



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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# DÁIL ÉIREANN

*Dé Máirt, 23 Samhain 2021*

*Tuesday, 23 November 2021*

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2 p.m.

*Paidir.*

*Prayer.*

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## Ceisteanna ó Cheannairí - Leaders' Questions

**An Leas-Cheann Comhairle:** Before we start, I have a reminder about health and safety. Members and all in attendance are asked to exercise personal responsibility to protect themselves and others from the risk of contracting Covid-19. Members are strongly advised to practise good hand hygiene and observe the chequer-board seating arrangement. They should also maintain an appropriate level of social distancing during and after the sitting. Masks, preferably of a medical grade, should be worn at all times during the sitting, except when speaking. I ask for the full co-operation of Members in this regard.

Before we start Leaders' Questions, if everyone could comply leis na srianta ama, bheinn buíoch daoibh go léir.

**Deputy Mary Lou McDonald:** I send all of our best wishes to our colleague, the Ceann Comhairle, Seán Ó Feargháil, and wish him a full and speedy recovery.

The failure of the Government to plan for the Covid surge has created substantial pressure. GP services are overwhelmed, and schools are struggling. In large swathes of the country, people cannot get a PCR test while the Government still dithers on antigen testing. In our hospitals, especially ICUs, we see the sharpest impact. The capacity crisis in ICUs did not happen overnight. A HSE-commissioned expert report published in September 2009 recommended that the number of intensive care unit beds be increased from 289 to 579. Successive Governments have known about this problem for more than a decade and have done nothing. They cut a further 40 beds out of the system between the publication of that report in 2009 and the onset of Covid.

This lack of foresight has continued throughout the pandemic. The vaccination programme and lockdowns bought precious time to prepare hospital capacity for surges but the Government has wasted these opportunities. Even in the recent budget, it tinkered around the edges with ICU capacity. We do not have the necessary number of personnel to staff our ICUs safely, even in normal times. Experts tell us that we need between 150 and 200 additional ICU beds and more specialist staff for hospitals to cope. The failure to properly resource our hospitals has devastating consequences and serious knock-on effects for our society. Protecting our health

service from collapse is a key reason for the prolonged use of restrictions.

Lack of capacity also has dangerous consequences for those requiring vital care and life-saving procedures. Earlier this month, a transplant operation was cancelled in Dublin's Mater hospital because no ICU bed was available. I cannot imagine how distressing this was for the patient, the patient's family and for the doctors who had to make this call. There should have been an ICU bed for this patient and there would have been if the Government had planned properly. We are already playing catch-up on missed non-Covid care. We are facing a tsunami of missed care in the coming months. Not having the additional ICU capacity is putting patients at risk. The Government continues to turn up a day late and a dollar short. We are two years into the pandemic and 12 years into the ICU capacity crisis and the Government has not even come close to doing enough for ICU capacity. As we watch our hospitals fill up again and restrictions are reimposed, people are asking what the Government is waiting for. Tá an ganntanas leapacha sna hionaid dianchúraim, ICU, ag cur brú ar na hospidéal agus ag cur na n-othar i mbaol. Caithfidh an Rialtas rud éigin a dhéanamh go práinneach chun acmhainní na n-ionad dianchúraim a mhéadú go dtí an leibhéal riachtanach. What is the Government's plan for ICUs to meet this surge? What is the status of our surge capacity and when will it be deployed? Has the Taoiseach instructed the Minister for Health to begin properly and permanently resourcing our ICUs to the required levels in order that we do not end up here again?

**The Taoiseach:** Caithfidh mé a rá go bhfuil méadú tar éis teacht ar an méid leapacha atá againn agus go háirithe na leapacha ICU. Tá i bhfad níos mó díobh againn anois ná mar a bhí againn i dtosach na bliana seo caite agus níos mó leapacha i gcoitinne sna hospidéal chomh maith. Ta níos mó tástálacha ar siúl, ní hamháin antigen ach na cinn PCR freisin, suas 200%. There are four broad areas where we have to deal with this fourth wave. Overall, Ireland's performance so far in terms of the pandemic, on the key metric of mortality and in terms of protecting life and severe illness, stands up to most countries across Europe and the globe. We have been, relatively, in the better position consistently for quite some time because of measures that we have taken. That should be acknowledged.

I can inform the House that the booster campaign is well under way, with over 600,000 boosters having been already administered. This is on top of a record and highly effective overall vaccination roll-out programme in which we have close to 93% of the adult population fully vaccinated.

In terms of hospital beds, we have provided close to 1,000 extra beds overall in 2021, with more still to be provided. In the last year and a half to two years, there has been a dramatic increase in the number of hospital beds. In terms of intensive care beds, we have gone from 225 to 300 within the system but we will have to go further in 2022, at a minimum to get to 340 intensive care beds. I would like to go beyond that. We have recruited close to 11,000 people throughout 2020 and 2021. The key issue now is not resources, because the Government has provided the resources for intensive care beds, hospital beds and additional staff, but the speed at which we can recruit and provide the entire capacity that an ICU bed requires. We have surge capacity to 350, if necessary.

The hospitals are under pressure because of a very transmissible variant, namely, the Delta variant. That is now manifesting itself in a fourth wave. Parallel with that has been the reopening of society. We have not had prolonged restrictions. We have reopened the economy and we have reopened society. Let us be honest, the increased socialisation that automatically follows that degree of reopening of almost all sectors of the economy in society leads to an increase in

infections. This is a balance that we have to strike. Thousands of people have returned to work and that is good for those people in terms of their individual lives and so forth. The overarching objective of our policy in regard to Covid is to protect lives and to prevent severe illness. The motivating factor in terms of our responses now is to stop people getting Covid and to stop people getting sick and severely ill from Covid. There are a number of ways we can do that. It is through a combination of all of those ways that we do it.

In regard to the operation, I believe it should have gone ahead. There is enormous pressure on the Mater hospital. I set up that unit when I was for Minister for Health. We broke new ground in terms of heart and lung transplant. There was a big debate at the time as to whether we could pull that off in terms of the numbers of cases coming through the country. I took a decision at the time to do it and to fund it. It is a cause of great regret to me that a transplant did not go ahead. There is an internal inquiry or investigation going on within the Mater in that regard. Suffice to say, we will do everything we possibly can to protect lives and to protect people from getting very sick from Covid.

**Deputy Mary Lou McDonald:** Despite the Taoiseach's attempts to reassure or to advance the pretence that we have enough capacity in our hospitals, the evidence is that we had staff protesting outside Connolly hospital and, for example, in Limerick hospital other beds are being repurposed for use as ICU beds. It is very clear the capacity falls well short of what is needed and that fact was established as far back as 2009. The fact also is that there was not an ICU bed for that transplant operation to occur, which was very traumatic for all concerned, particularly the patient and the patient's family.

To make it clear for the Dáil, what is the plan now for ICU capacity as infection numbers are growing and hospitalisations increase? The Taoiseach has confirmed we have a surge capacity; to 350 I think he said. When will that be deployed? When will the Taoiseach and Minister for Health make the permanent investment we need in ICU to get us to a reasonable place where we are not constantly facing this danger and jeopardy?

**The Taoiseach:** As I said earlier, the intention now is to go, at a minimum, to 340 by the end of 2022. We are at close to 300 or 301 at the end of this year and we need to expand it even further. Recruitment and training of staff will be the key ingredient there; it will not be an absence of resources. Currently, we have 130 people in ICU, as of today, and 638 in hospital. These are large numbers which, in themselves and in addition to non-Covid illnesses, are creating a lot of pressure on intensive care staff and hospital staff in general, who have had to deal with a once in a century pandemic for the guts of two years. That is extremely pressurising on any employee, particularly patient-facing employees and those in the engine room of the ICU in particular. It is very challenging and difficult and I acknowledge that. This is why we have made it clear we will provide whatever resources are required to continue to give the capacity to the HSE in terms of how it operates hospitals and so on, with the clinical staff needed to deal with the situation.

**Deputy Duncan Smith:** I would like to pass on my best wishes to the Ceann Comhairle and wish him a speedy recovery from Covid-19.

I want to continue on the issue of capacity in intensive care units. As stated, an organ was unable to be used for transplant because of a lack of capacity in ICU. Transplant operations are very complex and may, on many occasions, be cancelled for a number of compatibility reasons. However, for an operation to be cancelled because of a lack of an ICU bed is cripplingly devas-

tating to the person who needed that transplant and the person's family. It is also very difficult for organ donors and their families throughout the country, who really want their organs to go to help and cure others.

The Government is struggling to run the country around a hospital system that is breaking down. That is a fact. We are creating policy and trying to protect our society around a hospital system that is broken down. At the centre of that is ICU capacity. The EU average for ICU beds is 11.5 per 100,000 of population. In Ireland, it is just under 6.5 per 100,000. The Department's own capacity review in 2018, before Covid, undertook to have 330 ICU beds by the end of 2021. The Taoiseach mentioned that resources are not an issue. However, we are at the end of 2021 and, at just under 300 beds, we are nowhere near 330. With resources not being an issue, why are we not near that target?

Dr. Catherine Motherway, in another arresting contribution on "Morning Ireland" this morning, said that, with the Delta variant, it is likely that everyone in this country will get Covid at some stage and it is vital we slow down that spread. Unfortunately, the booster campaign is playing catch-up with a virus that is running rampant throughout our society. Delayed decision-making from the Government has impacted the ability of the booster campaign to roll out effectively. Some people are being called for boosters very early but there are older people who have not been called yet. They are waiting by the telephone for a call that has not come and are losing faith it will come. The world-beating mass vaccination infrastructure that made us so proud is still focused on the first and second vaccines, not the booster. When will that infrastructure be shifted to the booster campaign? At the moment, it is going primarily through the GP service and that is leading to delays, frustration and people not getting their booster in time. Tens of thousands of people are trying to get PCR tests, with demand outstripping supply. How many permanent intensive care unit, ICU, beds, not including surge capacity beds, will be in place by the end of this year? What long-term planning is the Taoiseach doing to ensure that we meet not only our own targets, but that we get up to EU average of 11.5 ICU beds per 100,000 people?

**The Taoiseach:** It is not the case that the booster vaccination infrastructure is just focused on the primary doses, which are dose one and two. It is important that we continue to do the vaccinations. Some 1,900 people came forward over the weekend for their first dose. That is good news. Those were people who may not have been easily accessed by the system, but they came forward to vaccination centres. We have to help people consistently to access our system. We have had a voluntary system so far. It has been spectacularly successful, if we are honest, for dose one and dose two, compared with other countries that are getting more hard line and mandatory in their approach, but are still at approximately 60%. We are at 90% plus. We just need to work with particular groups that may not have had the same degree of confidence in the vaccines as the general population has had. That is beginning to yield fruit. The vast bulk of the vaccinations now are booster vaccinations and over 600,000 have now been administered. The GPs were always the conduit for administering vaccines for the elderly cohorts of the population. As one moves down the age cohorts, there is greater utilisation of vaccination centres and healthcare workers as well. There is a variety of options for healthcare workers. There has been very good progress made in over 80s and over 70s - very good progress was made last week - and over 60s. The booster campaign is progressing apace. It will increase in capacity. One cannot go earlier than five months to get a booster. There is no clinical mandate from anybody to go earlier than five months. One has to wait for five months after the second dose before one gets the booster. The pharmacies are on board now. The pharmacies, the GPs and the vaccination centres are all on board with the booster campaign in particular. There is

no issue with supply in the boosters.

On testing, we should acknowledge that last week and in the last seven days, 207,000 PCR tests were done. That is an extraordinary number in itself, given the size of our population. We have now been hitting 200,000. Every available mechanism is being used to increase capacity on PCR tests. We have also broadly widened participation in antigen testing, particularly through close contacts. There are now 3,000 close contacts per day being issued with free antigen tests. The schools, working with the HSE, on 29 November will begin the operationalisation of the use of antigen testing in school settings, where appropriate. We have used thousands and thousands on serial testing in agriculture. That figure is close to 150,000.

**Deputy Duncan Smith:** On the ICU beds, where will our permanent ICU capacity be at the end of this year? There is no doubt that we are doing an unbelievable number of PCR tests. However, the Government has had to get the private companies into Dublin, Cork and now Shannon airports to try to meet demand. Last year, I and others in opposition asked the HSE to set up facilities in airports. The Opposition has been trying to give practical solutions over the course of this pandemic. If we had been listened to at the time we would not be scrambling for private capacity to be used to try to meet demand for PCR testing. It is still not working. It is still not enough. We still cannot get tests. If you logged on right now at lunchtime in this country, you would not be able to get a test. You would have to stay up late until 12 midnight and refresh screens to try and get a cancellation test. It is just not good enough. People are really upset out there. They are expecting restrictions coming down the line. That is the message I have been getting all the last few days, that further restrictions are coming down the line. The Taoiseach's Government is going to have to get straight with people. They are going to have to make long term plans and stop operating as if this wave will be our last. We need to operate as if this virus will be here for next couple of years, as the World Health Organization, WHO, says, and plan accordingly.

**The Taoiseach:** We have planned and we are planning accordingly. The number of ICU beds at the end of this year will be 301, give or take. Resources were provided for 321 beds. There have been challenges as regards recruitment but about 11,000 people have been recruited in two years and the aim is to get to 340 beds, minimum, by the end of 2022. I would like to go further if we could and progress it and increase it even further after that. This Government has taken major decisions around ICUs. We have gone from 255 beds to 300 in a very short space of time. ICU beds are not simply beds. The Deputy knows that and I appreciate that.

On the PCR tests, we need to be fair and balanced and have a sense of perspective. Having a capacity of 207,000 is not scrambling around. The amount of private sector additionalities is low in comparison to the core capacity provided by the HSE. Credit where credit is due and it should be given to the HSE in respect of the capacity that it has built up for PCR testing. That is a good thing. It is looking at every possible way to increase it even further. We compare well with other countries as regards our capacity for PCR testing.

**Deputy Richard O'Donoghue:** I also pass on my best wishes to the Ceann Comhairle for a speedy recovery.

Inflation is at a 14-year high thanks to the rise in energy costs, supply shortages and increased demand following the post-Covid reopening. The Central Statistics Office has confirmed that the rise in prices in October was the largest seen since April 2007. The squeeze on the household budget is due to the Government over-exhausting and crippling the PAYE sector,

particularly those living in rural areas. I am going to make it very simple. I have a payslip here from week 33 of the current tax year. If someone earns €500 net into their hand per week, it will cost the employer and the employee €680.65. The employer pays €67.73 PRSI for the employee, who is a single person. PAYE deducts €74.22 per week while the USC deducted is €14.18 and the PRSI €24.52. That is €180.65, which allows the employee to take home €500 per week. Now we must adjust this for the cost of living. An average person commuting to work and with family commitments, in County Limerick, will spend €100 a week on fuel. The Government takes €57 out of that €100. Food for a single moderate person is €20 per day, which equals €140 per week. The Government gets €26 out of that. The ESB bill costs per week €30 and the Government gets €6.40 out of that. Heating costs, which include coal, timber or oil to heat the family home, are roughly €40 per week and the Government takes €7.48 out of that. Clothes and footwear cost about €1,560 a year, which equals €30 a week, and the Government takes €6.40 out of that €30. If this person is lucky enough to rent a room at €100 per week, the Government takes a further €10 out of that. They are then left with €60 for miscellaneous things. God forbid they want to get a pint, go for a meal or go to the cinema with that €60 because the Government will take €12 of that.

