



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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# DÁIL ÉIREANN

*Déardaoin, 30 Meán Fómhair 2021*

*Thursday, 30 September 2021*

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

*Paidir.*

*Prayer.*

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## Ceisteanna - Questions

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

#### Trade Relations

1. **Deputy John Brady** asked the Minister for Foreign Affairs if, given the registering of a European citizens' initiative by the European Commission calling for an end to trade with illegal settlements in occupied territories in Palestine and Western Sahara, the Government is prepared to examine the issue of trade with illegal settlements in the occupied Palestinian territories. [47099/21]

**Deputy John Brady:** Given the registering of a European citizens' initiative by the European Commission calling for an end to trade with illegal settlements in occupied territories in places such as Palestine and Western Sahara, is the Government prepared to examine the issue of trade with illegal settlements in the occupied Palestinian territories?

**Minister for Foreign Affairs (Deputy Simon Coveney):** I thank the Deputy. I am aware of the European citizens' initiative to which he refers. Following its registration, the European Commission has six months to consider the initiative and any proposals arising from it. My officials will actively follow developments on the issue.

Ireland has previously raised at EU level the question of whether goods from occupied territories, including from settlements in the occupied Palestinian territory, should be excluded from the EU market. However, it is clear that at present there is no possibility of getting substantial support, still less consensus, for such a proposal. A ban on trade with settlements at national level would not be compatible with EU law or capable of being implemented. That is the clear legal advice I have. The Government will therefore not be taking it forward.

We have instead focused our advocacy on practical measures to differentiate in EU policies between Israel and the illegal settlements. This has resulted in a number of EU measures, including guidelines on the labelling of settlement goods so consumers can identify them and make their own choices. Ireland has supported legal avenues to differentiate between settlements and Israel, for example, by joining a case before the European courts in 2019 on these labelling guidelines. As settlements are not part of Israel, the EU-Israel Association Agreement does not apply to them. This means that different tariffs apply to goods from settlements, and they are not eligible for participation in EU-Israel programmes. EU law and guidelines on this issue are an important part of the EU contribution to the implementation of UN Security Council Resolution 2334, which condemns the construction and expansion of settlements. I have directed my officials to continue to explore further such options and the potential for them to gain support from EU partners. Ireland will maintain vigilance to ensure full implementation of these laws and guidelines.

**Deputy John Brady:** On 8 September this year, the European Commission registered a European citizens' initiative that calls for an end to trade with illegal settlements in occupied territories such as Palestine and Western Sahara. This came after the organisers of the initiative won a law suit against the Commission, which had first rejected the initiative claiming a lack of competence. That rejection was annulled by the European Court of Justice. By agreeing to register the citizens' initiative, the Commission officially acknowledges that stopping trade with illegal settlements is an EU trade measure, not a sanction.

This decision is a significant legal step. After years of evading its own responsibility, the Commission officially recognised that it has the authority and, therefore, the duty to propose the adoption of import and export prohibitions towards illegal settlements. Will the Minister reassess his previous refusal to support measures such as the occupied territories Bill, given that his opposition has been shown to be based on a false narrative?

**Deputy Simon Coveney:** The case the Deputy makes reinforces the position I am taking. I have always said in respect of the occupied territories Bill that this is a trade matter for the EU collectively and the European Commission to make recommendations and decisions on. That has always been our position. It is why Ireland on its own cannot make decisions in this area. If it did, would not be able to implement them without EU support.

If this is an EU trade measure and competence and the EU has the authority to do it, then it is an EU decision. I have said to the Deputy on many occasions that Ireland has supported and continues to support at EU level ensuring there is a differentiation in treatment between goods from occupied territory or illegal settlements and goods from Israel proper. That continues to be our position. I cannot go beyond that because Ireland does not have the competence to do it.

**Deputy John Brady:** It does, because the recognition that stopping such trade is an EU trade measure confirms that individual member states can decide to stop trade with settlements at any moment under EU common rules for imports, which allow for import restrictions for reasons such as public morality and public policy. We have a moral obligation and an obligation under international law. The false narrative that it breaches EU rules or law is now shown to be baseless. The notion that we would be working in contradiction of EU law does not stand. It is up to the Minister. He can take the high moral ground and do the right thing. We passed an important motion that declared Israel has breached international law by annexing Palestinian territories. There needs to be consequences for that. This is the logical thing we can do and we can act on our own without waiting for other EU members to do so.

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**Deputy Simon Coveney:** I received extensive advice from the previous Attorney General and the current one. The advice is the same. It is that this is an EU competence, not a member state competence, in regard to taking the actions the Deputy has suggested. The threshold that would need to be overcome for Ireland to act on its own is not deemed to be met. If there is to be a sanction or trade measure introduced on goods from illegal settlements, the EU needs to collectively decide to do that. I do not believe there is even close to a majority or consensus to do that-----

**Deputy John Brady:** Is there new legal advice on this issue?

**Deputy Simon Coveney:** That is why we should focus on what is possible and is already there, which is clear differentiation on labelling. That should be implemented across member states.

## Trade Relations

2. **Deputy Gino Kenny** asked the Minister for Foreign Affairs his views on the expansion by IDA Ireland into Israel; and if he will make a statement on the matter. [47159/21]

**Deputy Gino Kenny:** My question relates to a decision earlier on this year by IDA Ireland to expand into Israel. That is a retrograde step. I would like to hear the Minister's comment on that decision.

**Deputy Simon Coveney:** IDA Ireland is an autonomous statutory agency, which operates in accordance with the Industrial Development Acts, 1986 to 2019, and under the aegis of the Minister for Enterprise, Trade and Employment, who is best placed to comment on the agency's activities and decisions and is responsible for trade. The Tánaiste and Minister for Enterprise, Trade and Employment has answered a number of parliamentary questions on this matter.

Ireland distinguishes between the territory of the state of Israel and the territories occupied since 1967 in all of its engagements with Israel, including on trade and economic issues. This position is common across all Departments and policy coherence is ensured through co-ordination at official level.

Ireland is committed to the implementation of EU law, which makes a meaningful distinction between Israel and settlements in occupied territory. This distinction has important practical effects. Since settlements are not part of Israel, the EU-Israel Association Agreement does not apply to them. This means that different tariffs apply to goods from settlements, and settlements are not eligible for participation in EU-Israel programmes.

EU law and guidelines clearly differentiate between settlements on the one hand and Israel on the other. As such, they are an important part of the EU contribution to the implementation of UN Security Council Resolution 2334, which condemns the construction and expansion of settlements and calls on all States to distinguish in their relevant dealings between the territory of the State of Israel and the territories occupied since 1967.

The Department of Foreign Affairs ensures that there is information available for the public and companies regarding Ireland's policy on settlements via the Department's website. A whole-of-government approach is applied to the policy of differentiation and my Department also supports other Government Departments by providing guidance and clarification on the

policy of differentiation.

**Deputy Gino Kenny:** Over the summer, a well-known ice cream maker called Ben & Jerry's, which is an American company, announced that it would no longer sell ice cream in the occupied Palestinian territories, which are East Jerusalem and the Palestinian West Bank. This was greeted with much disdain in certain parts of the world but with great congratulations from others that a company would take a stand against apartheid Israel. Yet, IDA Ireland says it wants to develop its global footprint and more economic links with Israel. That is completely contrary to what the Minister says here every week. On the one hand, he condemns Israel and, on the other, another vehicle of this State congratulates Israel for its crimes. Which is it: condemn or congratulate?

**Deputy Simon Coveney:** I am sorry, but we make a distinction between Israel and the occupied territories. I do not believe that settlements are legal and I have said many times on the record that settlements and their expansion in occupied territories is illegal under international law. I raise that issue probably more than any other EU Minister on an international stage, whether it is in EU Foreign Affairs Council meetings, at the UN, on other international forums, here, and I raise it bilaterally and directly also with the Israeli Government, including the new Israeli Foreign Minister and Deputy Prime Minister, with whom I have spoken about this issue.

My position on this is very clear. That does not mean that Ireland should not have a relationship with Israel. I believe we should and if State agencies have a relationship with the state of Israel that is normal in terms of bilateral relations between two states. That is a different issue to the issue of us raising bluntly and directly with the Israeli Government, and with others, the illegality of settlements and the responsibility that Israel has in the context of occupied territory.

**An Leas-Cheann Comhairle:** Táimid ag bogadh ar aghaidh go dtí an chéad cheist eile leis an Teachta Brady. My apologies Deputy Kenny, please continue.

**Deputy Gino Kenny:** I do not think that the Minister gets it. He comes in here on a weekly basis and says that he is against the annexation of Palestinian lands but at the same time he treats Israel as a normal state. Would he have said the same about apartheid South Africa in the 1980s, for example? No, he would not. That is the contradiction that we as Deputies in the Opposition constantly point out to him. Israel cannot be treated as a normal state as it is not one. It is an apartheid state and that is inherent in its brutality against the Palestinian people.

Has IDA Ireland created an office in Israel? Where is the office? Which economic links has the organisation made with Israeli companies? Hopefully, the Minister can answer those questions because if IDA Ireland has created economic links that go beyond the margins of what the Minister says here every week, then it is a complete contradiction not only of him but of the Government.

**Deputy Simon Coveney:** It is not a contradiction at all.

**Deputy Gino Kenny:** It is.

**Deputy Simon Coveney:** My position on Israel and on our relationship is important and this also an important agent to deliver change in its policy towards Palestinians, which I have been very critical of and I continue to be.

I am not responsible for IDA Ireland and the line Minister has answered questions on this

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and will continue to answer questions if they are raised. My position is clear, however. Ireland should have a bilateral relationship with Israel but Ireland should also be consistent with international law and with UN Security Council resolutions in calling out illegality when it happens. That is what we and mature states do-----

**Deputy Gino Kenny:** Why does the Minister have a bilateral interest in an apartheid system?

**Deputy Simon Coveney:** They talk to each and when there are differences, they discuss them. Ireland continues to be one of the most outspoken countries in the world in the context of the relationship between Israel and Palestine-----

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

**Deputy Simon Coveney:** ----- and the need to move towards a negotiated peaceful with solution and that is what we will continue to do.

### **Foreign Birth Registration**

3. **Deputy John Brady** asked the Minister for Foreign Affairs when the foreign birth registration application service will start processing applications again. [47085/21]

**Deputy John Brady:** I ask the Minister to give details on the foreign birth registrations, the significant backlog of applications and when is it intended to start processing this very significant backlog again that has built up over the past year and a half or so?

**Deputy Simon Coveney:** I am glad that the Deputy has asked this question because it is good to put this issue on the record. My Department is responsible for citizenship by descent through the Foreign Births Register under the Irish Nationality and Citizenship Act 1956, as amended.

Prior to the Covid-19 pandemic, the processing time for foreign birth registrations, FBR, applications stood at 18 months due to an unprecedented surge in applications as a result of Brexit and the necessarily rigorous processing that applies to citizenship applications. At present, there are just over 31,000 applications in the foreign births registration system.

During the pandemic, passport service staff were reassigned to the HSE for essential contact tracing, to the Department of Social Protection for the processing of essential PUP payments and to support the Department of Health with quarantine issues. This resulted in a pause in overall FBR processing while Passport Office staff continued to provide an emergency service for foreign birth registration in cases of exceptional urgency.

More than 4,500 emergency FBR applications have been processed in 2021. The FBR service continues to consider urgent requests to expedite an application on a case-by-case basis, in cases such as expectant parents, or stateless persons.

In cases of exceptional urgency, FBR applicants may continue to contact the passport service directly by telephone or webchat on the Department's website, *www.dfa.ie*

The passport service is actively planning to resume processing FBR applications as soon as possible. My Department is committed to allocating further resources to assist with the high

volume of applications, with a focus on reducing turnaround times to pre-Covid-19 levels by the end of 2021. In the medium term, changes to the FBR process to increase efficiencies and improve the customer experience will be delivered under the next phase of my Department's passport reform programme.

In simple terms, Deputy, we have had to prioritise through the Covid-19 pandemic as to where are we focused our staff effort and, of course, we are dealing with emergency cases, and will continue to do that. We have processed nearly 5,000 of those this year but this has to be seen through the lens of the emergency that we been living through over the past 18 months.

**Deputy John Brady:** I thank the Minister and I appreciate that he had to prioritise where staff work, what is processed and what is not. Unfortunately, there is a massive backlog of more than 31,000 applications still to be dealt with. It is concerning that the Minister has not been able to give a date for the resumption of the processing of those applications. Essentially, he has given the same response I have received from him to parliamentary questions I have tabled in recent months. It is essentially the same response I received from him in June and in July and there is still no date for the processing of these applications to resume.

I understand that staff had to be pulled to work in other areas, such as the processing of the PUP, but now that there are no longer significant numbers of people dependent on such payments, surely staff should be back working on the processing of these applications. The failure to process them is having serious repercussions for people who need these registrations completed as quickly as possible.

**Deputy Simon Coveney:** The Deputy is correct to keep raising this issue. As of this week, we have opened the Passport Office for people to get appointments for emergency passports for the first time in many months. People can apply for appointments online now to get a rapid turnaround of a passport and so on. It is only in recent weeks that we have had full staffing levels back in the Passport Office. I have visited the office. The staff are doing incredible work, given the pressure they are under in processing emergency passports and passports through the general system. It is true that we now have our staff back from the other Departments in which they were located for all the right reasons in terms of helping other Departments. I expect that in the next few weeks we will have far more clarity on the timeline for dealing with FBRs. I will make sure the Deputy is informed as soon as those decisions are made.

**Deputy John Brady:** It is not satisfactory for the Minister to say that in several weeks he will have more clarity on a timeline. That is simply not acceptable. There is a massive backlog of 31,000 applications to be processed. Before the pandemic, there was, understandably, a turnaround time of between 12 and 18 months. The website of the Department has not been updated. It still states that is the processing time but people are now being told it will take more than two years.

I refer to the implications this has for people. I know of cases involving people trying to register who are stuck in war zones and are unable to register the birth of a child. That has significant implications relating to citizenship and accessing other critical identification such as passports. There are probably questions to be asked in respect of the legality of the failure to process these registrations.

We need a specific timeframe. The onus is on the Minister. He has responsibility for this matter and he owes the House-----

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**An Leas-Cheann Comhairle:** The onus is on the Deputy to keep within the time limits.

**Deputy John Brady:** -----and the 31,000 applicants a specific timeframe for when those applications will be processed and how the backlog will be dealt with.

**Deputy Simon Coveney:** As I stated, when there are urgent cases that need to be addressed, we deal with them. There is a process to deal with them and we have dealt with 4,500 of them so far this year. If there are cases involving people in war zones or children who are stateless because they do not have a passport, there is a mechanism to deal with those cases. Let us be clear regarding what is available to people if there are urgent cases that need to be resolved. We will resolve such cases.

As regards the many non-urgent FBR applications that, of course, also need to be dealt with, we will deal with the 31,000 outstanding cases. The reality is that before the Brexit vote we were dealing with 5,000 to 6,000 applications per year. That increased dramatically to a high of 32,000 in 2019. There was a massive increase during Brexit and that has contributed to the issues during Covid. We will deal with the emergency cases and we will get FBRs delivered efficiently again. I will be able to update the Deputy on that in the next couple of weeks.

### Passport Services

4. **Deputy Michael Lowry** asked the Minister for Foreign Affairs the measures that have been implemented to support and assist the management and staff of the Passport Office in dealing with the backlog of applications; the plans that can be introduced to avoid recurring delays, given that inordinate delays result in inconvenience and stress to waiting applicants; and if he will make a statement on the matter. [46866/21]

**Deputy Michael Lowry:** What measures have been implemented to support and assist the management and staff of the Passport Office in dealing with the backlog of applications? What plans can be introduced to avoid recurring delays, given that the enormous delays in recent times have resulted in inconvenience and stress for many applicants?

**Deputy Simon Coveney:** The Deputy will be aware that the operations of the Passport Office were severely disrupted by the Covid-19 pandemic, as were many other government services. Emergency passport services were maintained during the pandemic. That required staff to be on site to process and issue passports. As a result of well-implemented safety protocols, 67,000 passport books and cards were issued between January and May of this year.

Since the beginning of the year, the passport service has issued almost 450,000 passports and passport cards. More than 4,500 FBR applications have been processed in cases of exceptional urgency. The customer service hub team has had contacts with more than 80,000 customers via webchat and phone.

The passport service is currently experiencing high demand for first-time passports. Of the 130,000 applications currently on hand, 60% are first-time applications. To protect the integrity of the passport system, such applications require careful processing to validate the identity of the applicant and his or her entitlement to Irish citizenship for the first time. Additionally, in the case of children, consent of all guardians must be validated.

In line with our continued scaling up of services, the Passport Office on Mount Street re-

sumed its urgent appointment service for renewal of passports on Monday, 27 September 2021. This service is available to people who unexpectedly require their passport to be renewed at short notice and opt for this fee-based service to do so. Currently, 99% of the passport service staff involved in customer service and the production of passports are working on site. When I visited the Passport Office recently, I saw at first-hand the high quality of service our passport staff provide to Irish citizens.

My Department is working closely with the Public Appointments Service to recruit temporary clerical officers to support expanded passport service operations in the coming months. We expect and are planning for a dramatic increase in the number of passports we will need to deliver next year. The previous high involved approximately 1 million passports in a year. We expect that figure could be 50% higher next year because of the lag period as a consequence of Covid.

**Deputy Michael Lowry:** Now that society is gradually returning to some normality, including in respect of international travel, it is vital that the backlog is cleared as quickly as possible. It is important that supports and systems are put in place to avoid a repeat of long delays, particularly in the run-up to Christmas, when thousands of people are expected to travel home, probably for the first time in two years, to be reunited with family and friends. Now is the time to plan ahead and make the necessary resources available to the Passport Office.

I welcome the fact that the urgent appointment service for the renewal of passports recommenced last Monday. Although it is good news for the public, it is to be hoped it will also bring some relief to the staff of the Passport Office as it will allow for a more structured working day. How will the urgent appointments service operate? What criteria must be met for an application to be deemed urgent? How many urgent passport applications will be catered for daily? What will the waiting period be for receipt of such passports?

**Deputy Simon Coveney:** The passport service is currently working closely with the human resources division of the Department and the Public Appointments Service on an ongoing basis to recruit additional staff to meet the current and forecast demands for passports. Additional staff have been assigned to the Passport Office sites on Mount Street and in Tallaght, with plans to assign additional staffing to the Passport Office locations in Balbriggan and Cork in the coming weeks. The Public Appointments Service has assigned temporary clerical officers who will be available to take up duty quickly once security and pre-employment processes are completed. Additional officers will be recruited in the coming weeks, in line with the full relaxation of social distancing measures.

The urgent appointments service is available to people who need to renew their passports urgently. To avail of the urgent appointments service for passport renewal, applicants must first book an appointment to attend the public office in Mount Street, Dublin 2. This is a limited service and slots are allocated by appointment on a first come, first served basis. Applicants can book an appointment through the Department of Foreign Affairs website, [www.dfa.ie/passports](http://www.dfa.ie/passports).

**Deputy Michael Lowry:** I welcome the fact that priority is being given to clearing up the backlog. A great deal of frustration has built up over a period of time due to people's inability to make contact or get information on the progress of their applications. The Passport Office was under extreme pressure and it has done a fantastic job in the circumstances that have prevailed, but customer service must be improved. It needs a human touch. I heard reports from people who simply could not contact the office or get information on the progress of their applications.

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Delays are excusable, but lack of information and lack of contact with the applicants is inexcusable and should be addressed. Generally, progress has been made on passports and I welcome the Minister's statement today. However, people are entitled to expect a quality, reliable service within a reasonable timescale. I hope this can be achieved with the measures the Minister is taking at present and with the increase in staff.

**Deputy Simon Coveney:** The Deputy is correct that people are right to expect a quality service within a reasonable timescale and to expect to be able to get updates and information when they need them. There is a great deal of information online. There is also, effectively, a call centre which is working to update people on passports. I mentioned earlier that over 80,000 people have been in contact with the passport service this year. My job is to ensure that we resource those services. We are planning for a significant increase in demand for passports next year as many people will not have updated or checked their passports because they have not been able to travel for the last 18 months or so. As a result, we expect that there will be a significant and dramatic increase in the need for passport renewals next year. We are planning for that in terms of extra staff and improved systems.

### **International Agreements**

5. **Deputy Joan Collins** asked the Minister for Foreign Affairs his views on the escalations developing in the Pacific between the US, the UK, Australia and China; and if he will seek an emergency meeting of the United Nations Security Council to discuss the increased militarisation in the area. [47328/21]

**Deputy Joan Collins:** I am seeking the Minister's views on the developing escalation in the Pacific between the US, the UK, Australia and China. Will he seek an emergency meeting of the UN Security Council to discuss the increased militarisation in the area? As he will see from my question, I am raising the recent development of a new military alliance between the US, UK and Australia. This agreement means a transfer of technology from the US and UK to allow Australia to build nuclear-powered submarines and will also involve an increase in the number of US military personnel in Australia.

**Deputy Simon Coveney:** Ireland follows developments in the Pacific closely, including the recent trilateral security deal known as AUKUS. I am also aware of comments made by other regional actors about the deal. The AUKUS announcement identified that the first major initiative will be to develop a nuclear-powered submarine fleet for Australia. It will be important to ensure that no proliferation risk or unhelpful precedents arise from the agreement. I welcome the statement by the director general of the International Atomic Energy Agency, Mr. Grossi, that the agency will engage with the three countries concerned in line with its statutory mandate and in accordance with their respective safeguards agreements with the agency.

Stability in the Pacific is important for Ireland from many perspectives, including global trade flows. Ireland is committed to promoting a multilateral, rules-based approach to engagement in the region, anchored in international law. The European Union adopted Council conclusions for co-operation across a broad range of areas in the Indo-Pacific at the Foreign Affairs Council in April, and a joint communication detailing potential regional engagement was issued in September. Ireland contributed to this multifaceted strategy and we welcome it as an opportunity to contribute to the region's stability, security, prosperity and sustainable development. The strategy, and the EU's renewed commitment to the region, is inclusive of all partners

wishing to co-operate with the EU.

Throughout our term as an elected member of the Security Council, Ireland has been working with all countries and all members to ensure that the council acts effectively. The permanent members of the Security Council have a critical influence in addressing threats to global security, good governance and human rights, and Ireland works with them and with the elected members with a view to achieving positive outcomes from council discussions. Over the next 15 months of Ireland's Security Council membership, we will continue to work openly and constructively with all partners as a solution-oriented member of the council.

**Deputy Joan Collins:** This AUKUS agreement represents an increase in the military build-up in the area which will undoubtedly meet with a response from China. Despite claims to the contrary by the US and China, this is an escalation towards a new cold war, reminiscent of that between the US and the former Soviet Union. As Ireland now holds the presidency of the Security Council, will the Minister and the Government commit, as a matter of urgency, to seeking a meeting of the Security Council to discuss these issues? I note that the multilateral, rules-based approach was discussed in April. I believe this situation should be discussed in this Chamber. In the newspapers at the weekend, a journalist called Vincent Boland said:

The final message from AUKUS, however, is the most dismaying because it reminds us that the world is engaged in a new arms race. China, the US and Britain are already armed to the teeth and Australia will join them soon. One would think they were preparing for war. As history demonstrates, the more nations prepare for war, the more likely they are to get one.

**Deputy Simon Coveney:** In truth, I do not believe we could succeed, even if we tried, in getting a specific emergency Security Council meeting on this issue. I do not believe the permanent member states would accept that and one must get consensus before one can get an emergency meeting on anything. It is important to be upfront about that.

This is an issue Ireland raised at the start of this week when it chaired a meeting to recognise the 25th anniversary of the Comprehensive Nuclear-Test-Ban Treaty. One of the key calling cards for Ireland in the UN is in the area of disarmament and non-proliferation. We continue to speak out in that area and we have raised concerns about the direction of travel with regard to this security pact. We will continue to speak out to ensure that this does not become, as the Deputy fears, the start of a new arms race.

**Deputy Joan Collins:** I accept the Minister's point that the member states of the UN Security Council have to agree, but we have to start applying pressure. Where are the alliances Ireland is making with other countries to apply pressure to discuss this? China now has a territorial claim on approximately 90% of the South China Sea. This is contested by other countries in the region. There is an international ruling which states that at least 50% of it is international waters. China is building islands on rocks and reefs which are, in fact, military bases. A serious escalation is developing and the world has to look and see how it can address it, build alliances to try to cut across what is happening and intervene and try to bring a resolution to what is developing over the next period of time. We should discuss it in the Dáil as well.

**Deputy Simon Coveney:** I welcome the question on this and I would be happy to have a more detailed discussion, if that is what Members would like. Ireland has actively contributed to the development of the EU's new Indo-Pacific strategy, which was announced on the same

day that this pact was announced. That is a source of real frustration for the EU because we did not even know that this pact was going to be announced in the first place. One EU member state, France, has been impacted significantly by this in respect of what it had thought was a contract and agreement with Australia to provide up to a dozen submarines over 30 years. The agreement was worth \$40 billion or \$50 billion, and they were not nuclear-powered submarines. The EU's new Indo-Pacific strategy seeks to reinforce the EU's role as a co-operative partner in the region. Ireland shares the EU's concern at developments which increasingly threaten the stability and security of that region.

## **Ceisteanna Eile - Other Questions**

### **Departmental Appointments**

6. **Deputy Thomas Gould** asked the Minister for Foreign Affairs the status of the process of securing a special envoy for freedom of expression. [47113/21]

**Deputy Thomas Gould:** I was looking for an update on the status of the process of securing a special envoy for freedom of expression.

**Deputy Simon Coveney:** I am glad to answer this question. I have asked my Department to undertake a review of the role and appointment of special envoys, given the public commentary and debate on this issue in recent weeks. It is anticipated that the review will be completed by mid-October because I have asked that it be a priority. The recommendations of that review will inform policy regarding any future special envoy appointments by Government. No consideration will be given to appointing any special envoys in any policy area until that review is complete and until I have had the opportunity to consider its recommendations.

I need to re-establish the credibility of appointing special envoys. We have two effective special envoys working for us, but what has happened in recent weeks has undermined public confidence and confidence in this House between parties in the appointment of and potential roles of special envoys. I need to fix that and we will do that with this work. The Taoiseach has been clear, and I agree with him, that as part of that work we will ensure any future special envoy appointments will involve a competitive and transparent process for how people are invited to apply for those roles. I will happily come back to the Deputy when I have the recommendations from that work. We will take it forward then with credibility.

**Deputy Thomas Gould:** While there is no specific number of LGBTQIA community members in this State, the Oireachtas research team estimates that there could be up to 500,000 people in the community in the State. Many of them were probably heartened to hear that the position of a special envoy for their freedom of expression was a priority for the Government and were disappointed when it fell through. Last night we were talking about Afghanistan and about the impact of the Taliban taking over, especially on women and girls but also on the LGBTQIA community. Many of those people have gone into hiding and are fearing for their lives. The position of a special envoy, not alone in Ireland or Afghanistan but globally, is one that is worth filling.

**Deputy Simon Coveney:** I also believe it is worthwhile, which is why I was looking to cre-

ate the position and appoint somebody suitable to it. Many other countries are doing this and they have been doing so for quite some time. We were simply looking at what other countries were doing, trying to get value for money and trying to put skilled people into positions where they could advocate internationally from an Irish perspective. That is what special envoys do. They are not normal employees of the Department *per se* because they are normally asked to do a specific job in a specific timeframe for the Government to raise the profile of a certain area. Most European and western countries use this tool and regularly appoint special envoys, including our neighbours to the east and west. US President Biden has appointed a special envoy specifically for the promotion of LGBTQ rights this year. That is what we wanted to do but it clearly did not work out too well. People know why that was and so a review is under way to fix that issue. It is hoped we will be able to use the important tool of special envoys in the future and with more credibility.

**Deputy Thomas Gould:** An awful lot of people would be qualified to carry out the role of special envoy and would be interested in doing so. Sometimes we need to look outside the box of the usual suspects. A special envoy in this specific case for the LGBTQIA community is such an important role and it sends out such an important signal of how the Government considers that community and how it wants to support members of that community. We know there is a huge amount of discrimination against that community in Ireland and across the globe, and for them to know there is a voice there and someone advocating for them is worthwhile.

**Deputy Simon Coveney:** Ireland has been a template for many of other countries to follow in how attitudes towards minority groups here have changed, particularly the LGBTQ+ community and the way in which we had a public conversation and citizen's assembly on the issue. We passed a referendum to change the status of same-sex marriage and so on. These are things a lot of other countries have taken a lead from. Ireland campaigns internationally in this space and it wants to protect minorities that are vulnerable and blatantly discriminated against, sometimes violently, in certain countries. We want to be and we are a voice for those minorities in other parts of the world where we need to ensure international law applies and discrimination is called out. That is why a special envoy in this space may have been helpful. Even in the absence of that, we have good ambassadors and strong Ministers in this space, as well as many NGOs.

## **International Relations**

7. **Deputy James Lawless** asked the Minister for Foreign Affairs his views on whether the recent elections in Russia were free and fair; and if he will make a statement on the matter. [46912/21]

**Deputy James Lawless:** I want to ask about the recent elections in Russia. I am shocked and appalled at the increasing despotism of the Russian Government, and even more so of its premier, in the ongoing imprisonment and suppression of opponents, including Alexei Navalny; its support of puppet regimes in eastern Europe; its annexation of territory, including Crimea, on European borders; its interference with elections elsewhere; and its own elections now appearing to be discredited. What is the Minister's view on those events?

**Deputy Simon Coveney:** The Russian Federation held state Duma, regional and local elections from 17 September to 19 September. On 24 September, the Central Election Commission of the Russian Federation declared that the United Russia party, which supports President Vlad-

imir Putin, had retained its parliamentary majority in the state Duma. I regret that independent and impartial election monitoring was not facilitated by the Russian Government to a satisfactory extent. The decision to restrict severely the size and format of an international OSCE and Office for Democratic Institutions and Human Rights, ODIHR, election observation mission prevented its deployment as an effective and credible observer. Ireland fully aligns with the declaration issued on 20 September on behalf of the EU by the EU High Representative, Josep Borrell, regretting this decision by the Russian Government. The EU declaration also noted an increased crackdown on opposition politicians, civil society organisations, independent media outlets, and journalists. As EU leaders, we called on the Russian Federation to abide by the commitments it has made on the protection of human rights and democratic values.

Several independent reports indicate an intensified electoral crackdown, but space for civil society, media freedom and political opposition has been shrinking for years. The treatment of Alexei Navalny, still detained in a penal colony, is a clear example of this. Ireland and our EU partners have repeatedly called for Mr. Navalny's release. Ireland also does not recognise Russia's illegal annexation of Crimea and does not recognise the so-called elections held there. I also regret Russia's decision to involve residents of the non-government controlled territories of Ukraine's Donetsk and Luhansk regions in the elections.

**Deputy James Lawless:** I am glad to hear the Minister's response and it is worth traversing some of those events. In St. Petersburg, not only did we see multiple buses coaching people who in many cases were unidentified to polling stations but we had the phenomenon of dop-pelganger candidates where the lead opposition candidate was suddenly shadowed on the ballot paper with two or three candidates of extremely similar names, which deliberately caused mass confusion. The Minister referred to the issue of election monitors being prohibited from entering the country, or certainly being very restricted, meaning they had no meaningful engagement. Also of particular concern are the events in Moscow, the capital city, which has a larger liberal and urban electorate, and where the online polling was first delayed and then flipped in terms of what had been the projections suddenly to return pro-Kremlin numbers. The mayor of Moscow, who was responsible for the events, was seen on a podium chanting Putin's name shortly afterwards.

There has been a school of thought that, post the Cold War, the West was a little overly triumphalist and that contributed to a resurgence of Russian patriotism. Perhaps now, however, we need to assert ourselves again and the West needs to get involved again. Through the Security Council, the European Council or other avenues open to Ireland, we need to make the case for democracy in Russia, as elsewhere.

**Deputy Simon Coveney:** We do, but being listened to is a different question. We do have to have a relationship with Russia, but we also have to be blunt and consistent in our message, and that message needs to be collective within the EU. It is no secret that Russia looks to develop bilateral relationships with individual EU member states. We need to ensure a collective approach from the EU towards developing a more constructive relationship with Russia on the basis of key principles that we have outlined and reaffirmed many times.

It is important to say that the Government will continue to promote constructive and open engagement with our Russian counterparts. That makes sense. I met with Foreign Minister Lavrov last week in New York, where we had a positive engagement on a series of issues related to the Security Council. Russia is a permanent member of the Security Council and we need to work with it on many issues. Most of the time we ended up talking about Afghanistan. The

diplomacy and foreign policy challenge is to have relationships with states, even though you may fundamentally disagree with them on certain matters, to make things happen, particularly in a setting such as the Security Council.

**Deputy James Lawless:** I am glad to hear the Minister is having those discussions with the Kremlin or its foreign minister. I am aware Russia is permanently represented on the Security Council. We have to use whatever influence we have. I appreciate we may get a deaf ear at times, but it is important we seize the opportunity on the Security Council to push that agenda as far as we can.

The other point I will make as to what we can control is that it was especially shameful that Apple and Google - Telegram also, but perhaps it is a less overt and less commercial multinational - collaborated in this deceit because they removed the Navalny smart voting app from the platforms in Russia a week before the election. They colluded in the declaration of Navalny's organisation as extremist and then effectively took instructions from the Kremlin to deactivate those apps. I have written to Deputy Flanagan, as Chairman of the foreign affairs committee, to request that Apple and Google come before our committee to explain those actions. I am particularly concerned, given what we have seen in other votes, not least Brexit and the American elections, about the interference of social media and their platforms in free and fair elections, that these companies seem to have learned no lessons and are now actually propagating this and colluding with Russia. It is especially abhorrent, and I hope these companies come before the foreign affairs committee and that the Government will support me in seeking to take them to task.

**Deputy Simon Coveney:** Regarding the Apple and Google issue, before polling began, Apple and Google removed jailed Russian opposition leader Alexei Navalny's smart voting app from the iOS and Android stores, respectively. Ireland has no special sight of or role in adjudicating on the decisions of multinational companies in different jurisdictions. I do not have access to all the information and considerations which led Apple and Google to make the decisions they did. I am sure, however, that the well-being and safety of their local staff ranked highly in their considerations. The focus should be on the Russian Government and on the laws and intimidating behaviour which allowed it to exercise censorship across a wide variety of media during the elections. Individual companies are placed in difficult positions because of this unacceptable shrinking of media freedom and civil society space. I am not excusing it; I am just saying we do not know the full facts. Certainly, I do not. Perhaps the Deputy has more facts than I have. As a founding member of the Freedom Online Coalition, Ireland believes the human rights we enjoy must be protected online. The Internet and social media have revolutionised the free flow of information and knowledge and have played an important role in documenting human rights violations and abuses.

### **Passport Services**

8. **Deputy James Lawless** asked the Minister for Foreign Affairs the number of applications for passports by persons from County Kildare that are currently outstanding; his plans to address the backlog; and if he will make a statement on the matter. [46911/21]

9. **Deputy Dara Calleary** asked the Minister for Foreign Affairs the number of applications for passports from County Mayo that are currently outstanding; his plans to address the backlog; and if he will make a statement on the matter. [46841/21]

12. **Deputy Matt Carthy** asked the Minister for Foreign Affairs the current backlog for processing passport applications; the backlog in County Monaghan; and the actions his department has taken to address the backlog of passport applications related to the pandemic. [46476/21]

16. **Deputy Jennifer Murnane O'Connor** asked the Minister for Foreign Affairs the number of applications for passports from counties Carlow and Kilkenny that are currently outstanding; his plans to address the backlog; and if he will make a statement on the matter. [47058/21]

19. **Deputy Steven Matthews** asked the Minister for Foreign Affairs if his attention has been drawn to the delay in processing passport applications, in particular first-time passports for children and new citizens; the steps his Department is taking to alleviate this issue; and if he will make a statement on the matter. [46209/21]

29. **Deputy Michael Moynihan** asked the Minister for Foreign Affairs the number of applications for passports from County Cork that are currently outstanding; his plans to address the backlog; and if he will make a statement on the matter. [47057/21]

37. **Deputy Paul McAuliffe** asked the Minister for Foreign Affairs his plans to reform the Passport Office, given the current backlog of applications; and if he will make a statement on the matter. [46884/21]

46. **Deputy Barry Cowen** asked the Minister for Foreign Affairs the number of applications for passports from counties Offaly and Laois that are currently outstanding; his plans to address the backlog; and if he will make a statement on the matter. [47055/21]

49. **Deputy Thomas Gould** asked the Minister for Foreign Affairs his plans to address passport backlogs in County Cork. [47114/21]

53. **Deputy Aindrias Moynihan** asked the Minister for Foreign Affairs the measures being taken to clear the backlog of passport applications; the measures being taken to improve timelines for issuing of first-time passports; and if he will make a statement on the matter. [47115/21]

61. **Deputy Michael Ring** asked the Minister for Foreign Affairs the number of outstanding passport applications currently in the Passport Office; when he expects the backlog to be cleared; and if he will make a statement on the matter. [47038/21]

66. **Deputy Niamh Smyth** asked the Minister for Foreign Affairs when the public offices of the Passport Office in Dublin and Cork will reopen in order that persons can make an appointment to submit a passport application in person; and if he will make a statement on the matter. [46780/21]

77. **Deputy John Lahart** asked the Minister for Foreign Affairs the number of applications for passports by persons from Dublin city and county that are currently outstanding; his plans to address the backlog; and if he will make a statement on the matter. [46882/21]

81. **Deputy Rose Conway-Walsh** asked the Minister for Foreign Affairs the status of and position on the turnaround times for and backlog of passport applications; and if he will make a statement on the matter. [47172/21]

**Deputy James Lawless:** I am getting a little closer to home with this question. The Minister will be aware the deluge of applications for passports has rapidly increased since the

summer months and since travel has been permitted again. Obviously, the Passport Office was closed for a period during lockdown. It became an impossibility to acquire a passport. My office and, I am sure, the constituency offices of all my colleagues around the House have been inundated with queries about applications. There seem to be significant delays, even with the office reopened. What are the numbers for Kildare and what are the Minister's plans to arrest this backlog?

**Deputy Simon Coveney:** I will take your guidance, a Leas-Cheann Comhairle, as to how you want me to deal with these questions, but I am apparently being asked to take Questions Nos. 8, 9, 12, 16, 19, 29, 37, 46, 49, 53, 61, 66, 77 and 81 all together.

**An Leas-Cheann Comhairle:** They are all on the same topic, so-----

**Deputy Simon Coveney:** They are, but they are all asking for different numbers, which maybe I will try to send to the individual Deputies.

**An Leas-Cheann Comhairle:** The important thing for me is that we keep within the time.

**Deputy Simon Coveney:** Well, on the basis of all these questions, we will be here until 4 o'clock this afternoon.

**An Leas-Cheann Comhairle:** No we will not. You have five minutes and 40 seconds now.

**Deputy Simon Coveney:** Let me give the House the answer I have here and I will follow up with individual Deputies if I need to do so to give more information.

I welcome the opportunity to update the Deputies on the continued scaling up of operations by the passport service. The passport service maintained operations through the Covid-19 pandemic, despite the fact the processing of passports requires physical attendance on site to deliver this service. As a result of well-implemented safety protocols, 67,000 passport books and cards were issued between January and May of this year.

The operation of our public offices has necessarily been restricted due to the health and safety restrictions arising from Covid-19. That said, our customer service team maintained daily contact with customers by phone and online and the passport service continued to provide emergency services for those with a medical emergency or death of a family member abroad.

In line with our continued scaling up of services, I wish to advise Deputies that, as of Monday of this week, the urgent appointment service for renewal of passports is available for people who unexpectedly require their passport renewed at short notice. To avail of this service, members of the public can go online and book an appointment to attend the public office on Mount Street. The service is available for two types of appointment: same-day turnaround and four-day turnaround. A fee applies to the appointment service relative to how quickly the passport renewal is required. The urgent appointment service ensures that, for those who require an urgent turnaround of a passport renewal, an option is available that is transparent and predictable. It means applicants can book and pay for their appointments, safe in the knowledge they will have their passport within a day, or a few days, without having to queue or worry about whether they will make a flight.

The new system will also ensure citizens attend the public office on an appointment basis only, which allows for the maintenance of social distancing regulations within the public space. The passport service will continue to maintain its emergency service for those who require a

passport for a medical emergency or death of a family member abroad.

As for turnaround times, the current passport processing times are ten working days for simple adult renewals, which is a very conservative estimate, actually, as they are being turned around often within 48 hours or less for online renewal applications from adults; 15 working days for complex renewals; 40 working days for first-time applications on Passport Online; and eight weeks for Passport Express, which I know has caused concern among some people. Almost 45% of passports for simple adult renewals continue to issue within one business day, while complex applications take longer.

There are approximately 130,000 applications currently on hand with the passport service. Seven Deputies have asked questions as to how current applications that are on hand are distributed by county, and I have arranged for those data to be shared with them by hard copy. All applications are dealt with based on date of receipt and application type rather than by geographical location. In other words, we have to do a bit of work to get the Deputies that information.

Of the applications on hand with the Passport Office, over 40% are incomplete applications that require additional action by the applicant before they can be processed further. Approximately 60% of the applications on hand are first-time applications. To protect the integrity of the Irish passport, such applications require careful processing to validate the identity of the applicant and his or her entitlement to Irish citizenship for the first time.

*10 o'clock* Additionally, in the case of children, consent of all guardians must be validated.

When I say that, some people look at me as if I am making an excuse to try to slow the thing down. I have been through this and have spoken to the team of people who are actually looking to root out fraud in the passport system. We have had about 450,000 passports issued this year and it is well understood that the passport system has been under an awful lot of pressure. That is exactly the time when criminals who want to commit fraud will try to use or abuse the passport system. We have to have a robust system to counteract that, and we do, but that means there is an implication in terms of timelines to make sure we do that well.

The passport service continually examines how to improve processing times, including examining the processes around the verification and processing of the supporting documentation for first-time applicants and any delays that have been experienced by our customers as a result of the Covid-19 pandemic and the high demand seen in recent months as international travel resumed.

There has been an ongoing process of reform within the passport service since 2016. Enhancements over recent years means that Passport Online can now be accessed by first-time applicants, both children and adults, in Ireland, Northern Ireland, Great Britain, Europe, Australia, Canada, New Zealand and the USA. All Irish citizens, including children, can use the online system to renew their passports from anywhere in the world.

Recent reforms have also improved our fraud detection capacity following the introduction of new facial recognition technology, which improves the efficiency and the integrity of the passport system. Maintaining that integrity is essential to ensuring the Irish passport is one of the most secure in the world and one of the most effective in terms of granting citizens visa-free access to most countries in the world.

**An Leas-Cheann Comhairle:** We are over time. The Minister should conclude.

**Deputy Simon Coveney:** I will finish shortly. The next major element of the reform programme is to replace the core technology underpinning the passport service. The current system was launched in 2004 and will be replaced by a more modern, integrated system. Detailed design and implementation will begin in the coming months and it is expected to be operational by the end of 2023.

**An Leas-Cheann Comhairle:** Not all Deputies are present. I will go through the questions in the order they appear on the Question Paper. I call Deputy James Lawless.

**Deputy James Lawless:** I will yield to another Deputy as I have spoken already on this question.

**An Leas-Cheann Comhairle:** I call Deputy Dara Calleary.

**Deputy Dara Calleary:** I acknowledge the detail in the Minister's answer. I also acknowledge that the staff of the Passport Office are working hard and that they were moved to other Departments as part of the pandemic response, which I accept.

The Minister mentioned in his response that there was regular contact with passport applicants but there was not. Applicants come to us because they cannot get the information on where their passport will be and they cannot get through to the Passport Office. The online checker that shows people the passport application's progress was not being updated at the height of the summer. That is why applicants come to us. We need extra customer services staff who can actually show people where their application is.

On the first-time applications, I agree 100% with the Minister on the need for checking those, in particular for infant passports. However, I have a case going back to June that has everything in place but we cannot get information on it.

In the coming months and next year, there will be an awful lot of people planning to travel because they have not been able to travel in two years. They will do the usual thing; they will go to travel and there will be no passport. We need the Department to be proactive, to buy space-----

**An Leas-Cheann Comhairle:** If we all co-operate, Members will get back in.

**Deputy Dara Calleary:** We need it to give prompts to remind people to renew their passports in the immediate weeks.

**Deputy John Brady:** I acknowledge the work of the staff within the Passport Office, who have done extraordinary work under very difficult circumstances. What has happened here has been a real failure to plan for the expected demand for passports, not just in terms of Brexit and the expected increase in applications in that regard but in a post-Covid situation and with the opening up of international travel. There was a failure to put in place the staff that are needed. The core staff within the passport service is about 450 and, during peak times, that increases by about 200. However, this year, it only increased by about 50, bringing it up to 500, so there was a shortage of staff within the passport section to deal with the expected increase in passport applications and with the backlog, and then people wonder why there are huge delays and problems. There were serious problems and a failure to deal with them.

**Deputy Jennifer Murnane O'Connor:** The Minister can see from today's debate that there is a serious issue. He called out all of the different numbers because all Deputies are receiving

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a huge number of queries within our own constituencies. It is the biggest issue I am addressing at the moment. While I welcome that online passport renewal is working fine, my concern is about the new applications, which take 40 working days, or about eight weeks. However, if there is any issue with paperwork or anything like that, it goes way beyond that. I am dealing with a case at the moment where a child passport has come back to the mother but the mother's passport has been kept. The mother and child are meant to be flying out next week and they have the child's passport after the 40 working days but they do not have the mother's passport. There is huge concern about trying to get in contact with the Passport Office and trying to get communication. I know they are doing their best and this is not to do with the staff. Like others, I believe it is firmly understaffed and it is an issue we need to look at.

**Deputy Aindrias Moynihan:** The time between a person making an application and getting a passport into their hand is a real concern for a great many parents who have come to my office. They are planning a holiday or travelling for work or otherwise, and having made the application several months ahead, they expect to have the passport. While I acknowledge the situation after the application starts to get processed, the upfront time, before it is checked, is where there is a big issue, and it can take several weeks - anything up to five weeks - before an application is checked. At that stage, if there is anything wrong, and the Minister's figures indicate up to 40% of applications are in that position, they get thrown back, with several other weeks added on before even getting to the starting line. In the past, it was possible to meet at the Passport Office to have the passport checked with the appointments facility. When will that facility be open again to people and will it be open at both the Cork and the Dublin offices?

**An Leas-Cheann Comhairle:** I call Deputy Ring.

**Deputy Michael Ring:** I have Question No. 11 on the Question Paper.

**An Leas-Cheann Comhairle:** Question No. 61 was grouped, not Question No. 11. It is Question No. 61 that I am taking here.

**Deputy Michael Ring:** It is on the Question Paper.

**An Leas-Cheann Comhairle:** No.

**Deputy Michael Ring:** I am not going to have a row with you. That is the Question Paper. If it is on the Question Paper, I thought it would be called in order. I came in to speak about the Passport Office and I would like to have that opportunity.

**An Leas-Cheann Comhairle:** It is important because the rules are important. Your Question No. 11 is not grouped. Your Question No. 61 is grouped and you are now getting your chance, uninterrupted.

**Deputy Michael Ring:** I am not going to let it go and I will speak to you when this is over, a Leas-Cheann Comhairle. There is no point putting questions down if I am not going to be called. Thank you.

**An Leas-Cheann Comhairle:** We might all co-operate.

**Deputy Michael Ring:** With regard to the Passport Office, I agree with all the previous speakers. Who made the decision at the beginning of the pandemic that this was not an essential service? Was it a Secretary General who the Minister has now made an ambassador and who got rewarded for making a mess of the Passport Office?

What really annoys me about government is this. We look at the front page of the *Irish Independent* today and we see Revenue threatening people to pay their property tax, yet we cannot get a driving licence, we cannot get the Land Registry and we cannot get any service in the public service at the moment. I have written to the Minister's Secretary General on five or six occasions. He is on about €211,000 a year. The least I expect from him is to answer my question. I put down questions to the Oireachtas. I would like the Leas-Cheann Comhairle to take this up as I have written to the Ceann Comhairle. I get no reply. I get them bundled into one reply. That is why we had the beef tribunal, because we did not get replies. When I put down a question as an elected representative in this House, I expect to get a reply.

The Minister talks about the emergency passport.

**An Leas-Cheann Comhairle:** The Deputy is out of time.

**Deputy Michael Ring:** It is €115 for the appointment and €95 for the password afterwards. I will give one example, just one example, and I will stop then.

**An Leas-Cheann Comhairle:** I will give you a chance to come back in.

**Deputy Michael Ring:** Thank you. You might let me back in again.

**An Leas-Cheann Comhairle:** If you co-operate, you will all get a chance to come back in.

**Deputy Michael Ring:** I always co-operate. It is you who did not co-operate with me this morning on the Question Paper.

**An Leas-Cheann Comhairle:** I call the Minister to reply.

**Deputy Simon Coveney:** First, of course, I recognise there has been a lot of disruption in the context of people trying to access passports. I have spent a great deal of my summer dealing with many of the Deputies in this House, trying to get passports resolved for many of their offices and for their constituents. I have specifically put a team in place around me in the office to try to ensure that happens as efficiently as possible. It is not always possible to solve that. If somebody comes to me and they are looking for a child's passport and they need it in 48 hours, we cannot do it. However, if someone is travelling at short notice and we can resolve the issue, we have been trying to do that for people. We also have to recognise this is not just about getting more staff. If it was, we would have solved it. The nature of the passport operation is that staff need to be on site in the Passport Office to be able to deliver a safe service. We have a secure network within the Passport Office. We cannot simply take space in a warehouse somewhere else and issue passports separately.

We have taken on extra staff. The reason we could not take on more extra staff was not because we could not access more people. It was because we did not physically have the space in the secure environment of the Passport Office to be able to do the job that is necessary.

By the way, the Government did make a decision in May that the passport service was an essential service which, of course, was part of me getting more staff back into the Passport Office while managing the necessary Covid restrictions as well.

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

**Deputy Simon Coveney:** If I could finish the point because I had a lot of questions and I

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am entitled to answer them, surely.

**An Leas-Cheann Comhairle:** I only can work with what I am working with.

**Deputy Simon Coveney:** You cannot give me two minutes to answer a dozen Members.

**An Leas-Cheann Comhairle:** I do not give the minutes. It is all set out. I will let you back in. We will let the Deputies in first on this matter.

**Deputy Simon Coveney:** I will try to come back with replies to the individual questions Members have.

**An Leas-Cheann Comhairle:** I would ask for Members' co-operation. Deputy Lawless has kindly given up his slot. I call Deputy Calleary.

**Deputy Dara Calleary:** Can we put in place a system that you cannot book a flight without getting a reminder asking if your passport is in order? If the Department has to pay for that commercially, it is all that is needed. It would be a prompt.

The notion that customer service is engaging with people is not our experience. The passport team is working incredibly hard but if you want to get detail on a passport, it is incredibly difficult.

Can we open a passport office in the west where people can walk in off the street? I propose Ireland West Airport Knock. It is the driver of much of the demand. To ask somebody to do an eight-hour return journey to be asked a simple question is unfair.

**Deputy John Brady:** One of the major failures has been the inability of people to get accurate and timely information from the service. Even looking at the website today, it is saying that the turnaround for renewal for children is 15 days. I am dealing with many families who have had to cancel holidays because the parents have been able to get their passports renewed but the children's, even though all the documentation has been furnished in a timely manner, have taken months to turn around. That is in contrast to what is on the Department's website - a 15-day turnaround time.

There needs to be an expansion of the service. My colleague, Senator Niall Ó Donnghaile, has long advocated for the opening of a passport office in Belfast. That now needs to be looked at because one of the major issues has been the massive influx of passport applications from the Six Counties. There has been a failure to plan for that expected increase and it has not been catered for. I urge the Minister to look again at the possibility of opening a passport office in Belfast.

**Deputy Jennifer Murnane O'Connor:** The Minister stated it is an essential service. It worries me that the Minister cannot find the space. We had to move to the convention centre because we are an essential service and we were able to do that. The Minister is telling us here today the Passport Office cannot find office space. We have people trying to get a service who are waiting.

**Deputy Simon Coveney:** That is not what I said.

**An Leas-Cheann Comhairle:** Through the Chair, thank you.

**Deputy Jennifer Murnane O'Connor:** What the Minister is saying is we need something

bigger. The Passport Office is back open part time, which is great, but it is only for appointments and only for urgent cases, that is all, unless it is a first-time one. That is unacceptable. The office needs to be opened to deal with the number of passport applications.

**An Leas-Cheann Comhairle:** I will give the Minister time to come back in. I call an Teachta Aindrias ó Muineacháin, who will be followed by an Teachta Ring and then the Minister.

**Deputy Aindrias Moynihan:** The real issue with first-time passport applications is the time before processing starts on them at all. There could be some issue with the application but the application rests untouched with nothing happening with it. After approximately five or six weeks, somebody identifies there is an issue, highlights it with the family, the application comes back again and time is lost before processing gets under way. It is the issue of getting to the starting line.

The Minister outlined there will be emergency appointments available. Will he clarify that they will also be available at the Cork office to ensure people can go and have their applications reviewed to make sure, even before they start at all, that everything is in order and they are presenting immediately at the starting line, as it were and not five or six weeks behind?

**Deputy Michael Ring:** Last Friday evening, a constituent of mine who has dual citizenship - Canadian and Irish - was on to me. They made their application to the Irish Passport Office. They went up to the Canadian Embassy last Friday evening and they came out with an emergency passport for the child. They could not even get an answer from the Passport Office here in Dublin. They spent weeks and weeks and weeks.

Something has to be done. I agree with my colleague. The Minister is talking about putting the service into Belfast. I would like to see our own citizens in the west of Ireland - my constituents - have it. We have no passport office in the west. In Galway, we have no passport office. We have none in Mayo or Sligo. We have to go to Dublin. If there is a problem, it is up to Dublin. This is making a big profit every year for the Government and the least we should have is a passport office in the west. It is something the Minister should look at.

It is something I have been raising here for the past ten years. Of course, they will not listen in the Department but they will have their own passports. All these ambassadors going all over the world will have their passports.

**An Leas-Cheann Comhairle:** The Minister to reply.

**Deputy Michael Ring:** An Irish citizen who is a taxpayer-----

**An Leas-Cheann Comhairle:** The Minister to reply, thank you.

**Deputy Michael Ring:** The Irish citizen, who is paying his or her tax in this country, should have that document and he or she should not be begging for it.

**An Leas-Cheann Comhairle:** The Minister to reply. I asked Members for their co-operation. The Minister has two uninterrupted minutes.

**Deputy Simon Coveney:** Nobody is begging for anything. This is the provision of an essential service through a pandemic.

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I will be clear to Deputies. It is not about not being able to access extra office space. The way in which the Passport Office is set up is that it is a secure space to protect the integrity of the passport system. There was plenty of office space that we could take but you cannot simply extend into another office without extending the secure systems within the Passport Office, which is not straightforward.

We are expanding the physical space of the Passport Office in Balbriggan. We have taken on significantly more space adjacent to the existing Passport Office so that we can do that securely. We will be taking on extra staff to do that, planning for a significant increase in the demand for passports to be issued next year.

On opening up new offices for urgent appointment services, we will focus on the offices we have. The Cork office will open on the 22nd. I will come back to Members as to whether it would be deemed necessary or helpful to open other offices in other parts of the country.

We have looked at whether it would make sense to open a passport office in Northern Ireland. The review of that suggested, because the vast majority of applications are now made online, that should not be prioritised for now, but it is something I have an open mind on.

I would ask Members to recognise the extraordinary delivery system that has been in place for nearly half a million passports this year through a pandemic at a time when severe restrictions were in place in terms of allowing staff come into offices. We are now putting new systems in place to look at a severe increase.

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

**Deputy Simon Coveney:** Deputy Aindrias Moynihan is correct. The time it takes to get to the starting line for the issuing of a passport is the big issue.

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

**Deputy Simon Coveney:** When there are-----

**An Leas-Cheann Comhairle:** I have allowed more than the time to this question. There are other Deputies waiting for their questions. I am sorry. We are way over time.

**Deputy Simon Coveney:** All right. When there is paperwork involved, there are complications in the middle of a pandemic. That has been the issue.

