayor of South Dublin County Council he suggested that scramblers were being used in pairs for drug-dealing. I was not aware of that. He also pointed out that scramblers are also used safely. I presume there are locations in the Dublin mountains where they can be used. Such safe use needs encouragement and support. I am also glad to see that Deputy Ward is back after his illness, which I was sorry to hear about. I am glad he is well again.

Deputy Gino Kenny made the point that we should take a positive approach and even encourage young people who are using scramblers to learn about the mechanics of motorbikes. Successful approaches in this vein were taken by an organisation called City Motor Sports in the past. It worked with children who were stealing cars and I have seen it working in other locations. I would support that approach. It is all part of what the Department of Justice is working on.

While none of us disagrees with the need to deal with the scourge of illegally used quad bikes, scramblers and other vehicles, both on public and private land, we also agree that any legislation we introduce to deal with this issue must be robust and good enough to allow An Garda Síochána to deal safely and effectively with the problem. It also has to withstand any challenges that might arise in the courts. The issue has always been the difficulty with enforcement. When deciding whether to give chase to a scrambler rider in a public park, a Garda member has to be mindful that the rider is more than likely a child. The garda must also be aware of innocent bystanders who could be badly injured or worse in a high-speed chase, which may spill out onto the public road and put vulnerable road users in danger. The Bill does not address this main issue and by seeking to use a number of different criminal justice Acts, all of which define “public place” differently, to prosecute scrambler drivers, it could cause serious legal confusion.

23 September 2021

Forthcoming legislation from the Department of Transport will ensure that scrambler and quad riders and owners can be prosecuted and their vehicles detained without the need for high-speed pursuit, which could endanger more people. The Government and I look forward to working constructively with the Opposition on this legislation because we are all in favour of solving this problem in a way that is effective and works for everybody.

**Deputy Paul Donnelly:** I thank the Minister of State for his contribution. I ask him if he could try to make it a little longer in future, maybe by adding a few paragraphs, so we can go through it in the time we have and really get into the nuts and bolts of the issue. I look forward to the publication of the Government's legislation in the coming weeks. I also thank Deputy Farrell for his contribution because if we can move forward and support the legislation, we will do so, if it helps in our community, the Deputy's community and everybody else with a stake in the issue. The intention is to provide legislation that helps everybody in our community.

I acknowledge it is important we work together in the coming weeks, that we do not put this on the long finger again and it is not delayed. The political point Deputy McAuliffe made in his contribution was fair, but what he failed to mention was that all of the parties have been in power during the 25 years I have been talking about this issue, bar one. There has been ample opportunity over the past 20 to 25 years I, and others, have been talking about this issue to bring in that legislation. I commend Deputies Ellis and Munster on bringing this forward in 2017 because it is part of the process of pushing whatever government is in power at the time to enact this type of legislation. This is part of that process. I like to think if we had not published this, there would be legislation in the coming weeks anyway.

On the issue of a positive approach mentioned by Deputy Gino Kenny earlier, I have been involved in working with young people at risk in the Coolock-Darndale area for the guts of 20 years. Many of those young people were engaged in activities with scramblers, and other activities, that would not be seen as pro-social. I do not want to use the term "antisocial". It is very important when we talk about young people to bear in mind it is a tiny minority of them who are engaged in this activity. It is important on one level to ensure services are in place, whether it is school completion because young people are at risk of early school leaving, or the Garda youth diversion programme, which Deputy McAuliffe and I sat on together in the Kilmore area. Some incredible work was done by youth workers in that area in dealing with, supporting and trying to bring those young people onto a different pathway.

It is critically important legislation is in place to allow the Garda to deal with anything that is criminal and is causing harm to other people and, I would say, also causing harm to the people who are doing it. We also have to have the other elements. I spoke to members of a motocross group in Dublin 15 whose members talked about how they would like to get involved in the project the Minister of State, Deputy James Browne, brought forward. They were excited about that piece of work because they have a track. The irony is Mulhuddart is probably the only place within the Dublin area that has a track, as far as I know. It still does not eliminate the problem because not everybody will want to go onto a track and behave in an appropriate way. It is important to recognise there will always be young people engaged in activities who will want to do it correctly, who will want to train and who will want to make a career out of it. Some people in my area have made a career out of it and are experts. To see them go up and down the track is phenomenal. However, as I said, there are others who do not want to do this but want to go up and down our green spaces, parks and roads and will cause, not harm because they are not doing it deliberately, but the consequences of their actions could possibly cause harm.

The one thing that concerns me and, again, I would have liked to have a little more time to go through the Minister of State's contribution, is in the definition of a public space, parks and open spaces. That is the crux of what we are talking about today. I am very concerned because the Garda, and anybody who is engaged in this, is telling us that the law is not in place for them to do anything. Part of the Minister of State's contribution described quads and scramblers as mechanically propelled vehicles that should be taxed and insured. That is not actually correct. If you have a quad on a private farm, private land or wherever it may be, you do not need to have it taxed and insured.

I am a little concerned that elements of the Minister of State's contribution are not technically correct. When we talk about parks and open spaces it is critical that it is clear what they are. The Garda should have clarity on that piece because that is the crux of it. I know, as everybody does, that if I drive a quad, motorbike, car or whatever it may be on a path or road, I have to have tax, insurance and a licence or else I could be arrested, charged, my vehicle seized and so on. That is clear and everybody knows that but it is not as clear when it comes to parks and open spaces. Having read the Minister of State's contribution, I am still a little concerned that it is not clear about this. I hope, when we look at the legislation in the next couple of weeks, it becomes clearer and is absolutely defined for the Garda.

All the Deputies talk to members of the Garda on a regular basis. Many of them will talk to us off the record about how they feel about things. Their number one issue is that they do not have the resources they need. That is clear. They are telling us on a daily basis there are not enough gardaí to deal with what is going on within our communities. That has to be sorted out and solved because it is part of the problem. They are telling us they do not have the laws and legislation in place to deal with this. That is very clear. They have told us that time and again at safety forums and in public. Senior gardaí have said it in public. I am little concerned that in parts of the Minister of State's contribution he said there are laws in place and that we are trying to put in laws where laws already exist. If that was the case, I would not be standing here. I would be going to senior gardaí to ask them to enforce the laws that are already there.

Another part of the Minister of State's contribution, towards the end, concerned the legislation in place in relation to parents and the fact that if a person buys a mechanically propelled vehicle for a minor it is a criminal offence. My next question to senior gardaí is: how many people have ever been charged with that offence? I would be pretty certain that it is nil. Why is that the case? It is not enforced. It goes to the crux of what I said earlier. We can have all the laws we want in place but if we do not enforce them and do not give the Garda the resources, equipment and training they need, the laws are utterly useless.

As I said, I look forward to the legislation, to contributing again on this issue and to inputting in a positive way to get it across the line so we can ensure all our communities are safe in the end.

Question put and agreed to.

The Dáil adjourned at 5.59 p.m. until 2 p.m. on Tuesday, 28 September 2021.