**The Taoiseach:** The Deputy used the phrase, “the Government takes”. Who is the Government?

**Deputy Michael Healy-Rae:** At the moment it is your party.

**The Taoiseach:** This is a very simplistic kind of presentation, which goes on all the time. It is the social contract, to varying degrees. We might disagree as to where the balance of the social contract is but the social contract is society raising revenue through the elected government of the day and rebalancing that revenue out in education services, childcare services, health services, mental health services and infrastructure. These are the very issues that Deputies will consistently come into the House and raise with Ministers, asking why we do not have extra money to spend on this or on that. We have a very strong social welfare code in Ireland which requires a lot of revenue and that revenue has to be raised. Substantial revenues have to be raised. People may argue that it is not enough and others will argue differently but we cannot get away from the fact that huge sums of money are involved in social protection, education and health in particular which reflects the majority view in terms of how we want to organise society. The Government must raise revenue on behalf of society to be able to do the things it wants to do and that involves PRSI as well. One of the big challenges in higher and further education is the need to dramatically increase the number of skills programmes to upskill the economy for retrofitting, offshore wind and apprenticeships generally across all of the trades. That is working and the funding we have provided is definitely yielding results in terms of increased applications for apprenticeships.

A balance must be struck but I accept that there is a big pressure on energy prices at the moment. I have no doubt about that and agree with the Deputy. We brought in a modest taxation package in the budget which was designed to make a contribution towards helping people. We also increased the fuel allowance and provided other welfare increases to try to cushion the blow from higher energy prices. The Government is keeping under review the issue of the impact of global energy price increases on households. I fully accept that energy prices are putting pressure on many families and households but this is very much a global phenomenon. The European Central Bank is saying that it will be a short-term issue and that after the first quarter of next year, prices will begin to recede but we will have to monitor and review that very closely to see what further help we can give.

**Deputy Richard O'Donoghue:** The Taoiseach's answer to the people was to put a 2% increase on fuel. Who pays the most? The Government is taking 45% of a wage. I have asked the Taoiseach today about the rural person because there is no infrastructure. The Taoiseach mentioned infrastructure two or three times in his deliberations. If I was living in the city I could choose the Luas, the train, the DART, the bus or I could cycle or walk. There is none of that outside the city boundaries and the Government's failure to introduce infrastructure outside the city areas is what I am talking about. I am talking about the rural person outside the famous Red Cow roundabout. Everything outside that is rural and everyone outside of that has no infrastructure so they pay the most. If you live in the city, you have a choice but there is no choice in rural areas. That is why I am asking the Taoiseach to consider something like reducing the VAT or we will not have food on our tables this winter.

**The Taoiseach:** First, in terms of rural Ireland, a major and unprecedented initiative was taken to increase the allocation of resources for a rural transport scheme. The only city that has Luas and DART services is Dublin. The other cities do not have those services although we are trying to develop a more expanded bus network. That is acknowledged. We are one of only a few EU countries that by way of a special derogation from the general EU rules already apply a reduced rate of VAT of 13.5% to energy prices. Under EU rules, this rate cannot be reduced below 12% so if we were to attempt to reduce the rate to 9% for a few months, for example, I am informed that the VAT rate would afterwards revert to the standard rate of 23% and our special derogation would be lost. The VAT reduction option is not as simple as it has been presented in the House and could have serious repercussions down the line. What is important is that we look at ways to cushion families against the impact of increases in energy prices and we are keeping that under review.

**Deputy Marian Harkin:** I also extend good wishes to the Ceann Comhairle.

Like many in this House, I have had countless emails and calls from school principals, parents, students and teachers, all of whom are extremely concerned about the issue of substitution for teachers who are sick or self-isolating due to Covid. It is important to say this is not a new or unexpected problem. Covid has exacerbated it, but it is still an issue. I raised this several times with the Minister for Education last year and she kept telling me about the supply panels. I will come back to that in a moment. The Irish National Teachers' Organisation, INTO, did a survey in November which showed the extent of this problem. In many ways, we were ahead of it in Sligo because a number of surveys were done in September and October in 32 schools, where there were 473 absences that required substitution. Some 22 schools, or 69%, had access to supply panels. The panel for those 22 schools supplied 15% of the substitutes. Some 27% of cases were covered either by special education teachers, principals or were simply not covered. Of the remaining ten schools that did not have access to supply panels, there was no substitute available 34% of the time. That is one in every three days. They were mainly the smaller schools that do not have flexibility within them to juggle teachers. Many comments were made by teachers and principals about this, but I do not have time to read them. Basically, they are saying that they make between 15 and 25 calls and they cannot get substitutes. This is a crisis. It is worse now than it was before.

Today, we hear the Minister is meeting representatives from the teacher education colleges, but this should have happened this time last year. This is bad management. I hate to say that, but it needs to be called out for what it is. When we are in a crisis we must take unprecedented actions. The Taoiseach has done this in other areas, so I do not know why it has not been done in education. Many fourth year students in teacher training colleges are already substituting, so

one could ask where we look. Do we look to retired teachers, teachers on secondment or those in the inspectorate for a short period to get us over this hump? It is not ideal. Nothing is ideal in a pandemic and anybody who says it is, is not reasonable, but we expect proper planning to deal with this ongoing and escalating problem. I ask the Taoiseach what we are going to do.

**The Taoiseach:** I agree with Deputy Harkin that given the once-in-a-century nature of the global pandemic we need to take measures now in respect of teacher substitution which would we not take in ordinary “peace” time. I will put it that way to the Deputy. That does mean that all stakeholders, be they regulatory or unions, must show some degree of flexibility as well. Today’s meeting with the higher education institutions is not the first engagement between the Minister and the institutions. There have been challenges in terms of attendance for the theory side and so on. In my view, flexibility must be shown in regard to student teachers, as they could go a long way towards helping.

In addition, we must look at other areas. Retirement has been considered and good, constructive flexibility has been shown by the Minister for Public Expenditure and Reform in terms of facilitating additionality in that regard. The Minister is exploring other areas with the education partners. Flexibility should be shown on all sides to get us through this period in respect of substitute teachers. The Minister has already provided significant additional resources in terms of the further 100 teachers who were allocated to supply panels where the Department had identified areas of greatest need. The supply panels now employ 480 teachers. They provide substitute cover to almost 2,600 primary schools across the country. They work alongside the more traditional existing methods of sourcing substitute teachers such as the national substitution portal service, *subseeker.ie*, operated by the Irish Primary Principals’ Network and developed under the Department’s teacher supply action plan. In any one month or year, there can be a whole variety of reasons substitute teaching is required to replace existing teachers. Notwithstanding that, given the fact we are in the middle of a pandemic, we have to show, and all the stakeholders involved, in my view, will have to show, flexibility in respect of the utilisation of student teachers and, indeed, other alternative methods of providing teachers. We have many qualified people who may not necessarily, for example, have the teaching qualifications *per se* but who would have degrees and so on. These are issues we need to look at. Given the circumstances and given the fact the vaccination campaign has been very strong and the booster is rolling out, if everybody put their heads together, we could get a resolution to this or certainly alleviate the situation.

**Deputy Marian Harkin:** As the Taoiseach said, it is a once-in-a-century happening. He said that all stakeholders have to show flexibility. Has there been inflexibility and, if so, how does he believe we can get over this issue? I agree the Minister has given resources but the truth is they are not enough because it is a once-in-a-century happening - the Taoiseach said it himself. Therefore, in a situation like this, we have to make sure the resources we put in place will support the systems, like education, which the Taoiseach and all his colleagues believe is one of the most important systems to support. The Taoiseach spoke of supply panels. All I can tell him is that one third of schools in Sligo do not even have access to supply panels, never mind being able to get teachers from them. This is a once-in-a-century emergency situation and I believe that insufficient planning has gone into dealing with it.

**The Taoiseach:** First, in wrapping up, I want to send our best wishes to the Ceann Comhairle and to wish him the very best in his recovery from Covid-19.

I believe in flexibility at moments like this. This is not related but I will make the point. I

remember many years ago, when I was the Minister for Education, the idea of introducing a qualified Montessori teacher to primary schools was something that was anathema to all and sundry who are in primary education. There can sometimes be too rigid and bureaucratic an approach to what we should do in the middle of a pandemic like this. That is my point. I am sure the stakeholders will work with the Minister to resolve this. The Minister has gone a long way in terms of providing the resources and it is not a funding resource issue. I think the student teachers offer an opportunity, as Deputies articulated last week, in particular Deputy Cathal Crowe, and there are other issues around the 22 hours, for example, and the mechanisms there. All of that needs working through with the Teaching Council and the unions, and there are all the different permutations to this.

**An Leas-Cheann Comhairle:** I thank Members for their co-operation. I hope it continues to the next item.

### **An tOrd Gnó - Order of Business**

**An Leas-Cheann Comhairle:** As agreed for the duration of the Covid-19 emergency, the rapporteur's report of the Order of Business shall be taken as read. Are the proposed arrangements for this week's business agreed to?

**Deputy Mary Lou McDonald:** They are not agreed. There are serious questions now arising right across the State in regard to testing capacity. People could not book a PCR test yesterday in Wexford, Carlow, Kilkenny and Waterford, and we are getting similar reports from across the country. Meanwhile, the Government is dithering still on antigen testing. We need to make time for the Minister for Health, Deputy Stephen Donnelly, to come before the House to make a statement on this matter and to take questions. There is, as was said earlier, huge concern right across society at the growing rates of infection and the prospect of further restrictions. We are only weeks away from Christmas and people's inability to access testing is really, as they might say, putting the tin hat on things for people. We need an explanation for the lack of planning and lack of capacity, and that needs to come from the Minister for Health.

**Deputy Richard Boyd Barrett:** We need to urgently address the issue of testing and we need the Minister in here to discuss it. People cannot get a PCR test for love nor money in Dublin. People are hours and hours on the website, if they can get an appointment at all. People are talking about antigen tests being free, and they should be, but we need PCR testing and we need walk-in PCR testing to be available. The longer somebody is walking around while infectious or potentially infectious, the more the disease will spread. People have to be able to access PCR tests as soon as possible. They are suffering inordinate delays and we need a serious discussion on how we will provide walk-in PCR testing.

**Deputy Michael Collins:** We have been debating in committee the dreadful Sea-Fisheries (Miscellaneous Provisions) Bill, for which the Taoiseach signed the statutory instrument and which will lead to penalty points for the fishermen of this country. It is almost a year since the devastating Brexit agreement was made between Michel Barnier and Lord Frost. As of yet, in spite of many visits by leaders of this State to fishing communities to make them promises, not one hour of work has been done by the Government, civil servants and fish producer groups on the critical Common Fisheries Policy. I am asking for a debate on this crisis in the Dáil this week.

**Deputy Duncan Smith:** I refer to the request for speaking time on testing. We have statements on Covid-19 and the new measures tomorrow. Perhaps we could lengthen that business and convert it to a questions and answers session on the issue of Covid and testing in the interest of trying to find a solution.

**Deputy Jennifer Whitmore:** I would like to add to that. There need to be questions about how we are reaching out to migrant communities and other communities in which there has not been a good uptake of vaccinations. What measures are being put in place to ensure they are receiving the message that this needs to be done? That matter could be considered as part of those statements or questions and answers.

**The Taoiseach:** I understand that Deputies may have criticisms and so on but some of the language being used is out of order. I respectfully suggest that there needs to be a greater sense of giving a positive message to the public about what is being achieved as well. It is all very well to talk about putting the tin hat on it and attempting to ridicule what is going on. It is not right of Deputy McDonald to do that. I do not know who the 207,000 people who got tested in the last seven days were.

**Deputy Richard Boyd Barrett:** Deputy Bríd Smith could not get tested all day yesterday.

**The Taoiseach:** The impression from the contributions of the Opposition is that nobody is getting tested and no one can get tested. We already had a good discussion on testing during Leaders' Questions. I gave information on testing and I said that the HSE is doing everything it possibly can to expand PCR testing. I remember Deputy McDonald saying well over a year ago that 100,000 tests per week was the holy grail but we are well beyond that now, with 207,000 tests per week.

To respond to Deputy Michael Collins, a debate on sea fisheries is due before the end of the recess. The Business Committee has agreed to have statements on Covid-19 and the new measures tomorrow. I do not know whether Deputies are aware of that but that debate will last 200 minutes, with a ten-minute wrap-up from the Department of Health.

**Deputy Richard Boyd Barrett:** Could we extend it with questions? That would be helpful.

**The Taoiseach:** I regret that some game-playing is going on.

**Deputy Richard Boyd Barrett:** There is not.

**The Taoiseach:** This was all agreed at the Business Committee and the Government is standing by what was agreed there. Deputy Whitmore made a fair point. During Leaders' Questions, I referenced the fact that about 1,900 people turned up for their first dose of a vaccine at the weekend and the majority of those would have been from migrant communities.

**Deputy Mary Lou McDonald:** According to the Taoiseach, there is no problem with testing.

**The Taoiseach:** It is testament to the efforts of the HSE to reach out to minority communities and those communities that may not have enjoyed the same confidence in the vaccine in the beginning that they are starting to turn up because of those efforts.

**An Leas-Cheann Comhairle:** The question is on the Order of Business, not to answering queries. Is the Order of Business agreed to?

23 November 2021

**Deputy Mary Lou McDonald:** It is not agreed.

**Deputy Richard Boyd Barrett:** Will the Taoiseach add questions to the Minister to the end of the debate?

**Deputy Stephen Donnelly:** I will address it during the debate.

**Deputy Mary Lou McDonald:** That is not sufficient.

**An Leas-Cheann Comhairle:** Are the proposed arrangements for this week's business agreed to?

**Deputy Mary Lou McDonald:** Not agreed.

Question put: "That the proposal for this week's business be agreed to."

<i>The Dáil divided: Tá, 25; Níl, 18; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bruton, Richard.</i>	<i>Andrews, Chris.</i>	
<i>Carey, Joe.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Buckley, Pat.</i>	
<i>Chambers, Jack.</i>	<i>Collins, Michael.</i>	
<i>Dillon, Alan.</i>	<i>Cronin, Réada.</i>	
<i>Donnelly, Stephen.</i>	<i>Harkin, Marian.</i>	
<i>Durkan, Bernard J.</i>	<i>Kenny, Martin.</i>	
<i>Farrell, Alan.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Fitzpatrick, Peter.</i>	<i>McDonald, Mary Lou.</i>	
<i>Flaherty, Joe.</i>	<i>Mitchell, Denise.</i>	
<i>Griffin, Brendan.</i>	<i>O'Callaghan, Cian.</i>	
<i>Humphreys, Heather.</i>	<i>O'Donoghue, Richard.</i>	
<i>Lahart, John.</i>	<i>O'Rourke, Darren.</i>	
<i>Lawless, James.</i>	<i>Pringle, Thomas.</i>	
<i>Martin, Micheál.</i>	<i>Smith, Duncan.</i>	
<i>McAuliffe, Paul.</i>	<i>Stanley, Brian.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Tully, Pauline.</i>	
<i>O'Brien, Joe.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Donnell, Kieran.</i>		
<i>O'Gorman, Roderic.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Richmond, Neale.</i>		
<i>Shanahan, Matt.</i>		
<i>Smith, Brendan.</i>		

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

Question declared carried.