## Human Rights

10. **Deputy Jim O'Callaghan** asked the Minister for Foreign Affairs his assessment of the current situation in Nicaragua ahead of the election in that country; if he has concerns about the crackdown on opposition politicians; and if he will make a statement on the matter. [47169/21]

**Deputy Jim O'Callaghan:** A presidential election is due to take place in Nicaragua on 7 November next. It is obviously a matter for the people of Nicaragua to decide who they want to elect as their president, but if it is the case that that election is taking place without transparency or fairness, it becomes a matter for the international community. I ask the Minister whether the Government has any concerns about the forthcoming election considering that, since last May, more than 30 opposition leaders have been arrested by the regime of President Daniel Ortega

and it appears all opposition in that country is being suppressed.

**Deputy Simon Coveney:** From passports in Mayo to Nicaragua, but I am happy to take that question.

I am deeply concerned by the deteriorating democratic and human rights situation in Nicaragua, in particular, the ongoing repression of opposition politicians, members of the media, human rights defenders and civil society representatives. I am also very concerned by the arrest and detention earlier this year of a number of potential presidential candidates, many of whom are now being prosecuted under the foreign agents law, which contravenes basic democratic principles and seriously undermines the electoral process in Nicaragua. This law, alongside others recently adopted, serves only to tighten restrictions on civil and political rights and fundamental freedoms and hinders the work of civil society and non-governmental organisations in the lead-in to the presidential elections due to be held on 7 November.

I support the statement of the EU High Representative, Dr. Josep Borrell, on 10 June calling for the immediate and unconditional release of the detained potential presidential candidates and all other political prisoners, ensuring respect for their human, civil and political rights. Inclusive dialogue is the only way to resolve the political, economic and social crisis in Nicaragua.

Ireland, through the EU, has consistently called on the Nicaraguan Government to abide by its own commitments, its constitution and international human rights laws and standards. Ireland is also supportive of the EU's introduction of restrictive measures against targeted individuals in Nicaragua who are responsible for serious human rights violations and/or whose actions undermine democracy and the rule of law. On 2 August, the EU Foreign Affairs Council imposed further restrictive measures on eight additional individuals, including the Nicaraguan Vice President, which means that a total of 14 persons are now subject to an asset freeze and travel ban.

Ireland, along with our EU partners, will continue to support efforts towards reaching a peaceful and negotiated solution in Nicaragua. Officials in my Department, including the Embassy of Ireland in Mexico, which covers Nicaragua, will continue to monitor the situation closely in co-operation with the EU delegation in Managua.

**Deputy Jim O'Callaghan:** I thank the Minister for his reply. I share his concern. Some politicians have the benefit of being viewed as political saints. It is not a designation that applies to me or most Members of this House, but it is a designation that was applied to Mr. Daniel Ortega, the President of Nicaragua. As the Minister is aware, Mr. Ortega came to power in 1979, was elected as President in 1984 and was viewed as the great liberator who brought freedom to Nicaragua and fought against the Contras.

That may have been the case at the time, but it now appears that he has unfortunately turned into a Ceauşescu-like dictator. Some of the measures that have been introduced in Nicaragua recently are matters of extreme concern, and should be for our Government and the EU. As the Minister mentioned, many opposition leaders have been imprisoned, including journalists and lawyers. It is also the case that a law has been introduced prohibiting anyone who is designated as a traitor from contesting the presidential election. What further action can the EU take in order to show our opposition to these actions?

**Deputy Simon Coveney:** The EU is using its relatively new human rights laws to introduce

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targeted sanctions formally against individuals it believes are responsible for undermining democracy or compromising human rights in the context of international human rights law. The EU has already acted on that. It will remain under consideration as to whether we will extend those targeted sanctions to more individuals. These are real sanctions involving asset freezes and travel bans. Some in Nicaragua have assets in the EU. The sanctions are targeted and can be impactful. As we build up to elections at the start of November, the EU will continue to monitor the position.

**Deputy Jim O’Callaghan:** It might also be worth considering whether the Department can encourage international human rights bodies to seek authorisation to return to Nicaragua. I am thinking in particular of the Office of the United Nations High Commissioner for Human Rights and the Inter-American Commission on Human Rights.

It is a worrying development if there is this level of oppression in Nicaragua. I hope that the election on 7 November will be monitored. I am not aware as to whether international election monitors will be permitted into Nicaragua and, if they are, whether they will be given the freedom to appraise the election fairly. We can take a message from what has happened in Nicaragua, in that it is an example of a revolution that went wrong. Unfortunately, what started out as a revolutionary independence movement has transformed into a vanity project for President Ortega, his Vice President, who doubles up as his wife, and part of the Sandinista regime.

**Deputy Simon Coveney:** This is something that the EU has been following and continues to follow. It is not something that has got much media coverage in Ireland. Unfortunately, it is a part of the world that does not get the spotlight often enough. However, the EU will closely monitor how these elections are run and maintain a focus on its restrictive measures or targeted sanctions to try to be as persuasive as possible. There will be a request from the international community for full access for election observers. Whether that access is granted remains to be seen, but I would have my doubts.

**An Leas-Cheann Comhairle:** It looks like Deputy Ring will ask the last question.

**Deputy Michael Ring:** I thank the Leas-Cheann Comhairle for letting me in. I did not realise that I was going to be able to ask my question, so I thank her.

**An Leas-Cheann Comhairle:** No, I am not “letting the Deputy in”. It is now his turn to come in with Question No. 11. We are going to run out of time, so his time will be short.

## Passport Services

11. **Deputy Michael Ring** asked the Minister for Foreign Affairs the number of staff working in the Passport Office on a monthly basis from January 2020 to 31 August 2021; and if he will make a statement on the matter. [47039/21]

**Deputy Michael Ring:** I will put two brief questions to the Minister. First, will he take staff from other Departments and put them into the Passport Office to try to deal with the emergency? Second, and seriously, is it not time that the Department considered putting a passport office in the west? If there is a problem, it is not fair that someone from Galway, Mayo or Belmullet has to go to Dublin to resolve it. Although many passports are being processed online, there are still many that are not. This matter has been raised with me and every Member of the House. That

is why the Minister has received so many questions about it today. People are upset.

**Deputy Simon Coveney:** I know that people are frustrated because, in the absence of international travel for nearly 18 months, many are now checking and realising that their passports are out of date, but they want to plan their holidays. We understand what is contributing to the dramatic increase in demand, which will continue right the way through next year. We are taking on more people, but access to more people has not been the primary problem. The challenge has been in being able to get people into the office safely and expanding the physical footprint of a secure passport office that I can stand over in terms of its security operation. Both of these matters are being addressed. I have walked through the new physical footprint of the Passport Office, which is being fitted out at the moment to plan for next year and the extra people that we will take on and who will be factored into our Estimate.

I cannot give the Deputy an answer as to whether we will open an office in the west. We want to get our existing office infrastructure open. We have to open in Cork and we have only just opened the office in Dublin for emergency passport delivery. If we are going to go beyond that, it has to come from a process of assessment within the Department, but I do not have a closed mind about the idea.

**Deputy Michael Ring:** I thank the Minister for his answer. I acknowledge that the staff of the Passport Office are working under difficult conditions, but this is an essential service. I warned the Department three months ago that this problem would arise and it has now happened. There has been a problem every summer. I would like to see it not happening next year and the office being given the requisite number of staff to process passports. Many people did not have holidays this year because they could not get a document to which they were entitled.

**Deputy Simon Coveney:** An awful lot of people were accommodated at the last minute as well. I know, because we have been working night and day trying to deal with emergency passports for people throughout the summer. For some of the summer months, we issued up to 100,000 passports per month. The people who do not get resolved through the system go to Deputies' offices and, therefore, many Deputies hear about lots of problems and do not see the benefits of a system that is getting back up on its feet with extra resources and new systems in place to be more efficient. However, I accept that there is work to do. I do not want to pretend that all the problems with the Passport Office have been solved. They have not been. We also need to focus as a priority on getting foreign birth registries working as they should be.

Passport applications take time. We cannot move in a direction of essentially giving a message to the public that everyone can get a passport at the last minute if he or she does not renew earlier.

**Deputy Michael Ring:** That is not fair. They had them in on time. They have had them in for 40 days.

**Deputy Simon Coveney:** For the people who have them in on time, we need to have a system that delivers on time and is predictable, and that people can track. We are working on the delivery of that system.

**Deputy Michael Ring:** The system has to be fair.

**Acting Chairman (Deputy Kathleen Funchion):** We are over time.

## Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

### Defence Forces

83. **Deputy John Brady** asked the Minister for Defence the progress that has been made to date on the full implementation of the working time directive as it applies to the Defence Forces. [47078/21]

**Deputy John Brady:** There are many issues facing members of the Defence Forces that are leading to what can be only described as an exodus of members. These have been widely articulated by representative bodies such as PDFORRA and the Representative Association of Commissioned Officers, RACO, and they include issues such as post-1994 contracts and the working time directive. I ask the Minister to update me on the full implementation of the working time directive.

**Minister for Defence (Deputy Simon Coveney):** As the Deputy will be aware, the Defence Forces are currently excluded from the provisions of the Organisation of Working Time Act 1997 which transposed the EU working time directive into Irish law. The Government is committed to amending this Act and to bringing the Defence Forces and An Garda Síochána within the scope of its provisions, where appropriate.

Responsibility for preparing an appropriate legislative framework lies with the Department of Enterprise, Trade and Employment. My Department is working closely with that Department to progress the regulatory amendment required to remove the blanket exclusion and bring the Defence Forces within the parameters of the Act, while having regard to some activities which may require exemption or derogation from the provisions of the Act.

The working time directive, as the Deputy is aware, recognises the unique nature of certain military activities and allows for derogations or exemptions of such activities. A significant amount of work undertaken by civil and military management has determined that a high percentage of the normal everyday work of the Defence Forces is already in compliance and that a range of activities may also qualify for exemption. Legal interpretation of the directive continues to evolve and recent case law relating to military service is also informing the deliberations of civilian and military management. It is understood that these deliberations are at an advanced stage and will feed into amendments to the legislative framework.

A subcommittee of the defence conciliation and arbitration council, comprising the representative associations, military and civil management, has been established to discuss matters relating to the implementation of the working time directive, where appropriate. It is intended to convene a meeting of this subcommittee in the near future once the discussions between civilian and military management are concluded.

I can assure the Deputy that the health and safety of personnel in the Defence Forces remains a priority for me and for the Chief of Staff. We remain fully committed to ensuring the provisions of the working time directive are applied throughout the Defence Forces.

**Deputy John Brady:** We are aware that accelerated provisions were introduced on two fronts with regard to rest after a specific period at the weekend. That is to be welcomed. We have been told on many occasions that there is ongoing engagement with the representative

bodies with regard to the implementation of the working time directive. Unfortunately, the last meeting with the representative bodies was on 24 July 2019, despite repeated attempts to have a meeting convened. Every two months, requests for a meeting are made but no meeting has yet been convened. Despite what the Minister said in his response, the reality is it is not happening.

We have repeatedly heard from the Minister and the former Minister of State, Deputy Kehoe, that legislation is forthcoming yet no legislation has come forward and there is no specific timeframe for legislation to ensure the working time directive is fully implemented. I ask the Minister to outline that process.

**Deputy Simon Coveney:** As I have already indicated, significant work has been undertaken to examine the nature of the duties of the Defence Forces and how provisions of the working time directive can be applied to its members. This review determined that a high percentage of activities are already compliant with the directive. It is important to recognise that. On foot of engagement with the representative associations through the subcommittee as part of the conciliation and arbitration scheme, compensatory rest is already provided for certain duties. This is also in line with the provisions of the directive. Legislation is required to legally apply the working time directive to the Defence Forces and the Department of Enterprise, Trade and Employment has lead responsibility for bringing forth that legislation. My Department will work with that Department in drafting the required legislation. The issues being considered are not straightforward and there is a requirement to ensure that the health and safety of personnel is protected while the Defence Forces retain operational effectiveness. Deliberations between the civil and military management are, however, well advanced and are being informed by recent case law pertaining to military service.

The Department is taking this seriously. There is ongoing dialogue between civil and military management. We will work with the Department of Enterprise, Trade and Employment to bring forward the necessary amendments as soon as we can.

**Deputy John Brady:** There may be engagement between the Department and senior military management but there is no engagement with the representative bodies. The Minister will be aware of the initiation of legal proceedings such is the frustration with regard to the lack of engagement. This is fundamentally a health and safety issue that cannot be ignored any longer. The failure to implement the working time directive is directly leading to the burn-out of members of the Defence Forces, as outlined by the representative body, RACO, at a meeting of the Joint Oireachtas Committee on Foreign Affairs and Defence prior to the summer. RACO has stated that the failure to implement the directive is directly leading to the burnout of members. This was also reflected in the University of Limerick workplace climate survey and the focus group reports in 2015, 2016 and 2017.

**Acting Chairman (Deputy Kathleen Funchion):** Thank you, Deputy, you are over time.

**Deputy John Brady:** It is a safety issue, but it is also leading to an exodus of members.

**Acting Chairman (Deputy Kathleen Funchion):** I ask everyone to stick to the one-minute allocation in regard to supplementary questions.

**Deputy Simon Coveney:** It is a safety issue and a workplace relations issue. That is why we will be implementing the working time directive. We will provide in Irish law that the exclusion from the legislation of the Defence Forces and An Garda Síochána is addressed. We are committed to doing that. I am happy to speak to RACO and-or PDFORRA in regard to that

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issue. I am meeting them in a few weeks time and we will be discussing a whole range of issues. I am happy to update them on progress in this space as well. It is important to recognise that the working time directive already provides a significant level of guidance in terms of how we approach HR issues within the Defence Forces, but that is not enough. We need to get the legal protections in place to do that and to agree what the exemptions are because a career in the Defence Forces and working in the Defence Forces is different from other workplace environments. Everybody accepts that. That work is well advanced.

## Defence Forces

84. **Deputy Brendan Howlin** asked the Minister for Defence if his attention has been drawn to a report undertaken under item 40A of the White Paper on Defence implementation programme; his plans to act on this report in view of the ongoing effect on retention; the way in which he plans to implement its findings; and if he will make a statement on the matter. [47256/21]

**Deputy Brendan Howlin:** My question relates to the so-called post-1994 contract within the Permanent Defence Force. Currently, all privates and corporals recruited post 1994 can continue in service only to the end of December of next year or until they reach the age of 50. Sergeants must retire at the end of next year. I understand there is a review within the Minister's Department on this matter. I would like the Minister to set out clearly today what his policy is on this issue.

**Deputy Simon Coveney:** Military life places unique demands on individuals and it is necessary that Defence Forces personnel are prepared to meet the challenges of all military operations. To this end, it is vital that the age and health profile of personnel be such to ensure operational capability and effectiveness are not compromised in any way. For this reason, compulsory retirement ages for ranks in the Permanent Defence Force are considerably lower than in other employments.

The age and fitness profile of the Permanent Defence Force was an issue of serious concern during the 1990s and was the subject of severe criticism in a series of external reports such as those compiled by PricewaterhouseCoopers consultants and the efficiency audit group. A range of policies were introduced to ensure an appropriate age profile and levels of fitness. This includes fixed-term contracts for enlisted personnel of certain ranks. The White Paper on Defence from 2015 says retirement ages and upper service limits, or both, of Defence Forces personnel of all ranks will continue to be kept under review and determined in accordance with key considerations such as manpower policy requirements, operational needs and international best practice.

This matter was also referenced in the Public Service Pay Commission's report on recruitment and retention in the Permanent Defence Force. In its report, the commission included in its recommendations the need to consider options to tackle barriers to extended participation in the Permanent Defence Force, including the possibility of extending retirement ages for members of the Permanent Defence Force. A detailed review of contracts of service for all enlisted ranks of the Permanent Defence Force, which commenced under the White Paper process, was subsequently subsumed and progressed through the high-level implementation plan, Strengthening our Defence Forces. The review, which is being conducted by civil and military staff, has also taken into consideration the recommendations from an adjudication in 2015, arising from

a claim PDFORRA made through the conciliation and arbitration scheme.

A draft report of the review in relation to enlisted personnel was submitted to me very recently. The report has outlined various options and includes a number of recommendations. These recommendations will require Department of Public Expenditure and Reform consideration from a costs and pensions perspective. Discussions with PDFORRA on the recommendations will take place on receipt of its consideration. I hope to meet PDFORRA on this in the coming weeks.

**Deputy Brendan Howlin:** I thank the Minister. I appreciate the fitness profile is important for the Permanent Defence Force but age is no longer the sole determinant of fitness. In general employment, we are moving away from deciding such matters purely on the basis of age. My understanding is approximately 700 personnel may be required to leave the Permanent Defence Force under this clause at the end of next year. They are entitled to be able to do their planning properly. I understand the Minister spoke on this matter in the Seanad this week. In response to Senator Wall and others he said he hoped to be able to make a decision on the post-1994 contracts “soon”. He has not said that to me today. Is it still his position that by the end of this year he will be able to give definitive guidance to all those affected by this matter?

**Deputy Simon Coveney:** I will give the Deputy the information I have, according to my notes on the actual numbers. I have heard the figure of 700 as well but I am advised by military management that as of 1 May 2021 the number of personnel enlisted post 1994, in terms of privates and corporals, in receipt of tech pay group 2 or less and who will have served 21 years or more by the end of 2022 is 195. There may be others in that category from other ranks and so on. I have said to PDFORRA and also said in the Seanad that I would like to provide clarity on this issue before the end of the year. Of course, we have to work with the Department of Public Expenditure and Reform as well. This is not solely my Department’s decision. Given that this would impact on people by potentially ending their careers in the Defence Forces in December 2022, there is an obligation on me to try to provide clarity well in advance of that date. That is why we would like to have that clarity provided by the end of this year if we can, and maybe even earlier than that. That is a commitment I have given and I will try to follow through on it.

**Deputy Brendan Howlin:** The Minister was very clear in the other House when he said:

I gave a commitment we would do that before the end of the year. We can do that well in advance of the end of the year - within the next few weeks - to be able to give people certainty quite a long way out before the issue comes to a head ...

That was his commitment which I take it he is giving again. My concern is we are heading into a budget. I have some experience in these matters. If there are financial implications to this, will the agreement of the Department of Public Expenditure and Reform be required in order for the Minister to give a definitive position by the end of this year? Will he give the House the commitment he will give absolute clarity to whatever number of personnel is involved, be it short of 200 or up to 700, so they and their families can plan their lives with certainty well in advance of the end of next year?

**Deputy Simon Coveney:** That is the intention. I have spoken to some of the serving personnel in this category and have asked them to be honest with me about their concerns. I have told them I will do everything I can to provide as much certainty for them as early as I can. I have effectively set myself the date for doing this as the end of the year. We will do it earlier if

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we can, as I said in the Seanad. If we can do it in the next few weeks, that is great. However, Deputy Howlin knows better than most in this House how the Department of Public Expenditure and Reform works. It has a job to do as well. We can get agreement. I expect no big surprise from the recommendations of that Department but we must go through the appropriate processes and ensure we have taken account of the financial consequences of whatever decision we make. I am confident we can provide clarity on this issue before the end of the year and I will do it as soon as we can. The people affected by the decision deserve to be able to plan for the future with the maximum possible lead-in time.

### **Defence Forces**

85. **Deputy Sorca Clarke** asked the Minister for Defence the terms of reference for the announced independent review following a radio documentary (details supplied); the person or body that will be responsible for establishing the review body; the membership qualifications or criteria for same; and if he will make a statement on the matter. [46794/21]

86. **Deputy Gary Gannon** asked the Minister for Defence if his attention has been drawn to a radio programme (details supplied); and the steps he is taking arising from the programme to tackle misogyny and violence within the Defence Forces. [47192/21]

**Deputy Sorca Clarke:** I wish to discuss with the Minister the terms of reference announced regarding the independent review following the radio documentary “Women of Honour” by Katie Hannon, which was broadcast on 11 September. What person or body will be responsible for establishing the review and what are the membership qualifications or criteria for same? I understand there has been significant movement in the 19 days since the documentary was broadcast.

**Deputy Simon Coveney:** I propose to take Questions Nos. 85 and 86 together.

I wish to reassure the House that this issue is a big priority for me. The meetings I had this week with the Women of Honour group and with serving women from the Defence Forces were deeply impactful, not only on me but on my Secretary General and indeed the incoming Chief of Staff. This is an issue we are going to get a handle on. We are going to put a process in place that will deliver real change. I say that very directly to the House. Anybody who chooses to enter the Defence Forces and wants to develop a career there must be guaranteed they will be treated with respect, they will be safe, they will not be discriminated against and they certainly will not be sexually abused or harassed. Unfortunately, there are far too many stories in this space that are not historic but current and they must result in a fundamental change for some people, who are a minority in the Defence Forces, with respect to their approach to diversity. We are going to bring about that change. We are going set in train a process to deliver that by means of an independent review and a recommendation I will bring to the Government.

I listened with concern to the women who recounted their experiences on the “Women of Honour” programme on RTÉ on 11 September. Earlier this week I met with participants from the Women of Honour group and with a group of serving female members of the Defence Forces. I had the opportunity to listen carefully to their experiences in what were very informative meetings. I wish to say I absolutely believe them. I respect the sincerity and courage it took to bring those stories forward. I express my deep appreciation to the women, both former and serving members, for highlighting this serious matter and for taking the time to meet me.

Participants from the Women of Honour group met with the Secretary General and senior officials from my Department last Thursday and I understand this was also a productive meeting.

It is clear to me, the Chief of Staff and the Secretary General that there are very strong views that the culture that is pervading, and the application of the current policies, systems and procedures in place for dealing with bullying, harassment, discrimination, sexual harassment and sexual assault, have not and are not serving all Defence Forces personnel well and as they should be. I take this opportunity to apologise to anyone who has suffered during their time in the Defence Forces and to assure them the State will carry out an independent review, which will be undertaken by external and entirely independent and unbiased experts in this field. This review will examine the effectiveness of these policies, systems and procedures.

The terms of the review, which are in the process of being finalised, are being reviewed in light of recent meetings with the Women of Honour group and with serving female personnel. Further engagement with the Women of Honour group on the terms of the review will happen. In addition, engagement with other stakeholders, including the representative associations, is also scheduled and will additionally inform the terms. The Commission on the Defence Forces which was established in December 2020 is due to report by the end of December 2021 and its views will also be an important aid to the independent review. It is my understanding that the work of the commission in this area is quite focused and will be helpful.

Finally, I wish to assure the Deputy that I, as Minister, the Chief of Staff and the Secretary General of my Department are fully committed to ensuring that all members of the Defence Forces, both male and female, have the right to be treated with respect, equality and dignity and to carry out their duties in a safe workplace, underpinned by a culture of zero tolerance for any kind of bullying, discrimination or harassment. It is our job to make sure that becomes a reality on the ground.

**Acting Chairman (Deputy Kathleen Funchion):** This question is being taken with No. 86, so Deputy Gannon will get the opportunity to contribute after Deputy Clarke.

**Deputy Sorca Clarke:** I thank the Minister. I want to take this opportunity to put on the record of this House my utter revulsion at the experiences these women detailed, my admiration for their bravery and determination but also my anger that in 2021 these exceptional women were forced to tell their stories so very publicly on national radio for an appropriate mechanism to be discussed. Let us be very clear that what they spoke of was sexual abuse, discrimination and harassment. In the interests of fairness, it is important to read into the record today a line from a letter sent by the Chief of Staff to members of the Defence Forces:

I am acutely aware that these inappropriate behaviours are abhorrent to the vast majority of men and women of the Defence Forces.

I welcome what appears to be a complete 180° turn by the Minister since we last spoke on this issue on 13 May. At that time the Minister said there was a robust system in place, there were policies and procedures regarding sexual harassment and bullying in the Defence Forces and there was supportive workplace culture. This is a very important first step in what must be a series of further steps.

**Deputy Gary Gannon:** We do not need an independent inquiry to tell us that certain practices are abhorrent. The Minister for Defence must act immediately to amend the law so that victims of rape or sexual assault in the Defence Forces can no longer be cross-examined by

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their abusers. The harrowing revelations in the “Women of Honour” documentary have shone a spotlight on the toxic culture of sexual abuse and bullying that exists in the Defence Forces. The Social Democrats welcome the apology from the Minister for Defence to the female members of the Defence Forces who have suffered abuse and harassment over three decades. However, the Minister must take immediate action to ensure that women who make accusations of rape or sexual assault can no longer be cross-examined by their alleged attackers when these complaints are being investigated internally by military police.

**Deputy Simon Coveney:** The first thing I want to do is to work with the women we have met, and who we will meet again, to try to finalise the terms of this review. I hope we will get the agreement and confidence of everybody that the people who are going to lead it are fit to do so. I would like to have international expertise as well as some very credible and strong Irish leadership. We have said that we are not going to rush this. It will take a few weeks to get it right and we must do that. Let us not forget that more than 20 years ago, Dr. Tom Clonan completed a doctoral thesis on this issue involving survey work across the Defence Forces. He made some very strong conclusions and after that, a whole series of things were done. We have had three different independent monitoring groups with recommendations-----

**Acting Chairman (Deputy Kathleen Funchion):** I thank the Minister, who will have an opportunity to come back in.

**Deputy Simon Coveney:** I will answer Deputy Gannon’s question directly when I come back in.

**Deputy Sorca Clarke:** It is absolutely critical that this review does not just focus on the failings of the Defence Forces as an institution but also looks at those individuals who obstructed any mechanism that was in place at the time, including those who deliberately prevented victims from coming forward to report or from feeling that they had gotten justice. What engagement has the Minister had with his legal advisers regarding the waiving of non-disclosure agreements that may exist and regarding settlements that have been reached with members of the Defence Forces *vis-à-vis* abuse allegations? I spoke to Dr. Tom Clonan recently and he is rather dismayed that after all of this time, not one person in the Department has picked up the phone to contact him. There has been no follow-up with him or, I suggest, with the women who engaged with him for his doctoral research.

**Deputy Gary Gannon:** The Minister has not had a chance to answer my question and I invite him to do so now.

**Deputy Simon Coveney:** I will answer it when I come back in.

**Acting Chairman (Deputy Kathleen Funchion):** The Minister can answer it now. There are four minutes left so there will be time for Deputy Gannon to respond.

**Deputy Simon Coveney:** It is important to say that significant efforts have been made to try to address this issue in the Defence Forces but they have not worked. Dr. Eileen Doyle, for example, did fantastic work on some of the independent monitoring group reports that she was involved in and her efforts are ongoing. Many people in the Defence Forces have also been advocating for change in this space. A women’s network has been set up as well as a support network for LGBTQ communities within the Defence Forces. Confidential reporting systems have been put in place but it has not worked for many people. We need to look at the full picture here and figure out why there is still an issue for some people in terms of discrimination and

harassment within the Defence Forces which is completely unacceptable. This group needs to understand why what we have done to date has not worked to the extent that it needs to and how we can fix that for the future in terms of a fundamental cultural change. However, we cannot wait for many months while this review group comes up with its recommendations. We must act much sooner than that in terms of interim measures. I am open to the kinds of interim measures that the Deputies are proposing. We asked the women I met this week about the kinds of interim measures they would welcome. There needs to be a safe space for people to report, confidentially, without fearing negative consequences for reporting such as being labelled as a troublemaker.

We are going to set up this review properly and we are going to introduce interim measures in the weeks ahead. We will take a lot of advice on those measures to try to provide a reassuring and professional system in the Defence Forces to deal with many people who now feel empowered to come forward, having heard many of the stories of the last few weeks.

**Deputy Gary Gannon:** Everyone in this Chamber will agree that the practice of allowing an alleged abuser to question his or her victim is simply wrong. We do not need an independent inquiry to tell us that this is an abhorrent practice. Victims in civilian court proceedings cannot be cross-examined by their attackers following the enactment of the Criminal Justice (Sexual Offences) Act 2017. However, the Defence Act was not simultaneously amended to ensure this safeguard was extended to members of the Defence Forces. We must act immediately to ensure this practice can no longer happen because it is abhorrent. I listened to an interview by Katie Hannon with a person who experienced such a scenario and my heart broke. As legislators, we need to act very quickly to amend the law..

**Deputy Simon Coveney:** I do not want to give an answer on my feet on that issue but I will look at it seriously. I am sure the Deputy understands how the chain of command works in the Defence Forces. It is a different environment from that which operates in the workplace for virtually any other person. That chain of command is necessary in terms of a functioning military but it also needs to be managed to ensure that people are protected. Just because somebody is a superior officer does not mean that he or she has a licence to control another or to behave inappropriately in terms of an abuse of power. We need to make sure there are systems in place that will root that out and hold people to account if they are abusing power. I have to say that we are talking about a small minority of people in the Defence Forces but there must be systems in place that address the issue comprehensively. We need to put interim measures in place to protect people and we also need the independent review mechanism to report back to us, having taken the time to look at all of these issues in detail.

**Deputy Sorca Clarke:** The Minister has not answered my question-----

**Deputy Simon Coveney:** What was the Deputy's question?

**Deputy Sorca Clarke:** It was on non-disclosure agreements.

*11 o'clock* **Acting Chairman (Deputy Kathleen Funchion):** We have to move on to the next question, I am sorry.

**Deputy Simon Coveney:** I do not have legal advice on that but I can get it.

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## Defence Forces

87. **Deputy Michael McNamara** asked the Minister for Defence if he will provide an update on the Defence Forces' process of implementing recommendations on anti-discrimination law; and if he will make a statement on the matter. [47333/21]

**Deputy Michael McNamara:** I suppose this is related to the previous line of questioning. Will the Minister provide an update on the Defence Forces' process of implementing recommendations on anti-discrimination law? He will be aware that at the end of the WRC process recommendations were made and there have been other recommendations.

**Minister for Defence (Deputy Simon Coveney):** The Deputy will be aware that WRC rulings are in the public domain and that the adjudicator, in his December 2020 ruling on two complaints brought by an individual, upheld one complaint on the grounds of gender discrimination in respect of promotion, owing to the treatment of absences in access to promotion contrary to section 8(1) of the Employment Equality Acts, 1998 to 2015. The adjudicator also found that there was no discrimination or victimisation against the complainant within the meaning of sections 2, 6(1) and 74 (2) of the Employment Equality Acts, 1998 to 2015, as alleged in the individual's second complaint.

The directions of the ruling are currently being implemented by the military authorities with a view to ensuring all training programmes and materials for Defence Forces personnel are fully aligned, and compatible with, the provisions of the relevant equality legislation and that follow-on actions will be progressed. A Defence Forces working group is established comprising membership from the Defence Forces HR, legal and training and education HQ branches as well as representatives from the Defence Forces formations. The working group has had 12 plenary meetings to date in addition to meetings of sub-groups. Progress is continuing in line with the timelines set out in the ruling which will be fully complied with. Basically, we are taking it seriously. There is a group in place. It has met a dozen times and they are making the appropriate changes in the Defence Forces to ensure that we are consistent with recommendations of that ruling.

**Deputy Michael McNamara:** To return to what the Minister said previously, I have no doubt that those who seek to abuse their positions of power, including in a sexually predatory way, are a small minority in the Defence Forces. I have witnessed in other similar institutions with a command structure how a small minority can have a large influence. Instead of tackling the problem, there is a tendency in institutions with command structures to circle the wagons, put a ring of steel around them and say that maybe the people did wrong but this is going to reflect badly on us all. They circle the wagons rather than tackle the problem.

Before the WRC case crossed the Minister's desk for a review, and the Minister signed off on the fact that there was no discrimination - and that was not the Minister personally, it was the Minister for Defence, advised by a Department with a plethora of officials down the line -----

**Acting Chairman (Deputy Kathleen Funchion):** Thank you, Deputy.

**Deputy Michael McNamara:** There is clearly a problem. The Minister bears political responsibility for that.

**Acting Chairman (Deputy Kathleen Funchion):** The Deputy will have another minute later.

**Deputy Michael McNamara:** The question is how the command structure will be reviewed.

**Deputy Simon Coveney:** On this case, I received a recommendation from the Ombudsman for the Defence Forces, which ruled that a person was not discriminated against when it was subsequently determined by the WRC that they were discriminated against. When a Minister gets a report from an ombudsman's office and disagrees with it, he or she undermines the ombudsman's authority and credibility. I have to trust in the systems that are in place and when recommendations come to me through an ombudsman's office or through other systems that are set up to provide accurate and detailed recommendations to a Minister, and I get lots of those recommendations all the time, it would be very unusual to go against that. One would need real cause to do it.

**Acting Chairman (Deputy Kathleen Funchion):** Thank you, Minister.

**Deputy Simon Coveney:** The Deputy's comments on the impact that a small minority can have on large numbers of people and a potentially corrosive atmosphere within an organisation are very pertinent and is at the core of what we need to deal with.

**Deputy Michael McNamara:** I was not personalising, and I think the Minister realises that. I accept that there are systems in place and that the Minister has to trust in the systems, or else he or she undermines the system. There is a system under the Ombudsman for the Defence Forces. However, it is not unfair to say that the ombudsman has been undermined, not by the Minister but by this whole saga, and, ultimately, the WRC ruling.

I have been around the courts a little in a professional capacity as well as, unfortunately, in a personal one, and various appeal stages change a decision. Nobody has a monopoly on wisdom and nobody gets every decision right all the time but there has to be a Ombudsman for the Defence Forces that people have confidence in. That confidence could be undermined at least by what went on up to now. There has to be a process that people feel that they will get a fair hearing from.

**Deputy Simon Coveney:** That is likely to be part of the review because everything has to be on the table. My experience of the Ombudsman for the Defence Forces office has been positive, by and large. It has to make judgment calls all the time. Cases are regularly referred to the ombudsman. The office makes recommendations, which the Minister has to accept or reject. The role of an ombudsman in the Defence Forces is important. What is important now, in the context of the stories that have been heard and the women who have come forward, is that we need to ensure nothing is off limits for an independent, experienced group of people who will be asked to review the systems, procedures, support and reporting structures and, indeed, the atmosphere in the Defence Forces in this area. We need to rely on them to make recommendations to make appropriate changes. That is the process that we are now starting.

### **Ceisteanna Eile - Other Questions**

*Question No. 88 replied to with Written Answers.*

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## Naval Service

89. **Deputy Dara Calleary** asked the Minister for Defence if he plans to seek funding to resume the Asgard sail training programme;; and if he will make a statement on the matter. [47093/21]

**Deputy Dara Calleary:** The Minister will be more than familiar with the former Asgard sail training programme. It gave incredible opportunities to young people to participate on the vessel formerly known as *Asgard II*. I would like to see it refloated, not the vessel but the programme. I understand proposals have been made to the Minister on youth education and opportunity. I would like to discuss those with him.

**Minister for Defence (Deputy Simon Coveney):** I thank the Deputy. I will happily meet him offline on this issue to give a fuller and more detailed briefing than I am able to give on the floor today, as things progress. As the he will be aware, the *Asgard II* sank in 2008 and the national sail training programme run by Coiste an Asgard was subsequently wound up.

I understand a number of organisations are involved in sail training in Ireland and the Department of Defence currently provides funding to one of these organisations, Sail Training Ireland. Sail Training Ireland is a charity founded by individuals previously involved with Coiste an Asgard.

A total of €85,000 in funding was provided in 2019, and €20,000 in 2020. It has received no money this year as it has not been possible to have a sail training programme. A performance delivery agreement stipulates that funding provided is to be used to provide a sail training experience for 50 trainees from disadvantaged backgrounds. I am advised that no sail training took place in 2020 or 2021 due to Covid-19 restrictions. A sum of €20,000 was provided in 2020 to help support administrative costs. It is anticipated that €85,000 will be provided in 2022, subject to the resumption of sail training.

Separately, in 2015, as part of the Fresh Start Agreement, the Government undertook to work with the Northern Ireland Executive to agree a funding plan for the Atlantic Youth Trust, AYT, project. A similar commitment was included in the 2016 programme for Government. The proposal was to build a new tall ship at an estimated cost of €15.5 million, with an ongoing funding requirement. Officials in my Department held meetings with the promoters and the Department for Communities in Belfast exploring the project. Progress was slow, in part due to political difficulties in the North. On 24 September 2021, a new pre-budget submission from AYT was received, which will be reviewed by officials.

In summary, the Government is engaged with two sail training organisations. We remain supportive of the principles of the sail training programme and would like to see this done, where possible, on an all-island basis involving participants, North and South. It needs to be robustly assessed with regard to full costs.

**Deputy Dara Calleary:** I thank the Minister. I would certainly like to meet with him. The national sail training programme was an important programme. It enabled skills building, team building, and the kinds of skills in boat building that we need as an island nation and not just sail training. The *Asgard II* was a regular visitor to Killala Bay, in particular to mark the French arrival in Killala in 1798. Even before I became a member of this House I regularly witnessed the benefits that it had for participants, and the *Asgard* has a long association with the State.

The Minister has a proposal in front of him, and I believe that everybody can agree on it in the context of a sail training, skills building and team building programme, and that it should be done on an all-island basis. Is it not appalling that the opportunities the programme can present are being delayed because of political intransigence or political disagreement? This is bigger than politics. This surely is a programme that can be provided even in the political difficulties we are experiencing, because of the bridges that it builds and the experiences that it gives to those participants. Those experiences should be shared without a problem around borders. I would certainly like to meet with the Minister. He has a particular interest in this and it is something that everybody should have an interest in.

**Deputy Simon Coveney:** If anybody doubts the benefits of sail training, there are some interesting programmes in different parts of the world. From what I have seen, the *Spirit of New Zealand* is probably the best of them. Some people have perceptions of privilege around sail training, but it is the opposite. I have met a number of people for whom their service on the *Asgard II*, for example, changed the direction of their lives. We can use sail training proactively in a useful and constructive way to build confidence, teamwork, and self-esteem among people who may not otherwise have an opportunity to benefit from the experience of being part of a crew on a sail training programme. I am committed to trying to deliver this but we need to robustly assess the cost-benefit analysis and so on, and we need to work with partners. We have partners that we can trust, both North and South, to do something valuable in this regard. I look forward in the months ahead, I hope, to updating the House on where the project lies.

**Deputy Dara Calleary:** I agree with the Minister that this is not about privilege; it is about opportunity. There is nothing privileged about being stuck on a sail training boat in the middle of the Atlantic during a storm. The programme offers opportunities and life experiences, including the experience of travel. We are looking at building an appropriate boat, which involves skilled people. We are constantly talking about the need for apprenticeship programmes. This is an opportunity that also could benefit the apprenticeship programme. I welcome the Minister's long-standing interest in it. Let us all agree to progress it on the basis of the opportunities it offers on an all-island basis.

**Deputy Simon Coveney:** There are complexities to building a boat. There may be more value for money in purchasing a vessel that is kitted out and suitable for this purpose. We have encountered complexities in the past building vessels. We need to be cautious that if we are contributing taxpayers' money, it represents full value for money and we partner with organisations that can provide transparency and good output. I am confident that we can do all of that. I am also confident that we have strong support in Northern Ireland to be part of the project here. This was discussed, as a minor issue in the bigger scheme of things, in the context of the New Decade, New Approach agreement. This could be a positive North-South project. I believe it could be cost-effective in how it is run and we have willing partners with whom to work. I hope it is something we can progress in the months ahead.

## **Defence Forces**

90. **Deputy Paul McAuliffe** asked the Minister for Defence the progress made by the Commission on the Defence Forces; and if he will make a statement on the matter. [46955/21]

106. **Deputy Brendan Smith** asked the Minister for Defence when the Commission on the Defence Forces will report; and if he will make a statement on the matter. [47119/21]

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**Deputy Brendan Smith:** I welcome that following the commitment made in the programme for Government, the Minister has established within a short timeframe the Commission on the Defence Forces. When does he expect the commission to report? Hopefully, he will be able to give us a commitment that the recommendations put forward in the commission's report will be implemented by Government within a set timeframe.

**Deputy Simon Coveney:** I propose to take questions Nos. 90 and 106 together.

The programme for Government committed to an independent commission to undertake a comprehensive review of the Defence Forces. This commission was subsequently established by the Government in December 2020, with a mandate to report within 12 months. The Government also approved the terms of reference, based on the programme for Government, and the membership of the commission. The commission's overall approach will be guided and informed by the White Paper on Defence 2015 and the 2019 White Paper update.

The work of the commission will inform the future development of the Defence Forces and encompasses the following matters: the structure and size of the Defence Forces, including the consideration of appropriate capabilities, structures and staffing; leveraging the capabilities of the RDF in their supports to the Permanent Defence Force, and to make service in the RDF more attractive; governance and high level command and control structures in the Defence Forces; the evolution of remuneration systems and structures in the Defence Forces; and a strategic perspective on HR policies and associated strategies, recruitment, retention and career progression.

As part of a broad consultation process, the commission invited submissions from individuals and organisations on matters related to its terms of reference. The commission received more than 500 submissions, all of which have been published on their website, together with an initial report on the public consultation.

The commission has been established as an independent body and, while it is a matter entirely for the commission, I understand that the commission has met with a broad stakeholder group, including the Defence Forces representative associations, commissioned and enlisted members of the Defence Forces, senior officials and personnel from my Department and the Defence Forces, as well as other groups. Site visits to military locations by members of the commission have taken place at a number of barracks.

The chairman of the commission, Mr. Aidan O'Driscoll, also met with members of the Joint Committee on Foreign Affairs and Defence in April to discuss the ongoing work of the commission. The commission, in conjunction with the Institute of International and European Affairs hosted their second webinar, *The Future of Defence: 2030 and Beyond*, on Tuesday, 7 September 2021, which featured a range of international expert speakers.

The establishment of an independent commission on the future of the Defence Forces underpins the Government's commitment to ensuring that the Defence Forces are fit for purpose in meeting immediate requirements and in seeking to develop a longer term vision beyond 2030. The commission is to submit its report by the end of the year and it will be considered fully at that time by the Government.

**Deputy Brendan Smith:** I am glad the capacity of the RDF was included in the commission's remit because often over the years the very good work of that force has not been given the recognition that it should have. I raised this issue in the House on many occasions. During the

previous Dáil, on many occasions in plenary session and at committees, we discussed the issues and the problems of retaining personnel in our Permanent Defence Force. I sincerely hope that pay and conditions will be adequately addressed along with retention policies.

Will the Minister indicate whether it is within the remit of the commission to examine the work of the Department of Defence *vis-à-vis* its relationship with the Defence Forces? I gather that at times this can be robust. Maybe it is a good thing that it is robust between the two of them, but I do not know whether that provides for the best working relationship.

I sincerely hope that if there are issues relating to the Department as it affects the workings of the Defence Forces on an ongoing basis, they would be considered in the context of the commission's work.

**Deputy Simon Coveney:** On the Deputy's last question, there is a governance and high-level command and control structure in the Defence Forces discussion within the remit. This involves, to a limited extent, the relationship of the Department of Defence. I am aware that the former Chief of Staff and the Secretary General of the Department had been working on an agreed approach towards that issue and have fed this into the commission's work, which I believe is understood by the chair of the commission. This work has been ongoing for quite a number of months. In parallel, a review of the Department of Defence is taking place as part of a Civil Service review of Departments. It is appropriate that we are reviewing the functioning and running of the Department of Defence at the same time as an independent commission is looking at the future of the Defence Forces.

On the Reserve Defence Force, I am sure Members will be interested to know that we are progressing the defence legislation at the moment in the Seanad, which will remove the barrier to the RDF serving overseas. I hope that is a signal to the RDF that we very much value the work they do and that we want to expand their role rather than the opposite in the future.

**Deputy Brendan Smith:** I have one regret with regard to the composition of the membership of the commission. Before the commission was established, I argued in this House that it should include a person who had extensive experience in the Border region during that awful era when our Permanent Defence Force, gardaí and other emergency services had to deal with thugs, criminals, paramilitaries and murderers as they kept our State safe. A person with extensive experience as a senior officer in the Border region during that era should have been included in the commission. That valuable knowledge and experience of the Border would be particularly important.

I had the opportunity to visit some of the barracks and accommodation around the country. I recall a visit to the Curragh Camp some years ago. Some of the living accommodation for our young recruits was just awful and I know there is poor accommodation in some other barracks. I would like a commitment that accommodation will be modernised and brought up to proper standards. Today, most people who join the Army are thankfully coming from homes where there is good accommodation. Sadly, everybody is not but the vast majority of people live in good housing. When they enlist to serve our country, therefore, they should be living in modern, proper accommodation.

**Acting Chairman (Deputy Kathleen Funchion):** I again remind Members to please try to stick to the times. It is unfair on their colleagues.

**Deputy Simon Coveney:** We are investing in accommodation. In fact, we invested in ac-

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commodation in the Curragh Camp in recent years and I visited the upgraded accommodation in the past year or 18 months. We will continue to do that under the capital investment programme that is being rolled out.

I take the Deputy's point regarding the Border issues and ensuring there is knowledge of the challenges that come with the history of the Border in the context of the Defence Forces. We have a former Chief of Staff on the commission, and, of course, the chair of the commission was the Secretary General in the Department of Justice for a period when an awful lot of reform happened. There is, therefore, no shortage of experience on the commission, whether that is military, HR or broader management. It is large group of people - probably slightly larger than I would have liked - but we wanted to get all the skill sets on the commission. I am confident that they are more than qualified to make informed and ambitious recommendations, however.

### Defence Forces

91. **Deputy Cormac Devlin** asked the Minister for Defence if Dún Laoghaire will continue to be twinned with a Naval Service vessel in the event of the *LÉ Eithne* being permanently decommissioned; and if he will make a statement on the matter. [47144/21]

**Deputy Cormac Devlin:** Before the summer recess, the Minister may recall that I raised the issue of Dún Laoghaire Harbour continuing to be twinned with a naval vessel should the *LÉ Eithne* be decommissioned. My colleague, Deputy Brendan Smith, mentioned the independent Commission on the Defence Forces, which the Minister said was established in December 2020 and was due to report by the end of the year. Does that timeline still stand? What are the prospects of a vessel continuing to be twinned with Dún Laoghaire Harbour?

**Deputy Simon Coveney:** Never let it be said that the Deputy was not speaking for Dún Laoghaire. He requested in a previous parliamentary question that the replacement of the *LÉ Eithne* would be twinned with Dún Laoghaire. I reiterate that I cannot make a commitment on this matter now but will bear it in mind when those decisions are made.

The Deputy will be aware that official celebrations marking the Naval Service's 75th anniversary began in Dún Laoghaire Harbour, where the *LÉ Samuel Beckett* berthed overnight and departed the harbour heralded by a 21-gun salute. I was fortunate enough to be able to mark this important anniversary with the Naval Service in both Dublin and Cork earlier in September. I would like to take the opportunity to congratulate and commend the Naval Service personnel for their dedication and excellence during the month on which the 75th anniversary falls.

I am satisfied that the Naval Service continues to maintain and further develop its strong connection with the harbour and the local community today and into the future. There is a long-standing and ongoing tradition of Naval Service ships using Dún Laoghaire pier and harbour, both for shelter and shore leave. The Naval Service will also make use of the harbour for training by the Naval Service Reserve. The flagship, *LÉ Eithne*, is twinned with Dún Laoghaire as a part of the Naval Service fleet adopted ports. The commissioning ceremony of *LÉ James Joyce* took place in Dún Laoghaire in 2015, and the freedom of entry to the county was bestowed on the Naval Service by Dún Laoghaire-Rathdown County Council in 2017 in recognition of its work in the Mediterranean humanitarian crisis.

The connection between Dún Laoghaire Harbour and the Naval Service is an important

and strong one that continues to be fostered on an ongoing basis. That will be factored into the considerations to which the Deputy referred.

**Deputy Cormac Devlin:** I thank the Minister very much for those remarks, particularly about the connection between Dún Laoghaire Harbour and the Naval Service. That is a connection we want to maintain, as I am sure he can appreciate. I am also glad that he raised the 75th anniversary of our Naval Service. It is important to acknowledge the great work undertaken by our Naval Service and the wider Defence Forces.

The Minister mentioned Operation Pontus in the Mediterranean, for which the *LÉ Eithne* and the Naval Service were awarded freedom of entry to the county, and how the EU awarded our Defence Forces in 2015 for their work. It is important to recognise the thousands of lives our Naval Service and Defence Forces have saved, particularly in the Mediterranean. Can the Minister outline the current scope of operations being undertaken by our Defence Forces in that region at present?

**Deputy Simon Coveney:** We have Defence Forces officers in headquarters in respect of the ongoing EU-led operation in the Mediterranean. Unfortunately, we do not have the capacity to send a ship abroad right now, either on a humanitarian mission for a sustained period or to be part of EU operations in the Mediterranean. That is because we have had recruitment and retention issues in the Naval Service, which Members will be aware of because I have talked on the record about it many times. We need to address those issues and we are setting about doing so.

As a result, however, we need to focus the assets and crews we have on those ships for fisheries protection and the other security work they do in Irish waters. In the not too distant future, however, I hope to be in a position to ensure that at all times, we have the option to be able to send a ship abroad on a humanitarian, peacekeeping or peace enforcement mission. The three arms of the Defence Forces, namely, the Air Corps, the Naval Service and the Army, should all have opportunities overseas. That should be part of a career in the Defence Forces, should people choose it.

**Deputy Cormac Devlin:** While we are on the subject of the Defence Forces, I thank the Minister for meeting with the Women of Honour group and those women who are currently serving in our Defence Forces, and for his actions and statements on behalf of the Government for instigating an independent investigation.

I pay tribute to those brave women who have stepped forward to speak out about their own experiences, and to the fantastic work done by Katie Hannon of RTÉ, and, indeed, Dr. Tom Clonan and others, in uncovering these types of issues. The Minister might inform the House when the investigation is due to begin.

**Deputy Simon Coveney:** The next question will deal with this issue in more detail. As I said earlier, however, we are taking this issue seriously. I want to acknowledge the courage of the women in the Women of Honour group, and the many women currently serving in the Defence Forces, who came forward and spoke with me in the way they did in the context of their experiences. I want to give reassurance to those women that, one, I believe them, and, two, we are going to act with them to ensure that we set up a comprehensive and independent review process that can report back to me, and, ultimately, to Government, on how we respond appropriately to ensure some of the experiences that have been highlighted to me are not experienced by people who join the Defence Forces in the future.

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## Defence Forces

92. **Deputy Violet-Anne Wynne** asked the Minister for Defence the status of the investigation as a result of a campaign (details supplied); if he is considering an inquiry to report back on the steps his Department has taken to date; and if he will make a statement on the matter. [47127/21]

94. **Deputy Marian Harkin** asked the Minister for Defence the mechanism of expression of interest, interview, assessment and or evaluation by which the nominees to the inquiry to investigate the disturbing disclosures of sexual violence, sexual assault and rape in the Defence Forces will be appointed given his statement that arrangements for same are at an advanced stage. [46913/21]

95. **Deputy Holly Cairns** asked the Minister for Defence the steps he is taking to improving reporting mechanisms for Defence Forces personal experiencing sexual abuse, harassment and bullying. [46659/21]

108. **Deputy Catherine Connolly** asked the Minister for Defence the status of the independent review into allegations of bullying, harassment and sexual harassment in the Defence Forces; the person or body that will carry out the review; the terms of reference for the review; the timeline for the review; and if he will make a statement on the matter. [47155/21]

112. **Deputy Holly Cairns** asked the Minister for Defence if he will establish a full independent investigation to determine the extent of sexual abuse, harassment and assault in the Defence Forces. [46658/21]

130. **Deputy Michael McNamara** asked the Minister for Defence if he will outline the changes that have been made to the process whereby discrimination allegations are reviewed by his Department; and if he will make a statement on the matter. [47133/21]

131. **Deputy Gino Kenny** asked the Minister for Defence the current status of his engagement with a group (details supplied); and if he will make a statement on the matter. [47150/21]

137. **Deputy Mick Barry** asked the Minister for Defence the steps taken to investigate recent allegations of sexual harassment in the Defence Forces; and if he will make a statement on the matter. [47147/21]

142. **Deputy Alan Farrell** asked the Minister for Defence the measures that are being taken to address claims of abuse within the Defence Forces; and if he will make a statement on the matter. [46098/21]

**Deputy Violet-Anne Wynne:** My question is to ask the Minister for Defence the status of the investigation into the claims made by the Women of Honour campaign, whether he is considering an enquiry to report back on the steps his Department has taken to date and whether he can give the date as to when it will commence.

**Deputy Simon Coveney:** I propose to take Questions Nos. 92, 94, 95, 108, 112, 130, 131, 137 and 142 together.

As the Deputy will be aware, a number of other Deputies have submitted questions on this important matter, to which I have responded. In that respect, the House will be aware of the actions being taken to establish an independent review, which will be undertaken by external, in-

dependent and unbiased experts. The review will examine the effectiveness of current policies and procedures dealing with workplace issues, such as dignity, bullying, harassment, sexual harassment and discrimination.

I had the opportunity to meet with participants from the Women of Honour group and with a group of serving members of the Defence Forces on Tuesday of this week, where I listened carefully to their views. I have given my commitment that the serious issues they have raised will be comprehensively addressed. The terms of the review are being finalised and will be considered in light of the issues raised by the Women of Honour group and the group of serving female members at recent meetings. Further engagement with stakeholders, including the representative associations, will additionally inform the final terms of the review. We are also organising the structure that the Women of Honour will be comfortable with, I hope, in an ongoing engagement to make sure we are not missing anything for which they are asking, before we finalise the terms of the review.

Arising from the 2002 publication of the external advisory committee on the Defence Forces and the three subsequent reports from the independent monitoring group, a number of reforms were implemented in the intervening years for addressing allegations of inappropriate behaviour, including sexual harassment, harassment and bullying, which are contained in regulation and policy documents. While there has been progress in recent years, it is clear from the views expressed to me that the pervading culture and the application of the current policies, systems and procedures in place for dealing with bullying, harassment, discrimination and sexual harassment and assault have not served, and are not serving, all Defence Forces personnel well.

The independent review, which had been under consideration for several months, is timely and necessary and needs to be undertaken without delay. It is also my intention to bring the final report from this review to Government. I know, from my discussions with these women, that they are seeking change to ensure the Defence Forces of the future is a place where inappropriate behaviour is not tolerated and where all individuals, both men and women, can reach their full potential in safety and in a positive environment. I can also confirm I am looking to establish interim solutions to support Defence Forces members, past or present, affected by these issues. Options are under consideration. Deputy Gannon and others have raised a number of suggestions in that space, which we will take on board.

I assure the Deputies that the Chief of Staff, Secretary General and I, are absolutely committed to providing a safe place of work for all employees in the defence organisation, both male and female. All individuals have a right to be treated with respect, equality and dignity in the workplace and to carry out their duties free from any form of bullying, gender discrimination, or harassment, to reach their full potential.

**Deputy Violet-Anne Wynne:** I ask that no assumptions be made by this House, Members or the Minister about earlier statements that this involves a minority of members of the Defence Forces. I ask that all be withheld until after the inquiry. It is dismissive, unhelpful and disrespectful to the women who have come forward. The Minister has met with the five former Defence Force members and 14 current members. Those involved in the Women of Honour campaign felt the meeting was beneficial and positive. I ask that this engagement be committed to and it should be ongoing. What will be done about those who are currently involved in the Defence Forces?

**Deputy Marian Harkin:** I have listened to the Minister's responses this morning and I am

glad he has done a complete U-turn on the inquiry to be set up to investigate these allegations made by the Women of Honour. All of us were shocked and sickened that women of different ages had to go on public radio and bear their souls and private lives to bring about real change. When I heard a young member of the Defence Forces saying she was pinned against the counter and sexually assaulted, and all she could say to a senior officer was “Yes, Sir”, it absolutely sickened me and I felt such rage and anger on her behalf. That is why I put down the detailed question to the Minister regarding the procedures and processes he will use to appoint people to this inquiry to make sure it is independent.

**Deputy Catherine Connolly:** I welcome the inquiry and the U-turn. I pay tribute to the women and to the journalist who made the documentary. It was courageous. I listened on my way back from holidays. Three of us were in a car and we did not open our mouths as we listened to it. The terms of reference are important as well as the time within which the review will be completed, the women being central to the terms of reference, a date for its completion and publication, and a review of all the reports that have been done, with a view to publicising them. This goes back more than three decades. What happened, internally, regarding Dr. Tom Clonan’s research on sexual and physical abuse? What records do the Defence Forces keep on the reporting of bullying, harassment and sexual harassment and assault? How many non-disclosure agreements have there been? Can the Minister check that and come back to us? How many cases have been brought to his attention?