**Deputy Mary Lou McDonald:** Last week, the Government effectively shut down the late-night economy. Four weeks from Christmas, thousands of workers and businesses are now prevented from earning the money that pays their bills, yet at its meeting yesterday the Cabinet economic sub-committee did not even consider restoring the pandemic unemployment payment, PUP.

*3 o'clock*

How does the Taoiseach expect these workers to make ends meet? Businesses also face great uncertainty as cuts to the employment wage subsidy scheme, EWSS, are scheduled to kick in from the start of December. I ask the Taoiseach to put a stop to those cuts. I remind him that removing or reducing any supports leaves workers and businesses in a most difficult and, in some case, impossible position. The Taoiseach needs to reinstate the PUP for workers who need it and the full EWSS must be kept in place until the end of this year, at the very least.

**The Taoiseach:** It is worth bearing in mind that the total economic supports provided by the Government to date are in excess of €20 billion. This does not include in excess of €2.8 billion in tax debt warehousing or the €1.5 billion in loans supported through Government schemes, such as the credit guarantee scheme. The employment wage subsidy scheme has, to date, granted payments of more than €5.5 billion and PRSI credit of almost €865 million to 51,760 employers in respect of more than 687,600 workers. To date, €704 million in total has been paid under the Covid restrictions support scheme, CRSS, in respect of 25,500 premises. The total cost of the pandemic unemployment payment is approximately €9 billion. The Government has consistently provided supports to employment and workers throughout the pandemic and will continue to do so.

**Deputy Duncan Smith:** Antigen tests are finally being rolled out. We have affordability issues, which I hope will be overcome. I do not want to focus on those now. We also have issues regarding how the tests are being used or should be used. I do not necessarily want to go into that now either but over the course of this pandemic, we have learned that antigen tests are best used in a serial and regular manner in places such as large building sites and big companies, where they have been used to catch asymptomatic cases. In the medium to long term, is there a role for regular antigen testing in households, and in schools and other businesses, in order to keep this virus suppressed throughout 2022 and 2023?

**The Taoiseach:** Yes, but it has to be done in a routine way and not in reaction to symptoms. That is the key point. The concern of the Chief Medical Officer is around the use and overuse of antigen testing. When people are symptomatic, they should get PCR tests straight away. By the end of September, more than 100,000 antigen tests were used in agriculture, for example, in food premises and so on. The higher education sector has used approximately 22,000 antigen tests and in acute hospital settings, which have PCR tests, about 3,000 have been carried out. Likewise, an antigen testing programme is in place in residential care facilities. On close contacts, more than 61,000 fully vaccinated asymptomatic close contacts were registered for delivery of antigen kits since 28 October. That is a lot in a short space of time. Antigen testing is being rolled out and the Minister for Health will outline further developments in respect of its continued use.

**Deputy Jennifer Whitmore:** I raise the issue of civil registration offices. Many of them,

throughout the country, are facing major backlogs. It is nearly impossible for people to register births, deaths, their intention to marry and stillborn babies. This has impacts when it comes to obtaining PPS numbers, passports, child benefit, GP cards, pension amendments and other items across a wide range of areas. People are finding that because there is no online facility or walk-in appointments available in some counties, they are spending hours every week trying to get appointments. This is certainly the case in my constituency of Wicklow. Apparently, the legislation that dealt with online notification lapsed at the end of September and was not reinstated. Will the Taoiseach look into that or put some temporary emergency measures and resources in place in order that HSE offices have the capacity to deal with this?

**The Taoiseach:** I thank the Deputy for raising this issue. A number of Deputies on all sides of the House have also raised it with me. I will certainly have the matter examined and will engage in getting some resolution to this. I take the points that have been raised as fair.

**Deputy Richard Boyd Barrett:** Last week, I asked the Taoiseach to reopen applications for the PUP for those hit by the new public health measures and he declined to commit to that. Over the weekend, the work available to taxi drivers has gone over a cliff because of the night-time curfews and people pulling back and listening to the public health advice. Offices not going into work on Monday has further decimated the taxi industry. It needs access to the PUP. The same goes to those in the night-time economy and the musicians and entertainers who have been hit the worst again and again. If a bit of solidarity is being shown, they need to be given access to the PUP to sustain them through the coming period. I appeal to the Taoiseach to reopen applications for these affected cohorts for the PUP.

**The Taoiseach:** The Government has decided to keep everything under review but I will make a point in respect of pandemic unemployment payments. Taking the hospitality sector, for example, there has been a consistent response from that sector, as well as from retail, that it is finding it difficult to fill vacancies. One would like to think that notwithstanding the impact of the measures we took last week in terms of hospitality-----

**Deputy Richard Boyd Barrett:** So what, musicians should get a job in a bar. Is that it?

**The Taoiseach:** I did not say that. I ask the Deputy not to put words in my mouth and to let me finish. I am just talking about hospitality workers for the hospitality sector, in that there should be an absorption capacity within the totality of hospitality to deal with anybody in that sector who may be looking for work. In terms of bespoke areas, we have provided supports for the entertainment and music sector and will continue to look at bespoke ways to help specific groups that may be affected. However, schemes such as PUP and EWSS are broad-based. They include everybody and the same responses necessitated at the beginning, may not be necessities this time.

**Deputy Richard Boyd Barrett:** It is those affected by the pandemic.

**Deputy Matt Shanahan:** Can the Taoiseach put our minds at rest that the recently announced €126 million aviation package, of which €40 million is allocated to Cork Airport, will not count as state aid? Some €40 million was recently spent on runway works in Cork Airport on what was described as the fastest capital project in the State, having been green-lighted soon after the Taoiseach took office. I raise the concern because for years, Waterford Airport has requested modest supports from Government which have been denied, supposedly due to EU state aid rules. The Government is presently withdrawing annual essential safety funding of

€350,000 from Waterford Airport, even as it announced this €126 million package. It is hard not to contrast the fortunes of these two airports. Unlawful state aid is the question.

**The Taoiseach:** No, it is not unlawful. It is within the parameters of state aid. Generally, the State airports - and they are State airports - are important to the country's connectivity. They are not just specific to one local area. Dublin and Cork airports are part of the Dublin Airport Authority, DAA. Shannon Airport has its own governance structures but it has a reach to the entire west. Knock Airport has also been supported and there has been other support for other regional airports.-----

**Deputy Matt Shanahan:** The issue is money for Waterford.

**The Taoiseach:** There have been a number of issues with Waterford for quite some time, to be fair, which predated this Government. Previous Governments provided supports to Waterford.-----

**Deputy Matt Shanahan:** However, the Government is withdrawing €350,000 at present.

**The Taoiseach:** It is not fair to juxtapose one against the other. The reason it was the fastest runway project was the management there took a decision, rather than spending years and trying to do it while business was open----

**Deputy Matt Shanahan:** Some €126 million versus €350,000.

**The Taoiseach:** -----it decided to close the airport and get it done in three months. That worked and it is worth it for other people to watch them in terms of getting projects done quickly.

**An Leas-Cheann Comhairle:** Táimid thar am.

**Deputy Michael Collins:** Yesterday, Cork County Council agreed the budget for 2022. What has shocked the public is the Fianna Fáil-led council has agreed to increase commercial rates by 3% next year in County Cork. This is a savage attack on businesses the length and breadth of west Cork. Businesses are ringing me from Bandon, Kinsale, Clonakilty, Bantry, Skibbereen and the surrounds, that are seeking a decrease in rates due to the Covid crisis that led to the loss of business. There are also rising energy costs and many businesses tell me their electricity bills are spiralling out of control, as well as the fuel increases due to the carbon tax, among other Government taxes. If a council does not strike a rate, the Government has the right to intervene. As the Government has the power to intervene, I ask the Taoiseach to do so and to refuse to let businesses, many of which are hanging by a thread in the towns and villages in west Cork, be punished with a 3% rate increase next year.

**The Taoiseach:** I will not interfere in the operations of Cork County Council. That would be totally wrong. Has the rate been struck? I did not pick that up.

**Deputy Michael Collins:** It was agreed yesterday, for next year.

**The Taoiseach:** I cannot interfere. That is that.

**Deputy Michael Collins:** The Taoiseach can intervene in the-----

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

**Deputy Thomas Pringle:** As those affected by mica in County Donegal and elsewhere face further delays in waiting for the Cabinet to agree a proper and functional redress scheme, we were hit with further revelations about the entangled relationship of Donegal County Council with the quarry site that produced the mica-riddled blocks, as well as the purchases of mica-affected homes in Buncrana. As reported by local media in Donegal last week, Donegal County Council knew in early November 2019 that the properties at An Crannla contained mica. However, this fact was not communicated to the then Department of Housing, Planning and Local Government and it is unclear whether it was communicated to the council's solicitors. It also appears that some quarry sites may not have had planning permission or proper enforcement of planning conditions by Donegal County Council, yet they have been major suppliers to the council of the years. A 100% redress scheme is needed. Accountability is also needed. We need transparency to learn how this was allowed to happen. Will the Government legislate to establish a public inquiry into the operation of Donegal County Council with regard to the mica saga?

**The Taoiseach:** The Government's main focus is on drawing up a scheme to comprehensively deal with issues for householders who have been affected by mica. Parallel with that, we are looking at accountability and at which legal mechanisms may be available. The Deputy refers to a public inquiry. That would take a minimum of five or six years and would not deal with the immediate issue, knowing how things happen.

**Deputy Thomas Pringle:** We have to have answers.

**Deputy Jennifer Murnane O'Connor:** I have received many calls in the last few days about schools and the hospitality sector. We have an incredible vaccination rate and boosters are being rolled out. There has been confusion about the antigen testing, which I raised with the Taoiseach two weeks ago. I am glad that much information has been provided. I am concerned about how high Covid figures are. I note there is a delay with PCR testing in Carlow and quick testing is important. The staff across the country are doing their best but it is important that we do as much as we can to provide as many tests as we can.

**The Taoiseach:** The HSE has conducted an incredible number of PCR tests. There were 207,000 PCR tests in the last seven days. That indicates the pressure on the system and the level of infection. If people are symptomatic, they should simply stay at home. The HSE is doing everything it can to increase capacity further. It has brought in additional private sector capacity to add further to the HSE's core capacity. I will relay the Deputy's concerns to the HSE.

**Deputy Kieran O'Donnell:** I raise the matter of University Hospital Limerick, UHL. It currently has the highest trolley count in Ireland, with 58 patients on trolleys. It has 56 Covid patients. Thirteen Covid patients are in ICU and 30 patients have been in ICU for a long time. That is above the number of ICU beds in the hospital, of which there are 12. There are also high-dependency unit beds too, bringing the number to 28. Of the available beds in ICU, over 50% are taken up by Covid patients. I have a question about the winter preparation plan. A 96-bed unit is going out to tender, which will take time to set up. We have to get through the winter period. Can UHL apply under the winter preparation plan, for the time from now until March, to get-----

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

**Deputy Kieran O'Donnell:** -----the resources to be able to employ staff and junior doctors

and to make that submission for funding to get us through this winter period?

**The Taoiseach:** Yes, it can. We do everything that we can to support University Hospital Limerick. It is acknowledged that the hospital is under much pressure. There are high numbers with Covid in Limerick, which manifest in hospitalisation rates, especially in the intensive care unit. The high numbers are getting attention from the HSE. We are looking at what resources and innovation we can provide to take pressure off the staff and try to help.

**Deputy Chris Andrews:** I wish the Ceann Comhairle a speedy recovery. Separate to the redress scheme for people who own homes affected by mica, there is a working group within the environment Department that examines defects in housing. Poolbeg Quay residents in Ringsend, who are all mortgage holders through Dublin City Council, have homes with serious defects. There are 62 homes there and this would take significant financial resources to fix. Residents did not create the defects. This is stressful for residents and affects their mental health. It is a desperate situation and the residents desperately need support. Can the Taoiseach say when this working group will issue findings and give some relief to the residents of Poolbeg Quay?

**The Taoiseach:** I understand that the Minister for Housing, Local Government and Heritage has been alerted about this and about issues with a number of defective units other than those affected by mica. It is a general concern for the State. I cannot yet give a timeline on the working group but I believe it is close to finality. The Minister will publish that.

**Deputy Chris Andrews:** It is close.

**The Taoiseach:** I will come back to the Deputy about the exact timelines. I do not want to pre-empt it.

**Deputy Pauline Tully:** People in my constituency are receiving eviction notices at a rate beyond anything that I have ever seen before. My office has been receiving calls from people in private rental accommodation, who have been told that their landlords are selling the property and are being given notice to quit. Some of these are people with families, with children in both primary and secondary school. Some are young couples with a baby on the way. Some have an illness or disability or they are carers or lone parents. What they all have in common is there is absolutely nowhere for them to go. Cavan County Council does not have the housing stock or budget to bring the vacant properties up to standard and even if it had, it lacks the builders or tradesmen required to carry out the work to meet this crisis head-on. It cannot keep up with the volume of desperate calls seeking help that it is getting. On *daft.ie*, there are only ten properties for rent in Cavan. At any given time over the past year, there have been between six and 12. People are competing for these properties. They cannot rent properties.

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

**Deputy Pauline Tully:** They are restricted to staying in the area where their children go to school. How can this be dealt with? It is a crisis.

**The Taoiseach:** How many evictions have there been?

**Deputy Pauline Tully:** Multiple. I spoke to the housing officer yesterday and she said she is dealing with those for November and December. She cannot even think about those for the new year.

**The Taoiseach:** If we could get an indication of the number of evictions, that would help us to work on the issue. There should be no excuse for not bringing vacant houses back into use because unprecedented funding has been allocated to local authorities to bring the voids back into use quickly. The Residential Tenancies Board should be used by those who are being threatened with eviction to make sure that all their rights and entitlements are adhered to. If the Deputy can send the details, we will follow up on that.

**Deputy Pádraig O'Sullivan:** I raise the issue of autism spectrum disorder, ASD, services, especially in community healthcare organisation, CHO, 4, of which Cork is part. I acknowledge the great work of the Minister of State, Deputy Rabbitte, in progressing the assessments of need. We have seen a dramatic decline in the length of waiting lists nationally but there are still a number of black spots across the country of which CHO 4, including Cork, is one. More than 200 children are awaiting assessment. The difficulty that I have is that we still allow principals and boards of management the discretion to choose whether they establish an ASD class in their school. It is high time that we look at that situation. We need to revise and review it ahead of next year's intake. What is the Taoiseach's opinion on that issue?

**The Taoiseach:** I take the point that the Deputy has made. Legislation was passed in the Oireachtas some time ago, by a previous Dáil, stating that the National Council for Special Education, NCSE, can recommend that the Minister mandatorily instruct a school to have an ASD class. That should be more streamlined and simplified. The Minister should not have to tell a school that it needs to have an ASD class. Every school should take all children irrespective of need. In my view, particularly in the mainstream setting, children with special and additional needs should be looked after and catered for. I will engage with the Minister for Education on that matter.

**Deputy Jennifer Carroll MacNeill:** Deputy Tully correctly raised the current pressures in regard to rental properties. We clearly need large-scale residential development, public and private, in this State. Legislation is in train for the development. Can the Taoiseach give me a timeline for the delivery of the Planning and Development (Amendment) (Large-scale Residential Development) Bill 2021 and what is his view on Sinn Féin's objection last night to 853 homes proposed for north Dublin?