**Deputy Michael McNamara:** Members of the Defence Forces, like everybody else, are entitled to a presumption of innocence. Clearly, a dark cloud hangs over the organisation, but that should not extend to individual members nor should there be a presumption about them. It is regrettable that anybody would suggest otherwise. With regard to the jurisdictional issue, the Defence Forces claimed at the Workplace Relations Commission that the commission did not have jurisdiction to hear the case. Will that practice continue? It is important there is confidence in the ombudsman’s procedure, as it is there is confidence in the Garda ombudsman, even though there does not seem to be such in this House, among senior people, up to the Taoiseach. If people do not get what they believe to be justice through the ombudsman, they need to be able to continue to the WRC and not have its jurisdiction questioned.

**Deputy Mick Barry:** I express my solidarity with the Women of Honour. Their bravery has forced this review. Action should have been taken long before now. Sexual abuse in the Defence Forces was highlighted by Dr. Tom Clonan more than 20 years ago. He has since said:

These problems I demonstrated were systemic. In 21 years, I have never been approached by anybody from the Department of Defence.

Deputy Coveney was Minister for Defence between 2014 and 2016 when this systemic abuse was far from being a secret. No real action was taken then. I welcome the fact that action is being taken now, on foot of these women speaking out so bravely. This must be a thorough review and strong action must be taken on foot of it.

**Deputy Simon Coveney:** I can assure Deputies that appropriate action will be taken on the foot of recommendations from a review that needs to be independent and comprehensive. I am committed to making sure that happens. I am committed to ensuring the women who have been brave enough to come forward are part of the process of setting up that review mechanism to make sure everybody has full confidence in it. That is what we are trying to do.

Dr. Tom Clonan made a valuable contribution more than 20 years ago in his doctoral thesis. After that contribution there were, as I outlined earlier, quite a number of structural, systems and procedural changes occurred. There were three different independent monitoring groups. Dr. Eileen Doyle headed up that process, did a number of reports and made a series of recommendations. I was at the publication of some of those reports and recommendations when I was previously Minister for Defence. There was certainly an understanding that processes and procedures were being put in place-----

**Acting Chairman (Deputy Kathleen Funchion):** The Minister's time is up.

**Deputy Simon Coveney:** -----to try to deal effectively with bullying and harassment in the Defence Forces. Clearly, that has not resulted-----

**Acting Chairman (Deputy Kathleen Funchion):** Thank you, Minister.

**Deputy Simon Coveney:** -----in the kind of change that is needed. That is why this fundamental review is now needed to make sure we get it right this time.

**Acting Chairman (Deputy Kathleen Funchion):** The Minister will have another minute at the end to reply.

**Deputy Violet-Anne Wynne:** I commend the women who have come forward on their bravery. As a former member of the Defence Forces, I must say the "Women of Honour" documentary was hard listening but I was not at all shocked. I know of incidents that occurred during my short three years of service. I know first-hand these issues were not responded to and were merely brushed under the carpet. We need to send a strong message to the women of Ireland and to all women who may feel inspired or called to serve in the Defence Forces that they can do so and will be fully respected and protected.

Will the Minister commit to ensuring all who want to come forward can by removing the necessity for non-disclosures? Will the Minister also ensure the process is open to all sectors of the Defence Forces, including the Reserve Defence Force?

**Deputy Marian Harkin:** We have heard some ugly truths about how some people in positions of power continue, not to behave but to operate, because that is what it is: operating within a certain culture. Is it a minority or a majority? We do not know. I agree with my colleague that we should await outcomes and results.

Why have the reviews, structures and systems that have been put in place already not worked? I have no doubt there were some well-meaning people who tried hard. That is an important point, not just for the Defence Forces but for society at large.

We mentioned Dr. Tom Clonan. I wrote to the Minister, which I had never done before, to ask him, when appointing people to the inquiry, not that he appoint Dr. Tom Clonan but that he consider him with all qualified others, because of his extensive background and expertise.

**Deputy Catherine Connolly:** Clearly, we are in this position because the processes and procedures on the ground have utterly failed. Indeed, in certain situations, they have added to the distress, the bullying and harassment. The process itself has become an abuse. That is why we are here today. I asked specific questions about the publication of the report. Will it be published? Will a time limit be set? I have asked about non-disclosure agreements. How many have there been? Have they been brought to the attention of the Minister? What is his

opinion on that?

On the letter that has gone out from the new Chief of Staff, imagine now, in September 2021, he is writing to all the members to say harassment and bullying will not be tolerated. Does that not tell you there is something seriously wrong with the processes and procedures up to now?

What has been brought to the attention of the Minister or the attention of previous Ministers for Defence? I specifically asked that. Have cases been brought to the attention of the Minister or that of previous Ministers for Defence? Will the Minister clarify that?

**Deputy Mick Barry:** Retired company quartermaster sergeant Karina Molloy says “it is absolutely systemic”. It is not a case of a few bad apples, but systemic. Of course, misogyny is part of the DNA of armies and police forces in all capitalist societies. While that is not to say all members of those forces are sexist, it is to say that sexism is part of the culture. Wayne Couzens, the killer of Sarah Everard, was said to have indecently exposed himself on more than one occasion and was nicknamed “the rapist” by colleagues. His brand of toxic masculinity was not a deal breaker for his career until he did what he did last March.

A Government in which the Minister served explicitly excluded the Defence Forces from the Irish Human Rights and Equality Commission Act 2014. It did not allow members of the Defence Forces to unionise or to strike. None of the above are magic bullets, but had these rights have been in place, they might have acted as some deterrent to abusers in powerful positions. These are not a few bad apples. We do not need a tweak here and there to fix things. We need systemic change to address systemic rot.

**Deputy Simon Coveney:** For the record, I am not making any assumptions in my statements today. If people took that from what I said earlier, I say that I am not prejudging any outcomes from an independent review. That will be a matter for a robust and independent process that involves skilled and experienced people. They will make their judgments and they will make their recommendations. We will deal with the truth of that. I just want to say that.

On Deputy Connolly’s questions, we have not yet agreed a timeline. We have not even finalised the terms of the review. We are going through a process with other stakeholders, including the women of honour and including a group of women in the Defence Forces. We will also meet the representative bodies before we finalise all of that. Therefore, I cannot give Deputy the answer to those questions, but I hope she understands we need to go through a process. Rather than trying to give quick answers, we want to make sure we do this properly, give it enough time, and make sure the right people are involved in that review.

On individual cases, I have seen some protected disclosures that have come to me. I cannot speak about those publicly. I am not allowed to legally. Of course, we have a process within the Department of Defence to deal appropriately with protected disclosures when they come.

## Defence Forces

93. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence the number of protected disclosures relating to the Defence Forces that have been made to the office of the Minister for Defence in the past ten years; the subject matter concerned; and the action that was taken on foot of the information supplied to him or his predecessors by serving or former members of the

Defence Forces or by members of the public or departmental officials. [47070/21]

103. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence if his attention has been drawn to any members of the Defence Forces who has made protected disclosures to him or his Department and who has been victimised as a consequence; and the action that has been taken to ensure whistleblowers have full protections. [47071/21]

**Deputy Aengus Ó Snodaigh:** My question is how many protected disclosures relating to the Defence Forces have been made to the Minister or previous Ministers for Defence in the past ten years, and the subject matter concerning those protected disclosures. I understand the Minister cannot go beyond that, but I will follow up with a further question.

**Deputy Simon Coveney:** I thank the Deputy for the questions, which are linked to Deputy Connolly's question, and this gives me a bit of time to answer it.

I propose to take Questions Nos. 93 and 103 together.

In accordance with the terms of section 22 of the Protected Disclosure Act 2014, an annual report on the total number of protected disclosures made in the preceding year is prepared and published on the Department's website. This report is required to be prepared and published not later than 30 June in each year in relation to the immediate preceding year in a form which does not enable the identification of the persons involved. The report contains the number of protected disclosures made to the public body; the action, if necessary, taken in response to those protected disclosures; such other information relating to those protected disclosures; and the action taken as may be requested by the Minister from time to time.

The following are the numbers of protected disclosures received in the years 2014, to date. In 2014 it was two; in 2015 it was three; in 2016 it was two; in 2017 it was 11; in 2018 it was four; in 2019 it was four; in 2020 it was 12; and 2021 it was ten. These numbers relate to the total number of disclosures made to the defence organisation. They are not broken down further into the allocation of the disclosure, which is in keeping with the confidentiality requirements specified in the 2014 Act. The making of a disclosure by a member of a formation does not necessarily mean the disclosure relates to that formation. No civil servant in the Department of Defence has made a protected disclosure. Section 16 of the Act provides that, subject to exemptions, "A person to whom a protected disclosure is made, and any person to whom a protected disclosure is referred in the performance of that person's duties, shall not disclose to another person any information that might identify the person by whom the protected disclosure was made." On this basis, it would be inappropriate for me to comment on the specific detail that may identify a discloser. Information disclosed to me relates to a broad range of issues, including administrative, financial, regulatory, and health and safety issues. This latter category includes bullying and harassment.

Each disclosure is assessed by officials in a joint civil-military protected disclosures office. Based on their initial assessment, courses of action are recommended to me. These can include the use of internal procedures where information relates to personal employment matters, the appointment of an external reviewer or the transfer of information to appropriate statutory authorities that have powers of investigation, that is to say, An Garda Síochána or others.

The Protected Disclosures Act 2014 provides for independent mechanisms whereby claims of penalisation for making a disclosure can be adjudicated. In the case of members of the Defence Forces, the Ombudsman for the Defence Forces is empowered to deal with claims of

penalisation. Based on the above, I am satisfied there are sufficient safeguards and processes in place to provide protection to disclosers.

**Deputy Aengus Ó Snodaigh:** The linked question, No. 103, asked if the Minister's attention has been drawn to any members of the Defence Forces who have made protected disclosures to him or his Department and who have been victimised as a consequence, and the action taken to give those whistleblowers full protection. I know of one whistleblower who was discharged on Monday. The reason for his discharge was he was regarded as a maligner and an idler. I will not disclose his name because I have not spoken to him directly to allow this. He is no longer a member of the Defence Forces. He was discharged as a result of an illness he got while in the Defence Forces. He was marginalised and regarded as a person who was of no benefit to the Defence Forces.

There are quite a number of such individuals. Another former Defence Forces member has sent emails to me, which I know the Minister has received as well, and he has reminded him 70 times of a litany of sexual abuse of male members of the Defence Forces. The discloser has written to a number of people about this. The allegations made are serious in the extreme, and some of them could stand up in court. I understand the Minister's hands are tied. However, there are whistleblowers, three of whom have been discharged from the Air Corps in the past three years. That suggests there is something odd going on.

**Deputy Simon Coveney:** I am somewhat limited in what I say, because if I comment on the content of any protected disclosure I have received, I am at risk of identifying somebody or of breaking the law, and I obviously do not want to do that. All I can say is we have a system in the Department to deal with protected disclosures. Our Secretary General takes that very seriously. We act on protected disclosures as we deem necessary and appropriate in a way that is consistent with our legal obligations. There is an absolute obligation on us to protect those making a protected disclosure regardless of the issues they raise and to keep the details of their protected disclosure confidential in the appropriate way, and we will continue to do so. Sometimes it results in the setting up of an investigation. Sometimes we refer a file to An Garda Síochána. Sometimes we ask a senior counsel to make recommendations in advising us how to proceed. There are different ways of responding to a protected disclosure but we need to protect the individuals involved.

**Deputy Aengus Ó Snodaigh:** I understand that, and that is why I was trying to be careful in my own comments that I was not identifying, but I know of some of these protected disclosures and what is contained in them because they have made them to me or to other Members of this House. Some of these disclosures relate to the Air Corps and some to the Army. Some of them have been found to be correct in the information they presented to Ministers, yet no action seems to have been taken.

I presume the Minister accepts it is a big step for somebody in one of the military establishments to go against the chain of command, to go outside the circle, and that means he or she does not have faith. Does the Minister accept there are quite a number of members of the Defence Forces who do not have faith in the internal mechanisms to address problems within the Defence Forces, problems as serious as racism, sexual abuse and bullying, as we have seen from earlier questions?

**Deputy Simon Coveney:** From my experience, when people join the Defence Forces, they are loyal to the Defence Forces and to the country. That is why they serve their country. Part

of their training is to reinforce that loyalty to the system they are part of, which involves a command structure that is very different from any other form of employment. For someone to go against that means he or she is effectively going against the grain. This week I met serving members of the Defence Forces as well as the women of honour, and it takes a lot of courage to speak out in the way they are doing so very directly to me. In many ways, they are committed and loyal to the Defence Forces and its future. Speaking out or issuing a protected disclosure against an organisation you are committing a career to is something that needs to be taken very seriously, and it is

*Questions Nos. 94 and 95 answered with Question No. 92.*

### **Defence Forces**

96. **Deputy Catherine Connolly** asked the Minister for Defence the status of the implementation of the recommendations of the report by the independent review group on Jadotville; and if he will make a statement on the matter. [47153/21]

**Deputy Catherine Connolly:** I realise we are running out of time so I will be brief. My question is on the independent review on Jadotville. We were to discuss it in the Dáil. I believe the Minister was open to discussing it in the Dáil. It contains 19 recommendations. My question is about their implementation. I know the Minister spoke about it in the Seanad, but the report was only published on that day.

**Deputy Simon Coveney:** I am happy to come back in when we have more time. This is a report I am sure the Deputy read over the summer because she has spoken about it on more than one occasion. The battle of Jadotville occurred 60 years ago this month. This significant event in military history occurred during the Irish peacekeeping mission in the Congo. The issue of awarding military medals to personnel who served at Jadotville has been considered on a number of occasions and, most recently, an independent review group, IRG, was established to examine the issue of awarding military medals to personnel who served at Jadotville. The IRG's report was published in full on 15 July 2021.

I publicly welcomed the report on its publication last July. The report provides a comprehensive, multidimensional and contextualised account of the battle of Jadotville and its aftermath. The conclusions and recommendations are based on a rigorous and objective examination of all material and evidence available. The deeply unsettling aftermath of Jadotville is acknowledged in the report. Last July when I addressed the Seanad, I apologised to the men of A Company 35th Infantry Battalion who were not provided with the necessary supports or the deserved recognition of their service and valiant actions on their return from Jadotville.

The report of the independent review group is substantial and makes a number of recommendations in respect of the issue of the awarding of medals, recognition of the role of families, and the support they provided to veterans in respect of veterans' affairs. While some of the recommendations and, indeed, some of the commentary in the report fell well outside the group's terms of reference - it is important to say that - all recommendations have been considered at a high level. While some of these can be actioned in the shorter term, other recommendations relate to longer term matters. Recommendations that can be actioned in the short term include honouring the role of families and acknowledging the support they provided to veterans, and planning for a commemorative event to mark the 60th anniversary of Jadotville.

30 September 2021

It is my intention to release a detailed statement on progress made on the IRG recommendations in the coming weeks.

**Deputy Catherine Connolly:** I asked the Minister about the implementation of the recommendations. He might come back to me on that. I am glad he said that some of the comments in the report were outside the terms of reference. Perhaps he was only referring to the recommendations. When I read it, much of the language jarred with me. There is a review of the film on Jadotville, which is not very flattering, but that is okay. However, they used that review to fit into their commentary. It reminds me of a certain other report that was published recently. I will leave it at that because the time is up. I ask the Minister for a debate in the Dáil on this comprehensive report of more than 500 pages.

*12 o'clock***An Ceann Comhairle:** We have no time for an answer. Is the Minister taking Leaders' Questions?

**Deputy Simon Coveney:** I am not.

*(Interruptions).*

**An Ceann Comhairle:** In that case, the Minister can respond to Deputy Connolly while we wait for the Tánaiste to arrive, if he wishes to do so.

**Deputy Simon Coveney:** I will be brief. There is much interest in this issue. A judicial review is also under way in respect of challenging the report, and it is difficult for me to comment in too much detail until that judicial review has been settled and we get a clear outcome. We are, however, committed to implementing the recommendations in the report.

To be honest, some elements in the report take away from it. I refer to commentary concerning public representatives and what they have said and done on campaigns etc. It was unhelpful that the report focused on that aspect of the debate on Jadotville.

What is in the report, though, regarding an historical account of what happened, is valuable and accurate. Much work went into that element and it should guide us in future. That is where we are, but I will be happy to have a more substantial debate on this issue when we have an opportunity to do so.

It would be helpful if the judicial review was concluded, because that would allow us to have that debate without having to be concerned about whether our comments might influence the outcome of that legal process. That is just a suggestion, but I will be happy to hold a debate whenever the Members would like to have it.

*Written Answers are published on the Oireachtas website.*

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

**Deputy Pearse Doherty:** The people impacted by the mica scandal are outside the gates of Leinster House and have been every day for months. They are pursuing justice as their homes crumble around them. Yet, as often is the case, the Government's suggestions regarding a redress scheme were selectively leaked last night before the families involved even had sight of the working group report. That is completely unacceptable. Some families did not have a

decent night's sleep last night because of worry about whether that leak was accurate and, if it was, what that might mean for them. These families must be treated with respect. Instead of leaks and speculation in the days to come, the Government must provide clarity, move swiftly and do the right thing in respect of 100% redress.

Tá costais chónaithe imithe ar fiáin, le costais fuinnimh, cúraim leanaí agus tithíochta á ardú achan lá. Bhí díomá orm agus mé ag léamh na tuairisce a d'fhoilsigh an Bord um Thion-óntachtaí Cónaithe ar maidin. Tá boilsciú de os cionn 10% i naoi gcontae agus os cionn 4% in achan contae eile. Tá a fhios agam go gcreideann an Tánaiste gur cheart ioncam na dtiarnaí talún a chosaint thar chosaint a thabhairt dá dtionóntaí ach ní thig le hoibríthe agus le teaghlaigh mórán eile de seo a ghlacadh. Tá réiteach ann, réiteach a bhféadfaí a chur i gcrích sa bhuiséad i mbliana, is é sin cosc a chur ar ardú cíosa agus creidmheas cánach a thabhairt do thionóntaí le hairgead a choinneáil sna pócaí atá acu féin.

The cost of living crisis is out of control. Every day we see the costs of energy, fuel, child-care and housing go up. Nowhere is that more obvious than in the rental market. This was laid bare in the rental report for quarter 2 published this morning by the Residential Tenancies Board, RTB. Its findings are some of the grimmest for some time. It will cause further concern and anxiety to renters and those stuck in the rental market. Nine counties have experienced double-digit inflation in the cost of rent. All other counties have seen inflation of over 4%, with many approaching 10%. Despite all the lofty and ill-thought-out pronouncements from the Government about budget day spending, the fact remains that the Tánaiste's Government has no plan to put a halt to these runaway rents. That is the reality.

I know the Tánaiste believes that landlords should be prioritised above, and that their incomes are more important than, renters being able to have a decent life, but I do not think even he could deny renters are being fleeced and landlords are milking this situation, based on the figures published by the RTB. Runaway rents must stop. They must be halted, and the choice lies with the Tánaiste and his Government. The budget is just two weeks away. Renters must be given a guarantee their rents are not going to increase in the coming years. In fact, they need their rents to decrease. Therefore, if this Government is serious about protecting renters, it would ban rent increases for three years for all new and existing tenancies. What the Government should do in the budget, and I am asking if it will do this, is to introduce a refundable tax credit for renters that will reduce the cost of rent and put a month's rent back into the pockets of workers and families living in rented accommodation.

**The Tánaiste Leo Varadkar:** I thank the Deputy. Regarding the mica issue he mentioned, I have not seen that report, so I cannot confirm whether what is being reported is correct. I can state the Minister, Deputy Darragh O'Brien, thanked the members of the working group at yesterday's meeting for its involvement and engagement in the process in recent months. He acknowledged, in particular, the stress and hardship faced by affected homeowners and ensured them enhancements would be made to the scheme. The working group is going to submit its final report to the Minister today, 30 September 2021. The Minister, along with the Taoiseach, me, and the Ministers, Deputies Ryan, Donohoe and McGrath, with input from the Attorney General, will then consider the proposals with a view to them being presented to Cabinet. The Minister, Deputy O'Brien, intends to bring a memorandum to Cabinet in the coming week.

Turning to the Deputy's earlier comments, what I believe is what I say and what he said is not what I believe. A classic tactic of populist politicians is to claim their opponents believe something and then argue with it, to put words into somebody's mouth and then criticise them

for it. It is a classic tactic of a populist politician. I want put on the record that that is what Sinn Féin is engaging in as a party. Its members tell people what they believe and think, and then they tell them how awful they are. That is rubbish, it is rubbish politics, and it is something the party engages in all the time.

Regarding rents, they are too high in Ireland. That is my view and the Government's. High rents have an impact on people's finances, on the standard of living they can have, on their well-being and on the labour market. High rents make it harder to get staff and push up labour costs, and that has a general impact on the economy. For that reason, the Government has introduced a rent freeze in real terms. That means people will not see rent increases greater than the rate of inflation. It was the policy of Sinn Féin, before the party decided it was against it. The policy has now been introduced. It means people will see much lower rent increases in the year to come and, it is hoped, no rent increases at all.

The crisis we face in the rental market is not just one of affordability; it is also one of availability. We need to make sure we do not end up in a situation whereby fewer properties are available for people to rent. We have seen an exodus of landlords and property owners from the rental market. Essentially, they are selling up and issuing people with notices to quit. That is not good either. Therefore, we must ensure that whatever we do deals with the affordability issue, which is the cost of rent, and the availability issue. The Deputy will have seen plenty of examples of 50 to 200 people queuing up just to see one rental property. We do not want to make the availability issue worse. We must bear that in mind in any decision we make.

What can we do about it? Cost rental is a big part of the Housing for All strategy. I refer to the Government investing in that model and providing homes for people to rent. Those who do not qualify for social housing do qualify for cost rental. The first units are now available. The roll-out will ramp up considerably in the next few years. It is an important intervention by the Government in the rental market. The Land Development Agency, LDA, a State developer, has also now been established. It is building properties for people to rent and to buy and for social housing. A major ramp-up is being witnessed in the level of social housing being provided by the Government. Only 600 such units were provided in 2016 and 6,000 units in the year before the pandemic, but that is going to rise to 9,000 or 10,000 units. How does that help? It provides housing for people on the social housing list, and that frees up properties for other people to rent or to buy.

Those are the interventions that the Government is undertaking: a rent freeze in real terms, linking rents to inflation, cost rental, the Government providing more rental properties for people to rent, the LDA increasing supply and, crucially, a social housing programme, the biggest in the history of the State, which will ensure we free up properties for people to rent or to buy.

**Deputy Pearse Doherty:** I am not interested in the Tánaiste's snipes against me. It does not interest me. For years, we have been raising the issue of rent being out of control and for years the Tánaiste has stood up in his seat and given different excuses. Forget about what Sinn Féin is saying, and just listen to what the RTB is saying. Rent increased in the past year by 15.5% in Kilkenny, 16.1% in Clare, 15.9% in Longford and 17% in Leitrim. The Tánaiste can talk about real rent freezes and so on and so forth. Inflation is running at 3%. We told the Tánaiste that when the Government introduced its policy. It means that rent costs can continue to increase by 3%. The Tánaiste talks about rent caps in recent years of 4%, yet every single county has breached them year on year. He has been in government for more than ten years, he has been Taoiseach for a large portion of that time, and yet in Dublin today, if you are renting an average

three-bedroom house in the city where he lives, you are paying €2,105. What I, Sinn Féin and, more so, renters are saying to the Tánaiste is that he needs to prioritise them and their cost of living over the income of the landlords.

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

**Deputy Pearse Doherty:** The Government must freeze rents and put a month's rent back into people's pockets by means of a refundable tax credit.

**The Tánaiste:** I am not interested in Deputy Doherty's swipes against me either, but I am going to call out populism when I see it. It is a classic tactic of populist politicians from the far left and the far right and everything in between, all around the world, to display this tactic. You tell your opponents what they think and believe, and then you tell them how awful they are for believing or thinking those things, but what you actually do is you fabricate quotes and you put words in people's mouths. That is the classic tactic of a populist politician. Deputy Doherty needs to know he is that, and people need to know that he is that.

Regarding being in government for the past ten years, again the Deputy speaks as if Sinn Féin is not an establishment party on this island. Sinn Féin has been in office in the past 20 years on this island, longer than my party, Fianna Fáil or the Green Party have been. Sinn Féin is an establishment party, a party of government on this island for most of the past 20 years. Sinn Féin increased the rents in Northern Ireland.

*(Interruptions).*

**An Ceann Comhairle:** Deputies should please not interrupt.

**Deputy Pearse Doherty:** I know Deputy McDonald asked this question yesterday but, with respect, it is Leaders' Questions, and the Tánaiste did not answer any question. I put forward the facts from the RTB-----

**An Ceann Comhairle:** The Chair does not have the authority to direct the Tánaiste or the Taoiseach to give any Deputy the answer he or she may require.

**Deputy Pearse Doherty:** It makes a mockery out of Leaders' Questions if the Tánaiste is going to involve himself in diversion every day.

**An Ceann Comhairle:** I am sorry, but Deputy Doherty's time is up. I call Deputy Shortall, co-leader of the Social Democrats.

**Deputy Róisín Shortall:** There is an astonishing story in *The Irish Times* today on which we urgently need further information. It transpires the Attorney General, Paul Gallagher, has been carrying on private legal work since he was appointed by the Government in June 2020. According to the article, Mr. Gallagher is acting for the former directors of Independent News & Media, INM, now known as Mediahuis Ireland, after INM was taken over by a Belgian company, in their dealings with High Court inspectors who are investigating the company. What makes this even more bizarre is the High Court inspectors were appointed on foot of an investigation that is under way into the company by the Office of the Director of Corporate Enforcement, ODCE, the State's white-collar crime watchdog. We have the Attorney General, the State's top lawyer, acting for a number of former company directors of one of the biggest media companies in the country in a case which emanated from an inquiry by the State's corporate watchdog. You could not make it up.

It has also been reported that one of Mr. Gallagher's clients is a current board member of Mediahuis. It really is quite extraordinary. *The Irish Times* article stated Mr. Gallagher is acting in the case in a private capacity. I do not know how that works. Is he Attorney General by day and a more ordinary barrister by night? Mr. Gallagher cannot simply take off his Attorney General's hat, leave it at the door and enter the room as a different persona. His office carries weight, power, authority, and responsibility, not to mention obligations that cannot just be shrugged off whenever it is expedient to do so. On what planet was it felt that it was appropriate to do so, especially given the case is the most high-profile investigation currently being undertaken by the ODCE? The conflict of interest here is just stunning, and multilayered.

There is the obvious conflict of the Attorney General being involved in a case in which the State is on the other side. Apparently, Mr. Gallagher sought and received Government approval to carry on his private legal work. Who exactly authorised this? Was it a decision by the Taoiseach or a Cabinet decision? Is there a record of it? Who provided the legal advice to whoever made this decision? Was the Tánaiste aware of it?

Incredibly, we do not know if this is the only case the Attorney General is involved in. There could well be others. We need clarity on that today. How many private legal cases is the Attorney General acting in, and who exactly are his clients? There are strict rules when it comes to civil servants, in particular senior civil servants, engaging in private work. Were those rules followed by the Attorney General? Like Deputies and Senators, the Attorney General has to fill out a statement of interests that is lodged with the Standards in Public Office Commission, SIPO.

**An Ceann Comhairle:** I thank the Deputy.

**Deputy Róisín Shortall:** Was his private work included in this statement?

Of further huge importance is that the Attorney General's office instructs barristers for State work, which is often quite lucrative. Does the Tánaiste accept therefore that it is grossly inappropriate that the Attorney General would be engaged in private work? How would a barrister feel upon learning the opposing counsel is the Attorney General, whose office can make or break careers?

**An Ceann Comhairle:** The Deputy is over time.

**Deputy Róisín Shortall:** Does the Tánaiste see that there are serious problems with this?

**An Ceann Comhairle:** There are salient rulings in this area of allegations against the Attorney General. Although I am conscious that the matter the Deputy raises has been in the media, we should proceed with great care in terms of what we have to say here.

**The Tánaiste:** The Attorney General is finishing out a number of cases which he had taken on prior to his appointment as Attorney General to this Government. That is not unprecedented. I understand it has happened in the past with former Attorneys General, that they are allowed to finish out cases that they were involved in prior to their appointment. It is something the party leaders and the Cabinet were aware of in a general sense at the time of his appointment, but obviously not the detail of any particular cases.

The ODCE is an office of my Department. Taking that into account, it would be most inappropriate for me to comment on any particular case. I appreciate that Deputy Shortall is not

asking me to do so, but I wanted to put that on the record of the House.

The Deputy has asked a number of detailed questions, which are reasonable questions, about the Attorney General's legal practice, but they are not questions to which I have the answers. I am not accountable to the Dáil for such matters, but they are reasonable questions, and I will endeavour to see if we can find answers for the Deputy sooner rather than later.

**Deputy Róisín Shortall:** Does the Tánaiste accept that there is a huge potential conflict of interest here? It is news to me, and probably to other people, that there have been other such cases. What about the previous period when Mr. Gallagher was the Attorney General? Did he carry on private work at that stage?

Will the Tánaiste be a bit more specific about how this decision was reached? Was it a Cabinet decision? Was it recorded, and who provided the legal advice on it? The Tánaiste said he does not have the detail on this. Surely Mr. Gallagher would have been asked to provide that detail. Is it recorded somewhere?

I accept there are some questions the Tánaiste cannot answer here and now, but will he give a commitment, in light of the seriousness of this situation, to come back to me today with all of those replies?

**The Tánaiste:** I am absolutely certain the Attorney General will be very careful to avoid any conflict of interest or any perception of that. He is a person of the highest integrity and ability and I have full confidence he will make sure there is no conflict of interest.

I will endeavour to find answers to the Deputy's questions as soon as I can. I cannot promise it will be today. I do not know if a formal Cabinet decision on the matter was recorded or if there was legal advice, but what I can say is the party leaders and the Cabinet were informed that the Attorney General would be finishing out some cases he had taken on before his appointment as Attorney General.

**Deputy Matt Shanahan:** Does the Tánaiste remember saying, "So long as I am Taoiseach Waterford will not be neglected or forgotten"? He said he considered Waterford to be "a litmus test for the Republic of Opportunity ... one in which every part of the country has an equal chance to share in our country's prosperity".

These words were not said in the *Sturm und Drang* of an election campaign, rather they were said a few weeks after he became Taoiseach in the summer of 2017 in what was probably his first visit outside Dublin. What was really amazing about that speech is that he perfectly formulated the tough predicament of the region and the practical impact of years of political neglect. The Tánaiste saw what was happening. He promised change. Most people in Waterford know his Bausch & Lomb speech very well. It really is the hope that kills.

Budget 2022 is being framed at the moment, as is the review of the Ireland 2040 capital projects. The last Ireland 2040 capital projects spreadsheet listed 96 significant capital projects projected to cost €10.2 billion, which I brought up with the Tánaiste in the House some months ago. Just four of these projects were located in the south east, with just €304 million of the total expenditure. Just under 10% of our population lives in the south east, so a fair share would be nine projects and €907 million.

Unfortunately, we are still awaiting the sunny uplands that the Tánaiste foresaw in 2017. We

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are still awaiting the 24-7 cardiac care that the Tánaiste had hoped was imminent, still awaiting the national recognition of the health inequality being waged on vulnerable and acutely sick south-east cardiac patients, and still awaiting the higher education investment and the public private partnership building that has been promised and postponed yet again. There is no mention of any other main investment in the campus of the new technological university, not even remediation moneys to stop the rainwater at present entering the roof of the engineering building. Everyone is worried that our search and rescue helicopter service will be pulled and our airport shuttered. Our hospital is still suffering under the yoke of Cork politics. The white-hot idea in Sláintecare was to throw us to the Dublin wolves.

A lot of hope in the south east hangs on the revised capital plan. I hope we will not continue to be disappointed.

**The Tánaiste:** I thank the Deputy. I remember that speech well and I remember visiting Bausch & Lomb that day. It was a very positive day. We were announcing additional jobs for the region, and those jobs have been delivered and have happened.

In the past couple of years, there have been some very significant and positive developments for Waterford, which I know the Deputy will acknowledge. We have made some real progress on developing a technological university for the south east, centred on Waterford. I am hopeful, if not confident, that it is only a matter of months before that designation can happen. I think that is really important and will make a real difference, not just for Waterford city but also for the south east as a whole. We have seen the opening of the Dunmore wing in the hospital. Only four hospitals in the country had a major extension in the past three or four years, and Waterford University Hospital was one of those, with the Dunmore wing, which is a very significant addition to services at the hospital. We have had the commitment of nearly €30 million to the north quays, a project which Deputy Shanahan, Senator Cummins and the Minister of State, Deputy Butler, are very committed to. I am glad that allocation has been made as that can be transformative for the city.

We have also seen some very significant job creation, led by the IDA, in the past couple of years. There has been a 24% increase in the number of IDA jobs in the past four or five years in the south east, with nearly 1,000 IDA jobs announced between Wexford, Waterford and Kilkenny only in the last year, so significant progress has been made. As the Deputy knows, an allocation was made to the airport but, for reasons beyond the control of the Government, it has not been possible for the airport to draw that down.

Crucially, the Sláintecare regional integrated care organisations which were signed off by the Government in 2019 re-established the south east, if you like, as a regional integrated care organisation area, which is something I strongly support.

In regard to the analysis the Deputy raised, I have read that analysis and I am familiar with it. I think it is incomplete because it discounts, or counts for nothing, certain projects. It does not count the national broadband plan, for example. I do not know how much of the national broadband plan is being invested in County Waterford but I think it is a pretty significant amount, and I can check that. That analysis does not take account of that, for example. It also discounts any investments that are less than €25 million or €20 million and, of course, an analysis that does that is going to skew investment towards the big cities, where the big projects happen. In a lot of counties, and in counties with lower populations than Dublin or Cork, the projects are smaller - they are €5 million projects, €10 million projects and €15 million projects

- and in that analysis they are counted as nothing. That is incorrect. It is almost like saying that if money goes to a sports club, a community centre or a small bypass, it does not count, and I think that analysis, therefore, is flawed.

**Deputy Matt Shanahan:** I thank the Tánaiste for his response but I have to say I do not accept it. It would be very helpful to see proper granular data on capital spending. To that purpose, after our last engagement on this subject, I asked the Oireachtas Library and Research Service, which does really excellent work, to look at this and to prepare a report to see where public money goes. Believe it or not, they could not provide me with the analysis because they do not have access to the data. It is very hard not to reach the conclusion that the vast bulk of this discretionary capital spending is being funnelled into Dublin and Cork, home to almost all of our Ministers. I am not sure if the Tánaiste is aware of the list of projects that are being funded, the very large projects which he mentioned, such as the children's hospital, the Metro-Link, the Ringsend water supply and the M20 Limerick to Cork motorway at €1 billion. These are really large-scale State projects and we are not seeing them. Most of our projects have been knocking around Dublin for more than a decade now, unactioned and slow-walked. Meanwhile, Cork and Dublin are on to the next new shiny thing. It is heartbreaking, to be honest.

**The Tánaiste:** I thank the Deputy. The M20 project between Limerick and Cork is one that I strongly support and I know the Deputy does too. It is important to bear in mind that there have been very significant motorway projects that benefit Waterford. The Dublin to Waterford motorway is complete and it was done before the Cork to Limerick one. Just in recent times, we have done New Ross, and while New Ross obviously is of particular benefit to Wexford, it is of benefit to Waterford as well.

Perhaps what I could help the Deputy with is some of that granular data, and I would be happy to provide it to his office. To give a few examples, there was €1.2 million under the regional regeneration fund for County Waterford, mainly going to Cappoquin, and €10.63 million in the transformation fund for the technological university for the south east, bringing the total allocation for that to €14.33 million. As I mentioned earlier, almost €30 million has been allocated to the north quays project, which I know we are strong supporters of. Of course, the cath lab is now very much under way, and I know the Deputy has worked very hard on that and is very committed to it.

I want to say that, obviously, when it comes to putting the national development plan review together, we will proof it and we will make sure every region in Ireland gets a fair share of investment.

**An Ceann Comhairle:** On behalf of the Rural Independent Group, I call Deputy Michael Healy-Rae.

**Deputy Michael Healy-Rae:** On "Morning Ireland" yesterday, Wednesday, the Minister, Deputy Eamon Ryan, stated that he could no longer guarantee there would be no blackouts this winter. In his own words, I think what he said was that the energy supply is going to be a little bit "tight". That is an understatement. EirGrid has stated that if no action is taken, Ireland will be short 260 MW of electricity in 2022 and 2023. Why has this happened? The Government - in other words, Fine Gael and Fianna Fáil - has pandered to the Green Party, closing peat power stations such as Lough Ree. Bord Gáis customers face a 12% rise in gas and a 10% increase in electricity prices. There have been something like 17 announcements of ESB increases over the last couple of years. This will see customers pay 28% more for gas and 24%

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more for electricity than last year. Similarly, Energia last week announced increases of 15.7% for gas and 18.5% for electricity, on top of two increases earlier this year. The Government policy has resulted in fewer Irish jobs, less Irish fuel, higher Irish prices, potential blackouts and a massive knock-on to inflation in general.

The horticultural harvesting of peat in Ireland ceased in September 2019 yet, over the last couple of weeks, 4,000 tonnes were imported from Latvia at a higher cost, both financially and environmentally. Can the Tánaiste please explain to me how this makes sense? The depleted supply of Irish peat and the ban on harvesting of peat is endangering 17,000 jobs across Ireland. The horticultural industry is at serious risk. They came to the Dáil a couple of months ago to make their case, and I know they got a good hearing on the day, but they did not get a good hearing from the Government. The cost of importing peat, for example, is three times the cost of providing our own peat. Two more shipments, believe it or not, of 4,000 tonnes will be required each month if we are to keep the horticultural industry serviced. This was a decision of the Government. It is not good enough. I do not want anybody to think that I am landing all this at the lap of the Minister, Deputy Eamon Ryan; I am not. The Minister did this, but he was ably and suitably abetted by the Tánaiste's party and the other parties.

I would remind the Tánaiste that last year, on the third Saturday in February, in Texas, after the network failed, 69 people died in their homes of hypothermia. Can the Tánaiste guarantee that we will not have a situation where people will be cold and in danger in their own homes where there is an over-reliance on electricity, where there is no chimney in the house, and where people need electricity to keep themselves warm, to feed themselves and to keep themselves safe?

**The Tánaiste:** I thank the Deputy for raising this important issue. I have had a chance over the past couple of days to study the presentations that EirGrid and the Commission for the Regulation of Utilities have provided to the Government. Having looked at those presentations, I am confident that we will avoid blackouts and brownouts this winter, but nobody can guarantee it for certain because there are certain factors that are outside of our control.

It is important to point out that the peat power stations in the midlands were not closed as a consequence of a Government decision, and nor were they closed at the behest of the Green Party. They were closed because of planning and legal issues. If people have a perception that the Government decided to close those plants, that is factually incorrect. It is important that everyone here should acknowledge that.

The Government has been advised both by the utility regulator and EirGrid that they have identified specific challenges to ensuring continued electricity security of supply which they are currently in the process of addressing. This is very much affected by the fact that two major gas-fired power stations in Ireland are out of action - one in Huntstown in my constituency and another in Cork - and we need to get those back online in October and November. We are confident that this will be the case but we cannot guarantee it absolutely. Also, there has been increased demand and some of the anticipated new power stations have not been developed as planned.

Something being considered as part of the plan as well is the deferral of the expected closure of power stations that make up approximately 25% of our conventional electricity generation capacity over the coming years. A number of plants were due to close over the next couple of years. It is likely that those decisions to close will have to be deferred until we have sufficient

wind and gas developed to allow us to close those stations.

There is a short-term immediate risk to the supply of electricity. That is being caused by a number of factors, including those two power stations that are closed, wind not blowing as much as was anticipated and problems with the interconnector between the UK and Ireland.

There have been a number of system alerts which indicate an elevated level of risk, including two in early September. However, it is important to say that these alerts did not impact on the electricity supply to any customers. This risk will reduce with the upcoming return to operation of the two major gas-fired power stations and that is due to happen in October and November.

**Deputy Michael Healy-Rae:** Another conversation that is not taking place and should be is that the network is not capable of carrying the load that it is being asked to carry, now and in the future. The grid needs to be replaced and no one is talking about that. There is a massive investment needed in upgrading. The Government policies are to use this type of power but at the same time we are not doing anything to increase the availability of it.

Also, we have to look at the whole subject of the Shannon liquefied natural gas project, which was a priority of the previous Government of 2016 but, at the Green Party's behest, was dropped from the aspirations of the current Government. I believe that the Minister, Deputy Eamon Ryan, recently stated that one of his favourite songs was Bruce Springsteen's "Dancing in the Dark". The Minister, the rest of the Cabinet and, unfortunately, the rest of the country could possibly be dancing in the dark if we do not see action and if common sense does not prevail. The Government should stop going on this crusade of talking about the future while ignoring the present needs of the people of this nation - the young people, the old people, the people who want to go to work and the people who want heat and comfort in their homes.

**An Ceann Comhairle:** God knows, we are giving Garth Brooks great publicity anyway.

**The Tánaiste:** I very much agree that we need to upgrade, improve and modernise our grid but I would not agree with the Deputy saying that nobody has been talking about it. Very ambitious plans have been published to improve and modernise the grid, including the North-South interconnector, the Celtic interconnector between Ireland and France, and Grid West. At times they are controversial but no one can doubt that, with a growing population, an expanding economy and the move to renewables, we will need to improve and modernise our power grid.

There are different types of natural gas, including green gas; brown shale gas, which we want to avoid; and blue gas, which is the natural gas from the sea. It is acknowledged, and it is Government policy, that natural gas is a transition fuel. We will need to use natural gas, and lots of it, for the next 20 or 30 years, and we will need to see new gas-fired power stations built.

There may come a time when we can produce so much wind that we will be able to use the excess wind to produce hydrogen. That point may arrive, in 20 or 30 years' time, when we do not need gas in our system and we can rely entirely on renewables but we are very far away from that. In the meantime, we will need new gas-fired power plants to provide that power when we need it.

**An Ceann Comhairle:** I thank everyone for their co-operation. We finished Leaders' Questions more or less on time. We move now to Questions on Promised Legislation.

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

**Deputy Pearse Doherty:** Following on from the final matter raised on Leaders' Questions, yesterday the Taoiseach could not give an cast-iron guarantee that there will not be any blackouts as a result of electricity shortages. Yesterday it was reported that the Tánaiste was saying he was reasonably confident that there will not be any problems. People want more than that. People want to know there is a guarantee that there will not be blackouts. All the while, ordinary people are seeing prices increase and hikes in their bills because of the failure to plan adequately for demand largely driven by the proliferation of data centres in recent years. I note, in particular, the work of the RTÉ journalist, Mr. Philip Boucher-Hayes, in highlighting this issue and, again yesterday, highlighting how the Irish Academy of Engineering wrote to the Department of Enterprise, Trade and Employment in 2019 and received no response. It is a very serious issue. Despite the slew of Fine Gael Deputies coming out yesterday and backing the continued construction of data centres, it is clear that we need to have a conversation about the demands placed on the energy infrastructure into the future.

**An Ceann Comhairle:** The time is up.

**Deputy Pearse Doherty:** Failure to tackle this will simply lead to serious increased problems in bills.

**An Ceann Comhairle:** Sorry, the time is up.

**Deputy Pearse Doherty:** Can I finish and ask this?

**An Ceann Comhairle:** You cannot. You are over time.

**Deputy Pearse Doherty:** Could the Tánaiste support a debate in this House on the issue of the threats to our energy supply?

**The Tánaiste:** It would be appropriate and reasonable to have a debate on that. I am sure that can be taken up by the Business Committee.

As I said earlier, based on the presentations that I have seen from EirGrid, the regulator and the Department, I am confident that the plan that is being put in place will enable us to avoid blackouts or brownouts this winter but nobody can absolutely guarantee that because we need those two power stations that are out of action, in Huntstown and in Cork, to be back in action in October and November to avoid it.

The issue of price is a different matter. The issue of price is driven by a very significant increase in gas prices across Europe which unfortunately is not something that we can control.

Data centres make up approximately 11% of our electricity demand here in Ireland. One large power station is enough to power all of them. Of course, the increase in the number of data centres planned over the coming years is an issue. We need to make sure that data centres are part of the solution, as well as part of the problem, which they are.

**Deputy Duncan Smith:** As the Tánaiste will be aware, the march for maternity care will take place on Wednesday, 6 October, at 1 p.m. outside the gates of Leinster House. Yesterday, the Better Maternity Care campaign group met with the HSE to discuss a roadmap for maternity care and, yet again, the group was left utterly frustrated and angry. Indeed, "heart sore" was one word used by Ms Linda Kelly, a member of the group.

At the meeting, the HSE confirmed that the current guidelines - these very restrictive guidelines - will remain in place for the foreseeable future. Despite all the cross-party support for a return to normal pre-Covid practices for maternity care and birthing partners, why is there still no roadmap for better maternity care? Will the Tánaiste ask the Minister for Health to meet the Better Maternity Care group as soon as possible?

**The Tánaiste:** I am frustrated about this too, but not in any way as frustrated as someone who is pregnant or their partner must be when it comes to this issue, which has been going on for a long time. Our vaccine programme is an extraordinary success, with more than 90% of over-16s fully vaccinated and the number of cases stable, albeit still high. We are on track to open the remaining parts of our economy and society on 22 October, including the ending of restrictions and capacity limits in hospitality and the opening of nightclubs. In that context, it is hard to understand why we cannot have a return to normal when it comes to partners visiting pregnant women in hospital. This is something that I will discuss with the Minister for Health. I will probably see him today or the next day and I will let him know that the Deputy raised this matter again.

**Deputy Róisín Shortall:** Sticking with the issue of the Attorney General, given that the Tánaiste was not provided with details of other private cases that Mr. Gallagher was involved in, how can he possibly state that there would not be a conflict of interest? This type of situation arises regularly for barristers, and the standard approach is for them to hand over a case to a colleague. That happens commonly. One has to wonder why a case such as the one in question, which involves the State's corporate watchdog investigating the largest media company, was not handed over. Given that the Tánaiste was part of the decision, will he tell the House whether the retention of private work was a condition of Mr. Gallagher's accepting the role of Attorney General?

**The Tánaiste:** Once again, I wish to state clearly on the record of the House that I am confident that the Attorney General will avoid any conflict of interest. As I said earlier, he is a man of the highest integrity and I am confident he will avoid any such conflict.

**Deputy Róisín Shortall:** The Tánaiste cannot really say that, though.

**The Tánaiste:** I am not aware of the detail of any particular case in which he is involved. I am certainly not aware of any agreement made prior to his appointment of the nature the Deputy mentioned.

**Deputy Richard Boyd Barrett:** Contrary to what I believe the Tánaiste stated, data centres are contributing to the global surge in demand for energy and, consequently, the price hikes. Setting that issue aside, what is undoubtedly the case is that energy prices for ordinary people are going through the roof. Many have seen two, three or four energy price hikes this year alone. The Tánaiste stated that the Government could not do anything to control the hikes because they had to do with wholesale energy prices. The Government can do something about it, though, and I suggest it does, namely, through the carbon tax. We have always believed that the carbon tax was an unfair and regressive tax on people who have very little control over the amount of energy they use because of a lack of insulation in their homes and so on. In the context of surging energy prices, which will rifle people's pockets, the Government should defer any talk of adding to that burden by increasing carbon tax in the forthcoming budget. Will the Tánaiste commit to that?

**The Tánaiste:** I will say to every Deputy in advance that I cannot make commitments today in respect of the budget. The budget will be announced by the Ministers, Deputies Michael McGrath and Donohoe, shortly.

Regarding data centres, the Deputy is right. Data centres and, more importantly, the retention of data - it has to be retained somewhere - are contributing to the increased demand for electricity in the world and will continue to do so as long as we decide to retain data. The same applies to electric vehicles, electric heat pumps and the electrification of industry. We are encouraging people to go electric. The solution is not to shut down industry, to tell people not to replace their oil heating systems or get electric vehicles or to cancel the electrification of railways. The solution is to produce more electricity, particularly from renewable sources.

The carbon tax is an important climate action measure. The majority of climate scientists, including many Nobel prize winners, are adamant that climate action cannot be achieved unless carbon taxes and carbon pricing are part of the solution. However, a proportion of those receipts will be ring-fenced to assist people in fuel poverty in particular.

**Deputy Michael Lowry:** Every day, we hear about staff shortages across the hospitality, health, haulage, racing and retail sectors, all of which are alarmed by the unfolding situation. Meat factories across Tipperary and the wider country are finding it impossible to fill the jobs that would allow them to continue production. I have been contacted by the managements of ABP Food Group in Cahir and Nenagh and Rosderra Meats and Ashbourne Meat Processors in Roscrea. They are concerned about the shortage of workers. Their problem centres around work permits. Unless permits are fast-tracked to allow non-EU citizens to come to work in Ireland, our meat factories will stumble into crisis. Meat factories have been in this position for a number of months. Many former workers have left the country and new staff are not available due to permit delays. This is an unacceptable situation and is reducing productivity, restricting exports and damaging the competitiveness of the industry. We need swift and decisive action.

**The Tánaiste:** There are many lessons that the pandemic has taught us, one of which is the value of migrant labour to Ireland, be it people from Brazil or people from central and eastern Europe coming to Ireland to take up employment. That labour has been significantly reduced in large part by the travel restrictions that were in place and the number of flights that were cancelled or air services that are no longer flying. With international travel, including aviation, reopening, there will be increased opportunities to source labour and skills from abroad once again through the employment permit system. A review is under way and is nearing completion. We expect it to be completed within the next two weeks by around mid-October. At that point, the Minister of State, Deputy English, will be able to make an announcement.

**Deputy Mattie McGrath:** The social welfare officer and the community welfare officer are a very important part of resourcing vulnerable people. From next week, offices, including in my county, will stop contacts totally. Officers used to come to villages but then retreated to their offices before Covid. Now someone has to call a call bank, the call will be logged and a community welfare officer may or may not ring him or her back. Vulnerable people go to these officers, who do a great job - they did a great job during Covid as well, as did the local offices and staff - for help, but that help is being shut off from them. The Minister for Social Protection is also the Minister for Rural and Community Development. Please, look after these people. They are vulnerable. We cannot have the kind of change where they have to ring a call centre, wait on the phone and then might or might not get a call back. Face-to-face contact is vital for people who are vulnerable and in a bad situation.

**The Tánaiste:** I agree with the Deputy that community welfare officers around the country do an excellent job helping people at a time when they need help the most. My understanding is that they are trying to move towards a more efficient service that involves greater use of telephones and electronic communications but will still provide for in-person clinics where necessary and even home visits on occasion, but I am not across all the detail of that. I will let the Minister, Deputy Humphreys, know that the matter was raised and ask her to revert to the Deputy directly.

**Deputy Marian Harkin:** The Irish Sign Language Act establishes “a scheme to provide Irish Sign Language support for children attending recognised schools ... whose primary language is Irish Sign Language”. The Geary family campaigned for this Act and, a few months ago, appeared on “The Late Late Show” with their twin boys, one of whom, Callum, is deaf, to highlight the fact that he is still not able to access adequate Irish Sign Language support in school. Why is that the case? There are graduates with first class honours degrees ready and willing to work, but the Department of Education refuses to sanction new positions. As boards of management can only employ these graduates as special needs assistants or under specified grants where there is no holiday pay or maternity pay, they cannot get qualified staff. Unless the Department moves on this issue, the Geary family, who played a part in putting the legislation on the Statute Book in the first instance, will have no option but to go to court.

**Minister of State at the Department of Education (Deputy Josepha Madigan):** I understand that the Department of Education is aware of this case. It is important that we provide adequate therapists within schools. We are working with the Minister of State, Deputy Rabbitte, on this issue. Workforce planning is also required to ensure we have sufficient new therapists coming on stream. Suffice it to say, the Department is aware of this case and will engage with the parents as, I understand, it is already doing on an ongoing basis.

**Deputy Alan Farrell:** The State is investing, and has invested, significant sums in retrofitting schemes. In the programme for Government, €8.7 billion is earmarked for investment in the retrofit of up to 500,000 homes between now and 2030. Thankfully, supports are available under the home energy upgrade for people on lower-to-middle incomes, who account for approximately 17% of households in the State. However, there is a gap between affordability and the grants awarded by the Sustainable Energy Authority of Ireland or under any other scheme. Can the Tánaiste outline the Government’s proposals to bridge that gap to make it more affordable for middle-income families to upgrade their homes and thus reduce their carbon footprint and energy costs?

**The Tánaiste:** I thank the Deputy. As he mentioned, we have ambitious plans to retrofit as many as 500,000 homes between now and 2030. This will be hard to do, particularly at a time when we need to build hundreds of thousands of new homes as well, but we are determined to press on with both objectives.

I am not as up to date on the issue as maybe I should be, but I know some work is being done on a loan scheme for people on middle incomes and people who do not qualify for the means-tested payments. People could use the savings that arise from retrofitting and reduced energy costs to pay off the loan. As I said, work on that scheme is under way at the moment.

**Deputy Neasa Hourigan:** The programme for Government recognises that our official development assistance programme is an essential element of our overall foreign policy. A fortnight ago, Christian Aid Ireland produced research on Ireland’s role in facilitating tax avoidance

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by multinationals in developing countries, with particular reference to a company operating here in a number of locations. The positive impact of Ireland's overseas development assistance is being undone and our role in tax avoidance deprives these countries of much-needed tax revenue. It is the same as trying to fill a leaky bucket.

In response to questions on the Christian Aid Ireland research, the Minister for Finance, Deputy Donohoe, recently committed to propose legislation to address tax avoidance where such avoidance was not covered by an existing agreement. I would like to know if legislation is to be brought forward to address the tax avoidance identified by Christian Aid Ireland.

**The Tánaiste:** I thank the Deputy for raising this important issue. I have not had an opportunity to study that research. I have seen some news reports, but I do not know about it in any detail. In almost every budget and finance Bill there are proposals to close loopholes where tax avoidance and tax evasion is occurring. I am confident the Deputy will see some measures in that space in the Budget Statement and also in the finance Bill. We have already closed off loopholes in regard to stateless corporations, the double Irish and other avoidance opportunities that existed in the past. I am confident the Deputy will see more of that in the upcoming finance Bill.

**Deputy Paul Donnelly:** I would like to raise the issue of Riversdale Community College. I visited the school in the last couple of weeks to check in on the works going on with Danu special school. To say I was shocked to see the condition of the school is an understatement. It resembles a building site with only one way in and one way out. This work was due to start in the summer but it appears now that it will continue up to next April, May, June or July. Nobody knows when it will be concluded because the communication with the Dublin and Dún Laoghaire Education and Training Board, DDLETB, is absolutely shocking. The substantive issue is much worse. The Minister, Deputy O'Gorman, and the Minister of State, Deputy Madigan, have both visited this school. As they know, the roof is leaking like a sieve and there are buckets all over the school. The school received confirmation that some work is to be done to the roof but it is unsure, again because communication with the DDLETB is poor, where the work will be done. This is galling for parents and students-----

**An Ceann Comhairle:** Time is up, Deputy.

**Deputy Paul Donnelly:** -----who can see the great work being done on the Danu special school that is being built at the moment in the same complex.

**An Ceann Comhairle:** Time is up.

**Deputy Paul Donnelly:** It is going to be a brand new, up to the range-----

**An Ceann Comhairle:** The Deputy might want to submit a more appropriate question to the line Minister.

**Deputy Paul Donnelly:** It is important that we get this done.

**Deputy Josepha Madigan:** As mentioned by the Deputy, I have visited Riversdale Community College, where I saw first-hand the work under way in regard to the new Danu special school. There is an emergency works scheme in place to which the school can apply for funding in relation to the roof, which should not be substandard. If there are leaks, it needs to be fixed. I advise the Deputy to encourage the school to apply for funding under that scheme. On

the building works, I will ask the Department to ensure they are expedited.

**Deputy Pádraig O'Sullivan:** Government approval was granted recently for the drafting of a Bill on assisted human reproduction. This comprehensive and far-reaching legislation encompasses the regulation for the first time in Ireland of a variety of practices, including domestic surrogacy. The publication of the Bill has been highlighted as a priority and the programme for Government commits to its enactment. Provisions outlined within the general scheme will ensure that assisted human reproduction practices are standardised and will have the necessary oversight. The Bill will promote the health and safety of parents, donors, surrogates and, most importantly, children. I would welcome an update on the status of the Bill.

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O'Gorman):** I thank the Deputy. An extensive amount of work has been done on this issue by my Department with the Departments of Health and Justice. The line Ministers have met on three occasions in regard to this specific legislation and how to advance the issue. The special rapporteur for child protection, Professor Conor O'Mahony, provided a detailed report on options in regard to providing full legal provisions here. The Attorney General has reviewed that report and has met with the three line Ministers. The matter was discussed at Cabinet prior to the summer recess. The Departments of Health and Justice will be bringing forth proposals in the near future on foot of the report.

**Deputy Emer Higgins:** Over the last couple of months, we have become all too familiar with scam telephone calls and text messages. This week, the Central Statistics Office, CSO, published data which showed a 40% increase in fraud by comparison with this time last year. This month alone, I have received ten scam text messages and dozens of scam telephone calls. My constituents report being inundated with scam text messages and telephone calls to the point where they are now sceptical of every call and text they receive. That is wrong. These text messages and telephone calls are from people purporting to be from reputable bodies such as the Department of Social Protection, An Garda Síochána, the HSE, An Post and delivery services. Besides being terribly annoying, they are a threat to the vulnerable among us, in particular older people who might not be tech savvy and as such fall victim to some of these scams. People who are living alone are feeling harassed and intimidated by the frequency of these scam text messages and telephone calls. What action can Government take to crack down on these scam text messages and telephone calls, many of which are falsely claiming to be from Government offices?

**The Tánaiste:** I thank the Deputy for raising this important issue. I was struck by the CSO data as well and by anecdotal evidence from people telling me about an increase in the number of scam attempts to which they have been subjected. I am not entirely sure what the Government can do about it, particularly when so much of this originates from overseas but I will discuss it with my colleagues at Government level to see if we can respond in some way.

**Deputy Matt Carthy:** It is now over ten years since 23-year-old Shane O'Farrell was killed in a hit-and-run by a known criminal who should have been in prison at the time. The litany of State failures in this case have been well rehearsed in this House and both Houses have supported calls for an independent public inquiry. In February 2019, rather than establish that public inquiry, the Government established a scoping inquiry, which, amazingly, 31 months later has yet to report. We learned last week that the Department of Justice in a briefing to a party that is essentially keeping the Government in power omitted significant information. If the Department can withhold information in that context how can his family or the public be confident

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that it is committed to the full facts of this case emerging? Will the Government commit to a full independent public inquiry into the death of Shane O'Farrell and the actions of all relevant State bodies both and after the killing?

**The Tánaiste:** I thank the Deputy. I am afraid I do not have an update on that important matter, but I will let the Minister for Justice know it was raised and ask her to come back to Deputy directly on it.

**Deputy Brendan Griffin:** Today, I want to raise a very serious situation that is developing at University Hospital Kerry. The situation is chaotic at this stage. The emergency department has been under severe pressure for some time now, but this week surgeons in the hospital wrote to GPs asking that non-urgent referrals for surgery not be sent to them because there are already 2,200 people awaiting assessment at the hospital. The situation has been deteriorating for some time and it now deserves intervention at the highest levels of government. I met the Minister, Deputy Stephen Donnelly, earlier this week.

*I o'clock* I also called for a full briefing for County Kerry Oireachtas Members from the South/South West Hospital Group and University Hospital Kerry to discuss this matter and see if a plan can be put in place to address the issues. It is totally unacceptable and the people of County Kerry deserve a better health service than they are getting.

**The Tánaiste:** I have had a chance to visit University Hospital Kerry in Tralee on a number of occasions and it is a very fine hospital. However, like many hospitals, it is under a lot of pressure at the moment. I am told that this morning there were more than 19 patients on trolleys, which is a lot for a relatively small hospital. As is the case in most hospitals across the country, we have seen a big increase in waiting lists because of the backlog of unmet need and care that it was not possible to meet during the pandemic period. I recognise the Deputy is raising these concerns in the House. A task force on waiting lists has been established in the past couple of days but I will ask the Minister, Deputy Stephen Donnelly, to pay particular attention to the situation in County Kerry, which I am aware has deteriorated a lot in recent weeks.

**Deputy Danny Healy-Rae:** It is becoming very clear that the Taoiseach and the Minister for Agriculture, Food and the Marine are now looking for cow numbers to be reduced. This is at a time Brazil is cutting down rainforests to increase its cow numbers and despite the fact farmers here were advised to increased production only two short years ago. They were told the Chinese would drink a lot of milk. We all know what the Chinese have done to us now.

**An Ceann Comhairle:** They are still drinking milk.

**Deputy Danny Healy-Rae:** Clearly, farmers have invested a lot of time and money in their herds and in environmental protection. Why are they being treated like this? Irish farmers, and all the people of Ireland, are under the same sky as other countries. Why are farmers here being treated like this after all they have spent, having been advised to do so. What is the Government at?

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Martin Heydon):** I thank the Deputy for raising this important matter. I wish to put on the record of the House the ambition Irish farmers have. First, I would like to say how proud we are of the fact we produce some of the most sustainably produced food in the world. We feed multiple millions more around the world than we do in our own population. We know we too have a role to play in making our food production even more sustainable into the future. I am

very proud of the fact the Department of Agriculture, Food and the Marine is the first Department to publish its roadmap for how we will meet the challenges and targets ahead. I refer to the Ag Climatise roadmap, which has 29 clear points set out for how we will navigate agriculture into the future and meet the ambition we all have to make our food even more sustainable into the future.

**Deputy Danny Healy-Rae:** We are all under the same sky.

**Deputy Jackie Cahill:** I wish to raise an issue I have raised in the House on numerous occasions, which is the roll-out of rural broadband. One thing Covid did was show how important that infrastructure is for rural areas. For businesses to prosper and for people to be able to work from home, that roll-out is essential. I had a businessman on to me last week and it typifies what is happening on the ground. John Hanly's woollen mills employs 35 people in a rural area. He was told his connection would happen between January 2023 and December 2024 and the contractor might be back to him with a further delay to that timescale. This timescale is completely unacceptable. The roll-out of rural broadband must be accelerated. It is essential to allow business and people to operate in rural Ireland.

**The Tánaiste:** The national broadband plan, NBP, is an enormous undertaking. It is a €3 billion investment in rural Ireland. It is one I strongly support and one I fought to ensure would happen while I was Taoiseach. It is now very much under way. However, it takes time and the objective is, or at least was, to connect approximately 100,000 homes, farms and businesses every year but even at that rate, it is going to take between five and seven years. Unfortunately, it will not be possible to connect all homes, farms and businesses in the first or second year. It will take time. Unfortunately the plan is currently approximately six months behind schedule, principally due to the impact of the pandemic. While approximately 110,000 homes, farms and businesses were supposed to be connected this year, it is more likely to be closer to half that. The company does intend to catch up, however, and we are doing everything we can to help it do so in 2022 and 2023. There will be no additional cost to the taxpayer as a consequence of these delays.

**Deputy Jennifer Carroll MacNeill:** I thank the Tánaiste for his reply to Deputy Duncan Smith earlier on the maternity question. He mentioned nightclubs, and of course tonight 450 people will be able to go to the Button Factory nightclub. They will have to show proof of vaccination and do an antigen test. There will be CO2 monitoring and good ventilation but no social distancing. Maybe there will be a pregnant lady there with her partner. I hope they have a good time, especially if it is their first baby. They can go to the Button Factory tonight but if they go to a maternity hospital tomorrow they will not necessarily know whether they can be together if the woman is in labour or if there is a miscarriage. I received a letter from the HSE earlier this week, which states nominated support partners do not need proof of vaccination and do not need to do antigen testing. We have 92% of people vaccinated and I assure the Tánaiste women and their partners would much rather just show proof of vaccination and be able to be together, as they will be able to do tonight in the Button Factory. This must be resolved. It cannot go on any longer. I am aware the Tánaiste has stated his support but I would be obliged if he would do so again.

**The Tánaiste:** I thank the Deputy and absolutely agree with her sentiments. On 22 October, we are going to remove almost all legal restrictions that were introduced as a consequence of the pandemic. No social distancing will be required. Hospitality venues will be able to return to the capacity they had pre-pandemic. People will be able to order a drink at a bar. In that

context, it is hard to justify the continuing restrictions on partners attending hospitals with their pregnant partners. Again, I share the frustration. We as a Government do not want to overrule doctors and nurses or take away their autonomy to make decisions they have to make at local level in a hospital, particularly if there is an outbreak or a cluster. However, that should be exceptional and it seems to be more than exceptional at this stage. I share the Deputy's frustration and I will certainly raise it with the CMO and the Minister for Health again.

**Deputy Johnny Mythen:** I raise the lack of day care services for people with dementia in County Wexford. It is my understanding the county has never had such a service, even though the frightening statistics say there are 11,000 new cases of dementia per year throughout this State. That is almost 30 citizens per day. The Alzheimer's Society of Ireland recently conducted research into caring and coping with dementia during Covid-19 and found family carers to be at breaking point, with their own mental and physical well-being seriously affected. These families need this service now more than ever. Will the Tánaiste outline what plans there are to provide these services in County Wexford, as they are already available in other constituencies?

**The Tánaiste:** I thank the Deputy. I appreciate this is an important issue for him and for the people of County Wexford. I am aware Deputy Kehoe and the Minister of State, Deputy James Browne, have an interest in it too. I do not have an up-to-date note with me but I will certainly let the Minister of State, Deputy Butler, know he raised it today and ask her to get back to him directly.

**An Ceann Comhairle:** We have only two Deputies remaining. If they can ask their questions in 30 seconds, we will take them.

**Deputy John McGuinness:** In 2011, the Fine Gael Government promised the roll-out of broadband, particularly in rural Ireland. The same was said by the following Government and it is being said now by this coalition. However, in spite of what the Tánaiste said in reply to Deputy Cahill earlier, the evidence on the ground is that businesses are suffering badly. Deputy Cahill gave the example of a business in his area. Likewise, a company employing 50 people in Tullow, County Carlow, which relies heavily on broadband, was promised it would have it immediately. Then it was told it was included in the NBP. What interventions will this Government make to speed up the process of delivery? The way it is being rolled out just is not good enough.

**Deputy Imelda Munster:** The Government gave a commitment to support independent living for elderly and disabled persons, yet waiting lists for housing adaptation grants and housing aid for the elderly continue to increase in every local authority. Louth County Council alone has 743 older people waiting on grants to adopt their homes. Of those, 481 were carried over from last year. The Government gave the council an increase of €50,000 this year. That is the equivalent of two wet rooms when there is a waiting list of 743 people. Will the Tánaiste give a commitment to increase the housing adaptation grant to local authorities this year and give a decent grant so that they can get through those waiting lists?

**The Tánaiste:** On the housing adaptation grants, I agree it is a useful mechanism to enable people to stay at home, which is what we all want people to be able to do if they have a disability. In the medium term, it can save costs for the Government and the taxpayer because it reduces the need for residential care. There have been increases in the housing adaptation grant in recent years. I do not have the figures to hand but I know that there have been increases. I cannot make a commitment relating to the budget but I know that it is something that the

Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, will want to prioritise, if he can, within his allocation.

On the NBP, if Deputy McGuinness sends on some more details of the particular business, I will check it out. It is difficult to comment on any particular customer but the contract is signed. It is a €3 billion project and represents the biggest investment in rural Ireland since rural electrification. Thankfully, it will not take as long as rural electrification, which took decades, but it cannot be done quickly. At its fastest approximately 100,000 premises will be connected but because of the pandemic, we will do well to hit half of that this year. It is intended to speed it up in the coming years and there are a number of interventions that the Government is assisting the companies with in that regard. I will send the Deputy more details on that.

**An Ceann Comhairle:** That concludes Questions on Promised Legislation. We move immediately to No. 5a.

### **Defective Dwellings Bill 2021: First Stage**

**Deputy Francis Noel Duffy:** I move:

That leave be granted to introduce a Bill entitled an Act to make provision for the law relating to the liability of builders, developers and others involved in the carrying out of residential construction works; to specify certain requirements applicable to residential construction works; to provide for certain duties to apply to such works; to provide for a means of redress for persons affected by housing defects and to specify the limitation periods relating to claims for such redress and to provide for related matters.

The purpose of this Bill is to provide a robust redress scheme for people affected by housing defects. It aims to make provisions in law relating to the liability of builders, developers and others involved in carrying out residential construction, to require that the work undertaken be done properly, in a workmanlike manner and that proper materials, which are fit for purpose, be used. It also provides for a framework for legal remedies for those impacted by defective properties.

I thank the Ceann Comhairle for the opportunity to seek leave to add my Bill to the Order Paper. It is a great honour to be in a position to introduce my first Bill and I wish to begin by thanking those who have assisted me in this. I thank Ms Deirdre Ní Fhloinn and Mr. Conor Linehan for their monumental work in drafting the Bill, their advice and their continued support. I also thank my wife, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, for leading on this Bill during the previous Dáil, alongside her team comprising Mr. Donál Swan and Mr. Aengus Ó Corráin, who successfully introduced a motion that gained cross-party support. I would also like to thank the campaigners and organisations that have long advocated for change in this area, including the Construction Defects Alliance, Apartment Owner's Network and more recently, the Mica redress campaigners, all of whom have highlighted the importance and urgency of this robust policy response.

The Bill comes at a crucial time, when thousands of people are living in defective properties on the verge of collapse, leaving householders with bills they simply cannot pay. Priory Hall illustrated the devastating consequences of the gaps in our law, which left hundreds of home owners, tenants and Dublin City Council in profoundly difficult and stressful circumstances as

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they dealt with significant costs, economic loss, evacuation, mortgage arrears, temporary accommodation and the tragic loss of life. We cannot have any more Priory Halls. Homes need to be fit for human habitation and we need a clear, robust framework for legal remedies if defects are identified. That is what this Bill ensures.

In 1972, the UK enacted laws to protect homeowners and other jurisdictions have followed suit. In 1982, the Irish Law Reform Commission, LRC, recommended that legal remedies be improved for homeowners, many of whom were left with no redress because of gaps in legal protections that were identified by the commission in its 1977 working paper. Almost 40 years after the LRC proposed its draft Bill, we are here today presenting this legislation, which incorporates the recommendations of the commission and brings those recommendations into line with changes in the law since 1982. The legislation will provide homeowners with a legal process to gain redress from construction defects and material abnormalities. I would be very grateful, as would many others, if the Government will consider taking this Bill to Second Stage to further protect homeowners in Ireland from defects.

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

**Minister for Transport (Deputy Eamon Ryan):** No.

Question put and agreed to.

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

**Deputy Francis Noel Duffy:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

**An Ceann Comhairle:** Congratulations on putting forward your first Bill.

**Deputy Francis Noel Duffy:** Thank you.

**An Ceann Comhairle:** May it be the first of many. We move now to No. 42.

### **Consumer Protection (Regulation of Retail Credit and Credit Servicing Firms) 2021: Second Stage (Resumed)**

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

**An Ceann Comhairle:** The Minister has up to 30 minutes to make his concluding remarks in response to the debate.

**Minister of State at the Department of Finance (Deputy Sean Fleming):** We had an extensive discussion on this Bill before the recess, with many Deputies contributing. For technical reasons, we could not complete Second Stage sooner. We had to check a number of issues with the Central Bank before I was in a position to deliver my closing reply. I am now in a position to do so, having clarified a number of matters with the bank during the summer.

I thank Deputies for contributing to this debate and for their support for the Bill. It is generally accepted that there is a need to improve the regulatory framework governing the provision

of personal contract purchase, PCP, finance to consumers and the provisions in this Bill are designed to ensure that the Central Bank of Ireland consumer protection code and any other relevant Central Bank code or regulation can be applied to all the entities that provide credit, hire purchase and PCP agreements to consumers, and to entities that service such agreements. As Deputies will be aware, PCP financing has become common and popular in the motor industry in recent years but it was not governed by legislation, which is one of the key aspects of the Bill.

There are a few points I wish to make in light of the contributions from Members. Deputy Martin Kenny raised the issue of the collection and publication of information and data on credit, hire purchase and PCP agreements. This is an important point and it is desirable and even necessary to have more data on such agreements. The Central Bank also agrees with this and it is committed to increasing the volume of data on the amount of credit and other types of financial accommodation provided or serviced by banks, retail credit firms and credit servicing firms. I would also like to confirm that section 9 will allow the Minister to ask the Central Bank to collect and publish relevant statistics not only on a once-off basis but, if deemed appropriate, also on an ongoing basis. The bank will continue collecting information about consumer hire purchase agreements and consumer PCPs that relate to cars, and will publish it in the coming months. This information will be published at regular intervals and will contain data on the size of the market in terms of the value and number of agreements and contracts in issuance. The Central Bank continues to review the data on the amount of credit and other types of financial accommodation provided or serviced by banks, retail credit firms and credit servicing firms that it may need to collect and publish.

Deputy Nash noted some of the characteristics of PCP and hire purchase agreements and the particular issues consumers need to be aware of when entering such agreements. These are important points and by bringing the providers of these agreements within the regulatory scope of the Central Bank, the bank will, through its ability and flexibility to amend its consumer codes and other regulatory measures, be best placed to more quickly amend its codes and regulations in order that the framework of consumer protection can be updated, as necessary, in line with the evolution of the consumer credit market.

Deputies Patricia Ryan and Ó Murchú noted that this Bill will not address moneylenders and the rate of interest that can be charged on moneylending agreements. While I appreciate their views and concerns in this regard, the Bill is not intended to address the important issue of the regulation of moneylenders. However, they may wish to note that the matter is being addressed in a separate Bill. The general scheme of a consumer credit (amendment) Bill has been prepared and has sent to the relevant Oireachtas joint committee for pre-legislative scrutiny. I look forward to engaging with the committee and the House on that scheme and Bill in due course. They are connected issues in everybody's mind but we are dealing with it with two separate Bills.

Deputy Shortall emphasised the importance of regulating the providers of indirect credit, not least because of the growing popularity of this form of credit and the fact that it could entice some consumers to overborrow. This point is well made and the Bill will regulate not only those firms that provide credit in the form of cash loans, but all the providers who engage in the business of providing credit more generally to consumers. Put simply, some people can borrow money and have an agreement through a credit card or finance arrangement to pay it back. However, if someone goes into a furniture shop and the shop arranges the credit, the arrangement is between the consumer and the company providing the credit, that is, the credit is being provided in an indirect manner. Some of these were not caught on the regulations. Many

people buy a lot of household products through such arrangements and there is no direct link with the people from whom they are getting the finance at the point of purchase. The shop is an intermediary. We want to ensure these indirect agreements are also covered by this.

Deputies Murnane O'Connor and Devlin emphasised the consumer protection rationale for this Bill and the need to implement it as soon as possible. Others, such as Deputies Verona Murphy and Shanahan, welcomed the formal interest limit on credit and hire purchase agreements. While we do not wish to interfere in a normal working market and control interest rates, there is a consumer protection rationale to provide for interest rate ceilings that will prevent extreme pricing but will leave the core market to operate with minimal implications. Indeed, as highlighted by Deputy Martin Kenny, the European Commission has now brought forward a proposal for a new directive on consumer credits, which provides that caps on interest rates for consumers should be introduced. This Bill anticipates and provides for this proposed development.

Deputies Michael Collins, O'Donoghue and Niamh Smyth drew attention to the importance of credit unions and the unique contribution they can make to servicing the credit and banking needs of local communities and small businesses. While not strictly germane to the objective of this Bill, as credit unions already fall within the regulatory remit of the Central Bank, nevertheless the points made by the Deputies about the importance of credit unions are correct and well made. I also have responsibility for credit unions and have had extensive meetings with many of those involved in the credit union movement in recent months. There have been dozens of meetings. In due course, I will bring forward some proposals for discussion among everybody who has an interest in the credit union movement. I expect there may be some legislative amendments and improvements.

As Deputies will be aware from my opening contribution on Second Stage, the Minister for Finance consulted the European Central Bank, ECB, on this Bill, as is normal process. This consultation process is required on legislative proposals that will impact on the ECB's or a national central bank's field of competence, such as, in this case, where it is proposed to extend the regulatory remit of the Central Bank of Ireland to all the providers of credit, hire purchase and PCP agreements to consumers and to entities which service such agreements.

In its response the ECB noted that the Bill only involves a marginal addition to the existing tasks of the Central Bank and, accordingly, it has decided that it is not necessary to adopt a formal opinion on the Bill. The Government notes this position and appreciates the ECB's consideration of the Bill and welcomes the fact that it has no objection to it. That is one reason we held over the Second Stage reply as we waited for that confirmation during the summer.

The Government intends to seek two amendments to this Bill as it progresses through the legislative process, which are currently being developed by officials. The first is to make a technical amendment to section 2. The implementation of the recently amended EU securitisation regulation 2021/557, which arises from the EU capital markets recovery package and is designed to help banks meet credit demand and allow a broader range of investors to fund the economic recovery from Covid-19, will make limited amendments to section 28 of the Central Bank Act 1997, including in section 28(2A). Accordingly, we will need to amend the provisions in this Bill that correspond to that subsection so that they will align with the new section 28 provisions on securitisation. The second amendment is to include the Central Bank of Ireland, in connection with the operation of the central credit register, under Schedule 5 of the Social Welfare Consolidation Act 2005 and so help facilitate the more accurate processing

of data on the central credit register. The Office of the Attorney General will advise on these amendments. PPS numbers would be maintained through the Department of Social Protection, through the Social Welfare Consolidation Act. To allow a link with the Central Bank on that information, it is necessary to make this provision in exchange of data. We specifically want to deal with that because people ask who gets their information when it goes to the Department of Social Protection. The Department has agreements with several State agencies but not with the Central Bank in this regard. That is why we had to introduce legislation on this to make it crystal clear what we are doing.

To conclude, I thank Deputies for their contributions and clear support for the objective of the Bill. I would also like to thank Mr. Michael Tutty for his work and his report on PCPs, which provided the impetus for the Bill. With the co-operation of those on all sides of the House, I believe we can get this legislation through the Houses as quickly as possible and to improve consumer protection in respect of credit and other forms of financial accommodation.

Question put and agreed to.

### **Consumer Protection (Regulation of Retail Credit and Credit Servicing Firms) Bill 2021: Referral to Select Committee**

**Minister of State at the Department of Finance (Deputy Sean Fleming):** I move:

That the Bill be referred to the Select Committee on Finance, Public Expenditure, Reform and Taoiseach pursuant to Standing Orders 95 and 181.

Question put and agreed to.

### **Climate Action: Statements**

**Minister for the Environment, Climate and Communications (Deputy Eamon Ryan):** I will share time with my colleagues the Minister of State, Deputy Ossian Smyth, and Deputy Leddin, Chairman of the Joint Committee on Climate Action. I will not distribute a speech as I am using notes.

The need for statements today was inspired by the need for us to consider where we are in our plans for climate action and to reflect on recent developments, including the Taoiseach's speech to the UN Security Council. I also want to reflect the broader context in which we operate. Since the Oireachtas passed the Climate Action and Low Carbon Development (Amendment) Bill 2021, there have been significant developments. The sixth report of the Intergovernmental Panel on Climate Change, IPCC, published in August, on the science and threat posed by climate change could not have been clearer. It was stark and dramatic in its use of the word unequivocal about the science and the threat that climate change presents to humanity and the urgent need for change. On our current trajectory, we face a 3° C increase in temperatures this century. While there have been significant developments in promises of action, even if they were delivered, they would not bring us to the Paris Climate commitments and, therefore, we need to go further.

In a speech in Milan earlier this week, the campaigner Greta Thunberg said we need to move

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on from words to actions. All of us in the political system have to be acutely aware that it is time for action, not just words. I am conscious of that as I am delivering a speech on our Parliament but I hope that it will be a speech about what actions we will take.

First, I will reflect on what the Taoiseach said at the Security Council. It was an historic moment for our country to chair the Security Council. It was appropriate for us to use the opportunity of that platform to recognise the reality that this is the greatest threat to our security and our future and it was correct that he called on other leading nations to put it in that context of what we need to do. There are other significant developments. We are approaching the 26th meeting of the Conference of the Parties, COP, of the UN Framework Convention on Climate Change, in Glasgow in November. It is critical that this shows real progress and delivers real action. We need to reflect that there have been some positive developments in recent weeks. The announcement of the decision by the US Government at the UN General Assembly that it would be doubling its contribution to the €100 billion fund we need to raise to assist developing countries in this climate change challenge. This will help. We as a country have a good record in the climate finance we provide within our official development assistance programme. It is well targeted and is very well delivered, but we need also to increase and improve our ambition there. We look forward to the views of other parties on what we should do in that regard as we go into the budget period.

It is also very significant that last week the Chinese Government said it would no longer be funding the building of coal-fired power stations outside of China. This was an important step towards actions that will deliver us on the path.

Central to the whole economic strategy of the European Union now is the European Green Deal, and over summer, again, we reflected on the Fit for 55 legislation, which is probably the most broad and connected legislative package the European Union has ever presented. It is a dramatic signal of intent towards action. Next week at the environment ministers Council, the European Union will present our approach to the COP 26 negotiations, and we look forward to Ireland playing its part as part of the European Union team trying to get diplomatic agreement in Glasgow and in future COPs towards the sort of action we need.

We must note and recognise further developments in recent weeks, such as the significant agreement between the European Union and the United States of America on a global ambition of a 30% reduction in methane, both fossil and biogenic methane, as a global target on which we seek to get agreement.

Ireland will play a role as best we can within the Climate and Clean Air Coalition, which was a body set up specifically to look at how we address these short-lived greenhouse gases. They are exceptionally virulent and scientists are increasingly saying we must play our part in reducing those gases, which is very significant and important. We must recognise further what is happening in this space. Our President addressed the UN, along with Tom Arnold, who has done very good work in this food systems approach. The President was speaking at the food system summit in the UN General Assembly where this issue was discussed, including how we integrate climate action with the protection of biodiversity, tackle the pollution crises we face, including water pollution, nitrate pollution, and ammonia and other pollution, and how it has to be a systems approach in all our systems, and a social approach as well as the scientific one in terms of how we address change. All of those developments are positive but just set the scene for what we need to do here at home.

First and foremost, what we now need to do at home is put into action the Climate Action and Low Carbon Development (Amendment) Act 2021, which we passed back in July. This sets us on a legally binding path to net zero emissions by 2050. I will now give some details that might help the Opposition on this, and hear its Members' perspectives on what we now need to do under that Act. Under the Act we must ensure we meet our international and EU targets and become much more transparent and clear on what we need to do and what policies we need. We will be held accountable in the implementation of those policies under the Act.

The next stage of the process will be the preparation of regulations on carbon accounting in consultation with the Climate Change Advisory Council, and they have to be consistent with the Paris Agreement and with EU rules, which I will talk about later. The publication of these regulations will be followed by the production of carbon budgets by the Climate Change Advisory Council. The carbon budgets will be presented to the Oireachtas and approved by Government. The Government will then set sectoral emissions ceilings determining how each sector of the economy will contribute to the achievement of the budgets. All sectors of the economy will need to have the highest possible ambition to deliver this challenge, but the highest ambition will be higher in some sectors than in others. Electricity, for example, has halved its CO<sub>2</sub> intensity since 2005 and has dropped a further one third in the past five years. I expect that by 2030, compared with 2018, we will see a cut in the order of 80% in emissions in this sector.

The climate action plan will require every Department and body to ensure we deliver on the obligations, including making sure we meet the 2030 as well as the 2050 targets. Part of the process of preparing for the new climate action plan involves my Department working with nine working groups to deliver a comprehensive and well-researched set of measures setting out in this plan how we meet the overall target. Those working groups, supported by universities, consultants and a detailed public consultation process, have established two categories of measures. First, there are core measures that are well developed, under way or are so-called no regrets actions, which will be the foundation of the climate action plan. After that, further measures will be less certain and will require further policy development or are less clear in the amount of savings that would provide a pathway to the 51% reduction by 2030.

As I said, a public consultation process was held on the climate action plan, which was open for a period of eight weeks, and my Department received several thousand submissions. The submissions have been carefully considered and will form a valued input into the development of the plan.

In transport we will see much more provision for the development of walking, cycling and public transport journeys, and the national development plan to be announced next Monday will also signal a clear shift in terms of investment to support this. In towns and cities in particular we need to ensure, for health reasons as well as climate reasons, that our children can cycle, walk or take the bus safely to school. As an example and to give some hope and inspiration, because of the changes they have made locally in Dún Laoghaire some schools are now seeing 90% of children attending school by walking and cycling. The provision of safe infrastructure is the key enabler to make this happen. We cannot allow our children to be locked out of healthy transport options because of poor or unsafe roads and infrastructure.

In rural areas we will bring forward our Connecting Ireland policy to make public transport options available to everybody. We will also continue to switch to electric vehicles, which is particularly suitable in rural areas, and we will focus on the delivery of charging infrastructure to make sure everyone can avail of that cheaper and cleaner option.

In energy, we will quadruple our renewable capacity this decade, focusing in particular on the development of offshore wind. Flexible gas will continue to be part of the electricity solution for some time to come, building up and supporting that backup power for variable and renewable power. We will also build on battery storage and hydrogen to reduce our dependence on fossil fuels. There will be a greater focus on demand-side flexibility in our electricity system. We are very clear that the security of supply challenge, which was discussed in the Dáil yesterday and which is a real issue we must address in the next four to five years, will not distract us from also meeting our climate change challenge at the same time.

We are very mindful of the whole issue of energy security and the energy crisis, when we must focus on making this a just transition. The current security of electricity supply situation, together with the internationally high prices in natural gas, are a matter of real concern to the Government. We will continue to help vulnerable customers and we will provide extensive supports to protect against higher household energy costs via energy efficiency and welfare schemes. We expect to make further progress in that regard in the budget next week and to continue the good work that is being done through the just transition commissioner, especially in the midlands. This week, for example, we heard that Bord na Móna is going to make further huge investments to create jobs to give us energy security and reduce emissions at the same time. This gives us an example that we can manage this complex task of providing the critical everyday energy needs of our communities, creating employment and protecting people from the high energy prices that are currently coming from high fossil fuel and insecure fossil fuel sources.

As we discussed yesterday, in regard to energy security, the Commission for Regulation of Utilities, CRU, is outlining in detail how it intends to respond to the capacity issues, and part of that work will ensure measures fit within the revised climate action plan.

In heating, our new homes have already transitioned to high-energy efficiency heat pumps. We need to do the same in our new public and commercial buildings. We will continue to scale up the home energy upgrades, transitioning our homes from high-carbon cold homes to low-carbon warm homes. We will ensure one third of our homes reach the standard this decade. We have already almost doubled the investment in home energy upgrades this year and will further increase this year on year to the end of the decade as the industry expands to deliver this strategic goal.

Today, we are announcing €57 million worth of grants for community energy projects to be delivered through the Sustainable Energy Authority of Ireland, SEAI. I had the great privilege yesterday to visit a community in Clondalkin where householders from a local street came together and, working with their community housing association, they upgraded 40 houses from an F rating to an A rating by putting in new windows, putting insulation within the walls and installing heat pumps at the rear of the houses. There are incredible benefits in terms of warmer, cheaper, better homes in local communities, led by the local community and supported by the SEAI. That €57 million in grants announced today will deliver real change to protect people and help them to make the transition in a way that turns words into actions.

Critically, I will take this opportunity to set out some of the details around the regulations that will be needed as part of the carbon budgets. There are two regulations required in climate law. One is on greenhouse gas accounting methods, which will come to Government shortly, and the other, which has been finalised, is on land use emissions and sinks and how the accounting of these are dealt with.

At the same time, the European Union has proposed accounting emissions from 2020 to 2025 on a reference level. From 2026 to 2030, it recommends it on a gross-net basis, and from 2031, it recommends we incorporate all agricultural land use into one category. We are working through these matters with the Climate Change Advisory Council, the Environmental Protection Agency, EPA, and Teagasc to provide advice to Government on how best to account for these emissions in a changing international landscape, which our regulations must reflect.

To my mind, one of the most important commitments in the programme for Government is our commitment to a land use review. Ireland's land is a limited precious resource that is fundamental to our economy, environment and well-being. It is vital when we consider our land that we strategically plan how to ensure the social, environmental and economic well-being of our country. We need to ensure livelihoods are maintained but also to restore the damage that has been done to the natural world in the past century and in the past five decades in particular.

The EPA has given stark warnings that our water quality is falling sharply, driven primarily by two things: a lack of good wastewater treatment capacity and agricultural run-off. While the wastewater issue is steadily improving, the agricultural contribution continues to decline in terms of water quality. To quote one of the country's pre-eminent scientists, Ms Laura Burke of the EPA, "all trends are going in the wrong direction". For water quality reasons, we will need to cut drastically the use of nitrogen on our agricultural land. This can be done in a way that is positive for farmers. Several of the research farms, including Lyons Farm, which is stationed at UCD, are showing that drastic cuts in nitrogen can be achieved when we move to a new multi-species sward grass pasture system. This shift away from nitrogen-hungry ryegrass cuts costs, increases soil carbon, improves water quality, reduces greenhouse emissions and protects us against the flooding and drought conditions we can expect as climate change hits home.

Ammonia is also rising. We will not reach our air quality targets without drastic action on ammonia, which mixes with other gases in the atmosphere to create particulates that enter our bloodstream and contribute to asthma, strokes and heart attacks. Both the Department of Agriculture, Food and the Marine and the Department of Housing, Local Government and Heritage are working on these issues, including a nitrates action plan. Together with ammonia reductions, this will, in my mind, require a fundamental change for the better in our agricultural system to one that works with nature.

When we improve productivity on farms from multi-species swards, lower methane levels, breeding and shorter animal life cycles, we must reinvest this productivity in nature and pay farmers better through the Common Agricultural Policy, CAP, and other new payment systems to which we will need to turn to pay for this restoration of nature and reward the farmers and foresters who will deliver it. If we reinvest this dividend in growth, all our targets will be shot and our green reputation, which is already under pressure, will be damaged. We need to be truly Origin Green now in everything we do.

We need to be clear about what is happening on the issue of land and sequestration. We often see land use as a sink or as a store for carbon. However, in truth, in 2018, land was a source of emissions, which we have to address. Some 4.8 million tonnes is the estimate for 2018. Far from that improving, because of the changing nature of our forest cover system, we expect that by the end of this decade, we will have a bigger challenge in turning that land use from being a source into a sink. We can expect 7 million to 9 million tonnes of resources from land use due to the changes that are taking place in forestry, such deforestation and the lack of new forestry being planted. That, therefore, requires us to take drastic action on forestry if we are to meet

our climate targets.

That can take various forms. It will be very interesting working with the Opposition because this is a long-term, multi-decade project. It a three-decade project. A lot of the emissions we will save from forest sinks will only accrue in the next decade or in the next lifetime of that forest. We need to start planting now and manage the accounting and organisation of this in a real way, however. We have done great work on forestry. We have gone from a country of 1% afforestation up to 11%.

The next leap will be through a different form of forestry, however, coming down off those peaty upland marginal lands, where we need to store carbon in those peaty soils rather than through continued afforestation. It will mean using all sorts of agroforestry, riparian forestry, closed continuous cover and close to nature forestry models. It will mean paying people and creating much greater employment in this new forest system, which in my mind will be central to meeting our 2030 target and beyond.

The challenge and the scale of increase in forestry is beyond compare but we can do it. In the mid-1990s, we were achieving some of the sorts of afforestation levels we will now need. That is what we need to go back to; it is not impossible. I want to signal the scale of change that is going to have to come from that area in advance of us devising these plans.

I am very conscious of time. I have run out of time without having completed all my notes. I want to share time with my colleagues and listen to the Opposition, however. I very much appreciate this chance to share some of the protocols and procedures we are going through in advance of the delivery of the carbon budgets later next month and the delivery of the climate action plan at the end of next month, which are the timelines we expect following the national development plan, NDP, and the budget in the next weeks. I will hand over to my colleague, the Minister of State, Deputy Ossian Smyth.

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth):** Our national policy, which is also a European policy, is to move towards a circular economy. However, what on earth is a circular economy? Do people understand that and do Members of the House understand it?

When you have old shoes repaired in the shoemaker's instead of buying new ones, you are participating in the circular economy. You might choose to have your clothes repaired or decide you are not going to buy a new vacuum cleaner. Instead, you might find something to repair it. You may decide that you are going to have your old bicycle in the shed fixed up instead of buying a new one. All these things are participation in a circular economy. It is when you make that decision to keep and repair the goods you have, keep those resources, shop locally and provide the labour to somebody who is working in the local economy, and provide the money there to avoid having to dispose of goods, whether they are incinerated or sent to landfill. To reuse is better than recycling and it avoids goods being shipped halfway around the world.

It is common sense that we cannot achieve sustainable prosperity by rushing as fast as we can to deplete our finite resources, and yet, that was our measure of economic success for many years. We measured GDP by the amount of consumption, and the more consumption, the better. Luckily, at some point, economic consensus and the Central Statistics Office, CSO, decided that GDP was not the right measure, that it did not represent success and prosperity, and that we needed new measures.

With that in mind, I have been working on the Waste Action Plan for a Circular Economy, which is a set of steps for how we can move towards a circular economy. It was published last year and will be revised with more detailed plans and targets because we need to know how we are making progress towards a circular economy and the new metrics we need to do so. Part of this is not just theoretical. Of course, I have to spend significant time going out to people who work in the circular economy, re-upholstering furniture or fixing clothing, and asking them what they need to prosper and how they are at a disadvantage to somebody who is producing or importing goods from the other side of the world. They say to me they have problems with insurance, sourcing parts, getting labour and want favourable tax treatment. Of course, all of those things will be addressed.

The Government has a role in all of this. We cannot achieve these goals by moving to a circular economy entirely through individual action. The State has a large role. It is involved in the purchase of €16 billion worth of goods and services every year through its procurement frameworks. One of the things we decided last year in the programme for Government was to green all our procurement frameworks to make sure when the State to do its purchasing, it could do so in a green way and we could train up the procurement officers in how to buy green. It is not always obvious. If you want to buy green paper, for example, the best thing to do is not look for what is the most recycled paper but to get printers that only print when you are there with your ID card. This manages to reduce printing by 80% of wasted volume.

The EPA recently published its much-awaited green procurement guidelines, seven years since their previous publication. They concentrate on ten sectors and have been written with great advice from Abby Semple, whom I thank for that and name her for her work on that. They have been done in co-operation between the EPA and the Office of Government Procurement and cover areas such as energy, catering, cleaning, lighting, textiles, vehicles and so on. They give us the option for how the State can buy green, but we need to go beyond that. We need to go beyond providing options to the State on how to choose green. The next step is for the Government to rule we must take those options, that they must be mandatory, and that we cannot have a situation in which someone is building a public sector building and installing a fossil fuel boiler which will run for the next 25 years.

Our authority as a Government is more in our actions than our words and it is important we lead by example and move towards doing all the things we are asking the public to do. With regard to electric vehicles, for example, the State has not gone far enough and must towards its own fleet of electric vehicles and pass by the hurdles and obstacles. An Post has done very well at this. Dún Laoghaire-Rathdown County Council, in a joint venture between ESB and Vodafone called SIRO, has moved towards electric vehicles. The rest of the State has to do that too and it will have to be done in a mandatory way. We have those examples and pilot programmes and now we need to move on.

**Deputy Brian Leddin:** What we value as a nation matters. We had a very good discussion last night in this House on Afghanistan, with many insightful contributions. What I heard was a general acceptance we feel strongly that helping people of other nations is an important part of our national identity. In our decade of centenaries, we stand proud in the world, providing leadership on issues of justice and equality. I repeat the point I made last night. We can and we must dramatically reduce our emissions to play our part in making the future safer for people in countries like Afghanistan.

We could point to our size and say our contribution to climate change does not matter. We

could also do this for issues such as welcoming refugees and humanitarian relief. As a small country, we can always try to opt out because the magnitude of the difference we can make is not big, but values matter. Irish values matter, and what Ireland does to protect and support people in poorer countries is not a nice-to-have extra but a fundamental expression of who we are.

We are proud internationally about our commitment to reduce greenhouse gas emissions by 51% from 2018 levels, and we have rightly received praise on the international stage for our ambition, but now, after passing the climate Act which gives us the framework, we need to get down to work. It will be very difficult. We have done many of the easy measures already. What is left will be very challenging. Setting the target was hard work, but agreeing the measures will be immeasurably harder.

I want to speak briefly about the parliamentary process. I am proud to be a member of the Oireachtas Joint Committee on Environment and Climate Action and to serve as its Chair. Many of my colleagues are scheduled to speak on this topic today and I look forward to listening to their contributions. The committee is one of the hardest working in the Oireachtas, and members are engaged and willing to commit considerable time to our work. As we go through our first cycle of carbon budgets and a climate action plan, we must support our Parliament in playing its part. We should look at the parliamentary supports for the Exchequer budget and see if we need to introduce similar structures for the carbon budgets in order that all Members of the Houses of the Oireachtas are supported in playing a constructive role, because we need all the talents of both Government and Opposition if we are to succeed in the task before us.

We have made some good starts. The increase in carbon tax last year was shown by the Economic and Social Research Institute, ESRI, to decrease inequality because of how we ring-fenced it to support farmers and people on low incomes. Despite earlier criticism, we have now shown how carbon tax can be a powerful tool for income redistribution. There are other areas where we can make positive changes. There is considerable income inequality among farmers. Some dairy farms are very profitable, in contrast to farmers in beef and other sectors, many of whom are running their farms at a loss due to low prices. A shift to rewarding farming practices that are less intensive and provide high nature value offers the opportunity to introduce more fairness in the sector.

We have significant transportation deprivation in our rural areas. I was speaking to someone in TU Dublin who is doing research into this area, and they are looking at rural villages where 30% of people did not own a car, yet there was not a single timetabled bus service either. We can change our transport system in order that we focus on universal levels of service throughout the country and invest in services everyone can use rather than only the people who can afford private transport. In housing, we can, over time, eliminate fuel poverty by transforming our housing stock and creating local employment to create warm homes that do not need fossil fuels.

We have, however, to make many difficult decisions. The export-led economic model for agriculture, in which we compete on volumes, must be changed. The argument, that if we do not export beef and dairy, other countries will, is reductive and simplistic and neither recognises market dynamics nor our moral obligations to poorer countries. We need to reduce car usage. We are at the limits of our ambition when it comes to electric vehicles and they will not be enough over the next decade. Quite bluntly, we need to make it more difficult to drive, especially in our cities, towns and villages, and give space on our roads and streets back to people on foot, in wheelchairs and buggies and on bikes. Our communities should not be thoroughfares

for the private car. We need to build houses only where you can walk or cycle to the shops or to primary school.

We can achieve our climate ambition and there will be many positive environmental, social and economic outcomes, as a result of the changes we make. On the international stage, we have shown that Ireland's leadership matters. On climate, we must show the same leadership to fulfil our commitments to a low-carbon future.

**Deputy Darren O'Rourke:** The latest Intergovernmental Panel on Climate Change, IPCC, and Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, IPBES, reports leave us in no doubt about the twin climate and biodiversity crises we face and that we will have even more devastating consequences if urgent action is not taken now. Unfortunately, successive governments have failed to do enough in this area and, as a result, they have left us with a mountain to climb. While it will be a challenge to meet our carbon reduction targets, not doing enough now will result in a much higher environmental, social and financial cost in the future. With this in mind, this week has been extraordinary. Hearing a Green Party Minister go to bat for energy-sapping data centres and admit we will have to keep power plants burning coal and oil for longer to avert blackouts due to the massive demand from those very data centres is a sorry state of affairs, to say the least.

Sinn Féin supports a moratorium on data centres. In our Powering Ireland 2030 document, published more than three years ago, we pointed to the need to manage demand and curtail the expansion of data centres. We highlighted data centres benefit from the current public service obligation, PSO, construct which is levied at peak demand but, of course, data centres have a gigantic but steady demand and so do better. We also highlighted data centres should be contributing to the development of wind power and grid upgrades here.

We have no data on whether these companies are building their own wind farms to power the data centres or just buying up wind farms that are built or are being built here. If a wind farm is built here, the intention is the energy from it will replace the fossil fuel electricity homes are currently using.

*2 o'clock* If, however, a data centre company comes in and buys up this wind farm to power itself solely, the houses for which that energy was intended will still be using electricity produced by fossil fuel power plants, thereby making our net national decarbonisation challenge even more difficult. This relates to the question of the net impact and the net effect.

Further to this, upgrades are needed for our electricity grid. This investment is needed to accommodate the electrification of our heating systems and cars, but also to manage our demand and supply. EirGrid, which is the semi-State company charged with this task, has failed in its duty to engage with communities to progress important grid works. It has failed to deliver necessary grid improvements. This has happened in communities that accept the need for grid improvements. I am thinking about the North-South interconnector, for example. These are communities that have shown a willingness to accept controversial infrastructure. We think of the tailings pond at Tara Mines in Baile Ghib, the County Meath Gaeltacht. The community accepts living with that infrastructure. EirGrid has taken an entirely different approach. It has sought to walk on communities. By doing that, it has managed to mobilise an entire region against necessary infrastructure. Based on the approach of rolling out the red carpet to international companies, I wonder what would happen if Facebook, Amazon, or Intel knocked on the door of EirGrid and said that they needed the North-South interconnector. I believe it surely

would happen. That, for me is a real contrast.

I believe offshore wind will play a massive role in our climate ambitions. Again, I am concerned about the speed of progress in this area. Wind Energy Ireland published its first report earlier this month. It reported 12 months to deliver offshore wind energy. It identified seven urgent actions that the industry says need to be delivered by this time next year if 5,000 MW of wind energy is to be delivered in the coming years. These include fixing the foreshore licence system; providing more resources for relevant agencies; a timeline for renewable energy support scheme, RESS, auctions; progressing the maritime area planning Bill; establishing an offshore grid steering committee; strengthening our electricity grid; and developing our ports to ensure offshore can be built from our island.

There is a lot of work to be done in this area if we are to deliver 5,000 MW of offshore wind to transform our energy system. Wind Energy Ireland says that current projects are being delayed because the framework is not in place. It says that the 2030 targets are in danger of being missed because the framework is not in place. Some of that is on this Government. A lot of it is on previous governments. All of it points to years of inaction.

Sinn Féin has acknowledged the role of private companies in developing offshore, but we also want to see semi-States, such as the ESB and Bord na Móna, invest, develop and, importantly, retain ownership of renewable energy projects. It is essential that the State does not become as reliant on private renewable energy production as it has become on private fossil fuel energy production. The constant energy price hikes demonstrate how dependent and exposed the State is to volatility in the international energy markets and highlight the need to eliminate this threat going forward.

Microgeneration is another area in which the Government is slow and falling behind. Again, previous governments had lots of rhetoric, but took no action. This Government has lots of rhetoric and has taken some action, but it is still behind time and failing to deliver. It has been four years since Sinn Féin and Deputy Brian Stanley introduced our microgeneration support scheme Bill in the Dáil. Our Bill would have allowed households, community groups, farmers and businesses to make a significant contribution towards renewable energy production here, as well as to be rewarded for the excess energy that they produce. Four years later, we still have no Government scheme and the Government has missed its own summer 2021 target. On a regular basis, people who are early adopters contact me wondering where this Bill is. It is frustrating for those who invested early, as they were encouraged to do, but are not being compensated for the excess renewable electricity they contribute to the grid each day. We raised this as a priority question last week. I raised it with the Taoiseach yesterday. I ask the Minister when we will see that Bill.

Good quality public transport options will be key in the transport transition. Lower fares, increased capacity and new infrastructure all fall into this. We are all concerned to hear of the potential delays to important public transport projects, such as MetroLink and DART+. This is hugely disappointing news for those living on the proposed routes. It flies in the face of the rhetoric of getting people out of cars and into public transport. It raises the question: if these so-called priority projects are to be delayed beyond 2030, what will that mean for our targets? What will it mean for the type of transition we will be able to achieve before that date?

On electric vehicles, EVs, I welcome the provisional numbers from the Minister yesterday at the select committee showing that EVs now account for 15% of new registrations. Sales are

up 226% year-on-year. However, we have a huge way to go to reach the EV target of 1 million vehicles by 2030. To reach this, we need to look at the EV grant scheme again. Analysis from the Department of Public Expenditure and Reform suggests that subsidising 100,000 EVs using 2019 levels of support would cost the Exchequer between €965 million and €1.23 billion. That is an enormous amount of taxpayers' money. It is therefore essential that this funding is targeted at those who need it. We neither want a situation where the taxpayer has funded EVs for people who did not need financial support, nor one where we have a concentration of EVs in an area where they are least required. Therefore, we need to think about and target in the best way that we can the issue of forced car ownership. There are huge swathes of this country where there is forced car ownership. On our current trajectory, we will end up directing our subsidies everywhere but those areas. That is policy incoherence. The Government should be looking at increasing EV grants for those on lower incomes. In addition, a grant for buying a second-hand EV should be introduced, as it was in France. The aim of such a grant would be to assist people with the higher cost of purchasing a second-hand EV and to encourage the purchase of new EVs by sellers. That would contribute to the overall transition to a cleaner road network.

Charging points are also a key area that needs to be radically addressed. We need thousands more public EV points to give consumers confidence that chargers will be available island-wide, to encourage the purchase of electric cars and to reassure people they will not be left stranded. The public charge point grant scheme has been in place since September 2019. It aims to provide local authorities with a grant of up to €5,000 to support the development of on-street public chargers. While applications from 13 local authorities have been received to date, no chargers have been installed under the scheme. This is simply not good enough. I speak with local authorities. They talk about a lack of capacity in local authorities and a lack of familiarity with the technology. They are looking for a county to take on a pilot scheme and to be a lead agency in the roll-out of the service. Maybe the Minister could look at that.

**Deputy Acting Chairman:** Go raibh maith agat, a Theachta.

**Deputy Darren O'Rourke:** I believe I have ten and half minutes.

**Deputy Acting Chairman:** Yes, but it is up.

**Deputy Darren O'Rourke:** Is it up? I apologise. This is an important area. We are committed to achieving our 2030 targets. We believe fundamentally that this will require bringing people with us. We need to engage with people at every step of the way. That is a call I will be making of the Minister. I will think every step of the way in terms of eco-austerity. With the greatest of respect to Amazon and Google, which have their own businesses to conduct, how do we compare our treatment of them with that of the old age pensioner who gets up in the middle of the night to do the washing in order to save a few euros? That is how we will be measuring progress.

**Deputy Réada Cronin:** As member of the Oireachtas Committee on Climate Action, I have a particular interest in this session. I would like to thank the many experts who came in to talk to us over the last year. On the crises in climate and biodiversity, we certainly have a wealth of experience and wisdom on which to draw. I have always had an interest in climate change and doing my bit. Essentially, I was doing what I was told by legislators and it was an education for me. As a legislator now, the responsibility is ours and ours alone because if we do not act with urgency, we will be at sea and we know that the sea is rising.

My party is not in favour of carbon taxes when there is no affordable alternative. On carbon taxes, my comrade, Senator Lynn Boylan, pointed out how the hole in the ozone layer was not tackled by consumer choice and individual behaviour, nor was it tackled by carbon taxes. I refer to the fact that Shell and BP endorse carbon taxes. We should sit up and take note of that. We did not slap a tax on products with CFC gases and leave it up consumers to change their behaviour. Instead, it was tackled by strong legislation and protocols, and the eventual banning of CFCs at production stage, and by targeting the producers and not the consumer. We need equally strong legislation now to help to reduce emissions and achieve a just transition in the process. A just transition cannot just be an order given to people, but sometimes it feels that way. We cannot have a two-speed society. We need to keep people on board, particularly those who will not be able to afford the actions to tackle climate change that is coming. One section of society is preparing for climate change with solar panels, EVs, heat pumps and insulation, and another significantly larger section is unable to turn the heat on for the children in the winter. These people are paying through the nose, proportionately, for energy in addition to paying through the nose, proportionately, for rent and housing. Now they are worried about blackouts. It is completely bananas and very dangerous for social cohesion also.

The latest Oxfam carbon equality report cites the top 10% of the Irish State's population by income as emitting almost as much as the bottom 50% combined. It is the same old story in this State with emissions: the more we have, the more we make. Members of the Dáil must quickly make good on decisions on public transport and green hydrogen for heavy goods vehicles. We need to act urgently on matters that change easily and quickly, such as the public transport within our control. I spoke recently to a student from Prosperous, north Kildare, who travels to Maynooth University. He gets a local link bus from Prosperous at 8 a.m. regardless of what time his lectures actually start at in Maynooth University, and there is no bus back to Prosperous until the evening. He told me that he intends to buy a car as soon as he can but he will not be able to afford an EV. In trying to make public transport the obvious choice for our young people, we need to make it convenient for them. School transport is another area where we need a radical roll-out of school buses in order to reduce single-car journeys.

I refer again to Kilcock, north Kildare, where there is a rail line but no promise of the DART+. It is a thriving town with a growing population who are eager to get out of the car and onto the Dart+. It is crazy to plan for the Dart+ to go as far as Maynooth only, while building a large station west of there to house the DART+ fleet and ignoring Kilcock. Kilcock is exactly 5 km west of Maynooth. Given that the rail line continues beyond Maynooth, it is mad not to extend this project as far as Kilcock.

I do not have much time remaining. I am disappointed I did not get to speak about micro-generation because my cumann played a part in that. It is not just me who is out of time; the planet will be if we do not make changes.

**Deputy Martin Kenny:** The issues raised here today are issues that have been around for a long time. I will focus particularly on rural issues because I come from a rural place. I deal with the issues of power supply and car chargers etc. all the time. I recently wrote to the Minister about one aspect of this issue. Many tourists who drive electric cars along the Wild Atlantic Way find that there is nowhere for them to charge their vehicles. The Dutch ambassador visited Carrick-on-Shannon last week and he drove an electric car there from Dublin. In order to charge the car and he had to go to three charging stations before he found a charging point that worked in Carrick-on-Shannon. This issue is affecting people's confidence in investing in EVs. It needs to be dealt with now. It is not a new issue; it has been around for a long time.

On the issue of power infrastructure, it seems electrification will be the solution for most of the energy needs. With the increase in electric cars and electric heat pumps, etc., we will obviously have to increase infrastructure. However, that has not been done at the rate at which it needs to be done. The people I meet in rural Ireland who are farming on marginal land want other opportunities. They want to make money and prosper in their communities. Solar farms and solar panels on the roofs of their sheds are issues about which they want to hear good news. However, all they hear about are promises in the distance. They do not hear about actions to be taken now. These issues can be dealt with immediately. If the right structures are put in place and farmers are offered a small incentive and they receive a payback, they will invest and deliver on that.

It must be 30 years since I read *The Growth Illusion* by Richard Douthwaite. It was about the concept of how we measure everything and how much we consume rather than how well we do for our planet and our communities. We need to change and go back to that way of thinking. I was interested in what the Minister's colleagues said in regard to the circular economy and all that we are doing in that regard. However, we are not doing enough because the Government is not putting the infrastructure in place to ensure people can deliver that.

Another interesting issue raised by one of the Minister's colleagues was about building houses in rural Ireland. It was suggested that we should only build houses that people can walk or cycle to. In the parish where I live, there are 20 people per sq. km, which is unsustainable. Any parish that contains fewer than 35 people per sq. km is unsustainable for the community and the economy of that parish. Our school was a four-teacher school ten years ago; it is now a two-teacher school. The football club cannot field a football team. We do not want to build hundreds of houses in rural Ireland. We want to build enough to keep our communities alive; that is all we want to do. We are prepared to build those houses using timber-frame structures and hemp and lime infill. People in rural Ireland want to use technology which is carbon-capturing rather than carbon-using. The roads already exist. We do not suggest building out in the wilderness where no one lives. We are talking about areas that are already supplied by electricity and water. There are serviced sites in all of these areas, yet the whole emphasis seems to be on pushing people into towns, and particularly into cities, where we have more social problems and issues and where people are on top of each other. It simply does not work and there needs to be a review of that approach. As long as the Minister's party and the Government continues to push that line, it will turn people in rural Ireland against the Government and make them feel that environmental issues are about punishing and condemning them. People living in one-off rural houses are being told that they are wrong and are the problem. If the Government delivers that message to people, it will clearly not do well. This is an issue that needs to be dealt with immediately.