**The Taoiseach:** That legislation is progressing. It should be, hopefully, through the House this session, but that is ambitious. I have been consistent in my view with regard to objections to good housing schemes. Eight hundred and fifty homes would have been available if that scheme had got the green light. I do not understand why people are objecting to schemes that have been worked out for a considerable length of time. This has been going on for a long time in respect of the development at Oscar Traynor Road. The scheme has had a number of iterations and it has gone through the council a couple of times. All of that is delaying families from getting homes. That is something that people should reflect on. I cannot comprehend why, in a crisis, people are objecting to schemes that have been given due consideration. Yet, people still object to them.

**Deputy Danny Healy-Rae:** I too wish the Ceann Comhairle, Deputy Ó Feargháil, all the best. I am sure he will be back in action very shortly. Up to 9 September 2021, planning permissions were for five years. Prior to that date, it was possible for young people and other people wishing to build a one-off house to apply for an extension of a further five years. Under Housing for All, brought forward by the Minister for Housing, Local Government and Heritage, this aspect of planning has been changed and people are no longer able to get an extension for a

further five years. Many young people have run into trouble in that because they were not able to work last year and earlier this year, they cannot get mortgages. Other people have been hit by the increase in the cost of living and the cost of building materials. I am asking the Taoiseach to ensure that this change which, I am sure, happened inadvertently, is reversed. We need the availability of an extension for a further five years to be reinstated as currently many in rural Ireland are being denied it.

**An Leas-Cheann Comhairle:** The Deputy is way over time. I call the Taoiseach to respond.

**The Taoiseach:** I will ask the Minister for Housing, Local Government and Heritage to revert to the Deputy on the matter because I do not have the background to the situation he raises in terms of whether there was a legislative change. I will ask the Minister to clarify the situation for the Deputy.

**An Leas-Cheann Comhairle:** There are two Members remaining on the list. We are out of time, but if both can put their questions in 30 seconds, the Taoiseach might facilitate.

**Deputy Michael McNamara:** It is 73 weeks since the Taoiseach was elected to his position. On that day, I raised the future of Shannon Heritage with him. The instability continues for the sites, the company and, most important, the workers and the future of those sites. Tourism businesses are now planning for the future. What is the future for Shannon Heritage? When will they be transferred?

**The Taoiseach:** Decisions have been made.

**An Leas-Cheann Comhairle:** Sorry, Taoiseach, I want to get the final question in.

**Deputy Neale Richmond:** Many of us welcome the news on the change in direction in terms of antigen testing roll-out, particularly when it comes to schools. Will this also be extended to the early years sector? It is vital that our Montessori services and our crèches are also protected in this roll-out.

**The Taoiseach:** Yes, it will, but it will be fine-tuned for the early childhood sector. In respect of Shannon Heritage, decisions have been made in terms of its future. I take the Deputy's point. We need to progress those and to get them embedded and delivered.

**Deputy Michael McNamara:** New management, new ideas.

**The Taoiseach:** Yes. That is very important.

### **Seller's Legal Pack for Property Buyers Bill 2021: First Stage**

**Deputy Marc MacSharry:** I move:

That leave be granted to introduce a Bill entitled an Act to establish a statutory procedure whereby when a Seller of a property places the property on the market, a set of legal documents (the "Seller's Legal Pack") shall be compiled and advertised with the property and made available to potential buyers, such documents ensuring that buyers have key information relating to the property and ensuring the conveyancing process is more efficient.

First, I must declare an interest in that I am a licensed auctioneer and a member of the Institute of Professional Auctioneers and Valuers. The legislation I am introducing today, the Seller's Legal Pack for Property Buyers Bill 2021, will reduce conveyancing transaction times and, as a result, streamline the costs associated with that, help to cut out gazumping and gazundering, allow for more certain and transparent transactions for property and afford protection to sellers and, more crucially, the consumer. The chief executive officer of the Institute of Professional Auctioneers and Valuers approached me some time ago expressing the wish that legislation be brought forward to give effect to measures that arose from the institute's research and borne out in research dating back as far as 2005 when we had the auctioneering and estate agency review group, which expressed the wish at that time that buyers and sellers be better informed about the conveyancing process to enable sellers to take a greater role in the sale and conveyancing of their properties.

The research by the institute showed that 81% of estate agents presiding over the sale of property found it to be either frustrating or very frustrating in terms of the delay, ultimately for the consumer. This delay adds costs in conveyancing in that so often it is only when a property is sale agreed that the assembly, in terms of the documentation that is required to give effect to the sale, begins. This measure would prescribe in advance that a statutory process must be followed by all property service professionals, that is, before they would place a property on the market, they would be bound to ensure that all the necessary documentation would be in place, thereby ensuring for the seller, the efficiency of the process and, for the consumer who is seeking to buy, certainty in terms of the transparency of the process, and that what we see is what we are getting and what is being bought is as it alleges to be. Over the years, we have seen young buyers' mortgage approvals elapse while lengthy conveyancing takes place where, for example, an unforeseen planning permission or some such documentation is not put in place.

I pay tribute to Pat Davitt and the Institute of Professional Auctioneers and Valuers for having the courage to bring forward this proposal, which ultimately is a consumer measure. Property professionals are often criticised. This is one area where they are seeking to put the consumer first. Everybody will benefit. Taking the average sale, currently it takes 15 weeks to deal with conveyancing and, perhaps, a further six weeks to effect the sale. There is no reason for any party or individual in the House to do anything other than support this legislation. As a non-aligned Member of the House for now, the only facility open to me to progress this legislation is to enter it into the weekly lottery of Private Members' legislation in order that it can move to Second Stage. As I said, this is a win-win for sellers, consumers as the ultimate purchasers, the legal professional, auctioneers and estate agents and their oversight in terms of regulation. It has been welcomed in its embryonic stage by the legal profession, engineers, valuers, estate agents and regulators. I very much hope that Government and Opposition alike will grab this opportunity with both hands to give this positive development the momentum it requires and take the word of the Institute of Professional Auctioneers and Valuers, which has put this forward through me, and give effect to these small but very effective improvements for what can be a complex and lengthy process.

**An Leas-Cheann Comhairle:** Is the Bill opposed?

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

Question put and agreed to.

**An Leas-Cheann Comhairle:** Since this is a Private Members' Bill, Second Stage must,

under Standing Orders, be taken in Private Members' time.

**Deputy Marc MacSharry:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

## **Ceisteanna - Questions**

### **Budget Process**

1. **Deputy Mary Lou McDonald** asked the Taoiseach the details of the social impact assessments carried out by his Department and public bodies and agencies under his remit since 1 January 2016. [52214/21]

2. **Deputy Richard Boyd Barrett** asked the Taoiseach the details of the social impact assessments carried out by his Department and public bodies and agencies under his remit since 1 January 2016. [55796/21]

3. **Deputy Paul Murphy** asked the Taoiseach the details of the social impact assessments carried out by his Department and public bodies and agencies under his remit since 1 January 2016. [55802/21]

4. **Deputy John Lahart** asked the Taoiseach the social impact assessments carried out by his Department and public bodies and agencies under his remit. [57183/21]

5. **Deputy Mick Barry** asked the Taoiseach the details of the social impact assessments carried out by his Department and public bodies and agencies under his remit since 1 January 2016. [57287/21]

6. **Deputy Cian O'Callaghan** asked the Taoiseach the details of the social impact assessments carried out by his Department and public bodies and agencies under his remit since 1 January 2016. [57672/21]

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

Social impact assessments, SIAs, are an analytical framework that is designed to examine the demographic profile of public services users and how they are impacted by budgetary policy decisions. SIAs seek to answer questions about the impact of Government expenditure, such as whether the policy change in question resulted in a quantifiable gain or loss to existing recipients, who gained the most or least and whether the profile of recipients was altered. The assessments are underpinned by a framework paper published by the Department of Public Expenditure and Reform in 2016. The framework complements existing budgetary impact assessment exercises conducted by various Departments and externally by the Economic and Social Research Institute, ESRI, as well as the annual spending review programme. SIAs attempt to measure changes in income as a result of a policy or offer qualitative descriptions of how policies affect the financial positions of households. In so doing, they examine the distributional impact of policy changes across a range of indicators, including income, age, household composition and region.

SIA's have been carried out across a number of policy areas, including health, housing, education and childcare. Those areas were chosen for a social impact assessment on the basis that a significant portion of public expenditure is spent on them, they remain a high priority and they have been subject to budgetary changes in recent years. As my Department does not have responsibility for major expenditure programmes in areas like health or housing, it has not completed any SIA's under the framework.

**Deputy Mary Lou McDonald:** As the Taoiseach noted, the social impact assessment framework examines the demographic profile of public services users and how they are impacted by the Government's budgetary decisions. We are told these assessments should complement other budget impact assessments such as equality budgeting, which was first introduced as a pilot scheme four years ago. The 2019 OECD scan of equality budgeting in Ireland highlighted significant challenges and shortfalls in the initiative's structure and implementation. The OECD recommended that equality budgeting be expanded beyond the performance budgeting foundation to link it with other robust budget policy tools used in Ireland. It advised this should include expanding existing poverty proofing of policies to look at how poverty intersects with different equality dimensions.

Analysis of next year's budget undertaken by the Think-tank for Action on Social Change, TASC, on behalf of the National Women's Council of Ireland, NWCi, tells us the OECD's recommendations have fallen on deaf ears. TASC's analysis found the Government is unlikely to improve gender economic inequality, with lone parents likely to be worse off. It found the gender pay gap may widen, women may be at high risk of unemployment as pandemic supports expire, the increase in the minimum wage is insufficient to maintain the living standards of those trying to survive on low pay, and funding for childcare is still woefully inadequate. I want to echo the NWCi's call on the Government to prioritise gender and equality proofing of budgetary decisions in order that public spending will promote equality.

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

**Deputy Mary Lou McDonald:** Will the Taoiseach clarify whether it is the intention of Government to implement in full the OECD's equality budgeting recommendations?

**Deputy Richard Boyd Barrett:** I have asked repeatedly, for about five years now, for a review of the income thresholds for eligibility for social housing. Is there any assessment being done of the effect of not raising those thresholds? As I said to the Taoiseach last week, as well as to the Minister, Deputy Darragh O'Brien, I am now dealing with two families in homeless accommodation who are going to be evicted from that accommodation. It is not bad enough that they are homeless; they are going to be evicted from being homeless to become roofless. One of the householders got a letter yesterday saying the family has two days to be out of the hotel in which they have been staying. Both families have been homeless for three years.

What is their crime? The parents got a bit of work. For people with a council or housing assistance payment, HAP, tenancy, they do not get thrown out of it because they get work. For people who are homeless, however, who get a job and whose earnings go up a bit, they will be evicted from homeless accommodation and told they will get no more housing support and they are off the housing list. They are thrown to the wolves. That is happening this week and I am hearing of similar cases. It is all because the income thresholds were not raised. I appeal to the Taoiseach to do something urgently about this. In the next two days, a family will put out of homeless accommodation and onto the street. They cannot afford to go anywhere else.

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

**Deputy Richard Boyd Barrett:** In the case of another family, the mother is a care worker and cannot even take a promotion that is going in her organisation because, if she did, she would be thrown off the list.

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

**Deputy Richard Boyd Barrett:** In any event, she is now being told she is off the list and may be evicted from her homeless accommodation.

**Deputy Gino Kenny:** My question relates to the State policy that has led to 25 years and more of failure in respect of those in society who take drugs. We need to have a grown-up conversation about this. The Taoiseach spoke at a meeting of the CityWide Drugs Crisis Campaign last week. The figures are pretty sombre, to say the least. In the past 25 years, there has been a 225% increase in drug-related deaths. The statistics go on and on. These people fell through the cracks and their deaths have had a terrible effect on their communities.

I have argued many times that policy on this issue has been an abject failure. We have to do something very different. The programme for Government includes an undertaking to have a citizens' assembly on drugs, which would allow a debate in society on how we are getting things so wrong and failing so many people. Will the Taoiseach give a commitment that the citizens' assembly will sit some time next year?

**Deputy Mick Barry:** It is getting cold out there. Why is this country almost always near the top of the European league table for excess winter deaths? That number is consistently more than 1,000, sometimes as high as 1,500 and can go as high as 2,000. Can the Taoiseach explain why countries like Denmark or Norway consistently have a lower excess winter death per head of population figure than Ireland? Excess winter deaths are not just about the cold; they are also about poverty. Fuel poverty is a major issue for our society and it particularly hits the old and the poor. Can the Taoiseach provide a rational explanation as to why, in the teeth of energy prices rising faster than they have for many years, the fuel allowance was increased this year by only a miserable €5 per week? Does he accept that this miserable increase will not be sufficient to prevent hundreds, or perhaps thousands, of preventable deaths this winter? Will he agree to review that decision and, at the very least, consider a more realistic increase for those of our people threatened this winter not just by the cold but by fuel poverty?

**Deputy Cian O'Callaghan:** Has there been an assessment of the social impact the housing crisis is having on people with disabilities? Last week, Ciara, who is homeless and sleeping in a car, told her story on the Reboot Republic podcast. She could not find any suitable private rented accommodation as her HAP was insufficient. There is no homeless emergency accommodation suitable to her needs. She has lost her care support services because she is now homeless. She is living in physical pain because she is sleeping in a car, which is utterly inappropriate for anyone, especially someone like Ciara, who has disabilities.

What is being done to ensure emergency accommodation is available that is suitable for people with disabilities? What is being done to ensure proper supports are in place so that no one with a disability, like Ciara, becomes homeless?

**The Taoiseach:** I thank the Deputies for the questions. First, on equality budgeting and the general approach of Government under the social impact assessment framework, approxi-

mately 17 papers have been published since 2016 under the social impact assessment, SIA, framework, embracing education, childcare, energy, poverty, disability and health, including mental health. I mention the assessment of living standards, results of the 2019 survey on income and living conditions, SILC, the SEAI programmes targeting energy poverty, in 2020, the student grant scheme, which resulted in improvements, the specialist disability services for people intellectual disability, and, in 2021, the results of the SILC. In 2019, there was the acute mental health services, assessment of living standards, the survey on income and living conditions, the nursing home support scheme, public service, equality budgeting - relevant findings from ex post valuation, domiciliary care allowance and so on.

Basically, the SWITCH model, deployed by the Economic and Social Research Institute, ESRI, is also used in assessing budgetary measures Government takes as well as the fairness of those budgetary measures and whether they are progressive or regressive. That model by the Economic and Social Research Institute supplements and complements the work of the SAI framework.

I mention the assessment of living standards, results from the 2019 survey on incomes and living conditions which was conducted by the Central Statistics Office, CSO. Again, it analysed income, poverty, social exclusion indicator trends and how they have changed with economic cycles. Recent budgets have been progressive. That paper demonstrated that income inequality is measured by the Gini coefficient which after social transfers fell slightly in 2019 by 0.9 points. It also examined the impact that Covid-19 may be having on incomes and poverty using *ad hoc* CSO publications on the impact of Covid-19 on income poverty metrics.

Deputies might be interested to hear that preliminary findings on the impact of Covid-19 indicate that lower-income employees, and employees under the age of 25, appeared on average to experience an increase in their incomes in the year to Q4 of 2020, due to availing of Covid-19 supports. That underpins the strength of the measures that Government introduced to safeguard the incomes and living standards of some of the most vulnerable to the economic damage reaped by Covid-19. That was a fairly comprehensive study undertaken by the CSO.