**Deputy Patricia Ryan:** Our house is still on fire and this Government is not offering solutions. It offers vague plans with few targets and lots of talk about doing the right thing. In the words of Greta Thunberg, it is offering “blah, blah, blah”. It seems that rather than throwing water on our burning house, this Government is considering throwing petrol on it instead. I nearly fell off my chair yesterday morning when I heard the Green Party Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, make an argument in favour of keeping the oil-fired electricity generating station in Tarbert and the coal-fired electricity generating station in Moneypoint open. I could not believe my ears and thought that perhaps I was listening to “Gift Grub”. Is there no end to this Government's pandering to vested interests?

Are we choosing energy-hungry and water-hungry data centres over our climate targets?

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Data centres account for 11% of our energy usage and are forecast to use 30% by the end of the decade. There are 70 data centres in this State with at least a further 30 being planned. In the last year, there has been a 25% increase in the number of these centres. We should not build any more of them until an energy needs assessment is complete. We need to consider the precious resource of water. The Government is going to the trouble of building a 170 km pipeline from the Parteen Basin, in County Tipperary, to Dublin. What is the point of robbing water from the River Shannon if it is going to be swallowed up by data centres? We need imaginative solutions to this problem. Any future data centres should be sited where the heat they produce can be harnessed.

When will we see the long-promised update to the wind energy guidelines? Is there a date for this? Why is Ireland the only country in Europe that does not have a facility for micro-generation generators to sell excess power to the grid? This is a key element to a just transition and is overdue by two months. Ireland is now in breach of EU law by not facilitating micro-generation. Will it take somebody bringing a legal action for this Government to do the right thing? We need action, and we needed it yesterday. We need no more of the “blah, blah, blah” mentioned by Greta Thunberg.

I sought a copy of the Minister’s speech but apparently one is not available. Perhaps he will email us a copy.

**Deputy Ivana Bacik:** I am glad to contribute to this vitally important debate. The report from the IPCC in August warned us that we are at “code red for humanity”. The UN Secretary General recently said that “The alarm bells are deafening [...] Greenhouse gas emissions ... are choking our planet and putting billions of people at immediate risk”. We face a climate emergency, but we also face a biodiversity emergency. Just yesterday, the Fish and Wildlife Service of the United States Government declared that 23 species are likely extinct, including the ivory-billed woodpecker. The bird had previously been widespread in the south-eastern US. For anyone who is an insomniac like me and was listening to the BBC World Service during the night, a really haunting recording of the song of that woodpecker was played. It is possible now to hear that song only as a recording, because we can no longer hear the bird at first hand. For me, that really struck home. Reports stated, indeed, that the scientists from the Fish and Wildlife Service making the declaration became emotional when they described the impact of climate change and human behaviour on other species in our world.

Therefore, there is real urgency regarding this issue. It is the sort of urgency that characterised the responses of governments around the world to the Covid-19 crisis. We do not, however, see that sort of radical response being characteristic of governments around the world when it comes to climate change. Governments must take the lead on this issue. What we learned from the experience of dealing with Covid-19 is that to tackle a crisis like an international pandemic, we must see strong action from states and governments. If any positive can be taken from the pandemic, it is that it has showcased the value of state intervention, collective solidarity and the public good. We are seeing that sense of the importance of the state and of public service reflected in recent election results. The Social Democratic Party, SPD, won in Germany. A similar party won in Norway. Three Scandinavian countries now have social democratic prime ministers for the first time since 2001. The same trend can be seen in the United States under President Joe Biden, where a \$1.3 trillion stimulus package is being undertaken.

There is a growing consciousness, therefore, of the need for strong government interventions and co-operation in respect of climate change. We all hope that will be evident in the

intergovernmental talks at COP26 at the end of October. We also see a recognition of this new perspective in the recommendations from the Citizens' Assembly. They provide us with a manifesto on how we can tackle climate change nationally. In that assembly, 100% of the citizens recommended that the State should take a leadership role and address climate change through a range of measures, and that this must be at the centre of policymaking in Ireland for all Government Departments. It is crucial that we follow that blueprint and take that approach.

In May 2019, Ireland became the second country to declare a climate emergency. Following that historic development, the now Minister warned then that declaring an emergency meant absolutely nothing unless there was action to back it up and that would mean the Government having to do things it did not want to do. Those were wise words, and such action is now needed. My party and I welcome the recent passage of the Climate Action and Low Carbon Development (Amendment) Act 2021. The legislation built on previous Bills. As a newly elected Senator in 2007, I introduced the first climate action Bill in the Houses, in collaboration with Friends of the Earth. We are all conscious, however, that these pieces of legislation are governance frameworks, but not ends in themselves. We must see a strong and robust climate action plan, coupled with a strong and robust national development plan, to ensure the necessary actions are taken to meet our climate obligations.

Turning to the climate action plan, we are all conscious that the climate action delivery board, which is responsible for delivering the plan, involves all Government Departments. My question is whether it is adequately integrated into the Department of the Taoiseach and whether there is sufficient leadership from the centre of the Government and from the Taoiseach regarding what must be done. I wonder about that because we know from what goes into the climate action plans that a cross-departmental strategy must happen. I will give examples. We are asking the Government to work with the Labour Party on our National Standards Authority of Ireland (Carbon Footprint Labelling) Bill 2021. It is intended to place an obligation on the National Standards Authority of Ireland to define a standard approach to carbon labelling. Similarly, in the other House, Senator Ruane has drafted a companies emission reporting Bill to oblige companies with more than 50 employees to present the Minister for Enterprise, Trade and Employment with an audited statement of their emissions, similar to the obligation in respect of the gender pay gap legislation. These legislative interventions and initiatives do not fall within the scope of the Department of the Environment, Climate and Communications, but they are sorely needed to place additional responsibilities on the private sector. This illustrates the need for a joined-up approach involving all Departments.

The national development plan must see a similar whole-of-government approach, led from the centre. We need an energy plan to ensure we are in a position to avail of our huge national advantages in respect of wind and current power. Offshore wind resources must be developed urgently.

Turning to agriculture, we must ensure that agricultural strategy fits within and aligns with climate strategy. The Government must support sustainable activity in farming. We have strong examples of how that can be done. One project I visited and have long been impressed by is the Burrenbeo project in Clare. The Minister is aware of it. It is led by Brendan Dunford. It is an admirable example of how collaborative work between farmers and environmentalists can lead to strong outcomes for all. It is, therefore, in our national interests to be leaders on climate. Just as we led on progressive change with our marriage equality referendum in 2015 and our vote on the repeal of the eighth amendment in 2018, Ireland can also be seen to lead in taking radical action to tackle the climate emergency.

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We must build on the common purpose and solidarity that got us through the last year and a half to enable us to take this drastic and meaningful climate action. There are many concerns regarding our capacity to take this sort of radical action. One of those involves the recently reported delays to the rolling out of public transport infrastructure projects in Dublin. There is no clarity on the future of MetroLink, and yet projects like that are essential for us to ensure a sufficient move away from private car transport and towards greater reliance on public transport. I refer as well to the expansion of the national road network, while parts of the country are underserved by public transport. We also lack an updated national policy on the development of data centres, a topic we debated yesterday.

There is a similar lack of urgency at EU level to pass the necessary regulation, which should come from a transnational perspective in respect of data centres, fracking and other aspects. I also point to the Government being unable to guarantee that there will be no blackouts during the winter and to ensure that there will be a sufficient number of construction workers to carry out an ambitious retrofitting programme alongside the necessary programme of housebuilding that is under way. I was proud to be at St. Andrews Resource Centre on Pearse Street yesterday for the launch of a new employment programme that will include a training course to retrain and reskill local people in retrofitting. That is the sort of local action we must take.

The situation in which we find ourselves is overwhelming, but all is not lost. We should recall the message of hope contained in the IPCC report. It tells us that with meaningful and radical action we can do more than halt the current trajectory; we can also reverse it. Therefore, we need to see meaningful action being taken. We must see such action being taken on the circular economy, which the Minister of State, Deputy Ossian Smyth, spoke about. We need to see strong measures on the right to repair, similar to the measure that President Biden introduced in the US. We must go beyond current EU directives on the right to repair and extend that right to include smaller household devices and to consumers. Issues also exist locally with cycling and public transport. I have called for the introduction of a bike to school scheme to give incentives for the purchase of bicycles for children to complement the bike to work scheme.

In Leinster House, we have had a conversation about parking and car parking for former and current Members. It is raining outside today and those of us who cycled in still have nowhere sheltered to park our bikes. I have been lobbying for such a shelter, and the Minister has supported me, as have other Ministers, but we still have nowhere to park bikes under shelter on the Leinster House campus. We see cars parked everywhere, but we do not see adequate facilities for the parking of bicycles. While that might sound trivial, it sends out a significant message to everyone regarding how we prioritise transport facilities. As the convenor of the all-party Oireachtas cyclists' group, I call for strong and visible action to support and promote cycling as an alternative means of transport in Leinster House as much as across the country. The Minister spoke about Dún Laoghaire and the strength of the measures taken there to promote cycling. It is welcome, and I hope we will see much more of that type of activity across Dublin and the country to encourage and to promote cycling.

The fact that global warming is the result of human activity implies that a solution is at hand and that the means of addressing the climate emergency can be embraced by all of us. It implies that it can be done. I state that because being too doom-laden can cause people to switch off. It can be counterproductive if people feel there is no hope. Greta Thunberg and many other fantastic activists from younger generations urgently need us to promote a hopeful and can-do message about the types of measures that can be taken locally, nationally and internationally to address the climate crisis. I know the Minister understands that, as does his party. We in the

Labour Party will work constructively with him from the Opposition benches, but we need to see more urgent, radical action on this issue.

**Deputy Jackie Cahill:** The climate Bill is hugely important legislation, but for it to be successful we need public buy-in. Like a previous speaker, I am from a rural constituency. At the moment, my constituents are resentful of the blame they are getting regarding climate change and anxious about what will be imposed on them and the economic damage it can do.

If anything has shaken public confidence in our ability to deal with climate change fairly, it is the mess we have made of peat and peat harvesting. The boatloads of peat that are being imported into the country from eastern Europe make a mockery of all we are trying to achieve on the climate-change agenda. It is environmentally unsustainable, and it is economically unsustainable. I have consistently made the point that whatever we do on climate, it must be environmentally sustainable but it must also must be economically sustainable. Unfortunately, at the moment people do not feel that is the case.

Forestry is another example of where lack of initiatives and an inability to deal with the Department's bureaucracy has resulted in us wildly missing the targets for afforestation. In recent years we have only reached approximately 20% to 25% of the programme for Government targets for afforestation. The volume of carbon sequestration lost as a result will be difficult to replace. In a generation, the people who will be in this House and in other places will wonder what we were at in 2010 and subsequent years that the level of tree planting was allowed to drop so alarmingly. That will have serious ongoing impacts. Some people have the view of forestry that it must be cosmetic. If we are to reach our afforestation targets, it must be commercially viable as well as the major part it can play in carbon sequestration for the planet.

Farmers feel they are being unjustly targeted by the climate action Bill. The uniqueness of our farming enterprises is not being recognised. Some 56.3% of the country is in grassland. That compares with an EU average of 14.5%. We have a multiple of what other European countries have, yet we try to put the one coat on all of us and deal with everyone in the same way.

I was in contact with Teagasc about an issue that was brought to my attention in recent days. The volume of carbon being sequestered by grasslands is not being measured in the contribution of agriculture to the reduction in emissions. That is completely and utterly unfair and it must be rectified. It is said that it is short-term sequestration of carbon. The methane produced when the grass is digested by farm animals is measured, but the carbon sequestered by the grass to produce the methane is not measured. Surely if it is measured on one side, it must be measured at the other. That must happen to ensure the fairness to which I referred. I urge the Minister to look at the calculation and see exactly how much carbon is being sequestered per farm. I accept we must become more accurate at measuring the carbon footprint of farms, but the measurement must be fair. We must take into account the number of ditches on the landscape that ensure the natural sequestration of carbon. Farmers get no credit for any of that in the calculation of emissions and that must change.

A serious number of entrepreneurs have come to my constituency office in the past 12 to 18 months who have the technology to do something different with slurry, but help is required from the Exchequer to make it economically viable. I have been in contact with various Departments on behalf of the entrepreneurs and I am disappointed with the response I got. We are light years behind the rest of Europe with our way of dealing with slurry. We could produce energy from slurry, and it could be of economic benefit to farmers. Instead of that, we are doing what we

did for generations. I accept that we must change. The technology is there, and an economic benefit can be derived by farmers to do this.

When one travels to farmyards around Europe, one sees solar panels everywhere. We have none of that in this country. Again, it is a missed opportunity. Aside from the economic benefits, we are now worried about energy supply and we must advance the process whereby individual farmers can get connected to the grid.

As a rural dweller and farmer, I am tired of being told what we cannot do. I want the Government to focus on what we can do, to the benefit of the climate-change challenge. I urge the Minister to take on board some of the points I have made to get buy-in from rural areas for the Bill.

**Deputy Christopher O’Sullivan:** I am delighted to share time with my party colleague, Deputy Cahill, because he represents the views of a rural, agricultural constituency, similar to my own, with a mixture of beef and dairy farming. There is fear out there. I appreciate that there are challenges. It is important for the Minister to hear what Deputy Cahill said about the willingness to change, reduce emissions and make everything more efficient. We must remember that for years successive Governments and the EU have incentivised the intensification of farming and the expansion of farming, so we cannot just pull that rug from under the feet of farmers. As Deputy Cahill said, we must work with rural communities. There are opportunities and I will come back to them later.

I wish to touch on the importance of the upcoming climate action plan and keeping the focus on reducing emissions. The IPCC report was published some weeks ago. At the time I said that what generally happens with such reports is that we are scared, shocked and horrified by their content but as the weeks go by, we forget them and take our eye off the ball. I know the Minister does not and that it is on his mind all the time, but as a society we do. The same happened when we saw the horrendous floods in New York, and the loss of life and devastation. We are reminded again of the effects of global warming, but then we forget. It is important that as a society we remember each day the importance of the target for the reduction in emissions and the impact of global warming. I know it is on the Minister’s mind every day and that must be the attitude of the House as well.

There will be challenges and opportunities in different areas under the climate action plan. There will be challenges, for example, in rolling out public transport provision. We have already seen objections and we must get around that. There will be costs involved with good public transport. There will be a requirement for a change in culture in transport, in particular in rural areas where people are not used to having good quality public transport. However, there are also opportunities, for example, with the roll-out of electric vehicles. MetroLink was mentioned. Let us imagine the number of cars that will take off the road. There is also the light rail project and BusConnects, which are proving problematic, but such initiatives provide the answer to decarbonising public transport. In producing the climate action plan, I urge the Minister to bear in mind the great work that was done in the report of the Joint Committee on Climate Action on decarbonising transport. The suggestions in that report are a key tool to decarbonising that sector.

When it comes to rural Ireland, I talked about the need for significant culture change and that can only be done if the alternative is provided. Within that document is the concept of every village, every hour. At the moment, where I am in west Cork, some villages and towns

are lucky to have one public bus service per day and most villages have none. That needs to be flipped on its head and whether it takes funding from the Exchequer or incentives to make that happen, we need to make it happen if we are to see that cultural change, and see it at the rate of pace that we need.

We then have the energy challenge and the challenges and opportunities that come with that. What is going to happen in the interim until we see large-scale renewables come on board? We also have the challenge of data centres. While I would not have gone as far as Deputy Whitmore's Bill yesterday to put a moratorium on data centres, the debate on it acknowledged the fact they are providing major challenges because of their energy usage. If EirGrid's prediction of 28% of energy usage by 2030 is correct, then we have to step in and, at the very least, ensure there are mitigation measures. It also needs to be ensured that they use the large surface areas of their premises for water harvesting and for distributing excess energy, and that they give energy and electricity back into the grid. There will have to be conditions to ensure this is mitigated against.

There are also opportunities. I have spoken at length about floating offshore wind, in which the Minister is a big believer. It has the capacity to create 30,000 MW of energy and to produce 2.5% of Europe's energy needs. We need to keep an eye focused on that goal and not be distracted. There is also community solar. The legislation on the roll-out of solar in schools, for example, needs to be expedited and the red tape and bureaucracy around it needs to be reduced so that schools can provide their own energy on a fine day, and solar panel technology will allow people to run their own schools.

There are challenges, some of which Deputy Cahill has outlined, but there have to be opportunities as well. The science is evolving, whether it is around mixed species swards and the huge reduction in emissions through that technology, or protected urea. We need proper agri-environment schemes whereby we no longer penalise farmers for having a habitat and having areas of biodiversity on their land, but reward and incentivise them for that, and this will also have a carbon capture element with it as well.

On carbon budgets and our climate action plan, the next couple of weeks are some of the most important for climate change in this area. Let us remember why we are doing this. Global warming is happening at an alarming rate, there is mass migration internationally and we are in the middle of a mass extinction of species. Let us remember why we are doing this and not be distracted by opposition or industry. Let us focus on what we are doing.

**Deputy Sorca Clarke:** When the Minister talks about climate action and climate change, there is one core issue missing and that is climate justice. I speak in particular today about my constituents around Rochfortbridge, who are facing a bleak winter, and that was before the announcements earlier this week. They are worried about transport costs. The Minister speaks about transport but bus services are being cut. Our bus schedule that makes no sense. I am talking about the equivalent of a waterproof tea bag in that it makes no sense whatsoever.

The Minister also mentioned Bord na Móna. Let us talk about that for a moment, in particular the so-called energy park to be developed on 7,400 acres of a land bank in counties Offaly, Meath and Westmeath to co-locate 200 MW of electricity generated by wind, solar and green hydrogen production. Bord na Móna expects to lodge planning within the next 18 to 24 months and will begin consultation with local communities. Bord na Móna also expects this energy park to be attractive for industrial and high-demand energy users, large-scale distribution facili-

ties and data centres. We then couple that with the Castlelost FlexGen plant, the battery facility that will store energy from the grid at times of high wind generation and release it during periods of high demand or periods of low renewable energy generation. There will also be a natural gas generator for times of extreme pressure on supply and it will draw gas from a natural gas pipeline a few kilometres up the road from the 50-acre site.

What my constituents in that area think when they read reports like that is that their homes, communities and energy needs are secondary to the energy needs of large industry and data centres, but that they will have to continue to make cutbacks. It strikes them very hard when the Government cannot even get the spin right about whether we are going to have blackouts this winter. I remind the Minister that few communities in the midlands who believe a word that Bord na Móna says when it comes to community consultation because of the belief that that is exactly what they are - words - and the decision has already been made at corporate level. What do cases like this say to the groups in north-west Meath about their judicial review concerning wind farms?

When the Government introduced the policy in 2018 to encourage data centres, and it was a policy with no plan, constituencies such as mine were going to bear the brunt. That is totally unfair. We have a climate suitable to data centres but so does half of northern Europe. The reason they are here is tax breaks, something we have seen today because of Perrigo. To conclude, this is the same constituency where, 30 km down the road, there is a stack of Latvian peat being stored at the edge of a bog.

**Deputy Thomas Gould:** This week, Greta Thunberg slammed politicians for empty words on climate change. I wonder if this was a response to some of the recent comments the Minister has made. The Minister and the Government have put the burden on ordinary people and have made it clear that they will have to make cuts this winter, that we might have power outages and that heating and electricity costs will continue to rise out of control. Basically, people will go cold this winter. The Government is asking people to choose between dinner and heating, between going to bed hungry or cold, or even going to bed at all because of this Government's housing policy.

These are decisions people are being forced to make because of the Government's policies and priorities. There has been no talk about how things will be tight for large corporations or data centres. There has been no talk about tightening the belts of energy-sucking, profit-driven large corporations or data centres. What is the Minister doing about this? He is telling people to wear an extra jumper and to prepare for a winter without heating. Is this the Government's response to climate change? We have the Minister responsible for climate action and the Tánaiste unable to give a commitment that there will be no outages in energy supply this winter. This is a shocking indictment. In some ways, I can feel some sympathy for the Minister because this goes back to a lack of planning by Fianna Fáil and Fine Gael over the past ten years, and now the Minister has been landed with this problem.

There is so much more I want to say on climate change but I am limited in my speaking time. We need to save the planet. This Government is putting forward policies and priorities that will not be delivered for years, and it could be too late.

**Deputy Jennifer Whitmore:** I welcome the opportunity to discuss climate action, what we have been doing, what our future is, what our plans are and what the Government's plan and vision is on it. Initially, I had anticipated it was statements on the climate action plan but we

do not yet have that. I ask the Minister to make sure that, when that document is published, we have sufficient time to discuss it in full as it will be an incredibly important document for us.

I will use this opportunity to reflect on Ireland's role in the UN General Assembly in the context of climate change, and on our role at a global level and how that translates into what we do at a local and national level. As President of the UN General Assembly for the month of September and as a member of the UN Security Council, Ireland is in a very unique position to showcase an ambitious agenda of climate action, an agenda that holds the environment, biodiversity and individuals front and centre of our response to climate change, both in our own national climate action plan and on the world stage. The Taoiseach chaired a Security Council debate on climate and security where he stated, "There is no time to waste". On the upcoming COP26 meeting in November, the Taoiseach stated that member states should "muster the courage to take bold and ambitious action." I welcome that Ireland is putting climate action front and centre of what will be the most important global alliance in our fight against climate change but there is the question as to whether Ireland itself is front and centre of that climate action. The words spoken by our leader to the world cannot simply be empty rhetoric; they must be actionable. The Minister spoke about turning rhetoric into action as well and how that is fundamental and essential to how we meet our climate challenge. There is an urgency in implementing measures that will result in profound, prolonged and sustained reductions in our carbon emissions, which is something we can proudly showcase to the world. Unfortunately, to date Ireland has been wasting time when it comes to climate action and we have not been taking those bold and ambitious actions that the Taoiseach spoke of so eloquently. When I come into the Chamber, and particularly when I am in debates with the Minister, I find myself divided. He talks passionately about what he wants to see from a climate, biodiversity and environmental perspective and he outlines his plans and his proposals, and I think I can get on board with those. They are what I want to see happen in this country. Our vision for that is quite often aligned. My difficulty is when I realise then that what we are seeing on the ground does not match the Minister's words in the Chamber.

We have heard specific examples from other Deputies of where the ambition of Government is not translating on the ground to individuals. I welcome the fact that there was additional funding for retrofitting grants but people are facing a two-and-a-half year waiting list before they even get a surveyor. I was contacted by an elderly woman in County Wicklow who has been waiting two years to get her home retrofitted and she said she will go private because she cannot bear another cold winter in her home. That is the kind of lack of action that we are seeing on the ground and how it is impacting on individuals.

The Minister of State at the Department of the Environment, Climate and Communications, Deputy Ossian Smyth, spoke passionately about the circular economy. That is fundamental to how we will address our climate and environmental crisis but there has been little action in this regard either. I have spoken to the Minister, the Taoiseach and the Minister of State, regarding a company which is engaged in the circular economy. It is trying to get approvals for end-of-waste licences and it, also, is waiting for two years. The Minister's response is that legislation is pending and, hopefully, that will address the issue. This company is about to move to Northern Ireland and we could lose that positive business here. It is about how we translate the policies that the Minister is saying we will focus on. They need to be felt on the ground. I do not know what the blockages are, including whether it is a resourcing blockage, but there needs to be a focus on making sure that there are tangible changes in people's lives.

I also have a concern about the Minister's statements yesterday. We had a long debate on

the issue of data centres and energy security yesterday. During the debate, he stated, “The increase in data centre demand was forecasted and is ... in line with forecasts.” I found that statement quite disconcerting. He had left the Chamber when I responded and I will take this opportunity to raise it with him. That statement begs the question as to whether the Government has consciously planned or facilitated this growth in data centres in the full knowledge and understanding of what the impact could be. When I talk of impact, I mean rising energy prices, the blackouts that are forecast and the fact that we will now have to have electricity generated through coal- and oil-fired stations again, and the impact that will have on our climate ambitions. I also mean the impact that it will have on individuals. With rising electricity prices, the Government is moving the burden to individuals and not placing the burden of addressing this on industry. When the Taoiseach states that we cannot waste time in our response to climate change, that is exactly what we are doing in this context.

We have prioritised the needs of big industry over individuals as we attempt to transition to a zero-carbon economy. That can only spell one thing, and that is failure. We will fail to meet our renewable energy targets, fail to act against climate change and fail our people who struggle in the face of energy price hikes and energy shortages in the meantime. Individuals will be expected to make the financial and lifestyle sacrifices to reduce their carbon footprint and it is a big ask when the same is not being expected of data centres. A bold and ambitious action, such as that the Taoiseach spoke of, on this would have been to set limits on the energy demand from data centres, to condition them, to make sure they were going in the right places, to make sure they were operating in the right manner and to consciously decide what proportion of our energy we would set aside for data centres. That has not happened and Ireland is now at risk of showcasing its failure to act on the international stage as a result.

We can talk here about climate change and climate action and a lot of the time it is quite technical. We need to bring it back down to the level where it is tangible for people how much of an impact it will have on their lives. We need to consider what sacrifices are being made by them to reduce their carbon footprint. Deputy Leddin spoke earlier about the Irish values, and he is correct. Irish people showcase such a community spirit and values of inclusivity and solidarity. We saw that throughout Covid. We can see it through our vaccination programme. We have such a fantastic way of putting the community before our individual needs. Those values will help us address climate action and meet the challenges that we face. However, if we force individuals to make those sacrifices and to be the ones who have to pay for electric vehicles, who have to retrofit their homes and who have to change the fuels that they are using while paying a carbon tax on their fuels, and if we expect those individuals to do that at a cost to themselves and do not expect the same of data centres, we will not be able to rely on the solidarity of people when we are dealing with climate change. It will lead to a divided society and it will undermine what we need to do. We will only achieve what we need to achieve on the environment if we do it together and in a fair way. Irish people will work as a community to deal with this, but only if it is fair. If they believe they are being treated unfairly, they will not engage and they will not support it.

I ask that in the coming weeks prior to the budget, the Minister focuses on the immediate impacts on individuals and communities. Many of the issues we are talking require long-term actions. Even the retrofitting programme will take a number of years to get up and running, so what are the immediate measures that can be taken to ensure that people can get through this winter and meet the challenges that are being placed on their individual homes over the coming weeks and months? I ask that the Minister ensures that the carbon taxes that we accrue at pres-

ent are shared fairly and that we use those to assist people get over the winter and assist them to make the changes that we will expect them. I would also ask that the Minister make sure that it is done fairly and that he put an equally high requirement and burden on the corporate sector as he will on individuals.

**Deputy Bernard J. Durkan:** I am sharing time with Deputy Costello. I am told I had six minutes. I am not sure. Is that correct?

**An Leas-Cheann Comhairle:** Six and a half.

**Deputy Bernard J. Durkan:** I am glad to have an opportunity to speak on this important issue. It is of growing importance. I have been concerned for the past number of days in listening to the debate on data centres and investment in this country and I want to comment on that.

Like the Minister, I am committed to alternative energy, bioenergy and the non-fossil fuel-based generation of electricity but we have to make it happen. The Minister and I were both members of a committee in 2006 where these issues were examined exhaustively for at least six months.

*3 o'clock* Hearings were held and depositions were taken from various interested bodies. The conclusion reached was that wind-generated electricity was a clean alternative method of generating electricity. The problem was the question of what we would do when the wind did not blow. It was generally accepted that alternatives had to be found. The possibility then considered was of an international grid on the basis that the wind would always be blowing somewhere, as we all know. We have enough experience of that ourselves in this country. There are some locations where the wind seems never to stop blowing. Other issues arose.

What should have happened then - it happened in some parts of the country, but not across it - was the putting in place of a number of electricity-generating wind farms, but it did not happen because there were objections for various reasons. There was stiff resistance, including from politicians. Some of the resistance was shakily based, for want of a better description. People said openly that we would never reach a point at which we would have to change our habits as regards fossil fuels and that such a change would be defied. If people want to live that kind of life, that is grand, but we did not provide the alternatives. When the resistance grew, people buckled and stood down. I was not one of them. I stood my ground, and still do. I was right then and we are right today. If we do not provide the alternatives sooner rather than later, we will pay a high price across a range of areas.

Something that worries me is us being expected to reduce our dairy and beef herds. That is a big request and will have a significantly negative impact on this country's rural and economic life. At the same time, there is clear evidence from other parts of the globe that the reverse is happening. Rainforests are being cleared and replaced with factory farms with all the kinds of emissions we are being told we must control. We accept all that. We accept that people in those places must live as well and that the global economy should try to compensate people who have lower incomes and standards of living, but rural Ireland's two main industries are being asked to shut down. They are the same two industries that shored up this economy when the economic crash happened. That is where logic comes into it and people ask us whether we are serious and really believe all of this. They point to Brazil and all the other countries where the opposite is happening. As the Minister knows, I am not being critical about this, but there is a need to ensure the argument we make is sustainable and that we can explain it to our electorate.

We depend for our support on that electorate.

As to how to bridge the gap up to next summer, there is liquid biogas and liquefied petroleum gas, LPG. We must make interim arrangements to get over the immediate problem, that is, the possibility of blackouts. Normally, approximately 2,000 MW is required as a reserve at peak load. That is the way it used to be and I am not sure how much it has changed since 2006, but it has probably got bigger. Unfortunately, EirGrid stated in 2014 that we had ample generation capacity, there was no need for any more and there was no need at the time for western wind farms. What was not recognised, however, was that our economy was flat at the time. We had had an economic crash and just a little new generation sufficed. The situation is different now and the economy is taking off.

The unfortunate part of the debate over the past week has been how it has sought to divide opinion in the country between the domestic market, including householders, and inward investment. That is a dangerous place to go. In light of worldwide competition for investment in jobs, data centres or whatever will have a quick look, and if they find out there is resistance building up, they will want to know about it. They will go off to Denmark. Do not forget that, in the Athenry case, two locations were processed and approved in Denmark while we were still toying around with our first one. That will not wash. We will soon disintegrate into a backwater if we allow ourselves to go down that road.

**An Leas-Cheann Comhairle:** The Deputy has gone over time.

**Deputy Bernard J. Durkan:** It is that way again. I am sorry, a Leas-Cheann Comhairle. I would love a longer opportunity to discuss this subject at another time. It is an important issue for all of us.

**An Leas-Cheann Comhairle:** Deputy Costello would love to make his contribution, too.

**Deputy Bernard J. Durkan:** The Leas-Cheann Comhairle will be glad to know I am concluding. I would love to have a proper debate wherein we could all voice our views and everyone could get involved to the satisfaction of all.

**Deputy Patrick Costello:** It is good to discuss in the Chamber the climate action plan. We are also discussing other matters, those being the recent UN meeting and the national development plan, NDP. The national climate plan and the NDP are inextricably linked and our climate action depends on them working in harmony. Our ability to face down climate change depends on all of our plans and organs of government working in harmony to address the seriousness of the issue.

I am not the first Deputy to mention the August IPCC report and what it described as a code red for humanity. For many, hearing those words engenders a great deal of fear and insecurity, but we need to face that fear and use it to drive action and change. We are already 1.1oC warmer than pre-industrial times. Without significant change, we are heading towards much worse. All parts of the world will see considerable impacts from this - drought, extreme heat, flooding and extreme weather events. All of these are happening now.

When facing the impact of climate change - the severe weather, droughts and the challenge to biodiversity, including extinctions and the collapse of our food supplies, all of which is deeply terrifying - the word "shared" must be our priority and focus. We must ensure the climate action plan underlines the just transition so that no one is left behind. It is essential the

burdens borne in reaching our targets are fair and that every group is making an appropriate level of effort. Otherwise, and as Deputy Whitmore stated, we will lose the political and civic consensus that has been built around how serious this situation is. We need to focus on climate justice and ensure no worker or community is left behind as we take the action that is urgently needed to create a better, safer and more sustainable future. Climate change does not affect everyone equally. Climate change and poverty are inextricably linked. Low-income communities and countries are often the first to be impacted and are the ones with the least resources to cope with the changes. This fact must be reflected in the NDP and the climate action plan. We must ensure the actions we take - the Minister has been working on this basis - are progressive and support low-income communities so that they have the resources to cope with the changes that are coming down the tracks.

Thankfully, many of the policies that can and will be effective in reducing the impacts of climate change are also effective in reducing poverty and promoting economic growth. We need to focus on energy poverty. The NDP and the climate action plan must find ways of identifying and improving current energy poverty schemes to target those most in need. That helps us to do both, that is, address energy poverty and address climate change. This allows us to improve the resilience of communities, taking measures to protect those who are most vulnerable to the risks associated with the severe weather events that climate change has already brought and will only get worse. Even if we are to act, they will get worse and we are on a dangerous precipice.

We cannot make Ireland a leader on climate change without a just transition and without these progressive policies. In doing so, we can build a cleaner, more sustainable and secure future for all of us. That progressive nature of the need for climate action needs to be, and I have no doubt will be, foremost in the Minister's mind in drafting the climate action plan. We need to see that from every Cabinet Minister in terms of the national development plan. In every plan we make we need to factor in how we are to address these challenges.

**Deputy Matt Carthy:** Debates in this House on the climate crisis take a familiar course. Almost every speaker accepts the need for urgent action and almost every speaker talks about a just transition. The truth is the term "just transition" means nothing in this country any longer. It is supposed to mean decisions are made in consultation with those who will be impacted and that measures are deployed to address concerns and provide alternatives in terms of goods, services, incomes and jobs lost due to climate action measures. The concept of just transition is important because it recognises we need public acceptance for, and ownership of, the measures that are adopted, but as I said, the concept is meaningless in Ireland.

It was interesting to listen to Government representatives' contributions on the motion this week which sought a moratorium on the development of data centres. The Government response was that it is too soon and further analysis is required. The contrast of language used by Government when discussing matters that affect multinational corporations as opposed to those which impact on ordinary workers, families, farmers and communities was stark. It exposes the hypocrisy and tokenism at the heart of this Government's approach to climate action.

Earlier in this debate I listened to a Green Party Deputy speak of how we need to make it more difficult for people to own cars or to live in the countryside and for farmers to export food. Last night, that same Deputy voted against the motion that would limit the development of data centres despite the strain they are putting on our electricity network and the impact they are having on our emissions. It is those types of contradictions that have led to the disdain in which the Green Party is held across rural communities.

The failure to implement measures that affect corporates without analysing to death the impact should be compared with the speed with which Government will take actions that cost workers, families and farmers. The best example of that is the carbon tax, implemented to incentivise people to use public transport that does not exist in most of our constituencies, to encourage farm contractors to switch to electronic vehicles that do not exist and to force low income families to sit in their homes cold so that Deputies can sit in their warm offices pretending they are taking action. The carbon tax is a penalty on people who happen to live in the places and engage in the work that Government does not comprehend. Workers, families and farmers are told their electricity costs are to increase yet again. What is the Government's response? It proposes to increase the carbon tax yet again. It is as if Government is intent on driving people against climate action.

I want to talk about family farmers who are facing a crisis. Today's *Irish Farmers' Journal* declares on its front page, "Weanling prices at a five-year high". Another way to report that same information is that farmers receive the same prices for their produce today as they did five years ago despite significant increases in input costs and obligations. We know Irish farmers can play a positive role in climate action, but every action of this Government appears to be aimed at preventing them from doing so. The only measures in regard to production reduction have been aimed at our most sustainable beef producers and suckler farmers rather than at factory controlled feedlots. Those farmers who want to enter organics meet obstacles and obstructions every step of the way. The forestry policy of this Government is driving farmers away from the sector rather than enticing them into it.

The Green Party is suggesting we eat less meat. Farmers who switched from beef to horticulture such as mushroom growing are rewarded with scenes of ships containing 4,000 tonnes of peat, having travelled a 3,000 km journey, arriving into Ireland where up to 200 trucks unload the peat that could be sourced here in a much more environmentally sustainable manner. That is the incompetence, hypocrisy and tokenism that underpins this Government's approach to agriculture and the environment. It will result in fewer and poorer farmers and, without doubt, will drive people out of rural communities, but it will deliver precisely nothing for the environment.

Why not adopt an approach that will work, starting with not taxing people more for things for which there is no alternative, delivering an ambitious vision for Irish agriculture which supports and encourages entry into organics and a forestry policy that is good for the environment, communities and the economy, and tackling the factory controlled feedlots rather than our suckler farmers? Rather than allowing the importation of peat from Latvia, wood from Scotland, beef from Brazil and milk from New Zealand, why not add value to those sectors here that deliver climate action in Ireland?

If the Government is to continue on its current trajectory, it should not insult us by using the term "just transition" because it is doing nothing to deliver it.

**Deputy Paul Murphy:** I am sharing time with Deputy Barry.

**An Leas-Cheann Comhairle:** Is that agreed? Agreed.

**Deputy Paul Murphy:** Blah, blah, blah is what we have heard for 30 years from politicians. Greta Thunberg got it correct about the Taoiseach and the UN Security Council, as in regard to much of the debate that has happened today. The gulf between the promises, the rhetoric and

the talk and the reality of the action or lack of action grows wider and wider. The Taoiseach was correct when he said at the UN Security Council that climate change is the defining challenge of our generation and that the council must do more on the issue of climate and security. He did not, of course, mention that sitting in the room with him were representatives of the US military, which is the biggest polluter in the world and the biggest contributor to climate catastrophe and the biodiversity crisis we face.

I listened earlier to the contribution of the Minister of State, Deputy Smyth. I did not catch all of it, but he was making the point that we all used to reference GDP whereas now we, including the CSO, no longer rely on GDP. There is a gulf between that talk and the reality of the Government's action around data centres. The argument used by the Government for why we have to proceed with data centres, despite that it is an absolute contradiction in terms of meeting the Government's inadequate 51% target by 2030 in terms of climate change, is precisely the argument around GDP. The Government is absolutely committed to that so it is complete and rank hypocrisy.

A climate emergency suggests an emergency response. If your house is on fire, you call the fire services. You do not pour petrol on the flames. That is what the Government is doing in driving ahead with the construction of additional data centres on top of what we already have here and the building of further fossil fuel infrastructure such as liquefied natural gas, LNG, terminals. This is completely at odds with the commitments the State has made under the Paris Agreement, its own promises, what was said today and what was said by the Taoiseach at the UN Security Council. It will consign all of the targets to the bin, but nonetheless that is what is being pushed ahead.

There has been a great deal of focus on the aspect of the People Before Profit-Solidarity Planning and Development (Climate Emergency Measures) (Amendment) Bill 2021 that would ban data centres. The other very important part of that Bill, which will be debated later this evening, is to ban investment in further fossil fuel infrastructure. It makes no sense to sink further money into fossil fuel infrastructure that will be with us for decades into the future. The more money that is invested in fossil fuel infrastructure, the more the vested interests, the capitalist class, will push to stick with it because they will not have made their money back from the investment. It makes no sense to have any energy investment in fossil fuels from which we have to move away rapidly. All investment in energy should be going into energy solutions rather than creating more energy problems, yet the Government is also going to oppose that aspect.

There has been an amount of commentary generally about the IPCC report, which is very stark in its conclusions on the speed and scale of the disaster we are facing. Something a bit less commented upon was the leaked second draft of the IPCC report on mitigation strategies. It states we must move away from the current capitalist model to avoid surpassing planetary boundaries and climate and ecological catastrophe. That is scientists saying that, not socialists. It is scientists who are looking at the reality that capitalism is driving us towards disaster. Deputy Barry makes the correct point that they could be scientists who are also socialists.

**Deputy Bernard J. Durkan:** That could happen.

**Deputy Paul Murphy:** Indeed, I suspect many climate scientists who are looking with open eyes at what is happening are drawing the conclusion that a system that treats nature as free, one that bases itself on the exploitation of labour and of nature and treats damage to nature, in terms of both the biodiversity and climate crises, as an externality and something it does not

have to care about is incompatible with the kind of change we need and the timeframe within which we need to have it to avoid absolute disaster.

I conclude with reference to what a proper climate action would look like. It would start with that recognition that capitalism is the problem. We must move out of and break radically with a system that prioritises profit and the growth of a certain sort that goes with that. I am referring to growth that does not add to people's quality of life. It would be an eco-socialist green new deal to transform people's lives for the better. It is not to make people's lives harder but to make them easier and better while also having a rapid transition to a zero-carbon economy in developed economies like Ireland by 2030. What that would mean is that instead of investing in more motorways we would invest in free, green and frequent public transport. People do not want to be sitting in cars in gridlock for hours every day. People would jump at the opportunity to be on quality, decent, free public transport on a daily basis and it would dramatically cut emissions. It would mean investing in a green jobs programme, retrofitting every building across the State, rewilding, rewetting our bogs, afforestation and renewable energy but investing also in care jobs and building a national health service, a national childcare service and improving our education service dramatically.

It would mean moving to a sustainable model of agriculture. The truth is our model of agriculture is built around the interests of big agribusiness and it drives a model based on intensive production of beef and dairy. Instead, we need an approach based on the principles of food sovereignty, we need diversification and we need to incentivise farmers to farm sustainably. We must guarantee them an income and ensure they are paid for the carbon sequestration activities they are engaged in. It would mean a four-day week without loss of pay, which frees up time for people. It improves the quality of people's lives dramatically and would reduce carbon usage. It would mean taking the key sectors of the economy out of the hands of the private corporations which run them for profit and which run the whole economy for profit, not caring about what happens to our environment. Instead we would plan in the interests of people and our planet.

**Deputy Mick Barry:** Last night the Dáil voted on a Social Democrats motion calling for a moratorium on data centres pending an environmental impact assessment. Given data centres now consume 11% of Irish electricity output, as opposed to a global average of 2% to 3%, this was a very modest proposal. It was, for example, significantly less strong than the People Before Profit-Solidarity Bill that goes before the House tonight, which calls for a ban on new data centres until such time as the climate emergency has passed. The modest proposal was shot down by 80 votes to 61. Fianna Fáil Teachtaí Dála voted against the proposal. That is no surprise. Fine Gael Teachtaí Dála voted against the proposal. That is no surprise either.

I want to draw attention to the vote of the Green Party Deputies. All 12 Green Party Deputies showed up for the vote last night. It was a full turnout, 100%. Every one of those Green Party Deputies voted for the Government amendment which shot down the proposal for a moratorium. If the Green Party Teachtaí Dála had refused to cast their votes for an amendment which shot down the proposal for a moratorium on data centres, the anti-moratorium vote would have been reduced to 68. If the Green Party Teachtaí Dála had actually cast their votes for the moratorium proposal, its support would have increased to 73. In other words, if the Green Party Teachtaí Dála had cast their votes the way the climate movement and people active in it would have wanted them to, the proposal for a moratorium on data centres would have been passed by Dáil Éireann last night by 73 votes to 68.

I hope this short story of parliamentary arithmetic, while not providing complete lessons for young people getting active in the climate movement as to who they might rely on - that is a bigger issue - certainly provides strong and definite lessons as to who they cannot rely on.

**Deputy Alan Farrell:** It must be exhausting being on the left and in a constant state of outrage. What Deputy Barry left out, of course, is Dáil motions are meaningless. You might as well go out on the plinth and give a press conference.

I thank the Leas-Cheann Comhairle for the opportunity to debate this particular issue. Throughout history there have been many times when the world has come close to ruin, and on this Continent we have seen the horrors of war tear the fabric of society and engulf the globe in death and destruction. The threat of nuclear annihilation, for instance, dominated geopolitics for decades. Economic crises plunged nations into depression. War, nuclear weapons and economic crises are a product of human endeavour and can be stopped or prevented through the goodwill of everyone on this planet. Such events underpinned the creation of the United Nations and the development of the European Union, in which Ireland proudly participates, but climate change is different. We risk letting the impacts of climate change slip beyond our control through our desire for growth and expansion.

The world has known of the impacts of our actions on the climate for decades now, yet we are the first generation to begin acting on this knowledge at a national level. The ambitious goals and targets set out in this country and in the international community are noble and attainable but we must act now. We cannot afford to lose any more time. The cost of the international community missing these goals would be catastrophic. Young people in Ireland coming home from school about now will witness climate disasters in the decades ahead that until now belonged in the realm of fiction. We owe it to them and all those who come after to deliver them a legacy of responsibility, action and achievement.

This Government is committed to these ideals and the Climate Action and Low-Carbon Development Acts are groundbreaking legislation that exemplifies Ireland's commitment to providing a future for all peoples. I spent a great deal of time working on it myself with the climate committee and I am very proud of the report that came from the committee which informed the Department and indeed Government of our ambitions for that legislation. Our commitments to retrofit 500,000 homes by 2030 will have significant benefits from creating jobs, ending fuel poverty in Ireland and, most importantly, it will dramatically cut the emissions produced in Irish homes every year. The installation of heat pumps and smart metering across the State will also contribute to this endeavour and create a new era of home energy in Ireland.

We have ambitious goals that will revolutionise the production of energy and of electricity. It is the ambition of this Government to reach 70% renewable electricity by 2030 and we are making real progress on this front. In 2010 just 15% of our electricity came from renewable sources. By 2019 that figure had risen to 36% and preliminary reports show that in 2020, despite Covid-19, we managed to attain 38%. We must do everything in our power to foster growth of renewable energy in Ireland including investing in wind, solar, wave and tidal energy as well as cutting the burdensome requirements companies are required to go through to develop this sector. The passage of new legislation and the further development of policy in this area is essential. The Government must remain cognisant of the need to ensure we have the labour force to carry out these vital projects and the infrastructure necessary, without which we will struggle to align our ambition with our ability.

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We must also clarify our own policies, particularly in the context of peat production. Quite rightly, there has been confusion over recent reports of imports of peat to Ireland countering a long-held tradition of peat production in Ireland. While not all boglands are retrievable, many on the islands are but importing a tiny national requirement for the horticultural sector, thus producing even more carbon emissions, is not the answer.

Encouraging greater uptake of electric transport will further enhance the country's attempts to become carbon neutral. This ranges from growing the number of electric cars and vans on our roads to electrifying our public transport network. Investment in capital projects such as MetroLink and Dart+ will provide us with clean alternatives to existing transport options. We can achieve all of these things and many more. I do not claim that it will be easy or that it will be a smooth transition but it can be done. To achieve this, we need every home, business, Government Department and company to work together to realise the change that we must see. By doing so, as we have done so often in the past, we can make an outsized impact on the wider world. We can show the way for countries around the world and ensure that when the spotlight of history is shone upon us, we will not be found wanting.

By its very nature, climate change reaches into every policy area and housing is no exception. We have ambitious plans to build hundreds of thousands of homes in Ireland but we must have joined-up thinking when it comes to Government policies. Concrete, for instance, is a major contributor to emissions. In that context, the construction industry must consider environmentally friendly ways of meeting our climate action responsibilities while also meeting the need for significantly increased housing supply.

Our role at the United Nations affords us a unique position during one of the most crucial periods in the fight against climate change and it is incumbent upon us not to let this moment pass. A ramping up of our engagement with our allies in international organisations will allow us to drive home the values we have stood for and for which we continue to fight. The Government must lead by example by ensuring that we meet our own targets.

A great majority of the Irish people wants to see a profound change in how we deal with this problem so that we deliver real success on climate action. Increasingly young people are anxious about what kind of future they will have and the implications for their lives. This touches almost every aspect of their lives from where they choose to live, the kind of work they do and even whether they have children. Key to the success of the Climate Action and Low Carbon Development (Amendment) Act 2021 will be a deliverable and clear climate action plan and I look forward eagerly to the publication of that plan in the near future. The plan will build upon the valuable work done in 2019 when Fine Gael published its first climate action plan.

We all recognise the severity of the crisis, which is not a crisis of one nation but of all nations. In such a scenario, it can be overwhelming and individuals may not know where to start. Indeed, some governments in the world face similar quandaries, as do some sectors in Irish society. Despite the complexity of this crisis, through bold action, progressive policies and vocal engagement in international settings such as the UN, we can provide a more hopeful future and bring about real change.

**Deputy Cormac Devlin:** As a member of the Joint Committee on Climate Action, like Deputy Farrell, I have a particular interest in this debate. The committee spent much of the past year examining and improving the Climate Action and Low Carbon Development (Amendment) Bill before it was passed in July. The Act creates the legal framework and sets out the

actions that must be taken to ensure we deliver on our commitments to reduce total carbon emissions by 51% by 2030 and achieve carbon neutrality by 2050. The Oireachtas has done its part and passed the legislation. The challenge now is to make progress on implementing the legislation to ensure Ireland meets its international and moral commitments under the Paris Agreement. To achieve our 2030 targets, we need to move quickly and take steps now. I would like to see a greater sense of urgency, particularly on larger projects. I accept that the Covid-19 pandemic has had an impact on the implementation of a range of initiatives but efforts must be redoubled because the clock is ticking. Last year, during a debate with the Minister, I called for public transport projects such as MetroLink, DART+ and Luas upgrades to be fast-tracked. It was disappointing to hear comments this week about potential delays. People accept there will always be issues with large-scale infrastructure projects but to suggest that they could be delayed until 2032 or 2034 is not good enough. The Minister needs to take a far more hands-on approach, particularly on public transport. Agencies will follow his lead and there must be a far greater sense of urgency from the top. Equally, we need to see progress on the BusConnects project, which involves the redesign of the Dublin Bus network. We were promised new bus routes and higher frequencies and there is an urgent need for these to be delivered. However, even if we achieve our 2030 and 2050 targets, a large element of climate change is locked in. We must plan to take measures to mitigate the impact and safeguard our people and our national infrastructure. The Minister will know I have expressed concerns about the impact of the forecasted rise in sea levels on the DART line. We have seen the DART out of service on several occasions in the past few years due to flooding and this is set to increase. Urgent action is required. We need an integrated national plan for flood prevention around Dublin Bay from Sandymount in the Minister's own constituency of Dublin Bay South, through Booterstown, Blackrock, Monkstown and Seapoint to Dún Laoghaire Harbour and even further south from there. This section of the coast is extremely vulnerable. As part of any flood prevention measures, we should use the opportunity to complete the Sutton to Sandycove coastal promenade and cycleway, known as S2S. This project would open up our wonderful coastline to everyone while also protecting homes and safeguarding the DART line. This is nothing new; the project has been in the pipeline for over 30 years. In fact, the himself was one of the original champions of the cause and I hope he will include this project in the revised national development plan next week. I welcome the comments of the Minister of State at the Department of Public Expenditure and Reform, Deputy Ossian Smyth, on the circular economy. This must be accompanied by concrete measures to support the sector and consumers. Reducing VAT and other taxes for this sector in budget 2022 would be an encouraging start. Equally, the Government must do more to support energy microgeneration. At the very least, every new school, Garda station and public building should have a microgeneration facility but I want to see this go much further. When will we see a plan to allow microgeneration operators to access the national grid? Points about solar panels and other measures on farms in Europe were well made by Deputy Cahill earlier and we need to see action on this front too. I am very concerned about the impact the crisis in the forestry sector will have on our ability to meet our 2030 and 2050 targets. We urgently need a national plan to get the sector back on track and encourage farmers to plant trees.

On housing, we must move quickly to retrofit homes. A commitment has been made to retrofit almost 500,000 homes but we need to see tangible measures in budget 2022 on this front. The Minister's announcement on the allocation of €57 million for community energy projects is very welcome and we need to see more action in this area. Fuel poverty is a real issue for too many families, particularly those on low incomes and the elderly. The recent increase in energy costs will create hardship for many families this winter and we need to see significant action in the budget to help these families. We also need to consider ramping up innovative solutions,

such as the initiative being provided by companies like EnergyCloud which uses surplus wind power to store energy by heating water in homes, thus helping to reduce fuel poverty.

It is clear, having listened to Deputies across the House, that there is great support for the implementation of the climate action plan, for retrofitting homes, facilitating microgeneration and improving public transport, particularly MetroLink, light rail, BusConnects, and coastal and inland cycleways like the aforementioned S2S. I hope the Minister will take this sense of urgency on board ahead of the national development plan and budget 2022 being finalised.

**Deputy Chris Andrews:** I welcome the opportunity to speak on the upcoming climate action plan. I agree with Deputy Devlin's comments on the S2S. It is very important infrastructure that will be very welcome and a huge asset to Dublin.

The disastrous events across Europe this summer have brought home the painful reality of what lies ahead as the climate continues to change for the worse. The impact it will have on our day-to-day lives becomes clear when we see flash floods killing nearly 200 people in Germany and wildfires ravaging through Greece and Italy, burning hundreds and thousands of homes and leaving a trail of destruction and misery behind. Even here in Ireland, we had a number of wildfires that we struggled to bring under control. Howth was ablaze for almost a month and the fire there threatened to wipe out a number of homes on several occasions. These disastrous events will become more and more common as the years pass and we fail to tackle climate change effectively.

Meaningful change and just transition seem to be completely missing from this Government's approach to climate change. We are not just failing when it comes to just transition or the need to reduce domestic CO<sup>2</sup> emissions; we are also failing Irish coastal communities which, on a frequent basis, have raw sewage flowing into their swimming areas. Sandymount strand is a site of enormous value to the many thousands of people across Dublin who use it for recreation. Sandymount and Dollymount are important biosphere sites of international importance and are recognised by UNESCO. At the mouth of Dublin Bay we have a wastewater treatment plant that was at capacity from the very first day construction was completed. When it rains, raw sewage is discharged. As we live in Ireland, that means there are regular discharges of raw sewage into Dublin Bay. That has serious consequences for people enjoying the sea, including swimmers and the rowing community. As we enter the winter months, increased rainfall will result in more frequent raw sewage leaks into Dublin Bay. Sea swimming has never been so popular in Dublin Bay. The Half Moon swimming club, which is located along the walk to the Poolbeg Lighthouse, is really popular. Over lockdown, sea swimming has increased dramatically in popularity, something that is likely to continue. It is a really positive activity and we must do everything we can to protect it. Allowing raw sewage into the sea is not doing that.

Ringsend has two rowing clubs, St. Patrick's and Stella Maris, both of which put a huge amount of time and energy into training and into training children. Both of these clubs have contacted me to express concern after their members have seen raw sewage floating past them on the River Liffey. How is it acceptable in 2021 that we allow this polluting of Dublin Bay to continue? The Government cannot stand idly by and let the leaks continue while we wait for upgrading works to be completed. I accept that there are plans to increase the capacity of the wastewater treatment plant. Even when the construction of the extension is complete, however, it will still be at capacity, which means we will still have raw sewage being discharged into Dublin Bay after the extension. We need a short-term and a medium-term engineering solution to ensure our swimming areas are not no-go areas. The poor methods of communication be-

tween Dublin City Council and the EPA to the public when it comes to swimming bans on our beaches and shorelines need to be urgently addressed because realistically they are dated and ineffective. If you want to find out whether there is a ban or see what the water quality is, you have to dig into websites and so on. The public just wants to go down and have a clear message of whether it is safe to swim, and it should be in real time. We need swimming bans to be publicised in local media so that the public knows whether it is safe to swim.

**Deputy Matt Shanahan:** The climate action plan is a monstrous piece of legislation for a monstrous problem. It includes certain key goals which are well known at this stage. These include reducing our net carbon emissions by half by 2030 and trying to get to a net zero carbon economy by 2050. The plan outlines Ireland's current greenhouse gas emissions and targets across a range of all our major sectors, including electricity, enterprise, the built environment, transport and agriculture. The list goes on. Some 183 recommendations have been set out in the policy to reduce greenhouse gas.

A new climate action plan is being developed. This will develop five-year carbon budgets and sectoral targets, establish a climate action delivery board and establish an independent climate action council as a successor to the Climate Change Advisory Council. Within that there is a range of initiatives that I will return to.

The Government is also stepping up climate action governance which is welcomed. This is to allow Ireland to transition to become a climate-resilient, biodiversity-rich, strong and environmentally sustainable economy. These are all laudable aspirations, no doubt. We absolutely have to recognise that we are in an emergency, but we are not alone. Ireland is very small in the overall scheme of things. It is a very small emitter, albeit large per capita, in overall terms in world emissions. In order for us to take a leading position, and we should take a lead, we must not damage ourselves competitively by trying to be an outlier if the rest of the world does not follow suit. I would like to see a lot of work done at Government level and particularly at EU level to try to bring our EU colleagues with us on this journey. Some may be more advanced than others.