On the homeless, the report stated that there are fewer homeless people on the street this year than last year. A significant winter plan is being developed. I would ask Deputy Cian O'Callaghan to bring that case to the attention of the Minister, because that should not be the case. There is a whole range of supports there through the homeless organisations and the Dublin Region Homeless Executive to try to deal with cases like Ciara's. I would be very concerned that the system did not provide a safety net for her in respect of that.

On income thresholds for social housing, that is currently being reviewed. Again, I do not see why, in the case the Deputy identified, that a person who is homeless and gets work is automatically taken out of the homeless services. That should not be the case. There always has to be a degree of cop-on and flexibility in dealing with people within the system. In many instances, I meet that common sense approach. I will engage with the Minister for Housing, Local Government and Heritage on these points that Deputy Boyd Barrett raised.

On the city wide drug strategy, there is an issue about existing mechanisms. As I said previously, I would like to see an expansion of supports for area partnerships or drug task forces. The Minister of State, Deputy O'Brien, is working on suggestions and proposals on that. In addition to the funding already allocated, we would like to do more to deal with the epidemic and the challenges and pressures imposed on communities as a result of the illegal trafficking

of drugs and also to bring a more health-based approach to supporting those who are addicted and those who need help.

In respect of the points raised by Deputy Barry, the Government introduced measures in the budget and we are constantly keeping this under review to make sure we can do everything we possibly can to alleviate the pressure on households in respect of the increase in energy pricing. We will continue to do that.

### **Departmental Functions**

7. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the work of the international and European Union division of his Department. [52215/21]

8. **Deputy Mick Barry** asked the Taoiseach if he will report on the work of the international and European Union division of his Department. [55900/21]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the work of the international and European Union division of his Department. [55797/21]

10. **Deputy Paul Murphy** asked the Taoiseach if he will report on the work of the international and European Union division of his Department. [55803/21]

11. **Deputy Alan Kelly** asked the Taoiseach if he will report on the work of the international and European Union division of his Department. [56128/21]

**The Taoiseach:** I propose to take Questions Nos. 7 to 11, inclusive, together.

The European Union and the international division of my Department works on all aspects of European Union and international policy within my Department, including issues relating to the European Union and the United Kingdom relationship. The division assists me in my role as a member of the European Council and in my other European Union engagements. It provides advice and briefings for meetings of the European Council and other European Union and United Nations summits, multilateral events and bilateral engagements with Heads of Government of European Union member states and other countries. It works to ensure a strategic and coherent whole-of-government approach to cross-cutting EU policies and on international issues generally, including in the context of Ireland membership of the UN Security Council and on matters such as global peace and security, international and sustainable development and the external dimensions of climate action. The division also supports both the Cabinet committee on Europe and oversees the implementation of the Global Ireland 2025 strategy.

**Deputy Martin Kenny:** I want to raise the issue of Catalonia and the Spanish Government's continued pursual of politicians who led the Catalan referendum on independence. Spain continues to seek the arrests and prosecutions on political grounds, including that of Carles Puigdemont who is now an elected Member of the European Parliament. The decision of the Spanish Government in June of this year to pardon nine Catalan independence leaders was welcome but it is not the general amnesty for participation in the referendum for which many have called, including the Council of Europe. Its legal affairs and human rights committee called on the Spanish authorities to release all Catalan politicians convicted for their role in organising the independence referendum. The report also called on the Spanish Government to abandon all extradition proceedings against Catalan politicians. These demands were later endorsed by the

parliamentary assembly of the Council of Europe.

As democrats we should be very clear in our position that leaders of a referendum should never be imprisoned and that the continued ban on some holding office is disgraceful. In recent times, EU leaders have publicly criticised other European countries for not upholding democratic values and yet has failed to hold the Spanish Government to account and to the same standards.

Does the Taoiseach agree the European Union needs to be consistent in its demands on member states and economic partners and should it be equally vocal against the use of courts for political purposes?

**Deputy Mick Barry:** This Thursday has been designated by the United Nations as the International Day for the Elimination of Violence against Women. Of course, violence against women is very much on the rise. We have had the pandemic and we have had the shadow pandemic of gender-based violence. Does the Taoiseach feel any degree of shame at the fact that in the city and county of Cork there are currently a mere nine permanent refuge units available for the victims of gender-based violence? Does he feel any degree of shame at fact that the workers at the Cuanlee refuge, who do such important work, have had to turn away 56 women due to capacity issues this year alone?

On Thursday at 6 p.m. I will join with women in my community of Blackpool, walking from Blackpool church into town in a show of opposition to violence against women. This is just one of several such protests being organised on the day by ROSA in Dublin, Limerick and across the country. Can the Taoiseach provide these walkers and their supporters with any indication from his Government that their desperate performance on these issues might change any time soon?

**Deputy Richard Boyd Barrett:** Over the past number of weeks, I and others have raised the designation of six human rights organisations and NGOs, including quite a number that receive funding from the EU, as terrorists by Israel. I am sure the Taoiseach has received representations from various Palestinian groups and others on this as well. This is clearly an attempt to, essentially, make illegal any organisation that utters a word of criticism of Israel or shines any spotlight on its apartheid policies, its routine denial of Palestinian rights, its persecution of Palestinians or its illegal occupation of Palestinian land. Those organisations are now designated as terrorists. The Government has expressed concern about this. It said it would be in touch with the Israeli authorities, as has the EU. What is actually happening? This is further evidence that Israel is a rogue state. I am slightly concerned about some of the responses from the Minister and from Government spokespeople, who have started to bandy around the word “antisemitism” if you question the right of Israel to be an apartheid state, which it is. That is clearly coming from the Israelis. I remind the Taoiseach that Nelson Mandela believed Israel was an apartheid state that should be boycotted. It is not an antisemitic statement to call out Israeli apartheid. What is the Government doing to sanction Israel over its designation of human rights organisations as terrorists in an attempt to suppress them?

**Deputy Peadar Tóibín:** The majority of the people of the North of Ireland support the protocol, as is clear in the polls that have been conducted there. Indeed, the majority of the people of the North of Ireland voted to remain within the EU. Obviously, there is a benefit to the protocol as it puts the North in a sweet spot economically for trade with the European bloc and Britain. Trade has increased by 60% from North to South and from South to North by about

48% just in the past year. Some unionists are fully against the protocol. That is their right but they believe, for some reason, that a majority of unionists have to support the protocol before it can be agreed by society in the North. That is not how democracy works and those days of unionist majoritarianism are over. The key point for this Chamber is that treating the British gently with regard to the protocol has not worked. Ireland has to get tough with the British and let them know, without a shadow of a doubt, that if they seek to bring down the protocol there will be enormous economic consequences for them. For us to be able to do that we need to make sure the European capitals are on our side. Has the Taoiseach's office been in contact with all the European capitals and governments to ensure they are rock-solid behind Ireland in terms of being tough with Britain if it does decide to bring down the protocol?

**The Taoiseach:** On Deputy Martin Kenny's questions, Europe has to be consistent and is consistent. It has been consistent on Ukraine and has had unity of purpose on Ukraine and other neighbourhoods in terms of activities. The situation in Spain is difficult and challenging. I welcome the fact that the situation has de-escalated and that the politicians have been released. No one ever likes to see politicians who would ordinarily be going about their parliamentary business and referendum activity in prison as a result of their activities. There is an overarching constitutional framework within Spain as well that has to be resolved by Spain and by the country. It has had its history and it has evolved. It is important to bear that in mind and to keep that in perspective.

As regards Deputy Barry's points, I abhor violence against women. It is a stain on our society. The Minister for Justice, along with the Minister for Housing, Local Government and Heritage and the Minister for Children, Equality, Disability, Integration and Youth, is working on a new strategy and on resources, making sure that resources will be provided in areas that have none at the moment, such as refuges in certain counties and that there will be a timeline for the provision of such services. That is ongoing. I am available to support any group that needs additional facilities through the local authorities. There have been good partnerships in Cork on the homeless issue and with regard to refuge for victims of gender-based violence. That has been always the case, consistently over time and I have no doubt that will continue with the support of Government. Any additionality or any requests that come to us from either the NGO sector or local authorities in partnership with the NGO sector will be positively responded to. That has been always the case. There has been a far greater level of awareness of this issue and that must continue. The situation is serious and was exacerbated during the pandemic. We know that and it has been reported. Every effort has to be made in an integrated way across all Departments and every forum, including education, to inculcate and nurture proper respect in our schools and right throughout our society so that we can reduce and, ultimately, eliminate, violence against women. It is shocking that it continues at the level it does.

On the Palestinian question, I am very concerned at this designation by Israel's ministry of defence of six Palestinian NGOs, including Irish Aid and European Union partner organisations. We partner with a number of these organisations and they have now been designated as terrorist entities. That is wrong. Ireland supported the holding of a discussion on the designation and on the recent settlement announcements at the UN Security Council on 8 November and we made a press statement following the meeting with France, Estonia, Norway and Albania, as an incoming UN Security Council member. In the joint statement, we underlined our serious concerns at this designation and the potential political, legal and financial consequences.

Ireland is committed to funding civil society organisations and human rights defenders through the Irish Aid programme, including Palestinian civil society. We as a country have been

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strong supporters of Palestinian civil society through the years. We carry out robust checks to ensure our funding is used only for the purpose intended and we have no evidence to suggest otherwise. In the absence of any detailed evidence from the Israeli authorities to support the designations, Ireland will continue to support the organisations concerned. This does not impact on our continued support but-----

**Deputy Richard Boyd Barrett:** What about sanctions?

**The Taoiseach:** -----it is still a regressive move. I am also aware of reports that Palestinian human rights defenders were hacked using Pegasus spyware. We attach great importance to the freedom of civil society and people's ability to act without surveillance.

We have also asked Israel to respect international law and to avoid loss of life in the context of Palestinian prisoners who are currently on hunger strike in protest at their arrests under the Israeli policy of administrative detention. We are aware of the concerns raised by the International Committee of the Red Cross regarding the health of some of these prisoners. I welcome the news that one of the individuals concerned has recently reached an agreement with the Israeli authorities to end his strike. We will continue to call on Israel to respect international law and to avoid loss of life and reiterate the right of all detainees to a fair trial. Likewise, in respect of settlements, we have consistently raised our opposition to the Israeli Government's plans for more than 3,000 settlement units in the West Bank. On 20 October we released a statement jointly with 11 other European countries urging the Israeli Government to reverse that decision and reiterating our strong opposition to its policy of settlement expansion. The Minister for Foreign Affairs, Deputy Coveney, raised these issues during his recent visit to the region.

On the protocol, suffice to say that the discussions have taken a turn for the better for the time being. That has to be acknowledged and stated. I was at the British-Irish Council on Thursday and Friday and had a good constructive discussion with the Secretary of State, Michael Gove, and with the First Ministers of Scotland and Wales. They were very clear on the impact of invoking Article 16 on their economies.

*4 o'clock*

There was general consensus all around on the need to avoid any disruption for the people on the ground in Northern Ireland. The EU and the UK are now working towards a negotiated resolution of the issues that have arisen as a result of the protocol. Some legitimate issues have arisen and they need to be resolved. We should do that by negotiation and that is the intention.

### **Commissions of Investigation**

12. **Deputy Peadar Tóibín** asked the Taoiseach the names of each commission of investigation established by his Department in each of the past ten years; the costs incurred by each; the number not yet concluded; and the expected time by which they will be dissolved. [55848/21]

**The Taoiseach:** The only commissions of investigation for which I am the specified Minister under the Commissions of Investigation Act 2004 are the Irish Bank Resolution Corporation commission of investigation and the National Asset Management Agency commission of investigation. Both commissions are fully independent.

The IBRC commission was established in June 2015 following consultation with Oireach-

tas parties. It is investigating certain transactions, activities and management decisions at the IBRC and in its first module it is investigating the Siteserv transaction. Its original deadline was 31 December 2015 but following several requests from the commission, and after consultation with the Opposition, its timeframe for reporting has been extended. Most recently, in October this year, I granted a further request for an extension, this time until the end of March 2022. From the time of its establishment to the end of October 2021, the commission cost €10.75 million approximately, excluding third-party legal costs that have been incurred but not yet paid, which will be a matter for the commission to determine at the end of its investigation.

In its seventh interim report in February 2020, the commission of investigation estimated that the final cost of the Siteserv investigation will be between €12 million and €14.5 million. This estimate assumed the investigation would be completed by the end of 2020 and not the end of March 2022 as is now the case, and excluded costs or delays associated with possible judicial review hearings. The commission also acknowledged that it involved a substantial degree of uncertainty regarding the amount of costs actually recoverable by the parties before it and assumed its legal costs guidelines are not successfully challenged.

The NAMA commission of investigation was established in June 2017 following consultations with Opposition parties to investigate the sale by NAMA of its Northern Ireland portfolio, known as Project Eagle. Its original deadline for reporting was 31 June 2018 but following several requests from the commission, its timeframe for reporting has also been extended. Most recently, in September 2021, I granted a further request for an extension, this time until the end of December 2021. From the time of its establishment to the end of October 2021, the commission cost €3.75 million approximately, excluding any third-party legal costs incurred but not yet paid and which will be considered by the commission at the end of its investigation.

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

The estimated cost for the NAMA commission of investigation when it was established was €10 million approximately, excluding the cost of any litigation that may arise. The commission has not provided an updated estimate for the cost of its investigation but the expenditure incurred to date suggests it is unlikely to exceed the original estimate.

The Fennelly commission is the only other commission of investigation for which the Taoiseach was the specified Minister in the past decade. Its work related to certain allegations made by Garda Maurice McCabe and its final report was completed in March 2017. The total cost of that commission of investigation was €3,528,658.

**Deputy Peadar Tóibín:** The commissions of investigation are not working in many ways. Justice delayed is justice denied and what we see happening at the moment are commissions of never-ending investigation. Accountability is simply not happening. It has been argued in the Dáil previously that commissions of investigation are used to kick issues into touch and take them out of the political environment. The IBRC commission of investigation was set up following a scandal that broke in 2015. It was an incredible issue which has just disappeared from most people's consciousness. Deputy Michéal Martin is the third Taoiseach to be in a position to grant an extension to that particular commission of investigation.

The financial costs to the State of these commissions of investigation are eye-watering. We are talking about massive amounts of money. A previous Taoiseach admitted that the final cost for the IBRC commission could exceed €30 million. This means that €30 million is taken away

from some sector in society that really needs it. The NAMA commission of investigation was meant to be completed in June 2018 at a cost of €10 million but the costs are spiralling on these commissions of investigation.

I have a proposal which I would like the Taoiseach to address. The Oireachtas is currently discussing various Bills dealing with white-collar crime, one of which deals with corporate authority. The Oireachtas is also dealing with legislation to give further powers to the Central Bank to enhance its ability to tackle white-collar crime. It is now necessary to reform this whole area and create one State investigation authority to deal with all white-collar crime in our society. We must build an authority that will be able to investigate this area properly. It must be of a sufficient size and have the personnel with the requisite skills and knowledge to deal with all of these elements of society. Reform in this area must mean that investigations are done expeditiously and not at massive cost to the State so that justice happens in real time, the people involved in wrongdoing are punished in real time and there is real-time accountability.