I now turn to some of the sectoral things that are outlined here. Increasing renewable electricity to 70% by 2030 is something we have heard a lot about in the House lately, particularly on the development of offshore wind. The east and south-east coasts are largely targeted for the first developments of offshore wind which will largely be ground-attached pylons and floating offshore rigs. They would seem to be more pertinent to the west coast and the deeper water but that technology is still in its infancy. Those farms are probably ten years away. What are we building all of these wind farms for? It is obvious that they are being built to create greater renewable energy, but two more questions follow from that. First, how are we to build them? Second, what is this renewable energy going to support? I have raised the designation of a new wind energy port in the country. The Minister, Deputy Eamon Ryan, has previously said that this is a competitive process. I am not sure what the parameters of the competition are but I contend that this port should be Rosslare Harbour for a number of reasons, not least its location adjacent to the fields and to the coast of Wales. Beyond that, it has deep water and it is geographically well placed to service all the offshore developments around the south-west coast. Quite apart from all of that, the south east needs major capital infrastructural investment from the State to address 20 years of imbalance. This would go some way towards that. There are lots of good strategic reasons for doing that.

The second question relates to what we will use all of the wind capacity for. It seems to be

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tailored largely for data centres. This has been raised several times in recent days in the House and rightly so. I have written to the Minister to ask how many memorandums of understanding have been engaged with to date in terms of private sector data centre development. I still have not received an answer. The media is now saying that the figure is over 75. That sounds like an incredible number of data centres in the country. In recent days, the energy regulator or someone from his office speculated that data centres could account for as much as 70% of our future electricity generation. Something is not quite right within those numbers, and that plan needs to be looked at and revised.

The Minister mentioned the establishment of a microgeneration scheme to allow producers to sell back electricity. Such schemes have been going around for ten years. Many people have set up private windmills. Many windmill farms have been approved on land but have not been developed simply because there is no way of getting a feed-in tariff to supply back into the grid. There is talk of creating better community participation in renewable energy projects and prices. That is basically the community rating. Again, no information has been forthcoming from the Minister or from anyone in the Department on what the legislation will require in terms of community ownership of wind farms.

As the retrofitting of houses has been raised many times, I will not go over that again. We will have to get over many issues around that. Accelerating the uptake of electric cars and vans so that all new cars and vans are electric vehicles by 2030 is a great aspiration, but it will not happen unless we do something extremely independent and new around taxation. That is the only way you are going to make these vehicles work out for a lot of people in the country and make them economically viable for purchase. I say “yes” to improving public transport.

I will conclude by speaking about increasing the rates of afforestation and the rewetting of bogs to act as carbon sinks. The forestry sector at the moment is in absolute chaos, if the Minister is not aware. The present number of applications for felling licences and afforestation is nothing short of abysmal, to be quite frank. This is something the Minister is going to have to look at. I welcome the overall tenets of the plan, but we have a lot of work to do to succeed with it.

**Deputy Verona Murphy:** I would like to read into the record an article by Ciaran Fitzgerald that was published yesterday in the Agriland.ie journal:

Since 2016 with the UK Brexit vote, Irish agriculture and the Irish economy, have faced a huge challenge of ‘economic iceberg’ proportions in terms of regional and rural economic impact from the UK’s exit from the single market. A self-imposed ideologically driven decision to suppress Irish agri output, despite this resulting in an increase in global emissions, looks like providing a second one.

There is a lot of smug amusement currently in Irish political and media circles about the latest manifestation of the post-Brexit mess created by the UK government. The sporadic inconvenience of empty supermarket shelves has now morphed into a full-blown petrol crisis, because the UK (in pursuit of its identity-based idealism), ignored the impact that leaving the single market would have on a whole range of jobs, most particularly lorry drivers.

Unfortunately for the ordinary people of Ireland, the British may well have the last laugh. As bad as Brexit continues to be, Ireland’s impending sectoral carbon budgets, in

particular the likely budget for Irish agriculture, could make the UK's 'own goal' over Brexit seem trivial in comparison.

Irish agriculture has been steadily and consistently marginalised in terms of public perception and demonised, particularly over the last two years. There has been deafening silence about the stellar performance of the sector through Covid-19 and much shrillness and mischaracterisation of Irish post-quota dairy growth e.g. as 'intensification based on exporting food'. Two huge crimes in an environmental lexicon that refuses to look at facts or basic comparators that show, that for all this talk of intensification, the average cow herd in Ireland is now 86 versus 56 in 2014. This compares to a Northern Ireland average herd of 130; Wales – 150; GB – 160; and Scotland – 200. And what about New Zealand at 550 and U.S in the thousands?

It is perhaps no surprise that these facts or this context does not wash well with environmental lobbyists, but when and why does some media have to accept this ideological guff about exporting? What is the small open economy about? What is foreign direct investment (FDI) about, if not exporting?

Further context was provided in several EU reports which I previously highlighted, and from analysis of the Green Deal by the US Department of Agriculture (USDA), as well as a 10-year Outlook Report from Food and Agriculture Organisation of the United Nations (FAO)/Organisation for Economic Co-operation and Development (OECD). They conclude:

- Suppression of Irish and EU agriculture under the Green Deal or national climate action legislation, will lead to lower global food production and higher food prices for the poorest regions;
- Much higher global emissions from agriculture because suppressed production from Ireland/EU will be replaced by production from regions that have emission levels 20 times greater than those applying in the EU and Ireland.

Perhaps a bit like what is happening with not just petrol, but also gas for home heating, a contrived shortage will have to be created for some sense of proportionality or long-term strategic planning to prevail.

Unfortunately, in addition to the extreme prejudice and ignorance being applied to Irish agriculture in the modern Irish economy, the response from Irish agriculture, to both insult and add grave injury, has been both poor and self indulgent. This was evident in the debacle over the remarks made by Teagasc retiring director, Gerry Boyle-----

**An Leas-Cheann Comhairle:** Is the Deputy still reading from the article?

**Deputy Verona Murphy:** I am.

**An Leas-Cheann Comhairle:** It is most unusual to read out an article.

**Deputy Verona Murphy:** It may be, but this article defines where we are in relation to climate change.

**An Leas-Cheann Comhairle:** Is the Deputy reading it into the record and saying that she is agreeing with the content?

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**Deputy Verona Murphy:** I do, absolutely. I thank the Leas-Cheann Comhairle. I may now go over a little.

**An Leas-Cheann Comhairle:** No.

**Deputy Verona Murphy:** I will go back to the article:

So, while the looming carbon budget could totally undermine Irish agriculture sector output in the name of an environmental ideology that views livestock production as equivalent to oil exploration, there is a row in the agri dressing room about sucklers versus dairy beef. A row equivalent to a fight over the deckchairs on the titanic, with the iceberg visible in plain sight in my view. [That of the journalist.]

Ireland's economy and society is facing a tough post Covid-19, mid-Brexit challenge, with headwinds also likely from the new approach to a minimum single Corporation Tax of 15%. Within the modern Irish economy, sectors such as agriculture (which supports 260,000 jobs ...) can continue to underpin this unique Irish economy impact. At the same time, they can decarbonise production processes based on science reason and balance, while also responding to real customer and consumer demands.

We really don't need to out do the British with a set of climate bills and budgets that perversely lead to, not just Irish economy suppression but, global food price increases and increases in global emissions from agriculture.

And the sooner the focus of all in Irish agriculture is on articulating both the damage caused and the opportunity that can be grasped, the better.

There is a lot about the Government's policy that does not match the words we hear from the Government. If we were to put 100,000 electric cars on the road in Ireland today, the infrastructure would not be there to support them and the grid would collapse. We are already hearing that with just 30,000 cars the grid is in trouble, and we may well have blackouts for the winter. We do not have the solar farms to circumvent situations when we do not have the wind blowing. In Wexford when the sun shines the wind does not blow. We do not have the ability to feed the electricity from solar farms into the grid because the grid cannot take it.

**An Leas-Cheann Comhairle:** I must come back to the Deputy on the reading out of a whole article. It is most unusual. It is not in keeping with precedent to read out a whole article. The Deputy chose to do that today and my attention wandered a tiny bit, so I put the blame on myself. I will come back to the Deputy.

**Deputy John McGuinness:** It was a wonderful article.

**Deputy Verona Murphy:** I thank the Deputy.

**An Leas-Cheann Comhairle:** We are going to move on. We are going back to the Government now.

**Deputy Richard Bruton:** I was here when the House declared, unanimously, that we have a climate emergency. None of the Rural Independent Group and none of the Regional Independent Group demurred. We are not behaving in this House like there is a climate emergency, and that is the reality. Ramping up higher and higher targets is not a response. It is particularly not a response to keep saying that "someone else must take the initiative before you ask me to do

anything”, which is what I hear continuously here. I regard it as climate cynicism. It is about “the data centres must do something or LNG must do something”. There is always someone else who must do something before people will face their own responsibilities.

**Deputy Mattie McGrath:** Fair play. Fair play. Fair play.

**Deputy Richard Bruton:** The truth is that carbon dioxide is toxic to our globe. It is a drug and it is slowly killing our planet. This is a reality. It may not emit fumes. It may not give out poison to people who may contact it. What is sure, as night follows day, is that it is killing our planet and that our society is hooked on it.

Ireland is not a small country that should be taking modest steps. The United States of America uses 18 tonnes per person, Ireland uses 13 tonnes per person, China uses 9 tonnes per person, Brazil uses 5 tonnes per person and India uses 2.5 tonnes per person. Ireland is well up there among the high emitters of carbon dioxide. The onus is on us to respond to this challenge.

We might want to blame fossil fuel barons but like any addiction we must confront why we are so dependent on fossil fuel, and make changes. At the core of this is that the polluter pays principle must apply. It is one thing on which I agree with Deputy Paul Murphy. This is damaging to our globe and people must pay for the damage that carbon dioxide does. Yet, day after day people come in here and say that carbon pricing is not going to happen: “It will happen over my dead body; I will not have it; it is unfair to this person and unfair to that person.”

*4 o'clock* It is unfair to all of us if we continue to damage our climate the way we do. The reality is that we will not do a favour to our farmers, enterprises or our children who are coming after us if we do not respond robustly. Farms that do not respond to this challenge will not be economic in decade. Enterprises will not be economic. Homes will not be a legacy for people’s children unless we respond. That is why we are here.

The most important thing in an emergency is that we co-operate and act to look out for the vulnerable. That does not mean saying we will not change until everything is in some sense fair. We have to start changing and we must develop policies that are as fair as we can possibly make them but we must act. There is worrying slippage from the previous climate plan for which I was responsible. I am disappointed that some measures have not happened.

**Deputy Verona Murphy:** Slippage?

**Deputy Richard Bruton:** I know Covid-19 made it difficult, however. On the other hand, I am full of praise for what is happening with the cycling infrastructure in Dublin city and across the country. That has shown an ability to respond in the face of an emergency. There are too many pressures to put off and we need to respond quickly.

I will comment on the circular economy for which the Minister of State, Deputy Ossian Smyth, is responsible. This is a positive way to approach it. It is about removing environmental damage throughout the entire supply chain. It embraces producers as well as consumers. It means we seek to deliver a service without doing the damaged.

Shared vehicles, for example, which we are now beginning to see, is a major solution. We would not need underground car parks in our new higher-density buildings if we were sharing more vehicles. Design thinking is what is needed. The Bill the Minister of State has published is not ambitious enough. Relying on the EPA to implement a plan is not sufficient. At the core

of the climate Bill should be a whole-of-government strategy.

I will make two other comments in respect of the climate action plan. The climate plan must be a framework, not a straitjacket. While Ireland is right to be ambitious and determined, we are part of a European Union and it sets the wider obligations. It designs trading systems-----

**Deputy Verona Murphy:** Now the Deputy is blaming the EU.

**Deputy Richard Bruton:** -----that are in place to ensure we promote the most carbon-efficient production anywhere in the Union where it can be done. We must be flexible enough to allow that principle to apply in areas like agriculture in which we are competitive.

Second, the science is continually changing and developing. The EU approach to biogenic methane is simply wrong. The IPCC report states, “man-made CO<sub>2</sub> leads “to net warming, while reductions in CH<sub>4</sub> ... lead to a net cooling”. That is a dramatic difference. If you keep emitting carbon dioxide, you build a problem forever. If you can start to stabilise and reduce methane levels, you actually start to cool the globe. They are entirely different but they are not treated differently in the way we calculate. That must change. Lumping the two together is unsustainable.

Let us consider a country such as Botswana, which I know a little about. How can we tell a country that regards having a small livestock herd as the very basis of its society that it must reduce in other sectors in order that it can cut its biogenic methane down to acceptable standards, according to that method of calculation? That is not sustainable. We need to show that we are responding. If the agriculture sector can respond and reduce biogenic methane, it will be save other sectors of the economy changes that could cost €1,000 per tonne. Let us think about that.

**Deputy John McGuinness:** I do not think anyone disagrees with the problems we are facing in how we interact with the planet in our daily lives and what we need to do to make life better and more sustainable. Much of the rhetoric and commentary on this particular proposal, particularly from the Government side, is to placate the Green Party. That is my honest opinion.

**Deputy Verona Murphy:** Hear, hear.

**Deputy Mattie McGrath:** Hear, hear.

**Deputy John McGuinness:** It is not matching the reality of life. This is the reality I face every day in my constituency. Let us consider farming and the suckler cow issue, an activity in which many families are involved. How do we have a just transition that moves that farming family from one activity to the other? There is no discussion about that. If we are building a new cheese plant in south Kilkenny and encouraging people to have the supply chain ready for that, how do we change them midstream? This is not a decision farmers made; it is a decision Government made. It decided that it wanted to increase the herd and that this was a good thing for the economy. How is the Government going to fund that just transition moving them from one activity to the other?

Peat and forestry were mentioned. We must be the laughing stock of Europe that we would stop producing peat and then start to import it. It is the same with timber. What is happening in the Department of Agriculture, Food and the Marine that has caused such a horrific collapse in the process around licences of one kind and another with no real political response? The consequence of that is importing more timber from abroad and burning more diesel, with all

that entails and the damage it does to the climate. What practical steps are being taken to rectify that for the world in which we live?

Beef farmers are being accused of all sorts of things, yet we are being asked to support them. They are being encouraged to expand. We have a large beef market abroad for the type of beef we produce. Are we telling them to stop? Where is the just transition there from one activity to the other?

In the transport business, a person cannot buy an electric truck unless he or she has a fantastic sum of money. They are not available and the servicing of those trucks is a complicated matter. If, therefore, we were to encourage people to buy the trucks, and if the money was within the transport sector, that cost is simply going to be passed on to the products and services that the truck and operator transport companies run up. The person at the end of the queue, therefore, is going to pay again. What is being done by Government to make sure there is a just transition for a transport company to become an electric transport company? Who is going to save the consumer in all of this? I am not against what we are talking about. I am against the fact that Government seems to think somebody else is going to pick up the tab for the agenda it has set and is now about to try to change dramatically.

**Deputy Richard Bruton:** What are the Deputy's solutions?

**Deputy John McGuinness:** I have solutions. We should support the transport sector to make that just transition.

**Deputy Mattie McGrath:** I thought the Deputies were in government together.

**Deputy John McGuinness:** Invest in them. Invest in farming to get them to a point we want to get them. I do not see one shilling for the just transition in the midlands.

**Deputy Carol Nolan:** No, there is not.

**Deputy John McGuinness:** Many bus and coach operators that bring in visitors here and travel all over the country, some of which are based in my constituency, made the effort and could not get the vehicles. They could not afford the vehicles. They decided then they were going to change tyres and have proper green-types of tyres, and guess what? The tyres wear quicker, cost more and a person has to use two of them compared to one standard tyre. How is the Government going to pay for that just transition? Does it expect the business to pay for it? That is fair enough if it does. At the end of the day, however, the consumer will pay for it.

With regard to just transition in terms of those who are most in need in our society, the Tánaiste, Deputy Varadkar, said the Government would increase the pension by €5 a week. The Fine Gael parliamentary party said the rate should be increased by €10 per week. The Government has to increase it by €20 a week and tell people they will get increases of €20 next year and €20 the following year because they will be swamped by costs. The other issue is we want to buy our electricity from France and Wales and are happy to take nuclear electricity from them, but not prepared to discuss it here. That is the problem with the alternatives. There are alternatives and cost solutions to all of this, but the Government and the EU are supposed to lead it, but they are not and, therefore, we have to lead by example and try, through financing, to bring people with us and sustain their businesses, retain jobs and ensure we reach some sort of targets. Please do not be daft with targets or in the treatment of businesses that are struggling, even at present. My contribution within my parliamentary party is to change the nonsensical

course upon which it has embarked.

**Deputy Ruairí Ó Murchú:** We have had a number of interesting interventions in the past while. There is an acceptance of the situation we are in with regard to climate change and the necessity for changes to secure our future. I agree with the commentary on a whole-of-government response and if we are talking about just transition and ensuring security, sustainability and capacity to deliver on climate action, we need such a response. We need a connectivity of ideas and not what is happening, in that sometimes we have silo options and elements of government, the Civil Service and others, which do not communicate and we do not put solutions in together. I will deal with some of this later.

There has been much talk in the past while on energy security. A large cohort of people are worried they will end up brutally impacted, not only by the rising energy costs, some of which I accept is outside the control of Government, but also the fact they might not be able to purchase or avail of energy, due to brownouts and blackouts. We need to ensure everything is done. This highlights a failure to plan over the last period. I am sure even data centres are not entirely impressed at being in a place where they do not necessarily have energy security. That is accepting data centres are part of the world in which we live. We accept the companies that use them. We accept the importance of all that, but we need to ensure we have a facility, capacity and an energy system able to deliver for our people, before we look at any future planning and building of data centres. That is why a moratorium is called for until the necessary due diligence is carried out.

The questions on the grid are in the open. There is talk, even if some of it is anecdotal, about the capacity and the storage capacity we do not have, if we finally get our act together on wind energy. Will we lose significant energy through dissipation, because our infrastructure is not up to scratch? We need to ensure an audit of the highest calibre is carried out and that we know the ins and outs and put a plan together.

We all accepted years ago where we need to go, but we need to put a plan in place. There has been talk for many years of microgeneration. We have heard farmers talking about their difficulties with plans that have been put in place on solar panels and the rest of it, which is all too little, too late. No one is putting together a fully thought-out project or system that will work and through which we can get more people to play a role in generating power and removing the pressure in the system. We are not putting the parts in place to make this happen.

We talk about transport. People are being hammered by carbon taxes and they do not have alternatives. We still have the school transport farce every year. A large number of people cannot avail of the scheme and we force parents to take children to school in cars. We, as a State, are not being part of the solution. We need to get all this together. The Minister spoke yesterday at the transport committee, about planning difficulties with certain projects. Large public transport infrastructure projects have been delayed and others may be delayed. This is frightening, but if there is a difficulty with the planning system, it needs to be reviewed as quickly as possible.

County Louth has a development plan. The Office of the Planning Regulator makes a decision, the local authority operates in another silo and then there is the Department of Housing, Local Government and Heritage officials and all the others. None of it works, nobody communicates and we do not have a proper conversation. The same goes for rural housing and the need to maintain rural communities, but we have never had the full conversation. Politicians

are talking out of both sides of their mouths and there is no sign of a solution. That is across the board and we need to deal with that and get serious.

**Deputy Carol Nolan:** Deputy Bruton has a brass neck. He was part of the Government that encouraged dairy farmers to increase their herds only a few short years ago. Now, many of those dairy farmers are being told they are the cause of much of the emissions. It is not right, proper or in any way acceptable. The Government seems to think the electorate has a short memory, but it will get its answers on the door in rural Ireland, because it is constantly punishing them for a fantasy aspiration that is totally detached from any reality or logic. That is my view and the view of many of my constituents in Laois-Offaly, which has been decimated by ideology that is not connected to any sort of reality. No alternatives are put in place. An unfair and unjust transition is imposed on my constituents and no job alternatives.

The Government closed power plants, such as in Shannonbridge and Lanesborough, County Longford, and now we are faced with electricity blackouts. What sort of logic prevails? Is there any common sense in Government? What it is doing to people is unfair and beyond belief, in that it is imposing terrible hardship on people. My county of Offaly will experience 53% of the job losses, because of an unjust transition. We were told we had until 2030 to transition and then that was sped up. Deputy Bruton comes in here and seems to think that is acceptable. From where I and my constituents who are suffering are coming, it is not acceptable. It will never be acceptable and it is high time this Government woke up, because the policies are extreme and radical and we need common sense. I urgently call on the Government to make sure it reopens the power plants at Shannonbridge and Lanesborough. This Government is dragging us back to the Dark Ages. We will not even have basic electricity.

**Deputy Michael Collins:** I was here a while ago listening to Deputy Bruton and thought I may have been on a slightly different planet to the one on which he is, because, he is certainly not living on the reality planet in Ireland. As regards what we are facing in agriculture, I now see what the plan is, because he let it slip. If agriculture makes its cuts, it will help other sectors. Now we know what is happening in Dublin and Kildare and other places. We will save other sectors of society and the farmers of rural Ireland will have to take their cuts and hits, just like the people of rural Ireland. This climate action Bill was blindly supported by Fine Gael, Fianna Fáil, the Green Party, Sinn Féin and a couple of nod-and-wink Independents. They supported the infliction upon most of their constituents, but it does not matter to the Green Party Deputies, who are city-based and will not be worried about what they will get in rural Ireland, because they will get nothing there, only run from the doorsteps since people are furious. Look at the people trying to pay for their fuel from day to day. Mothers and fathers are trying to take their children to school because there is no public transport in rural Ireland. We are totally dependent on the ordinary people who sit into their cars and who pull up the filling stations. They were able to buy their fuel for €1.10 a litre last year. They are paying €1.48 a litre now in many of the filling stations. This is thanks to the Green Party, Fianna Fáil and Fine Gael and even to Sinn Féin, who voted for this climate action Bill. This is what they have done. They have attacked the ordinary people in the ordinary towns and villages of rural Ireland. We are paying for it.

Now I am hearing that the Minister for Transport, Deputy Eamon Ryan, bought three beautiful buses for €2.4 million for Dublin. We are paying for that. We cannot afford to carry the country on our back. The Government parties have to understand that. We are facing electric blackouts. Let me tell Fianna Fáil, Fine Gael, and the Green Party, that if there is an electric blackout in this country they will be ran out of the Dáil. They should not think that they will not. They had better be petrified and watch what they are doing. They are taking this country

to the edge.

The edge is close for a lot of people, because they cannot afford to put the fuel in the tank. Green energy would be lovely and beautiful, but it is not happening. Warmer homes are not being delivered in rural Ireland. People cannot buy coal because the Government has put it out of their price range. They cannot buy the fuel for the fire. When is the Government going to stop? When is it going to understand that people are suffering? These are ordinary, country good living people that voted for Fine Gael and Fianna Fáil but never the Green Party. Now the ordinary people are getting a kick in the teeth when they listen to Deputy Bruton and his dream. He wants to let agriculture take its cuts so that other sectors can be saved. Well, wow, that is the dream. That is not where Fine Gael came from. They are not the roots of Fine Gael. Many would turn in their graves from listening to this kind of an attitude that Fine Gael has today. The way things have happened is shocking. They have had lots of opportunities. I put one before Minister sometime back about a floating LNG terminal in Cork to try and turn things around but he is not interested. I do not know why he is not interested. That is a way to turn things around. Experts are coming back to this country and are willing to invest in this country. We need to put something in place. All we are doing is ruining things. People cannot sow forestry in this country. Because we cannot sow forestry, we have to import it. We have to import the peat moss from Latvia all over the country. We are the laughing stock of the world. The Brazilians must be falling over in stitches because of what is happening in this country. For the love and honour of God, everyone in government should wake up and smell the grass grow each

I can see things from talking to my constituents. They should go out and knock on the doors of their constituents and ask them if they can afford to take a hit from €1.10 per litre to €1.48. They are trying to drive their children to school. They are trying to go to work. Businesspeople tell me that they are struggling to keep the shirts on their backs and to keep the employees going, because they cannot pay what Government expects them to pay. The Government parties down on their backs. They are expecting too much. They expect that they are going to get away with what they do without looking round.

They have not even touched public transport. Shame on them. We have the same transport service that we had 25 years ago in west Cork. It has not moved one way or another, only for West Cork Connect, and Damien Long, a local operator, who is trying to do it off his back and taking people up in Cork. Only for that, we have nothing. That is what we get in rural Ireland, zero, so that we can feed the Government above in Dublin. That is not going to continue.

**Deputy Mattie McGrath:** I, too, am critical of this, as well as of the sneaky way in the budget last year the Government put in a carbon tax, which we cannot even debate on the finance Bill for next year, or for the nine years. This trick o' the loop job is a three-card trick. We all agree that climate mitigation is necessary. However, we are being destroyed in rural Ireland. It is pure folly. Many speakers earlier who spoke about what I have been speaking about, which is the pollution that is being caused out by county councils up and down the country. We have Deputy Chris Andrews talking about it in Dublin. I could bring anyone to ten, 15 or 20 villages in Tipperary. I could bring them to different towns that are spewing out raw sewage. The Government parties are crucifying the ordinary people. They will not allow people build houses in rural Ireland. They are trying to drive the people off the land.

The young farmers, who I support wholeheartedly, were encouraged by Government, especially by Deputy Bruton's Government, and encouraged by Teagasc to up their game and their production with cheese plants in south Kilkenny. An Taisce, a band of roving bandits, is hold-

ing that up and being reckless, having been in court four or five times. It is shocking. What is the Government then doing? It is funding An Taisce with the taxes of those people that it is crucifying. This just would not go on in an asylum. The lunatics are definitely in charge here.

Deputy Nolan spoke about the just transition. It could not be more unjust. She mentioned the power plants and asked to have Lanesborough and Shannonbridge reactivated. I am told that the plant in Lanesborough has been taken down, been exported to Germany and has been recommissioned there in. We are importing peat as well. The poor people out there are just devastated. The Government parties think that they can fleece them on the price of food. How are we going to get a tractor that is driven by electricity? How are we going to get electric trucks, as Deputy McGuinness said? If we ever manage to have them, their costs will have to be passed onto the businesspeople, who now cannot even afford the cost of fuel. God help the people for the winter.

I, too, want a €20 increase a week for pensioners, carers, and vulnerable people in the budget, although that would not even cover the increasing costs. We are now going to have blackouts. We have been warning this for the past 12 months, because EirGrid told us. Now, Government is saying that it might happen. Fianna Fáil and Fine Gael backbenchers here told us that they would not be culling the cow herd, when this famous Bill was going through the House. Where are they now? We can see it in front of our eyes. They told downright lies to the people. Are they so stupid themselves that they will not even question what they have been told? It is propaganda and spin-----

**Acting Chairman (Deputy Alan Farrell):** The Deputy cannot say “Lies” and he knows it.

**Deputy Mattie McGrath:** That is what they said.

**Acting Chairman (Deputy Alan Farrell):** I would prefer if you would withdrew that remark and used other language as you required under Standing Orders.

**Deputy Mattie McGrath:** These are the most basic untruths. Are they asleep at the wheel? They will hear about it from their electorate, when they go back. It is shocking that they will not allow timber to be cut. We will bring forward Private Members’ legislation to deal with an issue with afforestation. There are people, who in good faith, enter 25-, 30- or 40-year cycle, with the expectation that they could harvest their crop. When people sow their potatoes, beet when we had it, wheat, barley, miscanthus, or any other crop, they have a right to have the expectation to cut it. I want the same thing for forestry, as well as to get rid of the legions of inspectors that the Department of Agriculture, Food and the Marine is recruiting. The Minister of State, Senator Pippa Hackett, is playing mind games with people who are trying to harvest their timber to build houses. We are talking about Housing for All and we cannot cut a stick.

**Acting Chairman (Deputy Alan Farrell):** Thank you, Deputy.

**Deputy Mattie McGrath:** We cannot cut the handle of a brush without getting a licence. We need to go back to harvesting our crop and to reaping what we sow. I can tell the Government parties that they are going to reap what they sow.

**Acting Chairman (Deputy Alan Farrell):** I now return to the Government slot and call on Deputy Ó Cathasaigh, who is sharing time with Deputy Higgins. They six-and-a-half minutes each.

**Deputy Marc Ó Cathasaigh:** I wonder if we sandboxed today's debate, set it aside for 30 years and reopened it again like a time capsule, how would it be judged then? By mid-century, when the effects of our emissions have further worked their way through into the climate system; and when floods, droughts, and storms are more frequent and severe; when creeping inundation threatens our coastal settlements, how will all of our talk here about incrementalism, exceptionalism and relativism be received? When my sons are my age what will they think about what has been said here today?

Following this line of thought, maybe the statements on climate action in the UN General Assembly are the wrong focus for a debate here today. Maybe we should look instead to the Youth for Climate event that happened over the past three days, ahead of COP26. In what was Greta Thunberg's corrugating assessment for global record of climate action, she said:

This is not about some expensive politically correct dream of bunny hugging, or build back better, blah blah blah, green economy, blah blah blah, net zero by 2050, blah blah blah, climate neutral blah blah blah. This is all we hear from our so-called leaders: words, words that sound great but so far have led to no action, our hopes and dreams drowned in their empty words and promises.

What are we to make of that assessment? That is how our young people, the ones who will reap the whirlwind of our actions and inaction, view our collective efforts. It will not do. It will not do when my middle child asks about sea level rise before he drifts off to sleep. I cannot turn to him and give him, "Blah blah blah". I feel that responsibility hugely. The weight of my voters, of the school kids I have taught, of generations yet to come, all of us in the Green Party feel that responsibility. However, that is not enough. We cannot do it on our own. We are prepared to make the difficult decisions, but we need others in this House to walk the walk as well.

Our Government partners are coming with us bit by bit, and I thank them for it, but we have to up our game, to increase our pace, and to be more radical and more ambitious in our agenda. We need our colleagues on the Opposition benches too. There are no two ways about it. The kind of changes we need to undertake as a people and a nation to achieve our decarbonising targets will mean undertaking a radical overhaul of our society and economy.

We need the help of Opposition Members to bring their voters and supporters with us. Quips and memes will not do the job. Simplistic sloganeering will not do it. Traditional Opposition politics of all sweets and no dentists is all blah blah blah. This is a call to arms for the Opposition as well. I agree with Deputy Bacik and the members of the Citizens' Assembly in that the State, in collaboration and solidarity with all its citizens, must lead and drive this transition. On the one hand, the Covid crisis laid bare the myth that the free market is the cure to all ills and, on the other hand, demonstrated the capacity of the State to respond in times of crisis, when supported by the people or communities and wider society.

In this current Dáil, we have made a step change in the scale of targeted ambition. The Climate Action and Low Carbon Development Act set out the legislative groundwork. The next steps will be the setting out of our revised climate action plan, laying out our carbon budgets for the next 15 years, and publishing the revised national development plan. This will be challenging and it has to be because incrementalism will not cut it. It will create strain within the coalition; it has to. If it did not, it would mean that we were not pushing hard enough. It will create opportunities for Opposition Members and it will be up to them to decide on how to respond. Future generations are watching them as well as us.

Turning to the international context and the specific title of this debate, it was welcome to see the growing profile of climate change at the UN General Assembly and, importantly, Ireland's role in elevating that profile. Our counterparts in the developing world and climate vulnerable communities will look to us to demonstrate the follow-through that will come after the high-level events and meetings have finished and gone. Facing continual and increasing devastating climate impact, many countries cannot cope with the reality of climate change. Solidarity with the developing world cannot just be in words. It is in action, support on the ground, funding and finance. It means putting our money where our mouth is. We need to make good on the promise of the Paris Agreement and see a credible flow of finance provided without conditionality and at the scale necessary to drive sustainable development. We need to see a funded green recovery and finance package for developing countries with a delivery plan for \$100 billion and delivering on adaptation, loss and damage. Ireland has a long-standing and proud legacy as a donor of high-quality overseas development assistance and climate finance. We need to build continually on this legacy, particularly as climate impacts intensify in countries that stand to lose the most.

The Yeats poem, "Easter, 1916" speaks to a very different historical context, yet it keeps rattling around my head in the run-in to COP 26. It opens with:

I have met them at close of day

Coming with vivid faces

and closes with:

... [All] changed, changed utterly:

A terrible beauty is born.

It is my children's vivid faces I see, and it is for their sake we need to change and change utterly. This is our generation's moonshot and we must bend all of our collective genius and resource to the task. This is nothing less than an existential crisis not just for humanity but for so many species that form this incredible biosphere, this pale blue dot which sustains life in a way no other place in our known universe can.

**Deputy Emer Higgins:** Earlier this year, the climate action Bill set out Ireland's ambition to be a world leader on climate action. I know a lot of what is contained in the Bill will be used to drive delivery of climate action and will be included in the climate action plan, and I look forward to reading it when it is published. My expectation is that the upcoming action plan will be every bit as ambitious as the climate action Bill and I welcome the spirit of that ambition. I hope the Government will deliver fully for current and future generations from whom this is so important. It has been said time and again, but we really are running out of time. Immediate action on climate change is needed, and it is needed urgently.

We know sustainable transport is a huge issue that needs to be addressed to deliver on climate action. No country can survive without reliable transport systems, and no climate action plan would be complete without a plan to deliver on sustainable transport. I was delighted to see Ireland's newest railway station, Pelletstown, open in Dublin last week. Developments like this will go a long way towards helping us to achieve climate goals. However, I must say I am very frustrated that one of my local stations remains closed. I have been contacted by so many disappointed constituents who eagerly await the opening of Kishoge rail station in Lucan.

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Kishoge was built before Pelletstown and we are still waiting to see it opened. We should not be waiting until more homes are built to open it because it is already within a ten-minute walk or cycle for a significant number of south Lucan residents. The sooner it is opened, the better - better for Lucan and, indeed, better for climate action. MetroLink will be another massive transport infrastructure boost towards achieving our climate goals. The sooner the Government can deliver on this commitment, the better.

The Taoiseach told the United Nations General Assembly that “the climate crisis threatens our very existence” on the planet. One of the factors that was no doubt discussed was the massive amount of waste we throw away and send to landfill every year, both globally and nationally. Our waste management ought to be a priority of the climate action plan. According to the EPA, people in Ireland produce more than 13 million tonnes of waste every year, in our homes, places of work and places of leisure. I watched a very good video on Instagram yesterday published by Roz Purcell. People might be familiar with her as a social media influencer who talks about many different topics, including sustainability and fast fashion. The video was a refresher for me on what can and cannot go into recycling bins. The good news is, as we all know now, that there is very little that cannot go into your recycling bin now. Earlier this month, we learned that soft plastic can now go into your recycling bin, and it is easier than ever for people to recycle their household waste. However, it is something we as a Government should be doing more to publicise.

Ireland’s record on recycling is improving but we have a way to go to. We are making good progress in tackling our over-reliance on plastic, but there is no doubt this was impacted by Covid-19 and our return to single-use plastics during the pandemic. As we emerge, we must tackle this issue again. Businesses need to be pumping less plastic into the market. We need to look at how we package and transport goods and products, and there needs to be a renewed emphasis on reusable and recyclable materials.

The Government must emphasise the importance of playing a part in the circular economy, and I am glad to see Fine Gael had an event on this only last week. Being green or sustainable is very much in fashion now, but it is also very important. It is very important that our ambitions and the ambitions of big companies and big corporations are not just performative. There cannot be room for greenwashing in our climate action plan. I can list countless examples of brands giving misleading impressions that their garments or products are made from sustainable materials when their production methods are far from that. According to the 2020 Government waste action plan, Ireland dumps 63,000 tonnes of textiles every single year. It is a very significant problem and is evidence of the very damaging relationship we have with fast fashion in Ireland and our throwaway culture that leads to more waste. Fast fashion is an issue I would like to see our climate action plan addressing. It is just one of many issues that need tackling, but we must move to reduce the negative impact the fashion industry has on our environment, whether that involves investing in research and development around sustainable fabrics, increasing the availability of textile recycling facilities, or supporting and promoting the second-hand thrifting and vintage movement. We must make it easier for people to make environmentally friendly decisions when buying things to wear and keep products and materials within the circular economy for as long as possible.

We are no longer living through a time of climate change; we are living through a climate emergency. We owe it to our younger generations, who have been so vocal about their feelings on this issue, to follow through with our commitments. Before the pandemic I was so proud to see Irish people taking to the streets and using their voice and collective power to call for action

on climate change. Last week, we saw them once again gathering outside Leinster House. We cannot and must not let them down.

I would like to take a moment to respond to some of what was said in earlier contributions. Living in an asylum was one phrase used. To be honest, people must be living in an asylum themselves if they think climate action is not real. Opposition Members said today that those of us who support action on climate change are not living in the real world. I hate to burst their sound bite, but the real world is a world where glaciers are melting, temperatures are rising, and floods, storms and weather events are causing destruction and loss of life. That terror is the truth and not a lie. Climate change is the truth and not a lie. We cannot continue down this road. We need to play our part and act. We owe it to the next generation to leave our country in a state that is fit for their purpose.

**Acting Chairman (Deputy Alan Farrell):** Before we continue, I advise the House that 16 minutes are left for this debate, with 20 minutes of contributions remaining. The Minister of State has, therefore, kindly agreed to curtail his closing remarks to allow the Members of the Independent Group to complete their contributions. I call Deputy Joan Collins.

**Deputy Joan Collins:** I thank the Minister of State. Most people in Opposition recognise that climate change is happening. There is no doubt about it. We saw the wildfires in Greece, the fatal floods in Belgium and Germany and record temperatures in Sicily and there is no doubt that Europe is now squarely on the front line of a climate crisis. We also saw what happened in the United States and the loss of permafrost lands in the steppes. Ice glaciers have been also melting in the northern hemisphere. All these changes are having an impact. Unless we deal with this situation collectively, internationally and in local communities, we will not even be able to begin to attempt to deal with this issue. This issue comes down to trust.

The IPCC report rings alarm bells. We are seeing the cost of decades of climate inaction. On the other hand, the report also identifies an opportunity to limit the rise in global temperatures to 1.5C. It is a slim possibility. Importantly, though, it is scientifically, technically and economically possible. Mention was made of Covid-19. While some parts of the strategy of this Government in the past year and a half worked, much of it did not. There was much mistrust from people. People knew what needed to be done, though, and people know what needs to be done regarding climate change as well.

It has not gone unnoticed that the rich world's failures in tackling Covid-19 in an equitable fashion, especially in respect of the production and distribution of vaccines, has increased the distrust between the global north and south. There is no doubt about that. The same can be said when we look at the pharmaceutical industry. I refer to the contracts that sector engaged in with the governments of the US and Europe.

**Deputy Marc Ó Cathasaigh:** The two years?

**Deputy Joan Collins:** Yes, the two years. There was also the reaction of not delivering doses of the vaccines needed in the Third World. Therefore, people are asking many questions regarding how governments are going to respond to the climate issue, as well as big companies. Some 100 companies have been the source of 70% of the world's emissions since 1988. The relentless exploitation of the world's oil, gas and coal reserves by 20 fossil fuel companies can be directly linked to more than one third of all emissions in the modern era. Those companies must be responsible and move to green energy. It must not be greenwashing, but a genuine

move to green energy. They must be accountable, transparent and governments must hold them to account and be able to see how they are implementing these targets.

There will be no breakthrough in Glasgow without trust. At a bare minimum, rich countries must finally honour the finance promises concerning the provision of €100 billion that were made in respect of climate change. Those promises were made to developing countries more than a decade ago now. There must be climate justice. There must be a just transition. We must reverse the reality of global warming in respect of those who contributed the least to creating this situation now suffering the direst consequences. There must be a just transition for workers and communities. Industries based on fossil fuels must have alternatives. Governments must be prepared to provide such alternatives and to work with these industries to bring them along in what must be done to deal with climate change.

**Deputy Michael McNamara:** This week must have been a bewildering week for the workers in Moneypoint power station. We were told it was to close. Now we are being told we face power shortages across the country and the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, hinted that Moneypoint might not close as anticipated. We must bring to bear clarity on this point. If we have power shortages, we will be then importing power.

**Deputy Michael Fitzmaurice:** There will be nothing to import.

**Deputy Michael McNamara:** There is no guarantee that any power imported will be any greener than the power generated at Moneypoint. To be clear, I agree with the necessity to reduce carbon emissions. It is the political imperative of our time. I will draw the analogy, however, about the current situation. It is like if my grandfather in the 1920s, having read somewhere that tractors were soon going to be in Ireland, sold his horses and then had nothing to plough with the following spring because he had not yet acquired a tractor. We must do this. I look forward to the day when Moneypoint is an innovative and green hub of energy production and hydrogen fuel manufacture and we are harnessing the power of the Atlantic Ocean. In the meantime, though, we need to power the State. We must reduce our consumption of energy, but we must also meet that energy need. We cannot end up in a situation where we have blackouts and we also cannot end up staving off that possibility with imported energy that is no cleaner than the energy we generate ourselves.

Deputy Bruton talked about Botswana. What is good for Botswana is good for Ireland. Dr. Michelle Cain is a noted climate scientist. She has talked about global warming potential, GWP, masking the true effect of short-lived climate gases and the specific impact of methane. She compared a herd to a closed power station. If a power station belches out carbon dioxide and then closes, it is no longer taxed. A herd of cattle, however, once it does not increase in number, maintains the same level of emissions in the atmosphere throughout. Our national herd has not increased since the 1970s. There are issues with nitrates that must be addressed. We must equally look at forestry - not instead, but equally - in respect of what is causing a deterioration in the quality of our water. Regarding our national herd, there used to be huge cattle pens on the North Circular Road in Dublin. It was the same in Bristol. For decades, Ireland has fed the needs of cattle right across Europe. If we stop that production, are we going to just transfer that production to places in South America, where such feedstuffs will be produced with even greater carbon emissions?

**Deputy Michael Fitzmaurice:** The climate has changed drastically over the years and it

will change again. I do not think anyone has a problem with technology, but we have signed up to stuff that is not attainable. I refer in particular to the EU 2030 climate target plan and what we have signed up to in that regard. I put on record that in energy, transport and agriculture, we are not fit to carry out what we have signed up to. We must own up to that fact. We are living in a fantasy world.

Turning to energy, we have one offshore wind farm. If we want to go offshore to supply our energy needs, then that will take ten to 12 years to come to fruition. If we choose hydrogen, then we will be looking at it taking 15 to 20 years to achieve results. RTÉ did a report on the production of hydrogen at Moneypoint and it seemed as if the hydrogen and wind turbines were going out on the sea the next day. The reality is that power station is burning coal and it is going to burn coal for the next five years. This is the lunacy that we go on with. We build up something that is not attainable. Take battery storage, for example. It is a technology for the future. It will be perfected, but it is not going to be perfected in the next few years. Solar farms must be brought on as well. These are things we must do. On top of that we also wanted data centres, and then yesterday no one wanted them.

We then talk about forestry. I drove 112 miles or 114 miles today. There were trees on both sides of the road on every part of that journey. Not one of those trees is counted in our carbon assessments. There is an acre of trees on every farm in the country, but that is not considered. No one seems to be bothered about it, and the agriculture sector is getting kicked and kicked again. Turning to transport, if we had these one million electric cars that have been talked about, where would we be today when we are on the cusp of our lights going out? Moving to school buses, a long time ago when I was going to school in the 1980s, there was a school bus in every village. Now we are not able to bring the kids to school. Instead, sports utility vehicles, SUVs, bring children to school and that causes an increased use of carbon. Why? It is because of the cuts imposed on rural areas. In addition, the beef and suckler herds in this country are the most efficient. Deputy McNamara talked about methane. It involves a ten-year lifespan. Ireland is the best at something, and if we are the best in the class at it, we need to be kept at it. In addition, the Minister of State with responsibility for forestry is in the Green Party and forestry has been in disarray for the past 18 months. This year we will have fewer trees planted than ever before.

Another issue that must be addressed, which is becoming sickening for rural people, is the amount of objections coming in day after day from the environmental lobby. That will not be tolerated. As we saw in the programme the other night, the houses of the people around Lough Funshinagh in Roscommon are getting flooded. Someone with a garden containing nice green bushes, that has come from another country, has been telling people in Roscommon what we should and should not do, and about the law. I watched Greta Thunberg go blah, blah, blah the other day. She should do one thing: get into politics in her own country if she thinks she is going to solve the world's problems.

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth):** I thank Deputy Fitzmaurice and the other Deputies who spoke. I am heartened by the fact that, in general, nearly every Deputy here accepts that climate change is happening and something has to be done. We can work together on the challenges of how we help people to change their behaviour, how we give them a way out and something different to do rather than telling them what they cannot do. We must also examine how we fund them and give them what they need. What about the different roles of the Government and the public sector? What is their responsibility versus the role and responsibility of corporate interests,

companies and private interests? Are they doing their share versus what communities and individuals have to do?

In terms of walking the walk and talking the talk, during the debate on the Climate Action and Low Carbon Development (Amendment) Bill, many Deputies put forward great ideas. In terms of ambition, they questioned why we could not cut emissions by 60%, 70% or 80% rather than by 50%. There were great abstract ideas about what needs to be done, but when some of those same Deputies found there was a wind farm or cycle lane in their area, they were not able to bring themselves to support these developments in their own communities. We must walk the walk and do the stuff ourselves. We must lead by example. To help with that, the Government has an enormous expenditure programme which is being reviewed and is about to be announced shortly. It will be worth in excess of €100 billion, and much of it will be targeted towards helping the transition to take place.

Tools are used within the Department of Public Expenditure and Reform to decide how good projects are and whether they qualify for support. The public spending code is one of those tools. It is used to evaluate the consequences of the capital investment decisions it faces. Every public investment project with a value above €20 million must conduct a full analysis on the potential costs and benefits associated with it. We must look at the rules in light of the changes in the environment. Given the challenging and legally binding greenhouse gas emissions reduction targets Ireland faces, it is critical to ensure the code takes account of the environmental consequences of any investment decisions. Already, the code requires that every project must estimate the impact it is likely to have on greenhouse gas emissions and other environmental factors such as air quality. Any greenhouse gas emissions are then valued at the price it will likely cost society to reach our climate targets by adopting an offsetting measure that will reduce greenhouse gas emissions.

In 2019, the price of carbon that is applied in the code was tripled. This was based on estimated marginal abatement costs of achieving a 30% reduction in greenhouse gases by 2030. The Government is now moving to the target of a 51% reduction by 2030. That means it becomes more expensive as we go along to achieve the carbon reductions. Accordingly, the shadow price of carbon will change, which means that for every project that emits more carbon, there are more negatives and it is harder to justify a project. In addition to the Government's target of reaching a 51% reduction in greenhouse gas emissions by 2030, it wants to reach climate neutrality by 2050. It is clear the public spending code must adapt to reflect this new ambition.

A full reform programme on the climate and environmental aspects of the public spending code will be contained in the new national development plan, which is about to be published. In the first instance, the priority will be on increasing the cost of carbon that is applied in the code to reflect the Government's enhanced climate ambition. This work will be informed by the research that is underpinning the development of the Government's forthcoming climate action plan.

The Department is also working with the OECD and the European Commission on further reforms to the code. Work will be progressed on a new model for assessing the emissions impact of infrastructure investment. This is to ensure the full range of potential consequences for this type of investment are captured and valued correctly. For example, the greenhouse gas emissions associated with a new road investment are not just the emissions attributable to the construction work and the materials used in that road, but rather they should also incorporate

some assessment of the emissions consequences of the future usage of the road, including the induced traffic. This work will entail considering how such assessments are performed at the moment and what reforms might be implemented to improve these assessments.

Work will be progressed on understanding the role of an instrument like the code in a scenario where net-zero greenhouse emissions must be achieved by 2050. The marginal value for 1 tonne of greenhouse gas emissions in 2050 should be based on the estimated cost of eliminating the last tonne of carbon or, more likely, the estimated cost of a measure that will sequester or capture this carbon. This cost is subject to considerable uncertainty but is likely to be considerably higher than the figure in use today. Ultimately, the objective of this programme of work is to allow the Government to take decisions that are fully informed by the best possible evidence on the consequences of these decisions.

I know that was quite technical, but the solution to this problem is going to involve respectful listening and talking to everybody, going out to communities, and working together. We have a common purpose and we can achieve this just as we did in the past year or two in the pandemic.

### **Cork University Maternity Hospital: Statements**

**Minister for Health (Deputy Stephen Donnelly):** Like many throughout the country, I was deeply concerned by what I saw on Tuesday's "RTÉ Investigates" programme on the disposal of perinatal organs in Cork University Hospital mortuary department. I cannot begin to imagine the hurt that has been caused to the 18 families affected. These families had already been through the unimaginable tragedy of having lost a beloved child and it is unacceptable that their child's organs were disposed of in this way. This simply should not have happened. While it would not be appropriate to comment on individual cases, I want to acknowledge the bravery of the couple who spoke about their experiences and heartbreak on Tuesday night's programme. In particular, I commend them on their primary concern that other families do not go through what they have been through.

*5 o'clock* It is right that the hospital apologised for what has happened.

If I may, there is another group of people who I would like to take the opportunity in this evening's debate to speak about and to speak to. This is the parents and everyone else who was involved in the initial scandal back in the 2000s that led to the Madden report. On Wednesday night, as I was on my way here from the Department of Health for the votes, I met a woman - a mum - who had been involved in that and who had lost a child herself. She was one of the people involved in Parents for Justice. She spoke about the years of work, fighting and campaigning at the same time that they were dealing with their own tragedy. She was shocked at what she saw on "RTÉ Investigates". She told me she was concluding that all of the work they had done had been for nothing, if this was still happening. If she was still seeing this on RTÉ so many years later, their work had been for nothing. I want to pause and say to everyone who was involved in that campaign what I said to this amazing woman last night, which is that the work, the advocacy and the fight they spent so many years of their lives involved in had an enormous positive benefit. We will be legislating, and that will be debated tonight, but more importantly, the rules and the procedures around this issue were changed, and changed substantially. I want to say to all of those parents and everyone who was involved at the time that their work, their fight and their advocacy has spared many parents the trauma, the heartache, the hurt and the

anger that they went through. Because of their work, real change did happen. What we are dealing with in Cork, we all hope, and we will discuss this at length this evening, is an isolated event. However, it is important that all of those people know that there was profound, important and positive change on the back of all of their work. I can tell them that the health service is absolutely committed to ensuring that what happened in Cork University Hospital does not happen again.

I would like to provide colleagues with some background regarding what happened. In May of last year, the HSE informed the Department of Health that the mortuary department of Cork University Hospital had disposed of perinatal organs on 25 March and 2 April 2020, and that that had happened through incineration. This affected 18 families and it must never happen again.

The HSE standards for post mortem examinations services, which were published in 2012, clearly require that organs are to be buried or cremated. Furthermore, Cork University Hospital has advised that its own policy clearly states that all perinatal organs, where the patients' or parents' choice is for disposal by the hospital, are to be buried. That did not occur. Instead, the organs were transported to Belgium for incineration. This was not in accordance with the HSE standards and not in accordance with hospital policy, and it is not acceptable.

Information has been given by the hospital group regarding why this action was taken. How this happened is a critical question for me and for the families, and I am awaiting the outcome of the hospital group's review in this regard. When things go wrong in the health service, it is imperative that there is engagement and open disclosure with the families and that appropriate supports are in place. The HSE has informed my Department that open disclosure occurred with the families. The HSE has said that initial contact was in mid-May 2020 by phone, followed by registered letter. My Department was also advised that all families were offered a meeting and the full supports of the bereavement and pregnancy loss services. I watched the "RTÉ Investigates" programme and I understand that this position has been disputed by some of the families affected, which I acknowledge.

The provision of bereavement care is an integral part of our maternity services. In response to a recognised need for such services, the HSE's national standards for bereavement care following pregnancy loss and perinatal death were published in 2016. The standards are designed to enhance bereavement care services for parents who experience a pregnancy loss or perinatal death, and cover all pregnancy loss situations. Since the launch of the standards, development funding has been provided to the HSE's national women and infants health programme to establish bereavement specialist teams in all of our 19 maternity hospitals or units. All maternity units now have in place dedicated bereavement teams which comprise staff members who have undertaken specialist and extensive education in bereavement care, and include a dedicated clinical midwife specialist in bereavement care for each maternity unit. The teams provide support, counselling and information to parents and families. We have invested heavily in our maternity strategy and I fully intend to continue with that investment.

Regarding the ongoing review of this incident at Cork University Hospital, from the outset the hospital group advised that it was managing the incident in line with the HSE's incident management framework and had commissioned two reviews. The first is a systems analysis review with external subject matter expertise, and the second is a regional perinatal service requirement review. The systems analysis review is the investigation to find out what happened and why it happened, and what can be done to stop it happening again. Families are encouraged

to participate to ensure that their experience is incorporated. I am frustrated at the delay with this report. The hospital group has committed to completing it by early November. I am awaiting the report and my Department will work with the HSE to ensure that the recommendations are implemented.

I first learned of what happened when RTÉ approached my Department for comment. I immediately asked the HSE to provide assurances that this had not happened anywhere else and that all hospitals are, at present, fully compliant with the HSE's post mortem examination standards. Initial assurances were provided by the HSE about current practice. However, a further review has been initiated by the HSE to ensure there has been consistent compliance with the 2012 national standards. I have received assurances from the HSE that this review is being undertaken in a timely manner and that the outcome is relayed to my Department.

By way of background, a number of steps have been taken to improve services in recent years, which goes to the work and advocacy of the group who fought for this so many years ago. Following the late 1990s, measures were taken to address concerns relating to post mortem practice, in particular those concerning consent, organ and tissue retention and the subsequent disposal of retained organs and tissues. Among these were the report of Dr. Deirdre Madden on post mortem practice and organ retention in 2006, and the Willis report, an independent audit of retained organs published in 2009. The Madden report outlined general facts in relation to paediatric post mortem practice in Ireland and included a number of recommendations relating to post mortem practices at both a hospital and a legislative level. The main recommendation was that no hospital post mortem examination should be carried out and no organ retained from a post mortem examination for any purpose without family knowledge or permission. Following a recommendation of the Madden report, the HSE commissioned Ms Michaela Willis, MBE, to conduct an independent audit of retained organs in the State both pre and post 2000 and to assist the HSE and inform development of national standards. The Willis report presented the findings of the retained organs audit in 2009. The report contained a number of recommendations to strengthen post mortem examination practice, particularly in regard to record keeping and training.

In 2012, the HSE published standards and recommended practices for post mortem examination services. These were drafted by the HSE national post mortem examination services advisory group, having regard to the recommendations of both the Madden and Willis reports. The overall aim of the standards is to ensure high-quality post mortem examination services. The standards emphasise that families should be and must be at the centre of decision-making and control in regard to consent for a hospital post mortem, and that communication in all aspects of care following death is of paramount importance to bereaved families.

The proposed human tissue (transplantation, post-mortem, anatomical examination and public display) Bill will create a modern legislative framework for consent for activities involving human organs and tissue. It will implement the key recommendation of the Madden report that no hospital post mortem examination should be carried out and no tissue retained for any purpose whatsoever without the informed consent of the family or next of kin.

The proposed Bill will ensure that the principles of protection of the bodily integrity of the individual before and after death, and respect for the autonomy of the individual and the rights of the bereaved, are enshrined in legislation. It will provide for a coherent overall policy framework and will ensure a consistent nationwide standard in relation to the process of seeking consent and record management relating to hospital post mortem examinations.

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The drafting of this human tissue Bill is a priority for me and for the Government. Work on the drafting of the Bill in collaboration with the Office of the Parliamentary Counsel is progressing with a view to ensuring that Government approval is secured to publish the Bill before the end of this year.

This has been an extremely distressing situation for parents who have already suffered unimaginable loss. When an incident occurs, a core principle is that the health service concerned takes responsibility for ensuring that the incident is appropriately investigated so that there is service learning and improvement and this does not happen again. These families must know that the health service has learned from what happened and that what they have now gone through cannot and will not happen to any other families.

**Deputy Kathleen Funchion:** I thank the Minister. I want to start by saying that I realise this is a very difficult and distressing, and heartbreaking, time for everybody involved and I commend the courage and bravery of all the families that have spoken out in relation to this matter.

The revelations in the “RTÉ Investigates” programme about Cork University Maternity Hospital, CUMH, sending babies’ organs to Belgium along with clinical waste for disposal has shocked everybody to the core. One of the most heartbreaking testimonies was when you heard people describe that it felt as if the remains were discarded as a piece of rubbish. That is devastating and heartbreaking for families who have already gone through such an incredible loss.

I welcome that there will be an investigation. However, we want to know more about this investigation. It is important that we get some answers today. Obviously, it is a very sensitive subject - everybody acknowledges that - and it has to be dealt with as such.

The investigation must be thorough and transparent. It must get to the bottom of this and establish how widespread the practice may be. The Minister made reference in his speech to the once-off nature of what has been described, but that has been disputed by a number of the families. The RTÉ programme further highlighted that it was not a once-off and that many organs had been released by the pathology department following post mortem examinations and they lay in storage in the hospital morgue, in some cases for several months. I am sure the Minister would agree it is important that we get answers to such questions.

I ask what specific form the investigation will take. How will it be conducted? What is the timeframe for a report? Will the Minister be receiving a copy of this report directly? What hospitals are part of the investigation? Is the investigation being spread out to all hospitals? That is really important because we have a history in this country of investigating one incident when clearly there could be examples of others. It is important to be as thorough as possible in this situation.

As I am sharing time with my colleagues, I will finish by saying that unfortunately, I am always struck by the lack of accountability and responsibility that seems to be shown in this country and in our history, particularly whenever we are speaking about topics that affect women and children. We need to start seeing accountability and responsibility. That is one of the best ways the State can show that it is truly sorry, it does not wish this to happen again, it wants to get answers for people and it wants justice going forward. There has to be such responsibility and accountability. This practice must end and we cannot have any more situations where families are placed in this horrific position.

**Deputy Thomas Gould:** The Minister has the balance of the time - five minutes - to answer some of the questions.

**Deputy Stephen Donnelly:** I am happy to do it now, or would Deputy Gould like me to answer after both Deputies have spoken? I am happy to do it whichever way the Deputies like.

**Deputy Kathleen Funchion:** Okay.

**Deputy Thomas Gould:** I thank the Minister.

My thoughts are with all the families who have suffered unimaginable heartbreak and have had this further compounded this week. This has added to their grief when their grief is so overwhelming that they are already just trying to cope with it.

This week I was contacted by a lady whose son was born in January 2020 at 24 weeks. She has asked that she and her family remain anonymous but she wants me to tell his story here today. Her son was born in CUMH. He lived for one day. He spent that day surrounded by their love and then, sadly, he passed. CUMH asked for an autopsy to be carried out and she agreed. She signed the release form on the condition that her son's remains would be buried in the Garden of the Angels in Curraghkippane in Cork. She and her family held a funeral for their son and began what I can only imagine is the toughest grieving process anyone can go through. She has spent the past 18 months grieving her child and believing that his remains, as she had been promised, were in the Garden of the Angels. On Monday, she received a phone call from the bereavement nurse in CUMH to let her know that a family had discovered something - and "something" is the key word here - that also affected her baby and it would be in the media. She was not told what that "something" was and was instead left to find out on social media and the television, radio and newspapers. This is unimaginable and morally wrong. For the past three days, this grieving mother has waited for a phone call or an apology, or even a recognition of what has happened. She is still waiting because no one from the HSE or CUMH has been in touch. As soon as one family discovered this horrific tragedy, all families involved should have been informed. It should not have taken RTÉ for families to be told that something was coming out.

These families were left with so many unanswered questions. I was asked to ask the Minister three questions here today. When CUMH could not bury their son's remains as agreed, why were the families not contacted? When they realised that the remains could no longer be held in CUMH, why were the families not contacted? When the families were finally contacted on Monday, why were they not given the full story? Will the Minister make sure that someone makes contact with this lady and the rest of the families today to ensure they get the answers they need and the apology they deserve? A press statement is no way to issue an apology.

**An Leas-Cheann Comhairle:** Does Deputy Funchion want the remaining time to be used for a reply?

**Deputy Kathleen Funchion:** Deputy Wynne wants to take some of the time.

**An Leas-Cheann Comhairle:** That is fine.

**Deputy Violet-Anne Wynne:** Like my colleagues, I wish to take this opportunity to extend my sincerest and deepest sympathies to the families dealing with the aftermath of this scandal. It was heartbreaking to listen to the parents of baby Lee and to hear the story recounted by

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Deputy Gould. It was harrowing news for us all to hear, and all of the parents who have been affected by the recent revelations from CUMH are at the forefront of our hearts and minds. We must now ensure that this sensitive matter is dealt with in an appropriate, professional and sensitive manner.

In the wake of the last major similar scandal two decades ago, promises were made that history would never repeat itself. Devastatingly, however, we are here again in a sad and shameful situation that I have no doubt will forever stay with all of us, in particular the families impacted. This time, we should ensure that a way is paved for more preventative actions to be taken.

I have several questions about how the State will guarantee that families avoid this kind of trauma in the future. This is a sensitive subject and it must be dealt with as such. An investigation must be thorough and transparent and escalated to emergency status to ensure it is brought to a timely conclusion that avoids dragging out the pain and torture for the parents and families impacted. It must get to the bottom of why this travesty occurred. We should not be limited and should instead establish how widespread this practice may have been. What form will the investigation take, how will it be conducted and, importantly, who will conduct it and will it be overseen? Obviously, it should be conducted by an external independent investigator.

Like Deputy Funchion, I would like to know what hospitals are going to be included in the investigation. Will it be spread to all maternity hospitals? The Minister stated that he had contacted other maternity units across the country to confirm that this was an isolated incident. In light of the extremity of this scandal, however, what assurances will there be that that is the case?

CUMH has rightly recognised its mistake. However, in May 2020, hospital management sent an incident report to the Department of Health. Management did not categorise the incident as serious but did express concerns about there being adverse publicity. That the incident occurred in the first instance is alarming, but the lack of regard of its seriousness only adds insult to injury. Senior pathologists followed up directly with the HSE and called out the unacceptability of the hospital management's dismissiveness of the issue. It is important that the senior pathologists took the moral and ethical route by calling their counterparts out on the misinformation presented in the incident report, but it shows that there can be a culture of minimising breaches of standards and brushing things under the carpet.

What will be done to ensure this is the final time that families are exposed to a traumatic event like this one? Will there be a wider examination into the HSE's standards and practices around post mortems? Are these guidelines adhered to and do they need to be legislated for in terms of a human tissues Bill?

Once again, we extend our deepest sympathies to the families who have been impacted.

**Deputy Stephen Donnelly:** I might start with Deputy Gould. Cork University Hospital and the HSE have stated categorically that they have contacted the 18 families involved and that that was not done now, but last year around mid-May. If that is not the case, I will act immediately. There can be absolutely no question of other families who this may have happened to and who have not been contacted. If that was the case, it would be completely unacceptable. The Deputy might ask the family involved for their contact details and I will follow up on the matter immediately. There can be no question of this being more widespread. We have to act.

**Deputy Thomas Gould:** To clarify, the family were contacted, but only on Monday and

only to say that there had been revelations in the media. They have not been formally contacted about what took place. There was an initial contact, but I have outlined the situation. I can contact the family after we speak and, if they are willing, pass on the details to the Minister.

**Deputy Stephen Donnelly:** If they are willing to do that, I will act on it immediately to find out what the situation is. I thank the Deputy for raising the matter.

I am conscious of the time and that the issue of the reviews may arise in other questions. There are three reviews happening. Two are being run by Cork University Hospital and one is being run by the HSE at my request. The first review is what is called a systems analysis review, the second is called a regional perinatal service requirement review and the third is a review based on my request of the HSE for absolute assurance around any other services. The first two reviews relate to Cork University Hospital and Cork University Maternity Hospital. The first, which is the systems analysis review and the one I imagine most Deputies will be interested in, is to establish what happened, why it happened and what needs to be done as a result. It is an investigation into the incident itself. The second, which is also important, examines the methodologies, standards and standard operating procedures to see if changes need to be made at policy level. With the third review, I have asked the HSE for assurances from across the system. Initial indications from the HSE are that all hospitals are in compliance now. The HSE is undertaking a look-back to see what the situation has been in previous years across the system in every relevant hospital.

**Deputy Duncan Smith:** None of us who watched the “RTÉ Investigates” programme on Tuesday night could not but be moved by the scandalous effect on the 18 families the organs of whose poor children were sent abroad for incineration. The courage, composure and strength shown in the programme by Leona Bermingham and Glenn Callanan, who lost their son Lee’s organs, were incredible and I do not believe any of us will ever forget what we watched. I commend the “RTÉ Investigates” programme itself and the work of Ms Aoife Hegarty, who is not for the first time shining a light into the dark places of our health service, which needs to be done. I hope that some good and change will come from this.

In his statement, the Minister answered a number of the questions that I had planned on asking, those being, whether he would confirm that the practice had not happened in CUMH before and that it had not happened in other maternity hospitals. He has initiated a review in respect of the latter. When does he expect to have the results of the reviews and how will they be presented to the Oireachtas? If the reviews highlight that this has happened before, how does he plan to contact anyone who has been affected? I hope that no one else has been affected.

The Minister has committed to publishing the human tissue (transplantation, post-mortem, anatomical examination, and public display) Bill by the end of the year. Will he commit to prioritising it in the spring legislative programme? That would be very important, as we need to see it through. There is a gap. The audit’s results were 12 years ago but we have not followed up with legislation.

I wish to focus on something. The Minister said that there would be three reviews and he would take and implement their recommendations. There has been a fundamental failure of governance. No matter the results of the reviews, we can see that. With whom will the buck stop and what will the ramifications be for any individual or department that is ultimately responsible for this? There have to be some ramifications. The Minister’s speech references future learnings and improvements for the future and how we can minimise the risk of this hap-

pening again but what he delivered was firmer in that he asked how we can stop this happening again or make sure that it does not happen again. I like what he said more than I like what was written into the speech. I hope we will see that in terms of follow-through by the Minister on what needs to happen in this area.

Another issue I want to raise is the blaming of Covid for what happened. Again, this does not hold water. It can be easy for people to forget how difficult things were in April and May 2020, but that said, given what we are dealing with here and the sensitivity of the matter, throwing Covid around as an excuse is not acceptable. People are sick and tired of that when it comes to trivial things in their lives. When it is thrown into the mix, without any reasonable basis to the ordinary man and woman, for something as serious and sensitive as this matter it angers people. I would welcome a comment from the Minister on that as well.

**Deputy Stephen Donnelly:** I thank the Deputy for his comments and questions. With regard to the three reviews, the first is a review of what happened and why. I am advised that we will have that around the start of November. On the second review, which is the perinatal review of standards and procedures, we have not been given a concluding time for it, but we are asking the question as to when we might have it. Regarding the system-wide review and whether this happened anywhere else, we expect to receive that from the HSE in approximately three weeks. That is the detail on the reviews.

With regard to who will be held to account and Covid, we need to allow the review to happen. I need to be conscious not to prejudice the review in any way. It will be a thorough review. I ask that it be allowed to happen, following which we can look at the results. We can discuss it here, but I imagine is something the Joint Committee on Health might want to engage on directly with the HSE. There are various different ways we can do that.

On the Bill, it is important. Believe it or not, it started with the Madden report in 2006. It was drafted in 2019. I have set it for priority in this Dáil session. If I were in the shoes of colleagues, I might be asking if this legislation is being prioritised because of what has happened. I give them my word that the Chief Whip and I prioritised this several weeks ago in drawing up the legislative priorities. Long before any of this came up, we had prioritised it. The human tissue Bill is important legislation. Essentially, it will implement the key recommendation of the Madden report that no hospital post mortem examination should be carried out and no tissue retained for any purpose without the informed consent of the family or next of kin. The Bill will ensure that the principles of protection for bodily integrity of the individual before and after death and respect the autonomy of the individual and the rights of the bereaved. The Joint Committee on Health will carry out the pre-legislative scrutiny of the Bill. On the timing in that regard, I hope to bring the recommendation to Cabinet in this Dáil session, and in the following Dáil session, to have it before the House. The following is not relevant to the conversation we are having now, but there is another reason the Bill is important. If passed by the Houses, it will enshrine in legislation an opt-out system for organ donation, replacing the current opt-in system, which can and will, we would all hope, save many lives in the coming years. It is important legislation.

**Deputy Colm Burke:** I join the Minister and colleagues in conveying my deep concern in regard to what occurred with the disposal of perinatal organs and the hurt and upset caused to the families. It is difficult enough to suffer a loss without having to also deal with what occurred in this case.

For most people, the birth of a baby is a happy event. It is also a time of celebration for an entire family. Currently, most pregnancies lead to the birth of a healthy baby. It can be easy to forget that this is not always the case. Alongside the excitement that accompanies most births, there is the ever-present and unwelcome shadow of pregnancy loss and perinatal death. Despite the many modern advances in obstetric and midwifery care, one in four pregnancies will end in a miscarriage and one in every 240 babies born in Ireland will die just before birth while a smaller number will die shortly after birth. Globally, more than 2.6 million babies are stillborn annually. The high emotion of expectation in pregnancy, which changes suddenly as a result of a miscarriage, stillbirth or neonatal death is a very difficult experience and it has a long-lasting impact on parents and immediate family members.

The national implementation group of the national standards for bereavement care following pregnancy loss and perinatal death published a report in July 2021. It is a comprehensive report, which deals with all of the issues and carries out a review of the progress which has been made over the past five years. What occurred in CUMH in March-April 2020 is regrettable and should not have happened. I understand that the South/South West Hospital Group and CUMH have apologised to the 18 families who have suffered as a result of this error, whereby organs retained by the hospital were sent for incineration. The perinatal pathologist became aware of the removal of the perinatal organs from the hospital mortuary in late April 2020 and immediately raised concerns with the relevant authorities. CUMH staff volunteered to take the lead role in openly disclosing the error and apologising to the parents. I understand from the chief executive of the South/South West Hospital Group that all 18 were families were contacted by it and that the supports of the CUMH bereavement and pregnancy loss team remain in place to provide ongoing contact care and support as required by the parents.

It is important to note that organs are retained for a only a temporary period. They are retained to allow the pathologist complete an investigation into the cause of death. There was a full review of all maternity units last year by the monitoring group. It recommended that all maternity units have access to mortuary facilities, with a suitable area for families to receive and spend time with a baby following a perinatal death. CUMH, which is one of the top four maternity units in the country, still does not have a dedicated area, despite it taking on perinatal autopsies from five other maternity units over the past 12 months. It is important that this issue be resolved at the earliest possible date.

Professor Keelin O'Donoghue, consultant obstetrician, who is monitoring the implementation of the national standards for bereavement care following pregnancy loss and perinatal death, has confirmed that staff in the maternity unit at CUMH were not aware that organs had been sent overseas for incineration until after it had occurred. She has also confirmed publicly that the implementation team she chairs was assured earlier this year by all 19 maternity units in the country, including CUMH, that they had guidelines in place on autopsy consent, the disposal of remains and the retention of organs and that they had access to suitable burial ground. I understand that CUMH has access to a burial ground, which it uses. This incident should not have occurred. The parents of 18 children and their immediate families have been adversely affected not only by the loss of their loved ones, but by what occurred in the disposal of the organs retained. I understand there is an external review and the Minister gave them further clarification on this. However, no matter what review takes place, it must be speedy and take place in the quickest time, because all the families need full clarity in this matter. It is also important that all the other 18 maternity units around the country set out quite clearly that they are fully following the guidelines and that there has been no deviation from same.

The report published in July on the implementation of national standards for bereavement care makes 40 recommendations. The report sets out what progress has been made in the past five years in dealing with this issue in each of the 19 maternity hospitals. It is a 65-page report and it goes into this in detail. Each of the 40 recommendations must be implemented in full in each of the hospitals. We should also take on board a number of issues that came up in the report. Under the heading “Public Awareness”, it suggests:

The ... [HSE] in collaboration with the professional bodies and advocacy groups should implement an ongoing educational campaign to raise awareness and recognition of pregnancy loss in Ireland. This would include the role of bereavement care in helping women and their families come to terms with pregnancy loss, both early and late.

It also recommends:

... [the HSE] in collaboration with the professional bodies should implement a public health education programme on late pregnancy loss and, in particular, how the risk of late pregnancy loss can be modified. This should be reflected in antenatal education websites and hospital information materials.

It also suggests:

Senior Management Teams in all 19 Maternity Units should ensure that there is a hospital nominated point of contact for parents who have experienced pregnancy loss or perinatal death and have questions regarding their care - to guarantee that they can easily access information and have questions answered regarding their care.

It also sets out that the HSE “...should work to establish a national screening programme for fetal anomaly in conjunction with the professional bodies and the Department of Health”. It further states the HSE:

... should continue to engage with the Coroner Service of Ireland (involving the Departments of Health and Justice) regarding the clinical management of perinatal death cases in order to allow timely reporting to families and hospitals of provisional information on cause of death e.g., consideration to providing a draft autopsy report as per other jurisdictions, as well as facilitating communication between bereaved parents and Maternity Units.

There is no point in reports being published and us then putting them on a shelf to gather dust. All the recommendations in this report should be taken on board and implemented in all the 19 maternity units. It is extremely important.

What has occurred in this case highlights how the procedures that were clearly set out were not followed. Organs of children who had died were retained in a mortuary for a long number of months. As I said, retention of organs should be for a temporary period only. In this case, they were retained for a long period and then sent for incineration. There are many questions to be answered and it is in everyone’s interest that they be answered as fast as possible.

**Deputy Pat Buckley:** I thank the Minister for being present. The core of his opening statement was the last line when he said that these families deserve to know that the health service has learned from what happened to them so it never happens again. I am physically sick to my stomach because a long time ago I was in the situation of helping one of my best friends to bury a baby and it just brings back the scars now. I cannot imagine what those families are going

through now. My condolences to all of them and their extended families.

I welcome the Minister's statement and his urgency on this as well. This is not about scoring points. It is a very difficult situation we are in now and a very difficult topic. Even this documentary has opened old wounds for these families. Deputy Gould said earlier that if the families reach out, every one of us can be supportive of them because it is the least they deserve. We as public representatives should help them on that. I welcome the three reviews but again I urge caution as we need these as fast as possible, because these families need closure and we do not want to be going on and on.

I have often said the two most difficult things to do in this country are probably to help people and to tell the truth. It seems to be a very difficult thing to do in this country. I listened to some of the testimonies of families and I commend them on their bravery as well because it is not easy. However, sometimes people have to speak out to ensure these sort of situations do not happen again. How people were treated 20-odd years ago has thankfully changed. People were not ignored, they did not have to go to court and they were not beaten down. I do not want to dwell on it because I was thinking of the Minister's remarks, and we are all sincere and genuine in here, and sometimes we have to pull together and work together. If we can do anything in this House that makes it easier for the families we should. We need to get this done as soon as we can so all these families and their extended families can have closure on this, and at least those old wounds will be closed again. It is a very hard thing and many families will be scarred for life. I refer to the use of counselling, or anything like that, because things evolve. I make an appeal to the families out there that they contact any of us, from any side of the House if they are struggling and we will relay it straight to the Minister. Let us try to work together on this and alleviate the pain for these families as soon as possible.

**Deputy Holly Cairns:** No words can describe the pain of the 18 families involved in this horrific incident. The loss of a baby is an unimaginable tragedy but the inhumane treatment of their retained organs compounds that pain and trauma. No one can imagine what these families are feeling. My condolences to the families involved; all our thoughts are with them. We acknowledge the strength and bravery shown by the parents who have been able to speak so powerfully on this matter. It is incomprehensible that an incident like this could happen. It is truly shocking and deeply distressing.

Leona Bermingham, mother of baby Lee, who died just over two years ago, has articulated the suffering and anger of her family and others. She explained:

I want people to know he had a name and he was beautiful. I want people to realise that he was a baby that was born alive. There is someone behind these organs that we speak about.

This scandal is about those babies and their families and we must never lose sight of that. They donated their children's organs in good faith that it might help save lives. It was an incredible gift they gave in the hope that another family would not suffer the same pain. This wonderful, kind act makes the callous treatment of the organs even worse, if that were possible. The grieving families impacted by this scandal deserve answers. We, as a society, also deserve answers. This House must do everything it can to ensure this never happens again.

This incident is distressing for other families who have lost babies in CUMH and other maternity hospitals who are left fearful about the treatment of their children's remains. We need

robust mechanisms to provide assurance to these families as well. It also brings to mind the horrific history concerning the treatment of deceased infants and children by State-funded bodies in Ireland. It is a history that is still very much alive for many families and is the subject of legislation coming before the Oireachtas. When we hoped these types of practices were a thing of the past, a new scandal like this arises. There are no words.

It should also be noted that CUMH has a well-regarded bereavement care team for people experiencing pregnancy loss and perinatal death. These are incredibly important services, which need to be appreciated and fully funded. It is essential that scandals such as this do not stain the good work of these teams and caring professionals. However, we need answers and the establishment of unequivocal protocols to ensure this can never happen again. The 18 families directly affected and other families who have endured loss under similar circumstances need that reassurance.

After previous similar scandals dating back more than two decades, why were there no safeguards in place in CUMH in 2021? How is the Minister ensuring there will be safeguards in place now and that this will never happen again? Is the review the Minister references going to ensure this has not happened in any other hospital in the country?

**Deputy Stephen Donnelly:** I ask the Deputy to repeat her third question.

**Deputy Holly Cairns:** Is the review that the Minister is referencing going to ensure this has not happened in any other hospital in the country?

**Deputy Stephen Donnelly:** I thank the Deputy for her questions. She first asked why there were no safeguards in place, but there were and there are. There are very clear standards and protocols in place. The national guidelines are very clear. They say that the only two avenues available are burial and cremation. CUMH's own guidelines go further and state there is one option available, which is burial. What has happened here is that the safeguards, protocols and procedures which are national policy were not followed. The first of the three reviews which will be reporting back to me and therefore to this House in November is looking at exactly this issue. It will ask what happened, why it happened and what needs to be done about it, which leads me to the Deputy's second question. First, we will get this review, which will say what needs to be changed with regard to this specific incident. The second review, which is the perinatal regional review, is also looking at what needs to happen from a guidelines and standard operating procedures perspective. Third, we will legislate, it is hoped with support from right across this House. The human tissue Bill will enshrine all of this in legislation.

On the Deputy's third question, I immediately sought assurances from the HSE for the entire healthcare system. It will report back to me on that in three weeks. The executive is looking at the current situation, and the provisional view I have from the HSE is that all of the guidelines are currently being followed. What the HSE is doing now is looking backwards to determine if they were also followed in previous years.

**Deputy Holly Cairns:** Can I take it from the Minister's reply that there will be a review of all hospitals to ensure this has not happened in any other hospital?

**Deputy Stephen Donnelly:** That is correct.

**Deputy Holly Cairns:** I do not get much face-to-face time with the Minister so I wanted to raise quickly the issue of baby Kate from Dunmanway. I want to ask the Minister and the HSE

to do all they can to approve Zolgensma, a drug used to treat spinal muscular atrophy. This has been called a miracle drug that could save the lives of very small children like Kate who have a rare muscular condition. Kate Mynard is 17 months old and this drug is generally only administered to children under the age of two, based on their weight. Kate's parents are pleading with the HSE to strike a deal with the manufacturers of this drug in time for Kate to be able to benefit. I ask the Minister to do all he can to make this happen.

**Deputy Stephen Donnelly:** There is a drug that has been approved called Spinraza. I met the parents of a beautiful young boy earlier this week at the Laura Lynn Foundation who told me the drug their son is taking is having a real impact, which is very encouraging. The new drug the Deputy refers to has been raised with me and the National Centre for Pharmacoeconomics will be taking a look at it. I fully appreciate that for baby Kate and her parents, time is of the essence.

**Deputy Matt Carthy:** Most people will agree there is very little that is more traumatic than for a parent to lose a child. There is something very particular about the loss of a child through stillbirth or at the very early stages of infancy. We would all know, either through family members or friends, people who have had to go through that devastating experience. I was struck by somebody who once told me that the only people who could ever fully appreciate that particular type of pain are people who have gone through it themselves, parents who have found themselves in that situation. It is a particularly lonely loss because nobody else, other than the parents, knew the child or the baby. Therefore, it is impossible to imagine a scenario where parents have to go through that pain, have to try to come to terms with and manage their grief and who subsequently learn their baby's organs were shipped abroad with medical waste for incineration. I do not think anybody could expect parents to deal with that in an ordinary manner, for want of a better word. In that context, it is very important to reiterate our appreciation and esteem for the families who have told their stories this week in respect of what happened in Cork.

I welcome the fact a review is taking place and I encourage the Minister to ensure that it is timeframed so that we get the answers that are required as quickly as possible. Those answers must be comprehensive because, as others have said, potentially hundreds of parents are asking themselves whether the same thing happened to the organs of their baby and they need to be given assurances. I wish to quote from an article I read on the RTÉ website when this story broke. This is crucially important because there is no party politics to be played here but there are political questions that must be asked. The relevant segment reads as follows:

In mid-May 2020, hospital management sent an incident report on the incinerations to the Department of Health. However, management did not rate the incident as serious but did express concern about the adverse publicity for the hospital if it came to public attention.

That is absolutely scandalous. Even when management recognised that there could be an issue, they saw it in terms of public relations as opposed to what it might mean for the families involved and for the dozens if not hundreds of other families who might have concerns about it.

As well as the review, there also needs to be something that is almost unique in Irish public life, namely, accountability. Somebody needs to be held to account for the series of events that led to very serious, well-paid individuals coming to an agreement - this was not an accident - that children's body parts would be shipped off with medical waste for incineration. Will somebody, either a body or an individual, be held accountable for what has happened?

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**Deputy Stephen Donnelly:** I was very concerned when I saw exactly what the Deputy has just described. There is a review going on right now and we will have the results of that in a few weeks. Early November is what the hospital is saying in terms of providing that review to me. When I have that review, I am going to share it. I imagine the Dáil, the Seanad and the Oireachtas Joint Committee on Health will be very interested in looking into it. I know the Deputy will appreciate that I do not want to prejudice that review. We must let the review body do its work. It will be a detailed review and then would be the appropriate time for us to all to debate exactly the issue the Deputy has just raised.

**Deputy Mick Barry:** Leona and Glenn have been really brave and articulate in telling their story. I want to ask the Minister about the other 17 families. He said they were contacted in mid-May of 2020. They received registered letters and were offered a meeting.

*6 o'clock* When those registered letters were sent, were those families told their babies' organs and tissue had been sent to Belgium with medical waste for incineration? Were those families given that information?

**Deputy Stephen Donnelly:** It is a very important point. I will give a detailed response. The Department of Health has advised that the HSE South/South West Hospital Group, Cork University Hospital and Cork University Maternity Hospital have apologised to the bereaved parents. They very much regret the incident. The Department is informed that open disclosure did occur with the parents in line with the HSE open disclosure policy of 2019, which we are all familiar with, and as part of ongoing engagement. In line with the HSE's incident management framework, the families were encouraged to participate in the review. The HSE informed the Department that initial contact was made with the 18 families over 11 and 12 May 2020 through telephone contact. All families were also informed that a meeting could be arranged through their contact - that is because they were all in contact with bereavement supports before this - and that they would also receive this offer by letter. This was followed up with a registered letter to all families on 21 May 2020.

The HSE advises that two families accepted the offer of a meeting and the meetings were arranged. Families were offered the full supports of the bereavement and pregnancy loss service and this was provided as they required. One family had requested that very regular contact to be maintained and this request has been met. Cork University Maternity Hospital took the lead role in the open disclosure and it has continued to support the parents with the bereavement and pregnancy loss team.

The Department is informed that all of the bereaved parents affected were offered the support of Cork University Maternity Hospital bereavement and pregnancy loss service and were provided with details of the bereavement midwives to access any additional supports. As the Deputy will be aware, since we all debated it at great length in the previous Dáil, the HSE open disclosure policy from 2019 defines disclosure as open, consistent, compassionate and timely as an approach to communicating with patients. It includes expressing regret for what happened and keeping the patients informed and providing reassurance.

**Deputy Mick Barry:** I am in favour of disclosure and communication which is open, consistent, compassionate and timely, but what I want to know is whether those families were informed their babies' organs and tissue were put in with medical waste, sent to another country and incinerated. The two families that accepted - were they told that? The one family which asked for regular contact - were they told that? The other 14 or 15 families - were they told

that? What is the answer to that question?

**Deputy Stephen Donnelly:** The families were contacted initially on 11 and 12 May and then on the subsequent dates that I have given. The HSE advises that the families were told. As part of the review-----

**Deputy Mick Barry:** Can I clarify, were they told the organs and tissue had been disposed of or were they told the organs and tissue had been disposed of in another country with medical waste by way of incineration?

**Deputy Stephen Donnelly:** I want to make sure we get exactly the right information on the record of the House. Therefore, I will ask for a note on that as to exactly what language was used in the letters to make sure we have exactly the right information on that.

**Deputy Mick Barry:** Is the Minister saying that, as it stands, he is not sure or clear whether those families were told their babies' tissue and organs had been disposed of along with medical waste in another country by way of incineration? He is not sure of the position and he needs to clarify? Could he clarify on that?

**Deputy Stephen Donnelly:** The specific details the Deputy seeks are not communicated either in this or in other events with the Department through the agreed protocols. This is why we need to look at the review. We will have the review at the start of November and it will include exactly these issues. For reasons of patient confidentiality, which I am sure we all support, those types of details do not get reported into the Department of Health or to me.

**Deputy Mick Barry:** Finally, is the Minister aware of some reports that some of those parents received phone calls from the hospital the night before the "RTÉ Investigates" programme went out, telling them that their babies' organs and tissue had been disposed of along with medical waste by way of incineration in another country and that it was communicated to them by phone almost immediately before the programme? That is a story. I am asking the Minister to comment on it.

**Deputy Stephen Donnelly:** Deputy Gould raised a similar question. The very clear advice we have from the HSE and the hospitals involved was that the appropriate communication was made with the families in May last year. If it is the case, as the Deputy says, that very relevant details were only disclosed by phone before "RTÉ Investigates", I want to know about that and I will be taking that up immediately with the HSE.

**Deputy David Cullinane:** The last set of questions were very important. The Minister is right to be cautious and make sure the correct information is put on the public record. It is very important to establish exactly what families were told at all times. That is what needs to happen.

We know that body organs of children who were deceased were incinerated in Belgium with medical waste. I know there will be an investigation and a review. I believe in due process and the investigation has to be given time to do its work and report back. I welcome the Minister's commitment that the Joint Committee on Health will have a role in looking at that report when it comes back in November. However, the HSE standards and practices for post mortems were first published in 2012 and revised in 2015. I assume the Minister will agree that disposing of or incinerating the body organs of children with medical waste in a foreign country without the consent of the parents is not in keeping with those guidelines. Is that the Minister's understand-

ing of the existing guidelines?

**Deputy Stephen Donnelly:** What happened is completely unacceptable and it is outside the guidelines. The national guidelines state that when a parent or guardian has consented, the processes that should be used are burial or cremation, not incineration. Furthermore, Cork University Hospital and Cork University Maternity Hospital go further than that and say it is only burial.

**Deputy David Cullinane:** It is clear there was a breach in the guidelines. It goes back to what Deputy Carthy was saying about establishing the actual facts and what exactly the breaches were, documenting them and then taking whatever appropriate action is necessary. That is very important because there has to be accountability. I welcome that the Minister has broadened the scope of the review to all maternity hospitals so that we can have certainty this was an outlier and was not happening anywhere else. That is important.

The Joint Committee on Health completed pre-legislative scrutiny on the human tissue Bill in 2019. The Minister might have been a member of it at the time it was done. That Bill would have put new standards and guidelines into law on a range of related matters, including disposal. Where are we with that Bill? Given what has happened, is it a Bill the Minister will now prioritise?

**Deputy Stephen Donnelly:** I thank the Deputy. Yes, the Acting Chairman and I, and perhaps other Members in the Chamber this evening, were part of that committee. I have prioritised this Bill. The obvious question I too would ask is “Has it been prioritised just now?”. I can tell the Deputy, categorically, that the answer to this question is “No”. The Chief Whip and I met several weeks ago to prioritise various Bills for this Dáil term, and the human tissue Bill was one of those Bills. My intention is to bring it to the Government for publication in this Dáil term and then to discuss it in the Oireachtas, and hopefully we will all pass it. It is important legislation. First of all, it puts on a legislative footing the standards and procedures we are talking about. It is not for debate tonight but the Bill also includes for the first time an opt-out with regard to organ donation, and various other technical aspects. This is very important and I believe it will save a lot of lives in future years.

**Deputy David Cullinane:** There were a lot of distressing parts in the “Prime Time Investigates” programme and I am very sensitive in putting the questions to the Minister given that families might be listening in. There was a report that the burial space for the interment of organs in this State is full. Obviously, there are capacity issues there. Unsuccessful attempts were made to find an alternative plot. It was decided that cremation was not an option. While we need to conduct a review around what happened, we also must ensure that it does not happen again. Is this separate to the review of what happened and will it form part of the Minister’s approach to this?

**Deputy Stephen Donnelly:** Exactly that question needs to form part of the review. There are three reviews. The first review will establish what happened and why it happened. It will then be up to us as the Legislature to see if policy responses and additional investment are required. Then it would be up to us to respond to that.

**Deputy Thomas Pringle:** In the couple of minutes that I have, I would like to say how shocking it is that this situation has arisen again in the hospital services. We are aware that this issue was investigated previously and reported on through public inquiries. It must be a truly

shocking situation for the families and my thoughts are with them at this very difficult time.

Management did not rate the incident as serious, but did express concern about the adverse publicity for the hospital if the situation came to public attention, according to an email sent by senior pathology staff in Cork, and as reported by RTÉ. This says it all.

Then we see the HSE's excuse for everything now. The hospital group said that the delays were due to the challenges in sourcing appropriate external expertise during the pandemic, and more recently the cyberattack on the HSE. It now expects the review to be finalised in early October or November. It is just shocking that at this stage this is still being trotted out as an excuse. It is amazing that after all that has gone on in the recent past, this would still be allowed to happen in the health services.

It shows a lack of management rather than management in the health services. How do we know that this is the only hospital in the State where this has happened? This must be the burning question today for every parent who has lost a baby in maternity wards in the State. I have contacted management at the Saolta University Health Care Group, which covers Letterkenny, Sligo and Galway hospitals, and covers my constituency, to see if they can categorically say that this situation does not exist there, and that they have checked. They have replied that they are fully compliant with HSE's Standards and Recommended Practices for Post Mortem Examination Services 2012. I am sure that Cork University Hospital would have given the same reply six months before this broke in relation to that hospital. We need more reassurance than this. I am glad to hear that the Minister will be asking all of the hospitals. All parents need to be reassured now.

I also find it amazing that these issues seem to arise in relation to women's healthcare in Ireland. Why have we never had a scandal in relation to prostate cancer in our health services? Why do we never have a scandal around testicular cancer? That question has to be part of any investigation and that question must be answered. Perhaps it is an indication of where the systemic problem is.

**Deputy Catherine Connolly:** The Minister will forgive me if I do not put questions in the four minutes that I have, but I will raise a number of questions.

Notwithstanding the report on retained organs in adult patients by Michaela Willis in 2009, and notwithstanding the report by Dr. Deirdre Madden in 2006, and the 2009 Carter report into the Rotunda Hospital, at some stage along the line I believe there was a Dunne report that was not published, and perhaps the Minister might clarify that. Within that background we have practices and procedures that were clearly ignored and, unfortunately, perinatal organs were sent off to be incinerated along with refuse. We have heard that.

Let us see what has happened here. The management became aware of this way back in April or May 2020. They then notified the Department. Can the Minister tell me what the Department did? The Minister has not mentioned Department's role in this. The management contacted the Department, and I understand that they wrote specifically to the chief clinical officer, and in the incident report they pointed out what had happened. They were asked whether it was a serious incident. The answer was "No", but that there was a risk of adverse publicity. Again, there are more echoes of the cervical cancer debacle. It is the exact same thing: concern about adverse publicity. It is not about the patients, their families or the perinatal organs. Will the Minister tell me what the chief clinical officer and Department do? We are here today

discussing this because of “RTÉ Investigates”. We are not here due to a hospital telling us that they had made a mistake, that they had learnt from it and had immediately contacted the families. We are here because of “RTÉ Investigates”. We learned from the “RTÉ Investigates” programme that some of the families had learned of what happened only the night before. This has been raised already but I am raising it again now.

Specifically, what did the Department do? What did the hospital do? This goes back to well before Covid. I understand that it goes back to the period from May to November 2019, which is way before Covid. Then we come forward into the Covid period, and of course there was a problem with Covid, but what happened in the meantime? What about the practices on the ground and the policy of open disclosure that should have caused the hospital to hold its hands up to the Department and say “we have been very silly here, we have held onto perinatal organs for too long, we do not have a proper system in place and we need help”?

Let us fast forward. How did this arise in the first place? I have had personal experience, which I will not go into, of systems review. I despair. I do not have much confidence in it but I will hold my words until I see it. Certainly, let me say that my own professional and personal experience is not good in relation to systems review.

The Minister has said that he is seeking assurances. The Minister will need to do a lot more than seek assurances. I am tired of assurances. As my colleague, Deputy Pringle has said, I am sure that if we asked CUMH for assurances they would have given to us the assurances we wanted. We do not want assurances. We want to know what happened. Since 2012 there was an obligation on them with regard to procedures, practices and processes with which they have failed utterly to comply. The Minister is telling us today about legislation, but that is the least we might do.

I listened to the Minister’s speech. Is it the case that he only learned of this matter from the “RTÉ Investigates” programme and that he did not find out about it from his Department during the whole year when they knew? Are we to believe that the Minister knew nothing and only learned about it from “RTÉ Investigates”? What has happened with communication if that is the case? At any stage, did anyone realise that this was something they should report properly to the Department? If they did, the Department should have reacted properly by saying that it was serious, that it was more than an incident, that it was painful and wrong, and that the hospital had utterly failed to comply with procedures. Then they should have asked “Now what are we going to do about it?” with their hands up. Did that happen?

I am the first to say that we all get caught at committee meetings, but it is unacceptable for Government backbenchers not to be here to ask questions. It speaks volumes about what they place importance on. Then they complain when they do not have time for other subjects. I will be caught like this later on tonight, and I will be the first to put my hands up about it, but this is a very serious issue and a serious lack of participation.

**Acting Chairman (Deputy Bernard J. Durkan):** Perhaps the Minister could address the Deputies’ comments and questions first and then he can wrap up.

**Deputy Stephen Donnelly:** I would be delighted to. I thank the Deputy for her questions. I want to walk through exactly what happened in terms of how this is escalated and the classification of an incident as serious or very serious. This goes to the question that has very reasonably been raised, was raised by RTÉ, and indeed has been discussed by other Deputies. That

classification is a matter for the reporting hospital when the incident is being reported through the HSE's incident management framework. The South/South West Hospital Group advised that the incident was escalated to the serious incident management team in Cork University Hospital, and was being managed in line with the HSE's incident management framework. The framework is focused on identifying what happened, and, obviously, learnings and safety. Following an initial assessment by the safety incident management team in Cork University Hospital, two types of reviews have been commissioned, one which is a systems analysis review with external expertise. The systems analysis review aims to establish the factual circumstances leading to the incident, the key causal factors that may have occurred-----

**Deputy Catherine Connolly:** We have heard all of that. The Minister has set it out clearly. We have asked questions. If the Minister does not wish to answer them, that is okay. It is most unusual for me to interrupt but we have heard all of that. I have read the Minister's speech and he has set that out clearly.

**Deputy Stephen Donnelly:** The Deputy directly asked me for the sequence of events as to what happened.

**Deputy Catherine Connolly:** I did not.

**Deputy Stephen Donnelly:** She did and I am responding directly. The Deputy asked specifically what the chronology of events was-----

**Deputy Catherine Connolly:** I never asked that.

**Deputy Stephen Donnelly:** -----what reports were done and how the reporting was done, and I am answering her question in detail.

The second review is the regional perinatal service requirement. As the Deputy will be aware, I have instructed the HSE to start a third review, which looks at all hospitals.

With regard to the timing, the first incident occurred on 25 March last year when CUH mortuary sent perinatal organs and human body parts to Belgium for incineration. The second incident occurred on 2 April last year when CUH mortuary sent perinatal organs and human body parts to Belgium on a second occasion for incineration. On 22 April, CUH management were informed that perinatal organs were disposed of by way of incineration.

This was immediately escalated to the safety incident management team in CUH. CUMH attended CUH for a preliminary review of the incident. On 11 and 12 May, CUMH made the open disclosure telephone calls with the 18 families and contacted them. On 12 May, the South/South West Hospital Group informed HSE acute operations, the coroner, the National Women and Infants Health Programme and the quality assurance team.

To address the Deputy's question, the Department of Health received a patient safety communication on 12 May. There were then regular updates whereby the Department requested updates from the HSE in terms of the two reviews. The systems review is about what actually happened and then the perinatal review is with regard to the standard. Update reviews were request on 14 May and the Department received the update regarding the incident. Further updates were then requested on 26 May, 11 September, 13 October, 21 December, 19 April, 10 September and so forth.

To answer the Deputy's question, the first briefing I received was at the time questions were

posed to the Department by RTÉ. That was the first time. I immediately sought assurance from the HSE and asked for a full system-wide look.

I think it is necessary but do not believe it is enough that there is a review into the specific incident and into the standards and procedures around that. I want to make sure there is a very thorough review right across our entire healthcare systems, both on what happened and what is happening today, because I think there will genuinely be parents out there who are worried. I really do. Parents who have suffered unimaginable loss will have watched that programme and been worried by it. As well as what is happening today, I asked the HSE to go back and look at subsequent years because there will be parents who will be asking questions on that. The HSE said it will be able to report back to me within three weeks.

The first review is the detail on what happened, why it happened and what needs to be done, which I know we will all be looking at with very keen interest. The HSE has advised that that will be with me in early November. Obviously, I will be publishing that review and I imagine we will debate it here and-or in the Joint Committee on Health. I thank the Deputy for her questions.

**Acting Chairman (Deputy Bernard J. Durkan):** If the Minister is satisfied that he has incorporated everything into the reply, that is in order. That concludes statements and questions and answers on Cork University Maternity Hospital.

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

**Acting Chairman (Deputy Bernard J. Durkan):** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy John Paul Phelan – to discuss how some foster children in foster care in the Carlow-Kilkenny region do not have allocated social workers; (2) Deputies Jim O’Callaghan and Gary Gannon - to discuss increased antisocial behaviour in Dublin city; (3) Deputy Pat Buckley - to discuss the Mental Health Commission report into conditions at the Owenacurra mental health centre in Midleton, County Cork; (4) Deputy Brendan Griffin - to discuss additional funding to help to meet unprecedented demand under the sports capital and equipment fund; (5) Deputy Pádraig O’Sullivan - to discuss issues with regard to the tendering process for a school in County Cork; (6) Deputy Paul Donnelly - to discuss if a review has been conducted into the work of the Charities Regulator and if its budget is delivering increased confidence in and within the charities sector; (7) Deputy Louise O’Reilly - to discuss the outsourcing of front-line maintenance at Dublin Airport; (8) Deputy Joan Collins - to discuss the legal lacuna since 2018 with regard to the control of horse-drawn carriages in Dublin city; (9) Deputy Neale Richmond - to discuss increased high-visibility policing; (10) Deputy Chris Andrews - to discuss a timeframe for the roll-out of a package to survivors of thalidomide; (11) Deputy Dessie Ellis - to discuss concerns regarding equipment and staffing for the Dublin Fire Brigade service; (12) Deputy Catherine Connolly - to discuss circumstances consequent to a court decision to remove the ban on large trawlers from fishing within the 6 nautical mile limit; (13) Deputy Réada Cronin - to discuss the lack of funding for essential chest braces for children in advance of surgery for scoliosis; (14) Deputy Ruairí Ó Murchú - to discuss the lack of home carers and the impact this is having on families; and (15) Deputy Matt Carthy - to discuss plans for ensuring the opening of the group home in Carrickmacross for people with physical and sensory disabilities.

The matters raised by Deputies O'Callaghan and Gannon; Deputy Richmond; and Deputy Ó Murchú have been selected for discussion.

*Sitting suspended at 6.25 p.m. and resumed at 7.05 p.m.*

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

### **An Garda Síochána**

**Deputy Neale Richmond:** I appreciate the opportunity to raise this important issue and the Ceann Comhairle's decision to select it. I thank the Minister of State at the Department of Justice, Deputy James Browne, for staying so late on a Thursday. As the Minister of State will be aware, in recent days, we have seen an increased amount of footage online and our offices are receiving an increase in reports showing a worrying rise in criminal activity, especially in Dublin city centre. We need to respond to this with a high-visibility policing presence, not just in our capital city but throughout the country. I have been calling for this for months and I have had wonderful interaction on it with the Minister of State, the Minister for Justice, Deputy Humphreys, and previously, the Minister, Deputy McEntee. I am not calling for this for the sake of it but because it is working in the parts of the country adopting it.

I attended a meeting of the joint policing committee in my area, which is covered by Dún Laoghaire-Rathdown County Council, the other week. The statistics released by the chief superintendent are telling. Where the level of patrolling in public places has increased, burglaries have reduced by 53% compared with last year, theft is down 23%, robberies have declined by 37% and bike and vehicle theft by 32% and 48%, respectively. Incidents involving antisocial behaviour and assaults have also declined, as have other crimes. The mountain bike unit has also been strengthened with eight additional gardaí, which is very important, especially in the mountainous region and parklands, given that people have been spending much more time in open spaces in recent months.

If we are to prevent scenes such as those circulating on social media and the reports coming into our offices, we need gardaí on our streets. It is what gardaí want to do. We need administrative civilian staff hired to allow our gardaí to get out on the street and provide peace of mind. Before this debate, I took a walk from Kildare Street to Parnell Square via the main thoroughfare of our capital city, O'Connell Street, during which I saw one member of An Garda Síochána on patrol. That is simply not good enough. It does not provide a sense of security or well-being. We have to ensure the new rostering arrangements that worked so well are put in place and the demands of the public and gardaí are met by management. We must have a high-level, high-visibility policing presence across our main thoroughfares. That will act as a deterrent and see early intervention in crimes.

We are seeing an undoubted, well-documented increase in the number of attacks on people from racial minorities. We have seen homophobic attacks and attacks on women. We all listened intently and with deep sadness to the details of a chilling trial in the United Kingdom, which led to Sarah Everard's murderer being put in prison for the rest of his life, and rightly so. That is why we look to An Garda Síochána to provide a sense of security. I call for the Minister of State to work with the Garda Commissioner and others to ensure we have a strong Garda

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presence on our streets and crack down as we reopen our society and economy in order that people - men, women and children - can feel safe walking the streets, day or night.

**Minister of State at the Department of Justice (Deputy James Browne):** I thank Deputy Richmond for raising this important matter. I assure the Deputy that the Minister, Deputy Humphreys, and I are aware of the effects of antisocial behaviour on our communities. We are also both aware of the importance of high-visibility policing and know people feel safe when they see the presence of An Garda Síochána in our towns and cities. The Minister met senior members of An Garda Síochána in Dublin City, as recently as last week, to discuss the issue raised by the Deputy. She also met representatives of businesses in Dublin city centre, as well as local representatives, to hear their concerns. The Minister and I will be in regular contact with An Garda Síochána, as we progress through the autumn and winter, to ensure actions are taken and people feel safe, not only in Dublin city but in towns throughout Ireland.

I assure the Deputy that the Government is committed to ensuring more visibility in our communities. The Deputy will be aware that An Garda Síochána was provided with an unprecedented budget of €1.952 billion for 2021. This sustained level of investment is allowing ongoing recruitment of both members and staff to An Garda Síochána. As a result, there are now approximately 14,500 Garda members and more than 3,000 Garda staff.

The programme for Government and the Justice Plan 2021 contain a range of priority commitments and actions to support visible policing countrywide, chief of which is the implementation of the report on the Commission on the Future of Policing in Ireland through the Government's implementation plan, A Policing Service for our Future. The roll-out of the new Garda operating model under A Policing Service for our Future will deliver increased Garda visibility in communities, while facilitating a wider range of locally-delivered policing services underpinned by the redeployment of An Garda Síochána from non-core duties to front-line policing throughout the country. Visible policing means safer communities that can feel supported in daily life. The benefits of effective Garda resources at community level can be felt by each and every one of us. Community safety is a cornerstone of An Garda Síochána's transformation programme. Indeed, it has always been the primary focus of An Garda Síochána. This has been particularly evident during the Covid-19 period, when gardaí across the country consolidated their connection with local communities and were truly present during an unprecedented crisis.

Of course, keeping communities safe is not just about Garda numbers. The Government also recognises the need to strengthen and support community engagement services. This is central to comprehensive community safety policy, which is being developed by the Department of Justice. To this end, three pilot local community safety partnerships have been set up - one in Dublin's inner city, one in Longford and one in Waterford. These will run for the next two years ahead of a nationwide roll-out to all local authority areas. The new partnerships will bring together State agencies, including An Garda Síochána, local authorities, community groups and representatives to devise community safety plans that are tailored to the local needs of those communities.

The Deputy will appreciate that, by law, the Garda Commissioner is responsible for the management and administration of An Garda Síochána, including personnel matters and deployment of resources. The allocation of Garda resources is made in light of the identified operational demand. This includes deployment of personnel among the various Garda divisions. Neither the Minister nor I have any direct role in the deployment of Garda resources.

**Deputy Neale Richmond:** I appreciate the Minister of State's fulsome reply. I also appreciate the ongoing work of the Minister of State, the Minister, Deputy Humphreys, particularly in the context of the recent engagement with various community, policing and business fora. However, people want to see direct action. They want to see the gardaí on the street. They want to feel safe walking down O'Connell street. They want to feel safe allowing their children - maybe not their young children, but their adult children - to be out at night as our communities and economy open up. I fully take on board the Minister of State's point that the responsibility lies with the Garda Commissioner, and rightly so. That separation is extremely important.

Budget day is approaching. The Minister of State referred to last year's financial allocation, which was welcome. It was a huge increase under Minister, Deputy McEntee. However, we need to see that maintained in order to allow the Commissioner to have the resources to follow a fulsome strategy that can provide confidence in every member of public in our capital city, in our major towns and in our villages to know that the streets that they will walk down will have a Garda presence and that gardaí in their duties. We need to maintain Garda numbers and the necessary level of resources - the, bikes, vehicles, stab vests, ICT infrastructure, etc. - in order that when crimes are reported, victims are not obliged to wait many weeks for an acknowledgement. Gardaí need to be freed up from administrative duties in order that they can police.

The second point of vital importance goes beyond policing. It relates to engagement with the community. It is important that the Minister of State and the Minister work in conjunction with the Minister for Public Expenditure and Reform, Deputy Michael McGrath, in respect of the new community safety fund. More than €16 million in cash was seized from criminals. That money needs to be ploughed back into communities and into resources in order to keep people away from criminality. We must ensure that the resources are there to address worrying problems such as knife crime, drug crime, organised crime or the racial and gender-based attacks that we have seen in recent weeks.

**Deputy James Browne:** I thank Deputy Richmond for raising this important issue. I know he has been consistent in raising his concerns about this matter. He is 100% right. We need to have clear engagement with communities around ensuring Garda presence and Garda involvement in communities. As the Deputy correctly pointed out, the community safety fund is important. Under the fund, the money taken from those who benefit from crime will be put back into the communities that are most deeply affected by those criminal elements. The new community policing strategy will also have an important role in bringing communities together to design safety plans and plans for Garda deployment that are tailored towards those communities. The Deputy will appreciate that those in local and senior Garda management are consulted during the allocation of personnel and are responsible for specific deployment or assignment of duties being undertaken at a divisional level.

An Garda Síochána continues to implement high-visibility policing plans to address public disorder-related issues and antisocial behaviour with particular overt and targeted policing of public places at times where public order incidents and antisocial behaviour typically increase. An Garda Síochána also rolls out information relating to policing operations on an ongoing basis in response to specific incidents of antisocial behaviour.

The Government remains steadfast in its commitment to enhancing community safety and supporting the valuable work of An Garda Síochána to this end. The publication of the landmark policing community safety legislation by the Minister for Justice earlier this year is significant in that the need for a cross-agency approach to community safety in partnership with

local communities will be recognised in statute for the first time..

### **Antisocial Behaviour**

**An Ceann Comhairle:** We now return to the first item, which is to discuss the increase in antisocial behaviour, specifically in Dublin city. This has been tabled by Deputies Jim O’Callaghan and Gannon.

**Deputy Jim O’Callaghan:** It has been great over the past month see Dublin city reopening. We see people back in their offices. We see shops and businesses reopening. At night-time, we see many people back out socialising again. Unfortunately, however, that reopening has also been accompanied by a significant increase in violent criminal activity in the inner city of Dublin. The title given to this matter is “Antisocial Behaviour” but I think it could be more appropriately referred under the title of “Violent Criminal Activity”. I do not think we should understate the matter by simply referring to it as antisocial behaviour.

The type of activity I am talking about relates to young men or boys getting involved in violence against other people that they do not know. In effect, it is gratuitous violence being perpetrated by them against people who work in restaurants or doormen. It is violence being perpetrated against other young men and boys who are walking down the street. Even yesterday, I heard of an attack on a young woman not far from here. This activity seems to follow the same characteristics. These are young men attacking people who they simply do not know.

We need to try to formulate a method of approaching and resolving this very serious matter. It will become recognised as being just a part of life and Dublin unless we take a stance on it now. We need to send out the message – and I know the Minister of State will agree - that there should be zero tolerance for this type of gratuitous assault on individuals. It is simply not acceptable that boys or young men, who are in general the victims, are subjected to attacks on public streets by people they do not know. This is happening on Dame Lane, Merrion Row and St. Stephen’s Green. It is happening all over the city. Deputy Gannon is the other Member who raised this matter. I am sure this is also happening in his constituency.

I ask the Minister of State that we ensure that we have greater visibility of policing, as was mentioned in the context of the previous matter, and emphasise that this type of behaviour is socially unacceptable.

**Deputy Gary Gannon:** I fundamentally believe that when we see crime, we should understand the context in which it occurs and the conditions which gave rise to it. However, I also believe that when people tell me they feel unsafe, there is an onus on us to create the conditions in which they start to feel safe again. In the city of Dublin at the moment, people genuinely feel unsafe. At the very heart of that are people who do not look like me. The people who feel unsafe are migrants, women and those who are of a different sexual persuasion to me.

We have seen images of attacks and violence on our streets captured on social media. When we see footage on social media of Deliveroo drivers being attacked, I am conscious that this is only a drop in the ocean when one considers what we do not see. It pains me to say that in the city of Dublin at the moment, people simply do not feel safe. There is an onus upon us in this Chamber to confront the issues that give rise to these attacks. I took the opportunity today to visit Pearse Street Garda station to meet Superintendent Dermot McKenna, who is a really

good guy. One of the issues I relayed to him is that we simply need to see more gardaí on our streets. We need to see more gardaí around the city of Dublin, wearing the uniform and creating the conditions in which people can be made to feel safe, such as by intervening at the earliest opportunity.

I am conscious that the Houses are located in an area that is close to where people were attacked and where they feel unsafe. At the gates of Leinster House at the moment are gardaí who have been deployed from Pearse Street Garda station to stand outside and do the important work they do. However, policing in a city centre context is different. We need to provide as many personnel resources as possible in order that gardaí can police the protests that happen in every democratic society, guard Dáil Éireann and make people feel safe when they come into the city. There is an onus on us to do that.

**Deputy James Browne:** I thank Deputies O’Callaghan and Gannon for raising what is clearly a very important matter. The Government, the Minister, Deputy Humphreys, and I are determined to tackle antisocial and violent behaviour. We are conscious of the effect it can have on people’s quality of life and safety. We are, of course, aware of the effect it can have on residents and businesses of Dublin city, and on many of us who want to visit our capital city and enjoy what it has to offer.

The Minister, Deputy Humphreys, and I are also aware of the importance of high-visibility policing and know that people feel safe when they see the presence of An Garda Síochána in Dublin. The Minister met with senior members of An Garda Síochána in Dublin city, as recently as last week, to discuss the issues raised by the Deputies. She also met with representatives of the businesses in Dublin city centre, including local representatives, to hear their concerns. The Minister and I will be in regular contact with An Garda Síochána and others as we progress through the autumn and winter on the actions being taken to ensure people feel safe in Dublin and other towns and cities throughout Ireland.