**Deputy Richard Boyd Barrett:** I certainly agree that the commission of investigation format is not working. The delays and

costs involved are inordinate and often by the end of the process, a lot of people are left wondering what it was all about in the first place. There is an air of Dickens's Jarndyce and Jarndyce about a lot of these commissions.

I refer to the report of the Commission of Investigation into Mother and Baby Homes as another example of where we have got it very badly wrong. I know we will be discussing this in greater depth later this evening but a number of the survivors who were outside Leinster House today are absolutely furious at the proposed redress scheme. They are angry at arbitrary time periods and thresholds for those who were in mother and baby homes being used as some sort of meaningful guide for redress. This is just typical of the way the State gets it so badly wrong. People must have spent six months in an institution to be eligible for redress, as if the human story, tragedy, hardship and trauma can somehow be equated to a particular time period or amount of money. This is an example of how the State really get things wrong. We will debate it further this evening but I would simply say that the key in such sensitive investigations and in the production of reports is to listen to the survivors and those with first-hand experience. The establishment of schemes and the production of reports must be done in step with survivors. The failure to do so has landed this Government in a mess. The Taoiseach and the Government must consider that.

**Deputy Martin Kenny:** On the back of Deputy Tóibín's question, I wish to raise the issue of establishing a commission of investigation into the death of Shane O'Farrell. The scoping exercise into Shane's death has not yet been completed. In the Dáil four years ago, the Taoiseach, who was then in opposition, said: "In all honesty and sincerity, it is time the Oireachtas responded in the only way possible, which is the establishment of an inquiry." The Taoiseach was correct then and I hope he will follow through on that. The failures of the policing and justice system leading up to Shane's death and the actions thereafter, including by the courts, the Director of Public Prosecutions and the Department of Justice, are significant, not just to the O'Farrell family but to the general public. This should also be of interest to the Taoiseach in his position as leader of Fianna Fáil because in 2018 the Fianna Fáil confidence and supply negotiating team raised Shane's case with the Secretary General of the Department of Justice who, in turn, committed to providing a briefing note. It was recently reported by Ms Justine McCarthy in the *Sunday Times* that the departmental memo did not inform Fianna Fáil of significant in-

formation pertaining to the driver who killed Shane. So serious was this information that the Secretary General submitted to the Minister for Justice the terms of reference for a review to be undertaken by a senior counsel into Courts Service failings. The Department of Justice did not provide the information to Fianna Fáil and the review in question did not ultimately proceed. No explanation has been provided for this. It should not be up to the O'Farrell family to try to uncover these issues. The Taoiseach must deliver this inquiry.

**The Taoiseach:** In response to Deputies Tóibín, Boyd Barrett and Kenny, I would point out that it was the Deputies opposite who called for, if not demanded, the investigation. It was not about kicking the can down the road, as Deputy Tóibín suggested. There was a demand from this House, and I was in opposition at the time, that the Government establish an inquiry. All in opposition wanted an inquiry into this. The Deputy is correct that the Department has estimated that it could cost €30 million but there are no precise figures. That could be the ultimate cost but no one knows. I have been in the House for a considerable length of time. Because of the view that people have rights and so on, all inquiries take an inordinate length of time. To date, no one formula that I have seen has been optimal. Parliamentary inquiries have had difficulties and have ended up in the courts where citizens have taken the Legislature to court in respect of how they were treated. Commissions of investigation were originally brought in by Senator McDowell when he was a Minister as a means of finding a shorter route to get a more efficient outcome to inquiries because inquiries under the Tribunals of Inquiry (Evidence) Act were proving to be very long as well, and were taking years or even decades in some cases. Some tribunals of inquiry took ten years or more. Everybody is entitled to their good name and everybody is entitled to cross-examine and there are huge legal costs attached to all of these inquiries as a result of all that. One of these inquiries was established in 2015 and the others not too long after that. We should go in with our eyes wide open. Very often, the first response from the Opposition and Members of this House is to set up an inquiry. Parties are in government at different times. That is the first resort and I am not sure if it is the correct response.

In answer to Deputy Tóibín, the idea of a State investigation authority was looked at by the Law Reform Commission in 2005. It looked at public inquiries, including tribunals of inquiry. It gave the pros and cons for what it called a permanent inquiries office. In the end, it opted to go against setting it up. It said the office would have a permanent team of staff experienced in investigations and paid salaries rather than a daily rate, thus resulting in savings. The staff would have “easy access to precedents and guidance on ... procedural issues” and would provide a one-stop-shop for those seeking information on inquiries. It then gave the disadvantages. It stated: “Although a number of public inquiries may be in existence at present, there is no guarantee that there will be a need for similar bodies in the future”. It also stated: “public inquiries ... are ad hoc bodies [by their nature] ... and their structure and personnel should reflect this.” Deputy Tóibín might consult the report.

My view is that irrespective of what form of inquiries we decide on, they will be lengthy, given our legal system and people will never be entirely satisfied with their conclusions. It is a very challenging situation. What we need to do is build up permanent systems. We established the Garda Síochána Ombudsman Commission, GSOC. People are unhappy with GSOC. It was to hold gardaí to account for any misdeeds. Deputy Tóibín spoke about white-collar crime. The Garda should be investigating white-collar crime. Our existing agencies should be doing this work and reducing the need for inquiries in the first instance.

The Health Information and Quality Authority, HIQA, was established. It has made a transformational change compared with where we were before its establishment in 2003. Prior to

that there was no inbuilt system within health to drive standards and proper approaches to public policy and the provision of healthcare facilities, taking the rights of patients into consideration.

**An Leas-Cheann Comhairle:** We are running out of time.

**The Taoiseach:** It is a topic that needs serious discussion, but we must build up the existing capacity of the system to deal with these issues in a substantive way and avoid the necessity for inquiries that take an inordinate length of time, by any yardstick, to come to a conclusion and at great cost.

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

**An Leas-Cheann Comhairle:** I wish to wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case: (1) Deputy Colm Burke - to discuss funding for vital medical equipment for children in the Cork-Kerry region; (2) Deputy Michael Healy-Rae - to discuss snail farming; (3) Deputies David Cullinane, Pádraig Mac Lochlainn, Rose Conway-Walsh, Mairéad Farrell, Martin Kenny and Claire Kerrane - to discuss the trolley, waiting list and emergency department crisis in the Saolta Hospital Group; (4) Deputy Dara Calleary - to discuss the need for an enhanced package of supports for the hospitality and entertainment industry; (5) Deputy Mark Ward - to discuss the report published by the Mental Health Commission entitled Access to Mental Health Services for People in the Criminal Justice System; (6) Deputy Brian Stanley - to discuss the need for insulin pump services in the adult diabetic clinic in Portlaoise hospital; (7) Deputy Dessie Ellis - to discuss the urgent need in the community for the reopening of St. Odin's Wood day centre for older persons; (8) Deputy Jennifer Murnane O'Connor - to discuss when primary care services and a new primary care facility will be established in Tullow, County Carlow; (9) Deputy Marian Harkin - to discuss the siting of wind farms on mountain sides, especially in peaty soil; (10) Deputy Ged Nash - to discuss the need for a Covid-19 testing centre and a vaccination centre to be established in Drogheda, County Louth; (11) Deputy David Stanton - to discuss the proposed closure of the Owenacurra mental health centre, Midleton, County Cork; (12) Deputy Holly Cairns - to discuss the sale of publicly-owned forestry at Riverstick, County Cork; (13) Deputy Martin Browne - to discuss the mobility allowance and motorised transport grant and the Ombudsman's report, Grounded - Unequal access for people with disabilities to personal transport schemes; (14) Deputy Ruairí Ó Murchú - to discuss difficulties faced by families who need access to credit or short-term loans for Christmas or unexpected costs; (15) Deputy Matt Carthy - to discuss the implications of the transposition of EU Regulation 2019/6 regarding veterinary medicines; (16) Deputy Brendan Griffin - to discuss the need for special status for Irish-speaking residential planning permission applicants in Gaeltacht areas; (17) Deputy Kieran O'Donnell - to discuss plans to provide an additional primary school in the Castletroy area of Limerick to cater for high population growth; (18) Deputy Aodhán Ó Ríordáin - to discuss the shortage in places, the long waiting lists and the numbers of students with no place identified in second level schools in north Dublin; and (19) Deputy Maurice Quinlivan - to discuss the possible suspension of elective work at University Hospital Limerick and when such services will be reinstated.

The matters raised by Deputies Aodhán Ó Ríordáin, Dara Calleary, Colm Burke and Mark Ward have been selected for discussion.

## **Climate Action Plan 2021: Statements**

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth):** I welcome the opportunity to discuss the climate action plan. We should take these opportunities to the maximum whenever we can.

The recently published report by the Intergovernmental Panel on Climate Change, IPCC, as part of its sixth assessment, sets out the most up-to-date physical science basis for our understanding of climate change. The report confirms, among other things, that we have a limited window for real action to reduce emissions to ensure that current and future generations can live sustainably in a low-carbon and climate-resilient world.

In line with EU ambition, the programme for Government, *Our Shared Future*, commits to achieving a 51% reduction in Ireland's overall greenhouse gas, GHG, emissions from 2021 to 2030, and to achieving net-zero emissions not later than 2050. These legally-binding objectives are set out in the Climate Action and Low Carbon Development (Amendment) Act 2021, the enactment of which was a key priority in the programme for Government. The climate Act underpins Ireland's transition to net zero greenhouse gas emissions and the achievement of a climate-neutral economy not later than 2050. It also establishes a legally binding framework with clear targets and commitments to ensure the necessary structures and processes are in place to deliver our national, EU and international climate goals and obligations in the near and long term.

Against this background, strategies must be devised to reduce and manage climate change risks through a combination of mitigation and adaptation responses. It is crucial that while we prepare our carbon budgets and sectoral emissions ceilings, delivery of climate action in Ireland continues at pace. The Climate Action Plan 2021, launched on 4 November, provides a detailed roadmap for meeting our climate ambition under the climate Act.

The plan sets out indicative ranges of emissions reductions for each sector of the economy. These ranges will be finalised in the climate action plan for 2022 following the legal adoption of carbon budgets and sectoral emissions ceilings.

The Government will support the changes through major public investment announced recently in the €165 billion national development plan, including increased funding for retrofitting our homes, building new public transport and active mobility infrastructure, reskilling workers and supporting a just transition.

While the Climate Action Plan 2021 builds on the ambitious targets of the 2019 plan, it represents a significant step-up in terms of ambition and implementation. To highlight a number of the most significant measures included in the Climate Action Plan 2021, the plan commits to an increase in the proportion of renewable electricity to up to 80% by 2030, including an increased target of up to 5 GW of offshore wind energy. It commits to a significant reduction in transport emissions by 2030. Measures will include enabling 500,000 extra walking, cycling and public transport journeys per day by 2030, and supporting the take-up of electric vehicles to reach almost 1 million by 2030. The plan commits to the implementation of a new national retrofit plan to increase supply capacity and make retrofitting more affordable. It also commits that our enterprise sector will see a faster uptake of carbon-neutral heating, increased electrification of high-temperature heating and the phasing out of high global warming potential F-gases.

The plan commits to reducing emissions associated with agriculture, which will be central to achieving our climate ambition. It provides a pathway to reduce emissions while supporting world-class food production, through an innovation and science-based approach. There will be a reduction in chemical nitrogen and more targeted use of fertiliser, while maintaining our position as a global leader in grass growth through multi-species swards. Reducing emissions from land use and a move to being an overall store of carbon will involve further bog rehabilitation, increased afforestation, and the rewetting of peat organic soils. A new forestry programme will be prepared for launch in 2023.

This plan also places a just transition at its core. It sets out four principles that will guide our policymaking and implementation over the coming years to ensure that we can effectively monitor and manage our transition and that our responses remain flexible so that we can respond to future transition challenges and target the areas in need of support. Each Minister, as well as the Government as a whole, will be expected to consider these principles as we develop and implement our climate policies.

We have committed in the plan to establishing a just transition commission, which will make periodic recommendations to Government, building on research, engagement through the National Dialogue on Climate Action and the annual review from the CCAC on how Government policy can further the just transition. In delivering this ambitious climate action plan, we must ensure we bring people with us and that the transition is fair. The recently launched National Dialogue on Climate Action will facilitate public engagement, participation, community action, networking and capacity building activities on climate action, giving everyone in society the opportunity to play their part. Earlier this month, €60 million in funding from the Climate Action Fund was announced for community climate action projects to support and empower communities to shape and build low carbon, sustainable communities in a coherent way. The Government will shortly publish an accompanying detailed annex of actions to support the delivery of this plan. This annex sets out the detailed actions with timelines to drive delivery and ensure our emissions reduce.

I now turn to agriculture, which is responsible for 35% of our greenhouse gas emissions, predominantly methane and nitrous oxide. Agriculture has long been a key pillar of Ireland's economy, especially our rural economy, and it will and should remain so into the future. Irish agriculture has a strong reputation globally, built on our green image of clean air and clean water. It is the same reputation that underpins our tourism industry. We, as a country, need to maintain the green reputation through achieving the goals laid out in the climate action plan. At the same time, we need to reverse the water quality decline caused, in part, by agricultural run-off, and this should be addressed in the nitrates action plan. We also need to halt biodiversity loss and use the Common Agricultural Policy to ensure farmers are incentivised to provide and maintain habitats.

The 2021 climate action plan focuses on reducing emissions by between 22% and 30% by 2030 from 2018 levels. There are a number of key actions laid out in the climate action plan, which will be updated annually to take account of developments in science and policy. First, there will be a significant focus on the reduction in chemical nitrogen fertiliser on our farms. This reduction in fertiliser will be achieved through more targeted applications, reductions in run-off, use of nitrogen fixing plants in multi-species swards and use of low emissions slurry spreading technology, which has seen a significant uptake over the last three years. Recent increases in international gas prices are also feeding through to increases in fertiliser prices, which strengthens the imperative to reduce fertiliser consumption. Farmers need to be sup-

ported to do so without a loss in farm income.

Use of multi-species swards, in other words, a mixture of three or more species whose growth characteristics complement each other, resulting in improved productivity compared to when each species is grown on its own, will enhance productivity with significantly less nitrogen input. This reduces costs and allows the animals gain weight faster, reducing additional feed requirements. It is important that this productivity gain not only results in higher farm profit, but also in improved water quality and enhanced habitat that will improve biodiversity.

Ireland is at the bottom of the league table of organic farming in Europe. We need to reverse this and we need to promote organic farming. This will require sustained investment by the State and farmers in the transition to organic farming. The climate action plan targets an almost five-fold increase in organic farming in Ireland.

There are a number of other key actions laid out in the plan. We need to shift the focus fundamentally to increasing farm incomes through rewarding sustainable food production, enhancing biodiversity and protecting our air, climate and water.

Our homes, workplaces, public buildings and recreational facilities are responsible for 12.7% of our overall emissions, predominantly in the residential sector, not including emissions from the electricity we use in our buildings. The poor energy performance of our building stock means that our homes produce about 60% more CO<sub>2</sub> emissions than the European average. There is already a vibrant retrofit industry in Ireland, with over 400,000 homes, or about one quarter of all homes, having received grants to upgrade their homes since the introduction of energy efficiency grants in 2008. However, the activity level to date is not sufficient for our ambition. We need to increase both the number of homes improving their energy performance and also increase the depth of retrofit that our homes must undergo. Most people will understand the need to improve the insulation of homes to improve air leakage and to ensure our homes have adequate and controlled ventilation.