It is clear that incidents of assault or intimidation are completely unacceptable. People must feel safe in their communities. Preventing children and young people getting involved and diverting them from criminality after having become involved in it, is a key priority for me and both the programme for Government and the Justice Plan 2021, which contain a number of commitments in regards to this and the broader issue of tackling antisocial behaviour more generally and violent crime. In line with a commitment in the programme for Government, last year I established an expert forum on antisocial behaviour. This forum considers the effectiveness of existing legislation and proposes a new way forward, including new powers for An Garda Síochána and additional interventions to support parenting and offenders on a social level to help divert them from criminal activity. A subgroup of the forum has already considered measures which can be taken with regard to the misuse of scramblers and quad bikes in communities, and similar subgroups can be established for other issues. For instance, this week I chaired the first meeting of another subgroup on the issue of knife crime, a matter Deputy O’Callaghan has raised on numerous occasions in this Chamber. The group will now consider evidence-based best practice in addressing this issue which will inform both potential changes to legislation, as well as community safety policies, programmes, practices and interventions.

In April, the Minister, Deputy McEntee, and I published the Youth Justice Strategy 2021-2027. It considers the full range of issues connected to children and young people at risk of coming into contact with the criminal justice system, including early intervention and preventive work, family support, diversion from crime, through to court processes and facilities, su-

pervision of offenders, detention and reintegration and support post-release. For the Deputies information, the current Garda strength as of the end of August in the Dublin metropolitan region, north central and south central divisions, which cover Dublin city is 1,384 members of all ranks. This amounts to an increase of almost 14% since the end of 2015. The divisions are further supported by Garda staff numbering 187, which is a 75% increase since the end of 2015. A key part of what is happening at present is the hiring of more Garda staff so existing Garda members can be redeployed into Garda duties and away from administrative duties.

I am assured that An Garda Síochána will continue to implement high-visibility policing plans in Dublin city to address public disorder related issues and antisocial behaviour, with particular overt and targeted policing of public places at times when public order incidents and antisocial behaviour typically increase, such as bank holidays and weekends. These uniformed members are supported by members attached to the division on drugs unit and the district crime prevention units performing covert patrols, gathering intelligence and, where appropriate, delivering effective policing interventions. In addition, the Garda national public order unit continues to be deployed in Dublin city and surrounding areas to address complaints raised by local residents and businesses regarding instances of antisocial behaviour.

**Deputy Jim O’Callaghan:** I thank the Minister of State for that thorough response and, like him, I am fully aware this is a problem that cannot simply be resolved through increased Garda visibility or strengthening our laws. We need to focus on the group of men and boys in our society who seem to think it is acceptable to use violence against people they do not know, be that for the purpose of trying to rob from them or for the purpose of inflicting gratuitous harm upon them. We as a society need to generate a message that this type of behaviour is socially unacceptable. Let us look at how we dealt with drink-driving. Years ago, drink-driving was not treated with the same seriousness as it is today, however, the message went out that it was socially unacceptable. We need to learn from that information campaign as well. It may be the case that we need to start publicising the individuals committing these crimes and perhaps that will have a deterrent impact on them. We need to consider having an information campaign to ensure the recognition that this type behaviour is not acceptable in our society.

**Deputy Gary Gannon:** There are few occasions in this Chamber when we can unify and agree on an approach, and I think this is one such occasion. In our capital city at present, there are people who do not feel safe. The UN safer cities initiative for women and young girls requires resources and involves talking to young men about men’s violence against women and tackling a culture of toxic masculinity. We can start by going into schools and meeting people at the youngest age possible and speaking to them about what it means to be a young man, and providing role models and counselling services. We must also acknowledge that when people are attacked, as is happening to Deliveroo drivers, people of different ethnicity, and those of different sexual persuasions, we need to come down hard, because that is not the image of the city I love that I want projected to the world. At present, we have lost our grasp of the issue and need to recapture it strongly. In a scenario where people feel unsafe, we need to come down hard and create the conditions where women, people of different ethnicity, and people working in delivery services must feel safe as they go about their duties. We can unify in that approach across this Chamber, and the Minister of State will have my full support in doing so. This beautiful city is ours and it needs a stronger hand now.

**An Ceann Comhairle:** I thank both Deputies for raising this important matter.

**Deputy James Browne:** I again thank the Deputies raising this matter. I understand what

they have said and I am in full agreement with them. There can be all sorts of underlying reasons the violence is happening and it needs to be confronted head-on. On tackling the underlying issues, perhaps something driving some of that violence is a lack of understanding or comprehension of the exact damage they are causing. That is where restorative justice can come into play by compelling young people to confront the damage they do and appreciate that it is not simply a five- or ten-minute incident but that it can have lasting effects, which very often lasts for years or the rest of people's lives. Restorative justice has a significant part to play in this, as does educating those young men on their thoughts and behaviours, and the toxic masculinity, as raised by Deputy Gannon, and the behaviour coming from that. This is evident in knife crime whereby people are beginning to carry knives out of a defensive purpose. However, if a person carries a knife, more than likely, it will be pulled out and used against the person or somebody else.

Following the setting up of the antisocial behaviour forum on knife crime, we should be able to conduct a scoping exercise within eight to ten weeks. We must then move on to the next phase by looking at what is driving some general antisocial behaviours, such as dangerous violence by young men. It is a trend we are seeing more of and it needs to be tackled. We are addressing this particular type of incident through the knife crime forum. However, we can look at the issue in a broader sense as well at the issue that seems to be developing. On the local community safety partnerships, there is one pilot established in north inner city Dublin, one in Waterford city and one in Longford. They will have a real impact and need to be rolled out. It will not be like the joint policing committees where politicians and gardaí sit at the top table. There will be gardaí and some politicians, but we also want representatives of the HSE, TUSLA, housing and other State agencies around that table so they can bring comprehensive approaches where there are localised issues of violence and antisocial behaviour.

### **Home Care Packages**

**An Ceann Comhairle:** We now move to the final matter, which is tabled by Deputy Ó Murchú. He wishes to discuss the lack of home carers and the impact this is having on families.

**Deputy Ruairí Ó Murchú:** I thank the Minister of State for taking this question. I assume Members have, as I have, experienced multiple call-ins to our constituency offices by families struggling to get carers in order for them to put a home care programme in place so they can keep their loved one in their home. There were numerous reports in the last year, particularly during the pandemic, when many of us recognised the type of work done by carers, and how their work makes a huge impact in our State and society, in addition to saving the State a significant amount of money and resources. The problem, and we have all dealt with this, concerns people being unable to get care packages or only being able to get insufficient hours. From time to time, there have been issues in this regard. For example, community healthcare organisation, CHO, 8 might not have had enough directly-employed HSE staff or contract staff available. We hear at times that such problems have been sorted out but we still have these cases. If we are going to deliver home care that is an alternative to nursing home care, if that is what these people and their families want, then we must ensure that we resource this option.

I go through the details of some cases. I will speak in generalities and not name names. These cases have come through our office in the last while. The first concerns a 61-year-old woman. She lives in north Louth and had a stroke several months ago. She was in the care of

the RCSI Hospitals Group in Drogheda and later in Dundalk. She was due to return home recently and her family made many attempts to try to get the recommended home care package. It involves four visits by two carers seven days a week. The family, however, has not been able to secure that package. The family has also been absolutely clear from the outset that this woman will not go into a nursing home. She is a young woman of 61 years old and a nursing home is not the place for her. The family are very supportive and are willing to do whatever they can but they must be facilitated. We must find solutions to cases like this.

I have another case involving a 93-year-old lady who spent a few days in Our Lady of Lourdes Hospital. She was discharged but a care plan was not put in place and no advice was provided to her daughter, who attempted to try to put something together at that stage. She made contact with a district nurse who was very busy and it was not possible to get a meeting for about a week. We had contact with people in CHO 8. They have been in touch and are assisting her. Again, it was stated that there was a need to deal with such cases and that people should not be let out of care until the correct home care package is in place.

The next case I will raise has been brought up previously. It involves a 74-year-old woman. These are all cases involving women and in most cases, the carers are also women. We are failing miserably in this regard. The lady involved in this case has advanced dementia. She had secured home care but not sufficient care for the weekends. The situation is the same months later. We are dealing with a family whose members are exhausted and at their wits' end. They are doing everything they can to try to give the required care to this lady on the weekends and get her through to the weekdays, when a better care package is in place. That is it, however. We are again talking about people doing their absolute best. It is, though, keeping an engine going with baling twine. It is not good enough. If we are talking about home care as an alternative to nursing home care, then we must offer people what is necessary.

**An Ceann Comhairle:** I thank the Minister of State for being here to deal with this matter.

**Minister of State at the Department of Health (Deputy Mary Butler):** I thank Deputy Ó Murchú for raising this important issue. It is a timely one, as tomorrow we celebrate the UN International Day for Older People. It is a key priority for the Government and for me to enable more people to engage in services that allow them to remain independent and live in their own homes with dignity for as long as possible. To advance this, the Government is committed to establishing a new statutory scheme on home support. In July, I announced the selection of four sites to test a reformed model of service delivery, through the delivery of 230,000 hours of home support. The four CHOs selected were CHO 2, CHO 4, CHO 7 and CHO 8. This pilot will underpin the development of the statutory scheme for home support services and will be fully operational on 1 November.

A national home support office will also be established before the end of this year to support the testing of the reformed model of service delivery. In addition, approximately 130 posts have been funded for the national roll-out of the interRAI Ireland system, which the home support pilot will test as the standard assessment tool for care needs. Recruitment for these posts will commence shortly. In parallel, work is ongoing by the Department to make progress with other aspects of the scheme, including the development of a regulatory framework and the examination of options for the financing model. The Economic and Social Research Institute, ESRI, is examining that aspect for us.

To answer the Deputy's specific question, while this new home support scheme is under

development, the Government is prioritising improving access to home support services for older people. An additional €150 million was allocated in budget 2021 to provide for 24 million hours of home support. This is an increase of 5 million hours, or more than 25% on 2020. Therefore, my budget for home support this year is €666 million, and that is a phenomenal amount of money. Provisional data indicate that at the end of August 2021, approximately 13.2 million home support hours had been provided to 53,905 people. This is about 2 million more hours compared to the same period last year. Approximately 478 people were waiting for funding approval, representing an 88% reduction compared to the same period in 2020. This has resulted in keeping 1,200 people out of nursing homes this year alone.

The difference now is that in other years, we did not have the funding. This year, I have the funding but we have a shortage of staff. That is the whole issue. Due to these issues with capacity and staff availability, there are sometimes delays between the approval of funding and the delivery of home support hours. There are ongoing difficulties with the recruitment and retention of staff, with particular local areas experiencing increased pressures. This is particularly the case at weekends and in rural areas. It is a problem in my constituency. This no doubt affects access to home support for approved clients, even where funding is available. At the end of August, some 4,449 people had been assessed, approved and were waiting for a carer to become available. The funding is there to support the package of exactly what those people need. The problem, though, is that we do not have the carers to deliver the packages. As a result, this week I met Joseph Musgrave, CEO of Home and Community Care Ireland, HCCI. I also met representatives of the HSE. I spoke to them this morning to see what we can do to resolve this issue. It is not an issue with funding. I have the required money. We have established a strategic workforce advisory group with the involvement of key stakeholders, including representatives from the sector, education and the Government. Someone delivering home support now has to have a level 5 qualification before entering the house. The group will provide a forum for practical actions. It will also look, however, at aspects such as recruitment and retention. Terms and conditions are important for private providers as well. There is a financial issue in respect of mileage if, for example, a carer is going out to a rural area three or four times a day.

**Deputy Ruairí Ó Murchú:** I welcome that answer from the Minister of State. She stated clearly and I accept that the issue now is not one of funding but involves a shortage of staff. I also welcome the establishment of the strategic workforce advisory group. To quote someone else, we must do the devil and all to ensure that we can deliver the staff required. It is as simple as that. The problem concerns added pieces to fill the gap. As this pilot is worked out, I would like to think that it will catch some of the mistakes made before. That could include communicating with people to tell them that it will be possible to offer them the enhanced package with weekend cover, even if not immediately, and that everything necessary is being done. Even if we know that is the situation, then we can be part of the messaging service. If that only served to give people hope in the form of letting them know that we are aware they are in a bad place now but that we will deliver for them, that would be welcome.

It is what is necessary, and we have had multiple reports in this regard. When it suits the family, the person involved and everybody wishes it, the whole idea is that it is necessary to offer the person concerned the ability to live in his or her own home. In situations where families are adding their help, support and capacity, they are doing a huge favour for the State. It is saving the State an absolute fortune. Therefore, we must add those bits of the picture which are missing now and which will make this option possible and doable. I welcome the work that the Minister of State is doing, specifically the meetings with the HCCI and the HSE. It looks like it

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is happening from the point of view of delivering this scheme. I would just like the Minister of State to add a wee bit more on the specifics. I know it is difficult for her to give me a timeline in this regard but it would be good to get some idea of a general scenario where we are on the correct road and that in two, three or four months' time, we should be in a situation where these types of issues are resolved. I may contact the Minister of State afterwards regarding these specific cases.

**An Ceann Comhairle:** One wonders, if the main problem is with personnel, whether it will be possible to magic them up out of somewhere. Will work permits be an issue in this area?

**Deputy Mary Butler:** I thank the Deputy for the constructive approach. I sat where he was sitting for four years and I raised this issue on a weekly basis. You can attest to that, a Ceann Comhairle.

In May 2020, there were 7,250 people waiting for financing of a home care package and, currently, there are 1,440 waiting. That shows we have improved by 90%, which is fantastic. The challenge we face now is to try to get more home care workers into position. We are going to look at alternatives. For example, there might be parents who do not work and whose children are in school, and we are going to try to get a flexible approach so that they might be able to deliver perhaps three hours a day. We are looking at that.

There is also another option that is taken up by very few families. It is in place since 2018, but it has not been spoken about very much. People can receive funding from the HSE to provide home care support and they can hire the providers themselves, but that has never really taken off. There is an option for people to receive the funding allocation it would cost the HSE to provide the package and for them to hire the staff themselves.

We are also looking at weekends. For most people, home care is not an issue from Monday to Friday, but Saturdays and Sundays are an issue. We are looking at providing financial support to people at the weekend and they might be able to get help in themselves. We are looking at all the options. For once, I have the budget, but I am challenged currently with not being able to get the staff. There are staffing issues across a lot of sectors of society.

Permits are a bit difficult because 75% of home care workers are part time and if we bring in somebody from a non-EEA country we must pay the minimum wage. The rate we have to be able to pay is €27,000. Given that most home care workers are part-time workers, most of them do not work for the required number of hours.

I say to the Deputy and the Ceann Comhairle, as I know he is very interested in the sector and he often raises it with me, that we are trying to do everything we can. Coming into the winter we need to get as many home care workers as possible, and we will do our utmost to do that.

**Planning and Development (Climate Emergency Measures) (Amendment) Bill 2021:  
Second Stage [Private Members]**

**Deputy Bríd Smith:** I wish to share my time with Deputy Paul Murphy. He is not present yet, but if he does not arrive, I will keep talking.

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

**Deputy Bríd Smith:** I move: “That the Bill be now read a Second Time.”

Three years ago I introduced the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill to amend the Petroleum and Other Minerals Development Act, that sought to ban oil and gas exploration in the State. We did so because of the simple fact that the science of climate change was screaming at us that the globe could not support more exploration and we were exceeding thresholds and hopes of limiting global temperature rises to 1.5°C, and that the vast reserves of our proven oil, coal and gas had to remain in the ground.

At that time there was loud wailing from vested interests, business interests and attempts to mislead and distract from the core facts by the Government of the day. False arguments were raised to counter the proposals. Today, thankfully, that debate is settled for now and we have a State that has banned new exploration licences for oil and gas. Today, I am introducing another climate emergency measure Bill, this time to amend the Planning and Development Act to address the worsening crisis. I have no doubt that it will be treated with many of the same and similar bogus arguments against its aims, but I hope that just as the growing climate movement forced the then Government to act, and three years later it moved to ban the exploration of oil and gas, the same movement will assert itself in the coming weeks and months and force these issues to be addressed. I hope that the movement of Fridays for Future Ireland school strikers, Extinction Rebellion and the plethora of environmental and climate movements out there will remind the Green Party that lofty rhetoric and optimism are no substitute for policy that works and measures that will impact.

The Bill does three things to address some of the most pressing issues we face in dealing with climate, with our commitments to reduce our CO<sub>2</sub> obligations under the Paris Agreement and our commitment to the planet and the environment. It will ban any further data centre applications in the State. It will also ban outright liquified natural gas, LNG, terminals and it will stop any new fossil fuel infrastructure.

I have listened all week to waffle and nonsense, to blind optimism, to arguments that we need data centres so desperately, to foolish attempts to say that if I email or tweet then I am being a hypocrite for pointing out the obvious. We cannot have 110 plus data centres in this State and have any hope of reaching our climate goals. We cannot build and operate 110 data centres in the next few years and have any hope of providing the energy needed to make a just transition for all our people and communities. We can have data centres coming out of our ears in every town and village or we can cut emissions to the level that we must reach to limit global warming, but we cannot do both.

I have heard no one from the Government benches criticise MaREI, whose research says that it was wrong or say the IPCC report was mistaken; that the CRU and EirGrid warnings were misplaced or that the evidence from experts that we heard in the committee about data centres is false. However, the fantasy continues. We have 70 operating data centres with eight

more being built and 30 with planning approval, and the State sits back and allows more to be built. It is either data centres or climate action and the Green Party in particular must choose.

This Bill will ban any application for an LNG terminal. We seek to do this bluntly to stop New Fortress Energy building the Shannon LNG terminal. This would also apply from the start for others in the north east and in Cork. We do so for the same reason that we moved to ban oil and gas exploration. We must leave it in the ground. We must avoid being locked into fossil fuel use for another 50 years. We must counter the false and self-serving argument that gas is a transitional fuel. It is not. Once again, we can have LNG terminals or we can have action on climate, but we cannot have both. Again, the Green Party must choose. Telling An Bord Pleanála what the Government's aspirations are will not be enough to prevent the building of LNG terminals and importing gas, but clear and unambiguous legislation will.

The Bill will also stop any new fossil fuel infrastructure and it will do so while there remains a climate emergency. While we correctly moved to ban issuing new licences, we have left vast tracts of the oceans still open to existing licences for exploration and we have the same captains of industry talking up the possibility of reserves that could be used for gas and oil in the near future. Again, the science is simple: we must leave it in the ground. All of these measures are dictated by the simple facts around each issue, both the maths involved in emissions and the effects they have on our climate. That they remain for the parties opposite so controversial has nothing whatsoever to do with the facts or with the absolute necessity to take these measures. The concerns and arguments marshalled are based not on science but on economic interests and on the impossibility of trying to reconcile the profit needs and business interests of corporations and of the elite with the necessary climate action. We can have business as usual or we can have real climate action, but we cannot have both.

We have seen this summer the weather extremes and the impact they have had across the globe, and we have heard yet more dire and incessant warnings from the science community and the latest IPCC report, yet there remains a massive disconnect between what science is saying and what this State's policy is. We hear warnings, we hear the science, and the response seems to be to nod sagely, thank the scientists, thank the young people for raising the alarm, and then say *mañana*, tomorrow, maybe 2030, maybe 2050, at some future date, when someone somewhere has invented something to take carbon out of the atmosphere, or some future date when others, perhaps China or another country, reduces its emissions, and then we will be on course.

The question is this: do we act now and, if we do not, when will we act? When will we exceed a 1.5°C, 2°C or 2.5°C temperature rise? How do we explain the continued defence of data centre building with any attempt to reach our Paris targets and reduce our CO<sub>2</sub> emissions? How is it possible to understand the continued refusal to stop, ban and legislate for such bans for LNG terminals? Why are our national newspapers and leading politicians continuing to regurgitate the insane and false notion that gas is a transitional green fuel that can play a role in the future, as envisaged by spokespersons and spin merchants of the fossil fuel industry? These arguments are not based on science or fact; they are driven by economic reasons.

The same people who were vociferous in pushing carbon taxes on ordinary citizens are the most enthusiastic about building data centres and retaining the low corporate tax regime rate in this country. They pretend their concern is jobs in construction. I find this particularly galling given we need every construction worker we have to build the homes we need to end the housing crisis or, indeed, to start the retrofit programme we need so badly to reach those emissions

targets. Not only is it a false argument, it is practically criminal to say we should proceed with 30 or more building programmes for data centres at a time when we have such a housing crisis and a never-ending problem with energy. This has to be dealt with, and dealt with urgently.

I have no doubt the Green Party are not going to vote for this Bill but I want to send a signal to the climate movement to watch this space and to please keep the pressure on them, because what is the point of a Green Party in government that does not act on strict climate measures?

**Deputy Gino Kenny:** Over recent weeks, there has been much conjecture about possible blackouts because of energy shortages. Ministers and the Taoiseach have said there may not be a guaranteed supply of electricity in the future. If it was not so serious, this would be very funny, but it is extremely serious. One of the reasons there is going to be a huge demand for electricity is data centres now and into the medium term. Most people will ask what purpose data centres serve because they use so much of the energy and resources we need at the moment. That is the big question most will ask. Data centres represent the hyper-corporate consumerism of “you are the product”. That is what social media, Google, Facebook and TikTok are all about - you are the product, at the end of the day.

Clondalkin has now become “Ireland’s data centre cluster”, and TikTok will build one of the biggest data centres in Europe in Clondalkin. That will consume more energy and electricity in one day than the whole of Clondalkin does in three months. It is an incredible amount of energy that it will consume. However, we must ask the question of how many jobs it will create. Very few.

I say to the Minister and the Green Party that if they were standing here on this side of the House, they would support this Bill. The Bill is a very reasonable demand and a reasonable Bill in its essence. The Green Party has a lot to answer for. It has entered government and has compromised its environmental credentials on this policy on the basis of being in government. If its Members were in opposition, there is no doubt they would fully support this Bill. It says more about the Green Party that it is not supporting this Bill than about us, given this could have a huge impact on elderly people. I say to the Green Party Members that it is not too late. They could break ranks and support this Bill.

**Deputy Mick Barry:** “[This] report is a code red for humanity. The alarm bells are deafening, and the evidence is irrefutable: greenhouse gas emissions from fossil fuel burning and deforestation are choking our planet and putting billions of people at immediate risk.” These are the words of United Nations Secretary General, António Guterres, at the launch of the IPCC report earlier this year.

Global carbon emissions fell 7% in 2020, the deepest cut since 1945. It was not hard to achieve that when the majority of planes were out of the sky for months on end and billions of cars were off the road. The real trend is shown by a different statistic. In December 2020, as compared with December 2019, to take the two one-month periods, global carbon emissions were up 2%. Instead of building back better, what is happening is the capitalist economies are restarting on the basis of big increases once again in carbon emissions. In fact, it is estimated that 2023 will be the highest year on record ever for carbon emissions.

The target from Paris is to cut carbon emissions by 50% by 2030. Under the guidance of the big corporations and the governments they control, is the world heading for a 50% cut? No, it is not heading for a cut at all. In fact, on current projections, if it was to keep on the same track,

it is heading for an increase of 16%.

We have had a debate on data centres in the past couple of days. Some 2% of electricity globally is eaten up by data centres, and in this State it is 11% and heading for 30%. The only point I will make about it, as we had the debate, is that the vote last night was very illustrative. It was an 82 to 61 vote, where all 12 Green Party Deputies trooped in to vote with Fianna Fáil and Fine Gael to shoot down a proposal for a moratorium on data centres. Had they voted the other way, as I suspect everybody in the climate movement in this country would have wanted them to do, it would have been a 73 to 68 vote in favour of a moratorium. It is scandalous from the Green Party.

This Bill would ban new fossil fuel infrastructure. Part of the equation is the LNG project in Shannon and the LNG project at the plant in Inch, County Cork, for a floating storage regasification unit, which does not get much coverage and needs to be put out there. Both of these are being sponsored by big corporations. In Shannon, it is New Fortress Energy. There are legal cases there at the moment, but they are quite determined. They want to bring in fracked gas from Pennsylvania. Fracking releases large quantities of methane into the atmosphere. Experts from Cornell University in the United States reckon the amount of global warming per unit of fracked gas is 20% higher than is the case for coal. One of the activists in the local Safety Before LNG group, John McElligott, is on record as saying, “It seems that the door is constantly being kept open for Shannon LNG in spite of clear government policy to the contrary.” This is unacceptable.

In Cork, the company that is trying to pioneer LNG is perhaps aptly named Predator Oil and Gas Holdings plc. It has met the Department and the regulator. It is looking for a non-fracked operation, but fossil fuel all the same. It reckons it can put it together within 18 months, with first deliveries in late 2023. That is its target, using the infrastructure of the Kinsale gas field.

*8 o'clock* The purpose of this Bill is stop projects like that and knock them on the head. If we do not win support in the House tonight for that, I make no apologies for saying it is my earnest wish and desire that a mass, popular, democratic campaign will stop those projects by means of people power and direct action.

**An Ceann Comhairle:** Is the Minister of State sharing time with Deputy Leddin?

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** Yes. It is important to reiterate that the Government recognises that the use of energy and its security of supply are key issues facing the economy in the coming decades. However, the Planning and Development Act 2000, as amended, is not the appropriate mechanism to achieve the goals as set out in this Private Members’ Bill. Therefore, the Government opposes the Bill.

As Deputies will be aware, the planning process is at its core neutral. It includes public participation and does not predetermine the outcomes of any planning applications, either positively or negatively. It is only once an application is made in accordance with the planning Act that Government policy, including those policies that have regard to fossil fuels and data centres, is considered as part of the decision-making process. To amend the planning Act in the manner proposed would be to undermine the neutrality of the system by deciding the outcome of the planning application prior to the completion of the process. In this regard, the Private Members’ Bill is specifically targeted at restricting the development of certain fossil fuels in-

infrastructure developments and data centres as well as removing nearly all forms of energy infrastructure from the strategic infrastructure development list, the result of which would be to remove the existing planning process from these types of development requiring the submission of such planning applications, which are of strategic national, regional and economic importance, to An Bord Pleanála for determination.

A key principle of the planning system is that when making a decision in relation to an application the planning authority shall be restricted to considering the proper planning and sustainable development of the area in which the proposed development is located. As part of this, consideration of Government policy is achieved during the decision-making process where planning authorities and the board must have regard to the policies of the Government, such as the climate action plan, the national planning framework and environmental considerations, when making determinations on the planning applications.

The Government is actively working on policy in the areas of fossil fuels and data centres, as specifically mentioned in this Private Members' Bill. As the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, stated during the week, a review of energy supply is under way and, once completed, the outcome of this review will inform future Government policy in the energy sector to be taken into account in the assessment of planning applications in this area.

With regard to data centres, proposals for such development, like other forms of industrial development, are required to go through a full assessment of their environmental impact as part of the planning process. In addition, the Commission for Regulation of Utilities has statutory responsibility to monitor and take measures necessary to ensure the security of supply in Ireland. The CRU is assisted in undertaking its statutory role by EirGrid.

It is important to note that the role of the CRU is already recognised in planning through the Planning and Development Regulations 2001, as amended, as part of the planning process for high-energy usage developments. The CRU must be consulted and contribute to an application which relates to development of energy infrastructure. Any submission lodged by the CRU to a planning authority or An Bord Pleanála on a planning application is taken into account in the determination of that planning application. In addition, developers are also required to apply for an electricity grid connection so that EirGrid can assess the electricity demand load they may add to the electricity grid and any associated implications. This process is thoroughly robust and independent.

I am satisfied that the existing arrangements in the planning Act for the specific forms of energy infrastructure and data centres, as referenced in the Private Members' Bill, are reasonable and appropriate. Accordingly, the Government opposes the use of the Planning and Development Act and the planning system in the manner proposed as this is not an appropriate mechanism to achieve the objectives of the Bill.

**Deputy Brian Leddin:** This week, Bord na Móna announced an innovative new project near Rochfortbridge in County Westmeath, namely, a renewable energy park consisting of 200 MW of electricity that will be generated from renewable sources such as wind, solar, energy storage and green hydrogen production. Bord na Móna wants to attract high-demand energy users, such as data centres and distribution centres, to locate on this site to benefit from the on-site renewable energy supply. The effect of this Bill would be to torpedo this development and the jobs that would be created in the construction of this significant project in the midlands by

a State-owned company.

The proposed moratorium on data centres is a blunt instrument and betrays an ignorance of power systems. This Bill is a vacuous distraction from the immense decarbonisation task we have ahead of us. It is an example of politicians stepping from policymaking into operations and micro-managing something they know very little about. It is cynicism, populism and playing to the gallery at its worst.

This week, in the media and in this House and its committees, we heard that 70% of Ireland's energy could be consumed by data centres in 2030, except the number is wrong. It is misleading and makes an incredible assumption. It assumes that if every data centre gets the green light and is built, they would all run all of the time and at full demand, irrespective of the power load. This is nonsense. EirGrid's worst-case scenario analysis shows that it could be around 30% if all applications are approved but there is no prospect of that. In some cases and in some locations, it does not make sense to build data centres. In other cases and locations, it does make sense. Large energy users, such as data centres, can be located in places where they help with grid stability and can ultimately help with the ramping up of renewable generation.

The truth is we need data centres. They are vital for our modern economy. However, we do not need them in the east, where there is an excess of electricity demand over supply. We need them in places such as Limerick, Clare, Waterford, Galway and Cork where there is significant potential for offshore wind. I have been working with Shannon Foynes Port Company, another State-owned company, to help it make the case for investment in the port to serve the offshore wind industry. Look at the potential of the offshore wind and hydrogen plant at Moneypoint in the Shannon Estuary. Development of this industry will bring high-quality jobs to a region that desperately needs them.

We have immense potential to generate significant amounts of power offshore, served by Foynes port. What we need are users of power because our west-to-east grid connections will be at capacity, and building new ones is very challenging from a planning perspective. This Bill would kill that potential straightaway and reflects a Dublin-centric view of our country. Data centres could be useful in areas where they can be powered by renewable sources and contribute to on-site storage so that they do not negatively impact on our electricity grid.

The appropriate way to regulate the impact of data centres on our electricity system is through the Commission for Regulation of Utilities, as the regulator, and EirGrid, the operator of our national grid, not through populist and ill-informed politics, which is what this Bill represents. The idea of a moratorium or that People Before Profit and other parties, including the Social Democrats which introduced a similar motion about data centres to the House this week, can or should dictate to the best transmission system operator in the world would be laughable if it were not so serious and potentially damaging to this country. This House should reject this Bill outright.

**Deputy Gary Gannon:** I will speak on behalf of Deputy Whitmore.

I welcome the opportunity to speak on this Bill. Yesterday, the Social Democrats introduced a motion calling for a moratorium on data centre development until a full Government strategy was put in place and all necessary analysis was carried out. This was despite objections from the so-called Green Party. All we asked for yesterday was a moratorium until there was an analysis. The analysis does not exist yet.

**Deputy Brian Leddin:** There is a *de facto* moratorium already.

**An Ceann Comhairle:** One Deputy, please.

**Deputy Gary Gannon:** It is ludicrous that a green party would oppose a moratorium when we are facing blackouts in this country. Our request was reasonable and moderate and called for a delay on development until necessary without outwardly banning the development of the sector, as was suggested in that recent contribution. The Government, particularly the Green Party, has not seen fit to support us in our call. In the absence of Government support for our proposal, we will support this well-timed Bill, which has been introduced by People Before Profit.

A moratorium would be good practice until we were clear about the implications of a dramatically expanding sector, the security of our energy supply can be guaranteed and people across Ireland can be certain that they will not pay the economic and environmental costs associated with energy-hungry projects of scale. A moratorium would also provide time to gain perspective on climate action. It is important to understand how prioritising the growth of a particular industry will affect an individual's effort to combat climate change. How can the Government justify asking people to make sacrifices to reduce their carbon footprint while, in the blink of an eye, data centre growth unravels all their hard work? People are doing their best to tackle climate change in their own way. Where they can, they are buying electric vehicles and are encouraged to do so while others are retrofitting their homes or buying more sustainable products. As we ramp up our response to climate change, our choices get even more difficult, but also more impactful. People need to know that the choices they are making amount to some change that will benefit our atmosphere and our global fight against climate change. They need to know that it is a fair and just transition to a zero-carbon economy.

When it comes to liquefied natural gas in Ireland, our message is much stronger - legislate to ban the construction of all LNG infrastructure and the importation of fracked gas. Nearly every environmental NGO, advocacy group and campaign group has been calling for this because we do not trust the Government's approach, which to date has been one of negligence. In the programme for Government, the coalition partners stated that they did not support the importation of fracked gas and they would develop a policy statement on the issue. A year later, we received a weak commitment from the Government. In that announcement, the Minister, Deputy Eamon Ryan, stated: "pending the outcome of a review of the security of energy supply of Ireland's electricity and natural gas systems ... it would not be appropriate for the development of any LNG terminals in Ireland to be permitted or proceeded with". He also indicated that the Government would not introduce legislation to that effect, as to do so would require changes to international rules such as European energy laws. However, other tools are available to him and the Minister for Housing, Local Government and Heritage. Under section 29 of the Planning and Development Act 2000, the latter has the power to issue policy directives to planning authorities regarding their functions under that Act and An Bord Pleanála must comply with any policy directive issued. There was an opportunity for him to issue a policy directive once the Government's statement on its current position was made. While that was at the discretion of the Minister for Housing, Local Government and Heritage, the Minister for the Environment, Climate and Communications could have sent guidance to him to issue directives to that effect.

When my colleague, Deputy Whitmore, received a response, the Minister, Deputy Eamon Ryan, said that the policy statement was notified to An Bord Pleanála and the Department of Housing, Local Government and Heritage following its approval by the Government. Under

the 2000 Act, An Bord Pleanála is statutorily obliged to have regard to Government policy, including the policy statement on the importation of fracked gas, yet this does not go far enough in addressing the insecurities around LNG construction. Shannon LNG was still able to put in an application. It is not enough that An Bord Pleanála must have regard to Government policy. It must be set out in law.

The Government's approach has done nothing to alleviate concerns about our dependence on gas, the threat of importing fracked gas and its own climate action targets. This all came just weeks after the Government published its revised climate action Bill, which notably left out the then Joint Committee on Climate Action's recommendation on banning LNG. In effect, all the Government has done is ban LNG but it has not approached this sector.

**An Ceann Comhairle:** For the information of Members, Thursday evening's Private Members' business is not organised on the basis of the usual rota but on a first come, first served basis. The next Deputy who has offered is Deputy Martin Kenny.

**Deputy Martin Kenny:** I thank the Ceann Comhairle for calling me earlier than expected.

We will support this legislation because it is appropriate that there be legislation to deal with the issue of data centres in particular, to stall the situation and to look hard at where it is going. This week, the Minister with responsibility for energy stated that he could not guarantee that there would not be blackouts this winter. Under those circumstances, it makes no sense to proceed with data centres, which are one of the main consumers of power in our system. No one in the country can understand why we cannot pause and reflect on the situation. If this Bill passes Second Stage, it will go to Committee Stage where we will tease it out and see if there are other issues that need to be addressed. That is how legislation works in the Houses. It is not as if, bang, everything will be over if the Bill is voted through tonight. We all know that it does not work like that and that this will take time and we will need to deal with the Bill in a measured way.

In this country, there is a great deal of politics around energy, so we need to recognise that we must reach a consensus. We have already discovered more oil and gas in the world than would destroy the world if we burned it all. There is no point in looking for more anywhere or taking more out of the ground because doing so would destroy the environment. Instead, we need to come up with solutions. The appropriate solution that we all agree on is that we must do everything we can to move away from fossil fuels to renewable energy.

I welcome the situation in Rochfortbridge where Bord na Móna is talking about building a unit. We need to see more of that happening, but it will take time and does not mean that we should plough ahead with everything else as if the situation will develop overnight.

Something strikes me whenever we speak about data centres and the like. I believe it was 1991 when I bought a home computer. It was quite a while ago and you would want two tables to put it on. It was huge, but it would not hold a fraction of the data held in a mobile phone now. If technology moves so fast, will data centres need to be this size in another ten years' time, will we even need as many or will they be big white elephants in the countryside? This is a point to which we need to give a little thought. The technology involved moves quite quickly.

Technology is also moving quickly in terms of how we develop renewable energy. Solar, wind and so on have come a long distance in a short number of years. If we focus all of the efforts and energies of our society and world capital over the next number of years on investing

in and progressing that sector and close off the option of continuing to use fossil fuels, it will force attention, investment and the expertise of all the scientists in the world into ensuring that we perfect renewable energies. This type of Bill is trying to do just that. It is telling people that we cannot continue down this road and that we need to stop and consider other ways forward.

I understand that there is always pressure from industries. I heard people from IBEC and other bodies on radio in recent days saying that we could not close the country down. No one wants to and we are not talking about closing down the country. Rather, we are saying that we have to proceed with caution because we cannot go on as we have been. We all agree on that. In that context, it is clear that we need to apply a moratorium and stop building data centres. We also need to consider how we use gas and oil, because as long as we have it in the background, the same attention will not be put into renewables.

This country banned fracking. We all recognised that fracking for gas was bad for the environment and that we needed to stop it, but if it should not happen here, then it should not happen anywhere. There is no point in importing fracked gas from other countries when we are saying it is not good for the environment in Ireland. Why should we impose something on Pennsylvania or anywhere else around the globe and say that it is okay to use the gas that comes from there but it is not okay to take it out of our own resources? We know those resources exist, particularly in the shale basins in Lough Allen in my part of the world. There are large quantities of gas there, but one would have to frack to take it out. That would destroy the environment, the River Shannon and half the country, yet are we saying that it is okay to take gas from somewhere else? That does not make sense.

We need to use the legislation that we pass to force industry to consider other ways of doing this, to force the capital and expertise of scientists in that direction, and to remove the option of fossil fuels. That is what this Bill is about. I commend the proponents of the Bill on bringing it forward. Sinn Féin will be supporting it and we implore the Government to support it and to allow it to proceed to Committee Stage where any issues with it can be teased out. As I said, these things do not happen overnight. We have plenty of time to deal with this issue. The truth is that reality has brought us to a situation where we should not be allowing the development of any more data centres in this country. Whatever about Bills or moratoriums to stop it, common sense would tell us that we cannot do that any longer.

**Deputy Darren O'Rourke:** I thank Deputy Bríd Smith for bringing forward this Bill. It gives us an opportunity to debate two really important issues. In terms of data centres, this week we heard from experts at the Joint Committee on Environment and Climate Action about the impact they are having, we have the EirGrid All-Island Generation Capacity Statement 2019-2028 and we heard the Government outline its totally unsustainable, unrealistic and unbelievable position. The Minister for the Environment, Climate and Communications has stated that keeping oil and coal powered plants in operation for longer than intended will not impede our ability to meet our 2030 targets. Despite being only three months old, it appears those targets are being sidelined. The Government is quick to tell people that hard decisions will need to be taken in the transition to greener alternatives, but it clearly is not willing to practice what it preaches, rolling over immediately when big tech puts the pressure on. Sinn Féin supports a moratorium on the development of new data centres until an economic, environmental and energy security impact risk analysis has been carried out. As stated by Deputy Martin Kenny, we are supporting this Bill as we believe an in-depth debate on Committee Stage, where we can scrutinise stakeholders and look at the risk analyses, is an essential element. This Bill recognises the problem and provides an impetus for solution.

In terms of planning, this Bill also seeks to ensure LNG terminals and other fossil fuel infrastructure are removed from the Seventh Schedule to the Planning and Development Act 2000. Every euro invested in new fossil fuel infrastructure is a euro not spent on sustainable renewable alternatives. We have agreed on a 51% reduction by 2030 and an aim of a carbon neutral society by no later than 2050. New fossil fuel infrastructure simply does not fit into this plan. Sinn Féin is opposed to new infrastructure that will lock us into fossil fuel use for decades to come and will greatly impede the transition to a zero carbon economy. We support an outright ban on fracked gas. We have opposed fracking across this island and we are opposed to importing fracked gas. We were concerned that a commitment in this regard was not included in the recent climate action plan or in the Climate Action and Low Carbon Development (Amendment) Act 2021. We suspect this omission was due to provisions of the investor clause in the Energy Charter Treaty, ECT. We believe the ECT poses a huge threat to climate action here. It protects foreign investors in the energy sector from any changes in Government policies regarding energy that would impact on their profit or expected future profits. Any future Government that would try to phase out LNG terminals would potentially be faced with an investor-state dispute settlement, ISDS, claim in a closed door investor tribunal that has no appeal mechanism. This happened to the Dutch. They had a short-term energy problem as they were over-reliant on gas and prices went through the roof. In 2009, they invited coal fired power plants into the country. These opened in 2015 and 2016. To reach its climate targets, the Dutch now needs to phase out these plants by 2030. In February of this year, they were hit with two claims under the ECT, amounting to a minimum of €2.4 billion. We do not want the same to happen here. Not only could this ISDS mechanism lead to major liability for the State, it could result in regulatory chill, where the Government does not progress climate measures for fear of litigation.

Sinn Féin has called on the Irish Government to join other countries such as France and Spain in the call for the EU to leave the ECT. Failing agreement at an EU level, we believe the Government should set a deadline by which we should leave unilaterally. There is a sunset clause that locks us into liability for 20 years, but the ECT is so bad there is no argument for staying. Italy is already five years into its sunset period. If the Government is serious about climate action, we need to unshackle ourselves from this regressive treaty.

**Deputy Ivana Bacik:** I am glad to speak on behalf of the Labour Party in support of this Bill. I am conscious that this is the third time in two days that we have had the opportunity to have a substantive debate on climate and climate-related issues. It is a sign of the times and how pressing and urgent this issue is. In today's earlier debate, I spoke, as many did, about the IPCC report and the warning that we are at a code red for humanity. I also spoke about the crisis not only for our climate but for our biodiversity with the announcement yesterday by the US Government that 23 species would be declared extinct. We know that this is as a result of human activity and human behaviour. We know also that there is a need for urgent action and a common purpose internationally to tackle climate change, just as we have seen that international common purpose in tackling the Covid pandemic. It is a matter of harnessing the same commitment and the same solidarity. I hope we can bring a measure of that.

In yesterday's debate on data centres we sought only a pause, as an interim measure, on the development of centres and that the Government conduct of a review of the environmental and economic impact of the data centres and of the context in which they are to be developed. That was a sensible approach to take, which the Labour Party supported. We spoke yesterday of the need for the Government to provide clarity as to the strategy for the development of data centres, in particular the strategy as to how to deal with the increased demand for energy that

development of data centres would inevitably bring about. The question is how to power data centres. Can they be powered entirely from renewable sources? If that is the case, that is very welcome. I listened to earlier speakers talk about how technology has moved on. There is no doubt about that. The data centres that are being developed now are more energy efficient than those that were developed in the past. Again, there is no doubt about that. As I said yesterday, and as the proposes of yesterday's motion said, we are not against data centres. We understand and acknowledge their huge importance for our economy, jobs and for all of us. This is how we live now and we cannot roll that back.

In my own constituency in Dublin Bay South, there is a huge amount of tech investment in the community, as well as various employers. We are all very much conscious of that. At the same time, we need to see regulation of data centres. We need to see a coherent plan, in the present as opposed to the future tense, to see what the Government is proposing to do now to regulate data centres. What are we proposing at national level to ensure that they are carbon neutral or, indeed, that the increased demand on energy will come from renewable sources? Moreover, what is being done at EU level? I regret I did not get the chance to make the following point yesterday. Something that has struck me much more on reflection is how absent EU level regulation of data centres is. This is an international issue. If data centres are not built in Ireland, they will be built somewhere else. It is a global climate emergency, not just an emergency that we face here in Ireland. We need to have a transnational, EU-wide strategy and an international strategy on how data centres are to be developed, not just in terms of the huge demands they make on energy - we listed the enormous demand yesterday in terms of the figures we have from EirGrid - but also the demand they make on water supply in Ireland, as elsewhere. These are huge issues that we need addressed. As I said, we need clarity from the Government before we could proceed any further. That was the very sensible rationale behind the call for a temporary pause as an interim measure. The Labour Party supported the motion last night, as we support this Bill.

I am grateful to Friends of the Earth for outlining a number of concerns that I think would be addressed through legislation of this sort and that is why we are supporting it. There has been a good deal of talk about the immediate-term pressures on the electricity system in Ireland, particularly relating to the two gas plants that have been out of action. We have real concerns that comments recently from the Government and the Commission for the Regulation of Utilities, CRU, indicate that we still be reliant on gas generation in the longer term, particularly with the increased demand from data centres and that this will, of course, impede our ability to meet our ambitious but necessary climate targets in terms of emissions. It is questionable whether we can say new carbon budgets and sectoral emissions ceilings will be sufficient to prevent excessive demands for energy that will force us to fall back into fossil fuel reliance again. The crucial question we in opposition are asking is how can we see any roll-out of data centres without falling back into a reliance on fossil fuels. How can we be assured the increased demand will be driven by renewable sources? We must see regulation put in place to ensure that is the case. Again, that is absent both nationally and at EU level.

The final point is, when we talk about investment in renewables, we are all conscious there is a huge amount still to be done here and that we need to see serious investment made in a whole suite of technologies. We see from Wind Energy Ireland an analysis that carbon pricing, storage and green hydrogen can eliminate the need for fossil fuels in electricity. It has some impressive and optimistic modelling about our ability to reach 85% renewable electricity by 2030 and 100% later in that decade, so that is doable. The IPCC report does give hope that with seri-

ous, substantive, radical action and intervention, we can reverse the effects of climate change and we can deal with and tackle the climate emergency. We cannot lose sight of that hope and optimism. Modelling from Wind Energy Ireland is indicative of that hope. However, we need to see the Government intervention that will actually give effect to those hopeful projections and optimistic modelling and, currently, that is lacking.

We debated today the forthcoming climate action plan and we are holding these debates in the weeks prior to the holding of COP 26 in Glasgow. We are all hopeful we will see concerted international action, led by strong governmental actions across different countries. I think we are all very hopeful of that, but at the moment many of us feel we are just in a vacuum and what we lack is a coherent policy, a coherent plan and a present-tense statement of intent from the Government as to what will be done to regulate the development of data centres and ensure we meet our climate emissions targets in order that we will be able to move to that very important development of renewable energy sources to replace our over-reliance on fossil fuels.

I thank the Ceann Comhairle for letting me in. I know the procedures on a Thursday evening are somewhat different and I am grateful to him for giving me time to speak on this important issue.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** If Deputy Leddin wants two minutes I can give them to him. I thank Members of the House for all their comments. While the Government opposes this Private Member's Bill, I repeat that the Government recognises the importance of energy security and will continue to develop policy in this area. As I indicated, the matter is under review as we speak. The policy will not be developed by the Department of Housing, Local Government and Heritage. It is more suited to the Department of the Environment, Climate and Communications and the Department of Enterprise, Trade and Employment. I will ensure planning authorities and the board are made aware of such policies so that they consider them when undertaking their functions under the planning Act.

My colleague, the Minister, Deputy Ryan, spoke at length on this matter yesterday and highlighted the need for the approach of Government to be one of working with the relevant State agencies to ensure there is a plan-led approach that is regionally balanced for such large developments. The Minister will shortly bring a revised climate action plan to Government which will set out a suite of actions that will address rising energy demand while facilitating sustainable growth in the digital and ICT sectors. I add we must work with all parties and none on this issue, and consultation with both the public and the political system will be undertaken to develop this new policy.

I trust my colleagues present for the debate tonight will be glad this issue is under active consideration by Government. We agree the wider policy and regulatory context has shifted on this issue and we must now ensure better alignment with the electricity emissions reduction and security of supply challenges. The key points relevant to the discussion must be recognised, maintained with the Department of Housing, Local Government and Heritage and across Government, and the planning process must remain neutral. This is to ensure applications for development are not predetermined and circumvent the value of public participation in that process. Our planning process is highly transparent and accessible to all citizens and this must continue to be the case. Planning is required to consider all Government policies, and the policy is external to the planning Act. As members of our Legislature, Deputies will be familiar with these processes. It is not the intention of the planning Act to generate policy,

so amending the Act to achieve policy goals is a highly inappropriate action. Developments such as fossil fuel infrastructure and data centres, or any type of development, require an open, transparent and independent planning process. It is through the comprehensive processing of planning applications by planning authorities and An Bord Pleanála that proper planning and sustainable development is maintained. Following engagement through the planning process, where a party feels a decision in planning or an individual case is not the correct one, the options of administrative appeal and judicial review exist to ensure the planning process and the decision made are robust. I am obviously precluded, as the Minister of State with responsibility for planning, from commenting on individual applications which are made.

For the reasons we have set out relating to the planning Act remaining neutral, it is not the appropriate way to deal with these issues. Also, many Members have conflated the energy issues in terms of the two plants that are down for maintenance at the moment with this current issue of data centres.

**Deputy Brian Leddin:** I understand where Opposition Members are coming from. I understand their concern around climate. They are absolutely correct to be as concerned as they are. We are in an existential crisis; on that we are agreed. It is heartening they are displaying ambition in opposition that perhaps some of them did not display before. It is good they are now on record as displaying such ambition. Sadly, their contributions show how poorly informed they are and that is a real concern. We expect a reasonable level of debate in this House from the Opposition and we are not getting that.

The truth is this Bill would be a blunt instrument. A moratorium on data centres would actually hamper progress and hamper development of renewable energy generation across the country, especially in the midlands and west. I do agree somewhat with the approach and the urge for caution. That is correct. We do not want to be in a situation where there is a serious risk of the lights going out. In that regard I agree with my colleagues across the floor. However, in asking for caution it seems Members do not know there is a review that has already begun this year, conducted by EirGrid. I wonder if Opposition Members and parties have contributed to the review. It is ongoing. As I said earlier, the best transmission system operator in the world bar none is EirGrid and it is conducting that review. The very same concerns Members have outlined here, EirGrid has been dealing with for the past number of months.

I will conclude there. The moratorium proposal is absolutely the wrong approach and I urge Members across the House not to support this motion.

**Deputy Paul Murphy:** What the public could expect from the Green Party is that it takes the side of the environment rather than of major multinational corporations, but that is not what they are getting. Deputy Leddin was arguably more enthusiastic in his cheerleading for more and more data centres in this country than even the Minister of State. He fits very well the role of outrider for a right-wing, anti-environment Government with the language that anything that goes against the interests of the big corporations can just be dismissed as cynical populism.

I will go into some of the arguments that were used. The most incredible argument made by Deputy Leddin is that we need users of power and that we need to expand the usage of power in this country to attract more renewable energy. It is a bizarre, unscientific argument. At the moment, as Deputy Leddin presumably knows, the significant majority of power generated in this State is generated from fossil fuels, not renewable sources. If we keep adding to our energy usage at the same time as we add renewable energy to our energy sources, we will never get

there in terms of being 100% renewable. It is exactly like trying to walk down an escalator that is going up. We need to reduce our energy usage at the same time as transitioning to renewable energy and electrifying the economy as opposed to expanding energy usage, which is what happens no matter where these data centres are located in the country. When we expand energy usage in this country, we make the goal of achieving 100% renewable energy further and further away. We will never arrive at that point if we continue on that road. It does not make sense.

The second key argument made by the Government, this time elucidated by the Minister of State, Deputy Peter Burke, is the idea, which I do not fully understand, that somehow it is inappropriate for the Dáil to change planning law in the public interest. The suggestion is that the planning law is something separate and independent but that is not the case. It is entirely correct and appropriate for the Dáil to legislate in the public interest for the kind of planning that we want to see. It is entirely appropriate for us to say that we are not going to have more fossil fuel infrastructure in this country, that we are not going to sink more money into something that is a climate problem and that all investment in energy must go into energy solutions as opposed to creating more problems that will be with us for decades. That is entirely appropriate and within the rights of this House and is something we should do and the same applies to data centres

The other argument that was made by a number of Deputies is that data centres are necessary, but how necessary is everything that goes on in data centres? The truth is that we do not know. Commercial secrecy and the fact that these are big, private corporations which are organised on the basis of profit and do not explain exactly what happens in data centres means we do not fully know. We do not know how much of what is happening in data centres is stuff that is genuinely useful and improves people's lives and how much of it is advertising, consciously creating new wants for people to consume more energy. How much of it is algorithms trying to target advertising to create new wants for people? How much of it is surveillance capitalism? How much of it is stuff that is the pursuit of profit by a small number of corporations and does not at all add to quality of life or contribute to a good life for people, which is what people want? The evidence suggests quite a lot of it is thus. It is a major problem that what should be a public space, namely social media, is not a public space at all. We are talking here about privately controlled corporations. These should be public utilities in democratic control and then we can have a discussion as a society about how much data and data infrastructure we really need.

The final point I want to make, which I have not had a chance to raise in all of these debates, is about water. Each data centre uses somewhere between 500,000 and 5 million litres of water per day. The Tánaiste, Deputy Varadkar, said recently that Ireland should position itself as the place to invest due to its "abundance" of green energy and treated water. Anybody who was watching politics in 2014, 2015 and 2016, when we were told about the water crisis, which is actually real, will be wondering where this abundance of treated water was when it came to hitting ordinary householders with water charges. The Government can find the water and the energy for the big corporations but not for ordinary people and ordinary people could face blackouts as a result.

**Deputy Bríd Smith:** I want to make three points, the first of which is on the planning process. I was alerted to this line from Fine Gael, as an opponent of this Bill, through a Friends of the Earth email campaign and I thank Friends of the Earth for doing that. Thousands of emails were sent to Deputies and Senators in support of this Bill from the environmental movement. The Minister of State, Deputy Madigan, replied just as the Minister of State, Deputy Peter Burke, did but the planning process has never been neutral. It has always been weighted

heavily in favour of those with wealth and power and has always limited the rights of ordinary people to oppose certain developments. If one takes strategic infrastructure developments, they are set up in an Act to allow the Government rather than ordinary citizens to decide what is important. Furthermore, the Planning and Development Act has been amended multiple times and hundreds of statutory instruments have been added to it to allow developers to build and develop in certain ways, including lowering the size specifications for apartments and allowing for the strategic housing developments that are littered all around our cities. The Dáil is absolutely entitled to prohibit, guide and control certain developments, particularly in emergency situations. We had a financial emergency, so declared by the Government, and we still have a hangover from some of the legislation enacted back in 2010 and 2011. We had a health emergency last year and this year and we passed extraordinary legislation. We now have a climate emergency and that is why this Bill has “emergency” in its title. This is a climate emergency measure and we went to great lengths to explain why it is necessary. I am sure the Minister of State’s precious understanding of the neutrality of the planning process would be baffling to the communities surrounded by student accommodation, aparthotels and co-living blocks in this city. I cannot take that from Fine Gael.

What I particularly cannot take is the enthusiasm of the Chairman of the Committee on Environment and Climate Action for data centres and his argument that we would not have windmills in Offaly and the midlands without data centres. The Deputy knows that is nonsense. If we have renewable energy, we can use it to power people’s homes and to power transport. The Deputy has said that himself multiple times at committee meetings. He has been there when the evidence on data centres was given by experts. It is not that we are starting from the beginning and saying that there should be absolutely no data centres. We already have 70 of them. We are the data hub of Europe and 25% of all data centres are in this small country. It may be argued that we have a cooler climate but that is not the point. Our electricity system cannot withstand it. I wish to quote Mr. Bill Thompson from EirGrid, who very sensibly said the following:

Ireland’s electricity system was surely not planned to be, nor designed to be, a system which seeks to serve the needs of the global citizen for increased data supported by an ever proportionately smaller non-data centre commercial, industrial and domestic load.

We cannot cope. When I say “we”, I mean ordinary people. If we have blackouts this winter, it will not be because of developments such as electrifying cars but because the preponderance of data centres is sucking up much-needed energy. Should that happen, I will back to the committee to urge it to reverse its position on carbon taxes. The Government is loading the responsibility onto ordinary people, especially those who can least afford it.

My last point relates to Cloud Infrastructure Ireland. I asked the Taoiseach if he had been lobbied by that organisation and he denied it. I have asked him again in writing and I will be asking every single party in this Dáil if they have been lobbied by Cloud Infrastructure Ireland, which was set up within a week of me introducing the First Stage of this Bill. It was set up deliberately by IBEC, led by a former Labour Party Deputy, Mr. Michael McCarthy, to lobby this House to stop this Bill from progressing. If Members all kowtow to the global corporate giants of the tech industry in this country once again, shame on them. We need a new Green Party. We need to abolish the existing one and get a decent party that represents people, the environment and our planet before the profit of giant corporations.

Question put.

30 September 2021

**An Ceann Comhairle:** A vote on the question has been called but will be deferred until our next voting block on Thursday 7, October 2021.

The Dáil adjourned at 8.50 p.m. until 2 p.m. on Tuesday, 5 October 2021.