We also need to focus on the switching of our solid fuel, oil and gas boilers to cleaner alternatives. There are two main alternatives that will be used and, in outlining those alternatives, it might be worth outlining some examples of other European countries that use them. In Scandinavia, as a response to the 1970s oil crisis, Norway, Sweden and Denmark set out to install district heating systems that used waste heat from power plants and other industrial facilities to provide heat to homes. This works by installing highly insulated piping to every home in a city and metering the heat, much like electricity, and charging users for the heat on a monthly basis. Approximately 50% of Danish heat is supplied in this way. The target in our climate action plan is to have district heating, from plants like the waste-to-energy facility in Poolbeg, to provide between 5% and 10% of our heat by 2030.

For homes in areas of lower density, rural and suburban homes will switch from fossil fuel to heat pumps, predominantly air-source heat pumps. Almost all new-build homes last year installed heat pumps as their heating systems. In Norway, 60% of homes are heated by heat pumps and about 43% in Sweden. In Ireland, we will use our vast wind energy to provide zero-carbon electricity for heat pumps in our buildings. A well installed heat pump can provide four units of energy, drawn from the energy in the air, to each one unit of electricity required to power the heat pump. The climate action plan seeks to install 600,000 heat pumps in Irish homes by 2030, with 400,000 in existing homes.

The national retrofit plan, published as part of the climate action plan, will support homeowners to retrofit their homes. We will be qualifying a number of one-stop-shops for retrofit that can support homeowners on this journey and organise the contractor, grants, advice and low-cost finance. The vision underpinning the national retrofit plan is that it should be as easy to retrofit a house as it currently is to buy a car, with a small up-front deposit and a low-cost loan that will predominantly be funded by the savings on energy bills. The Government has, in the national development plan and the climate action plan, outlined the very significant Exchequer resources available to retrofit homes out to 2030, funded in part by carbon taxation. The provision of zero-carbon, low-cost heat to our homes is one of the most important climate interventions the Government is making, delivering a range of benefits, including improved public health and air quality.

**Deputy Darren O'Rourke:** I welcome the opportunity to contribute to this debate. Sinn Féin recognises the urgency needed to tackle climate change, we back our national greenhouse emissions target and we worked constructively throughout the extensive consideration of the Climate Action and Low Carbon Development (Amendment) Bill. It is worth saying that unlike some in government who argued against interim targets, for example, now deemed an essential element of the plan, Sinn Féin argued for them. We agree on the need to act now and on our overall targets. In that respect, there is much we agree with in principle and practice in the climate action plan. We agree but we wonder why the Government lacks ambition and impetus, why it acts so slowly and, worse, why it acts contrary to the stated position. Elsewhere, this climate action plan is devoid of credibility, in particular when it comes to financing €125 billion in private finance, which has to come from somewhere, and related delivery. There is no shortage of plans and this needs to be not just another one.

Sinn Féin will continue to push for a just transition. This is something that, in the first instance, must be delivered for communities in the midlands, who have been listening to promises for a long time. Just transition must be extended beyond the midlands to all communities and all sectors. For some, the transition between a high and a low carbon economy is the difference between a new petrol Land Rover or a new Tesla, or a switch to public transport. For others, it is a matter of being able to heat their home, feed themselves and their family or having a job to go to in the morning. Just transition needs to move beyond rhetoric and I do not see that in the climate action plan. I do not believe the Government has done enough to show communities and sectors that a just transition is on the cards. It has not set out a vision for just transition in this climate action plan.

On energy, I welcome the new commitment in the plan to increase our target on renewable energy to 80% of our needs by 2030. Ireland is blessed with massive potential for offshore wind but, unfortunately, decades of under-ambition and painfully slow regulatory development have suffocated the exploitation of this vital natural resource. Almost 20 years on from its construction, Arklow Bank phase 1 remains Ireland's only offshore wind farm, with an output of just 25 MW. That is a damning indictment. Even now, on the brink of 2022, we still do not have a legislative framework in place for offshore wind generation. The industry representative body, Wind Energy Ireland, has warned that we have a narrowing window to meet the 2030 target and that was before it was increased to 80%. It highlights various areas that need to be addressed by government, including fixing the foreshore licensing system; providing more resources to relevant agencies; progressing renewable electricity support scheme, RESS, auctions and the maritime area planning Bill; establishing an offshore grid steering committee; strengthening our electricity grid; and developing specific ports to ensure offshore wind farms can be built from

our island.

The lack of action is already having consequences. Equinor pulled out of Ireland, citing the regulatory processes as one aspect of its decision for doing so. The Government did not bat an eyelid in response. This is a raging red alarm. Similarly, the guidelines for offshore wind are 15 years old. This has led to bad planning and animosity between some developers and rural communities. If the number of parliamentary questions and council motions being put forward by Government party representatives is anything to go by, I can say that it is accepted across the political spectrum that the guidelines are out of date and in desperate need of updating.

Meanwhile, the Government dithers and the same can be said about microgeneration. Communities have their hands up willing and wanting to play their part and the Government slaps them down. Similarly, hydrogen can play a key role in our energy transition. It could potentially provide a solution for some of the heavy industries and sectors where battery power is not feasible. Excess wind energy can be used to run electrolyzers to produce green hydrogen. The fact that it can be stored and transported makes it particularly attractive to fill gaps in energy production when the wind does not blow, for example. Despite this, Ireland is one of only two European countries that does not have a hydrogen strategy in place. I cannot understand this. Is it a lack of capacity, expertise or ambition? I do not know what it is but something is lacking. The climate action plan fails to take hydrogen seriously. This is a mistake and one I would ask the Minister to act upon.

The MaREI institute has developed the TIMES-Ireland model to map out paths to 51% renewable energy generation by 2030, net zero by 2050 and beyond to 2070. It shows that it can be achieved, which is positive, and that the most efficient way to do it is to reduce demand. This is referred to as the low demand scenario. Then I think about Government Deputies cheerleading for data centres while the Government heaps carbon tax increases onto people who have no alternatives and no public transport, electric vehicles, EVs, heat pumps or retrofitted homes. We know that a significant majority of households use kerosene or solid fuels to heat their homes on these cold winter nights yet the Government rolls out the red carpet for data centres, which Hoover up enormous amounts of energy. At the weekend, we read in the *Business Post* that when Google said “Jump” Enda Kenny said “How high?”. Why would we expect anything different from Facebook or Amazon?

I have been consistently putting forward ideas to kick-start emission reductions in the transport sector. School bus transport is significantly oversubscribed year on year but the current target outlined in Bus Éireann’s sustainability strategy would only see a 20% increase in bus places by 2030. That is the equivalent of just 1,000 extra places each year. We are turning thousands of children away from public transport each year and putting them back in private cars, which makes no sense at all. Public transport fares are a huge barrier for many people and we are not seeing the ambition needed to reduce costs for people to encourage them to take the bus, train or tram, nor are we seeing the ambition to develop long overdue public transport infrastructure. Some mega projects continue to be delayed and some have been deferred into oblivion. Connecting Ireland is welcome and I do what the Opposition is supposed to do when we welcome a proposition. We encourage our constituents to engage with it and my constituents are ready to avail of the services. The difficulty is they will have to wait because funding is backloaded, with just 10% of funding allocated in year one and no guarantee of future funding.

This plan needs to be delivered on. The objectives of delivering on the emissions reductions are of deep and legitimate concern. We do not see a credible plan to get us there, bring

communities with us and achieve those targets. The Minister of State needs to listen to the Opposition, communities and different sectors. They want to play their part but they need to be enabled to do so.

**Deputy Brian Stanley:** I welcome the opportunity to speak in this important debate. The rate of global warming has to be halted and there is no arguing about that. Sinn Féin wants to see that happen quickly. Everyone has a role to play but it has to be led by the State. However, the Government's plan does not stack up. In July 2019, I moved a Private Members' motion on behalf of Sinn Féin which sought to bind future Governments to reject the EU-Mercosur deal on free trade. We know the implications of that deal. It would see the Amazon rainforest depleted and destroyed for the sake of selling German cars to South America. The Government must respect that motion and I call on the Green Party Deputies here to ensure the intention expressed in that vote in July 2019 is upheld.

Forestry is key. We have had an unresolved crisis in our domestic forestry industry for over two years. In County Laois, for example, over 400 ha per annum were being planted. This figure collapsed to 26 ha per annum in 2020. Workers and farmers, not just in Laois, Offaly and other counties but right across the country, have lost confidence in the forestry sector due to the backlog in the licensing system. For our part, Sinn Féin is proposing to overhaul the licensing system and have a streamlined process all the way through for planting, thinning and felling. There are also all-party recommendations from the Committee on Agriculture, Food and the Marine to that effect.

There is no clear plan from the Government on sustainable farming. Just over 1.5% of farming in Ireland is organic. The Minister for Agriculture, Food and the Marine said this would be increased fivefold but that would only be 7.5%, whereas the EU target is 25%. We need more leadership from government to support family farms to move to organic farming, forestry and renewable energy. Our vision for climate action is based on helping families and communities to make that transition to the green economy and create green jobs. We want to provide public transport links between small towns. Some small steps have been taken in that regard but we need to move on with that work. I have put forward suggestions on doing so, as have other Deputies.

Sinn Féin wants to invest in State bodies like Bord na Móna and the ESB to develop biogas, biomass, hydrogen, wind and solar power. Bord na Móna has to be central to this. That is important because it has the land mass and resources. It can be the energy solution company and it must be to the front in these efforts. I ask the Government to focus less on punishing ordinary people through increasing carbon taxes and focus more on how we can meet our climate targets through providing alternatives for workers and families.

**Deputy Sorca Clarke:** We all recognise the urgent need to reduce emissions but our children and future generations will not thank us for what is emerging, namely, this negotiating and lobbying battleground that sees urban and rural dwellers pitted against each other. They will also not thank us for the urban-rural dweller narrative that is being created by the refusal of the Government to see the disproportionate impact that its view of climate action will have. Rural dwellers, with their solid fuel fires and diesel cars, are being pitted against urban dwellers with access to public transport and alternative heating options.

The reality is that all change matters but when local economies are affected, be they in Ballymore or Bali, statistically it is the working poor who pay the highest price and are dispropor-

tionately affected by the negative effects of climate change. Across the midlands, there is little evidence on the ground that just transition is approaching anything that could be described as “just”, not when we see beef deals that will hasten the demise of rainforests but support beef barons. We also see a retrofit programme and an electric car scheme that are untenable for so many of my constituents. If environmental policies are to succeed, they must be underpinned by equality and justice and tackle the economic model which concentrates power and wealth in the hands of a few.

I want to highlight one specific sector, namely, public transport. Every year, the school transport scheme is substantially oversubscribed. Sinn Féin demonstrated how we could have a scheme that would remove tens of thousands of car journeys from our roads each day, helping to reduce carbon emissions. When something makes sense for the climate and reduces the burdens on families but also makes sense fiscally but is still not being done, that is when frustration grows and the Government loses the support of people. For example, in August, in my constituency of Longford-Westmeath, our bus service was slashed. That is something that began a number of years ago. It is that tried and tested method of reduce the service, reduce the number of towns it serves, reduce the frequency and, finally, reduce the service to nothing.

**Deputy Pauline Tully:** The Government’s climate action plan is lacking in leadership and it will place unfair burdens on ordinary people, while failing to deliver the real change that is needed.

The Government’s climate action plan is based on the principles of eco-austerity - much of the burden being placed on ordinary workers and families. This is equally the position for family farmers and rural communities, which are facing considerable challenges.

There have been virtually no new supports brought forward by the Government to help farming families meet rising environmental obligations and many of these obligations are also counterproductive in terms of climate action. For example, it is ludicrous that the Minister for Agriculture, Food and the Marine intends to restrict suckler herd sizes while, at the same time, the Government continues to support the EU-Mercosur trade deal, which would see an additional 99,000 tonnes of less sustainable beef flooding the EU market. This will only hasten the demise of the Amazon and contradicts the recent COP26 leaders’ declaration to halt deforestation by 2030.

In relation to forestry here in Ireland, afforestation can play an important role in meeting our emission targets. However, the Government is not doing enough to foster this sector. It needs to redirect resources within the Department to resolve the current licensing backlog. Delays in granting licences are forcing the importation of timber while Irish trees cannot be planted or felled. As well as acting as a disincentive to farmers and landowners to enter afforestation, this is threatening 12,000 jobs in the forestry industry. A new forestry strategy is needed that promotes the planting of native broadleaf forestry and incentivises new farmers and landowners to enter afforestation.

Another ludicrous aspect of the Government’s climate action plan is the situation whereby thousands of tonnes of peat are being shipped across a continent to Ireland from Latvia. This does not make environmental, economic or ethical sense.

Rather than lecture farmers and rural communities about climate action and penalise them through carbon taxes and counterproductive policies, Sinn Féin has proposed a number of mea-

asures that would help family farmers to play a positive role in reducing emissions and making necessary changes. This would involve substantial investment in organics and facilitating new farmers in agri-environmental programmes.

Family farmers and rural communities are up for the challenge of climate action, assuming that they are treated fairly and adequately supported.

**Deputy Ivana Bacik:** I welcome the opportunity to join this debate today on behalf of Labour. It is timely, following the conclusion of COP26. Although many of us might have mixed feelings about what was agreed on COP26, undoubtedly some progress was made, albeit not, perhaps, as much as we would have liked. Certainly, the onus is now on countries such as our own to deliver on the climate commitments made.

I welcomed the recent publication of the Government's climate action plan which, as Members are aware, sets out 475 separate actions leading to the necessary emissions reductions that we have committed to, in other words, to halve our greenhouse gas emissions by 2030. It includes provision for extensive offshore wind power, the retrofitting of 500,000 homes and other targets, such as the putting of 1 million electric vehicles on Irish roads by 2030. These were ambitious but necessary targets which my party very much welcomed. Without sight of the detailed annexe, however, to which the Minister of State, Deputy Ossian Smith, referred and which apparently will be published shortly to support delivery of the plan, it is difficult to see how we can achieve those targets and what steps are to be taken. I am mindful of the Climate Change Advisory Council's clear recommendation that it is in the next two to three years that we need to see the necessary investment to develop the infrastructure, around, for example, offshore wind generation and electric vehicle, EV, charging that will help us deliver on those more ambitious yearly reductions targets that we have set ourselves for the latter half of this decade up to 2030.

There are huge questions as to how we can meet the targets, as to what are the steps that will be taken and whether Government is serious about meeting those targets. This is causing immense frustration among all of us affected: householders who are looking to do retrofitting, farmers who are not clear on agriculture targets and those who are still awaiting decent active and public transport infrastructure. Indeed, in my own area, in Dublin Bay South, there is huge frustration at the delays built into the BusConnects and the National Transport Authority plans. That frustration is felt across Dublin but, certainly, in Dublin Bay South, I am communicated with daily by constituents who are looking to do the right thing, who want to move to active travel and who want, if they have a car, to switch to an EV. Motorists are stymied unless they are lucky enough to have a driveway. There are many areas, such as my own in Portobello, where most households do not have driveways, where most parking is on-street parking and where there are simply not enough publicly accessible EV chargers to make it feasible or practical for many people to switch to EVs. I am frustrated by trying to ensure that we see the greater provision of EV chargers in publicly accessible areas across Dublin Bay South and I can see the frustration experienced by many who want to do the right thing but have simply not been given a clear pathway to do so through the lack of development of the infrastructure. It is difficult to see how we will meet that target in transport, for example, of putting 1 million EVs on Irish roads, or, indeed, meeting our targets of significantly fewer journeys by car, if we do not build and put in the infrastructure. I will not even start on the difficulties of getting pedestrian crossings and better facilities for cyclists and pedestrians in my area. There is frustration there.

I note, in his speech, the Minister of State talked about retrofitting. There are frustrating

delays here where the Minister of State noted “the activity level to date is not sufficient for our ambition”. That sums up, unfortunately, a real lack of urgency and really serious delays that have been built into our processes. We need to address those as a matter of urgency because we need to see that sort of urgent and radical response driving governments around the world when it comes to climate change. The Taoiseach himself acknowledged this in his address to COP26 when he stated that “every second of delay” makes the task to cut emissions “that bit bigger”. Of course, the Taoiseach is right. The crisis is cumulative and when we wait to take action, as we all know, the problem gets worse. Unfortunately, we have seen these substantial and significant delays built in. It means then that there is a lack of clarity about how we meet those targets. As I said, we urgently need the investment in the infrastructure now.

We saw delays in the publication of the climate action plan itself and I have addressed those in previous debates in this House. It was disappointing, for example, that it was not aligned with the fiscal budget, as had been initially promised. As we know, we are well into the key decade in which we have to put in place the infrastructure to reduce our emissions by half by 2030.

In addition to putting those measures in place, we also need to see - maybe this will be in the annexe - what are the vital redistributive measures that will deliver the just transition that will bring the public with us and that will ensure that those who might be adversely affected by necessary measures will be given the necessary supports. That is what we mean by just transition.

We have seen through the pandemic the value of State intervention, public service and collective solidarity. That sense of the importance of public services and of the public sector has been reflected in recent election results where we have seen parties of the left winning in Germany, Norway and elsewhere with a growing consciousness of the need for that strong collective solidarity to also weigh in behind our response to climate change. It is through that sort of solidarity, through the empowerment of ordinary people and through effective and clear communication that we will bring society with us on meeting those targets and then we will all reap the benefits of a world in which a better society is possible, with cleaner air, warmer homes, better infrastructure and support for biodiversity.

Labour is willing to play a constructive role. Indeed, we are doing that in opposition. I put forward, as the Minister of State will be aware, the National Standards Authority of Ireland (Carbon Footprint Labelling) Bill 2021 and I was glad the Government did not oppose that. I am also putting forward a Bill on Dublin Bay to try to introduce a statutory authority for Dublin Bay to improve the governance of Dublin Bay to ensure that we do not see the sort of developments we saw this week with algae growing across the water and real concerns among sea swimmers and others who use the wonderful amenity, as I and so many of us do, that there is not any proper or adequate monitoring of water quality in Dublin Bay. It is that sort of initiative that we propose to take. We will also be introducing a right to repair Bill with measures to stop waste and to tackle the cost of living by requiring manufacturers of digital electronic equipment to make available repair information to consumers. We want to work with the Minister of State in a range of ways to ensure that we meet those ambitious but necessary climate targets and to ensure that we achieve that just transition that is also so crucial.

**Deputy Brian Leddin:** I am sharing time with my Government colleague, Deputy O’Dowd. I wish to acknowledge my fellow spokespeople on climate, Deputy O’Rourke from Sinn Féin and Deputy Bacik from Labour. I believe both Deputies to be genuinely committed to the issue of climate. Having listened to them, some of their criticism and their takes on the climate action plan are valid and legitimate. We welcome that kind of opposition. Some of the criticism

is not valid or legitimate. To use Deputy O'Rourke's words, I would say that we should move beyond rhetoric. That is something that should apply to all parties in the House, as well as the Government. I am thankful that we have a baseline of agreement about climate action among most parties in this House. It makes what feels like an impossible job to halve our emissions in less than a decade slightly more achievable. However, I think we really need to up our game, all of us, including the Ministers responsible.

I welcome many elements of the 2021 climate action plan but I think the Minister of State, Deputy Ossian Smyth and the Minister, Deputy Eamon Ryan, will acknowledge that it is not enough. We have a series of ranges of emissions reductions for each sector and we have to convert those ranges into definite, single numbers for each sector that will be compatible with the carbon budgets. We are getting to the stage where further delay is inaction.

We are still at the stage where we have unallocated emissions reductions, comprising 4 megatonnes overall in the climate action plan, as well as an additional 0.9 megatonnes in transport. We urgently need to start discussing where those additional emissions reductions are going to come from. We need to stop talking about more roads and multibillion euro motorways and over-intensification in agriculture.

One challenge is significant institutional inertia in the big emitting sectors, and business-as-usual thinking is still too dominant. I remind the House that section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021 specifically obliges public bodies, insofar as practicable, to perform their functions in a manner consistent with a number of criteria including the most recent approved climate action plan, the furtherance of the national climate objective and the general objective of mitigating greenhouse gas emissions and climate change adaptation. I will be honest here and say that I do not think many of our public bodies are acting consistently with the climate Act. In transport we are still talking about new roads for electric cars and electric buses instead of reducing vehicle kilometres and, as Deputy Bacik just said, fewer journeys. We are not talking enough about reallocating road space and achieving modal shift. In agriculture we are still on a pathway that involves the export of commodity products.

I am making these criticisms here and I accept some of them are uncomfortable but I also wish there were more making these criticisms with me, both inside and outside the House. It is not sufficient to say we are not doing enough. We need to describe exactly how we are not doing enough and to suggest measures that will bridge the gap. I call on Opposition parties and on environmental civil society groups to put the pressure on and start talking in specifics.

We need to stop ignoring the phenomenon of induced demand and accept that more roads bring more traffic volumes that bring more emissions even with 1 million electric vehicles on our roads by 2030. We have failed to quantify induced demand and we need to quantify induced demand and stop pretending it does not exist. We need to accept it politically but also officially. We need to get better advice. For example, the five cities traffic demand management report commissioned by the Department of Transport completely ignored road space reallocation and circulation plans, measures that have proven to reduce transport emissions in other countries. There is significant expertise in consulting firms on emissions reduction in transport and I see this expertise in Scotland and in Wales but not in Ireland. We need better advice and we need it urgently.

We need to look again at the emissions in the agriculture sector. We have to accept that technical changes to the ways that we spread slurry, genomics, feed additives and other business-as-

usual measures will only get us so far. We have applied for another derogation from the nitrates directive for 7,000 out of 137,000 farms in Ireland, despite the fact that the water in 43% of our rivers is still of unsatisfactory quality and according to the EPA, agriculture is the primary contributor to this unsatisfactory quality. As far as I am aware, we still do not know what the emissions impact of continuing with the nitrates derogation will be.

I have addressed transport and agriculture but we also need urgent specific discussion on the other sectors. We have a few short months to make some very difficult decisions. We can talk about bringing people with us on the journey but if we are not prepared to make the journey in the first place, then that talk is pretty useless.

While I do commend the 2021 climate action plan, which contains many good measures, it is also not enough. We only have a few months to make the difficult decisions for the statutory 2022 plan. It is time we all got to work.

**Deputy Fergus O'Dowd:** I welcome this debate and the Minister of State. I will concentrate on air quality and related issues and the future of all our health. The Environmental Protection Agency tells us that since the regulations controlling air pollution were introduced in 2015, some 1,300 people die annually as a direct result of solid fuel emissions from home heating and fires. One problem is that there is no enforcement of those regulations. The regulators are the local authorities. I reckon about 9,100 people have died as a direct result of air pollution from fossil fuels since 2015. The number of prosecutions in 2015 was two, in 2016 it was two, in 2017 there were none, in 2018 there was one, in 2019 there was one. Those are the only figures we have now. There is a great need for really fierce enforcement of these regulations. It is entirely unacceptable that local authorities huff and puff and do nothing about these deaths in our communities. It goes further. Much of this solid fuel is coming into the South from across the Border. We need a major clampdown of cross-Border sale of solid fuels on online platforms to protect our health and avoid illegal advertising. Suppliers are advertising solid fuels that may not comply with regulations due to be introduced here as part of our climate change policy. I looked online and found many examples of the abuse of solid fuel regulations and VAT and carbon tax avoidance. It is appalling. These are in nationally known publications such as the *Irish Farmers' Journal*, *adverts.ie*, *DoneDeal* and so on. There are companies supplying and guaranteeing delivery anywhere in Ireland of Colombian coal at €360 a tonne. First, that breaches the regulations on smoky fuel in urban areas but second, it cannot possibly be delivered at €360 a tonne unless those selling it are avoiding carbon tax. Carbon tax is clearly being avoided and our health is being destroyed in many areas by this illegal and unacceptable importation.

What power does Revenue have on this? Sadly it has no power to stop any cross-Border transport or movement of goods such as coal, according to a response to a parliamentary question. It cannot stop it because obviously there has to be free movement of goods. Solid fuel carbon tax payments are collected on self-assessment. No one is stopping these guys crossing the Border to check if people are paying their tax, the sort of coal they are delivering and where they are delivering to or to see if they are breaking any regulations. I have evidence that smoky bituminous coal is being delivered, unchallenged and unregulated, by Northern Ireland couriers into homes in smokeless zones in the South. That is absolutely unacceptable. It is unregulated and no one is doing anything about it. We are turning a blind eye. It goes back to the Deputy's point. What the hell are we doing? Let us get real and save lives; let us improve our air quality. All this is causing very serious harm. The Minister will be aware that the programme for Government supports a much more aggressive, regional approach, working with Revenue and other agencies to make sure that this stops. But it ain't stopping now. If anyone cares to write to the

Competition and Consumer Protection Commission to ask what it is doing about the false and misleading advertising of solid fuel in the South, he or she will learn that it is doing nothing. It is still considering the matter. I complained in August 2021 and still await an outcome. It does suggest to the complainant that maybe the complainant could go to the Circuit Court or High Court for an order to prohibit these guys from doing what they are doing, which is breaking the law left, right and centre, all around our country.

*5 o'clock*

That is not good enough from the State agencies and is not acceptable.

In summary, if we really mean to make changes and we really are about our business, then we must ensure the air we breathe is safe and fit for purpose. The fact is all the air sampling points in this country fail the WHO requirements on air pollution. We do not meet any of the WHO standards. One may ask why. It is because our European standards are brought in by the coal-producing countries that influence the EU. It is not good enough. We need new standards. We need them now. We should insist on the World Health Organization standards, which are 50% more rigorous than the present maximums we allow. We should change to those air quality standards and be significantly more aggressive in our approach to safeguarding our lives and the quality of air we breathe in all our homes. It is time for action. I agree with Deputy Leddin. As a Government and as an Opposition it is time we demand that change. The time has come for it. Let us not delay any longer.

**Deputy Martin Kenny:** I was thinking earlier about this notion of moving from rhetoric to real policies. We all agree that is what we need to do. I remember being here for a debate on microgeneration, which I think was in 2016 during my first year in the Dáil. It was about people putting solar panels on the roofs of their homes, farmers putting them on the roofs of their sheds, selling it back to the grid and all the benefits of that. Everyone agreed. Five years later, we are still talking about it. That is the reality of it, especially for people in the farming community.

Last Friday I was with the Minister for Agriculture, Food and the Marine up at Shass Mountain in County Leitrim. If you want the idyllic type of farming, that is where it is. It is low-impact farming. You are talking about a few sheep on the side of a mountain. It is nature flourishing at its best. Despite this, those farmers feel under pressure. They feel nobody is on their side. They feel the Government is only there to beat them up and accuse them of doing the wrong thing all the time. When they talk about forestry, the only forestry they see around them is where land was bought out from under them by big corporate interests. Years ago the Government gave a higher grant to the farmer. It took that away and now gives the same grant to those same corporate interests. As such, this is going in reverse for the people on the ground who are dealing with the real issues. I agree we need to move away from rhetoric and into green policies. We need to have those policies implemented. We need to not be just talking about it.

Five years ago, we discussed the issues of selling power back into the grid. We should have had it done four years ago. It should not take five or six years to set a rate to allow a farmer with a large shed to put solar panels on its roof and make it so he or she does not need planning permission for that because he or she already has permission for the shed. Why put people through all these hoops? I am not particularly blaming the elected Government but why do the agencies of Government always seem to want to find a reason to delay and procrastinate on all these issues? That is the big problem. The Minister of State and the other Ministers in govern-

ment need to face that down. They must say that if they are to deliver on climate change, we must deliver solutions for people. They must ensure people feel they are going to get something that will be there for them and that they are going to be supported through it. People talk about a just transition but the vast majority of people in large areas of rural Ireland want an affordable transition whereby they can afford to buy into this, because at present they cannot. These people decide they want to retrofit their home, put solar panels on their roof and insulate it properly. They see there is a bit of a grant there for it but that they need another €25,000 along with that. Where are they going to get that? No bank is going to give it to them because they already have a mortgage and they already have got all the other things they need to manage in life, and they are struggling. What really need here is for the Government to be on people's side if we are going to deliver an affordable and just transition.

**Deputy Réada Cronin:** My biggest concern with the climate action plan is the place within it for the just transition and what I considered to be a lukewarm commitment to it. The transition to carbon neutrality must be achievable and affordable across the whole of society and not just for the select few. As I state consistently at the climate committee, it would be damaging to social cohesion and democracy itself if we were to have a two-speed State where the privileged inhabit a world of heat pumps, solar panels and EVs while the less well-off are left out in the cold and in the bitter cold of their homes. I tell anyone who is listening that Sinn Féin simply is not going to put up with that. I call upon the Green Party to back us up in that regard too.

I am also anxious we avoid siloed thinking and silver bullets. As we have seen with Covid where the vaccine alone is not a single solution, EVs, offsets and aspiration are no cure for the climate crisis. When it comes to EVs we must take due account of the social and cultural damage they are doing to communities far away from Ireland. Some are living in virtual slavery for the production of parts for what is being presented as this new green technology. We cannot expect exploitative, capitalist corporations to oversee human rights abuses.

I would also like to see a major input and action from the sort of organic farmers who appeared before us at the climate committee a few weeks ago. As I said to them on the day, if climate action was up to them, we would be halfway there. There are farmers, and plenty of them, who have a major commitment to biodiversity and working in harmony with the land as opposed to exploiting it for profit, as seems to be the intention of some farming lobbyists. These lobbyists remain extremely powerful. In our alternative budget, Sinn Féin provided for three times the investment in organic farming when compared with the budget introduced by the Government. That should be looked at again. Incentivising all who work on the land to protect and conserve must take precedence over the *carte blanche* to exploit and profiteer. We must remember that as a human species, and a very arrogant one at that, we are part of nature and not above it or separate from it. At present we are acting like total parasites and Mother Nature does not take prisoners.

I do not see any recognition or wisdom in the plan for the radically-changed times ahead, as we tackle this existential crisis. I have further concerns that it leaves too much to the individual and his or her responsibility and does not put enough pressure on corporates. The Government feels its place is to serve them.

**Deputy Jennifer Whitmore:** I welcome the opportunity to debate the climate action plan. As the Minister of State said, it is very welcome we have opportunities like this to have these discussions. I welcome also the intention from the Government side and the talk of urgency, ambition and the need to actually get moving. I appreciate the comments from Deputy Leddin

and look forward to working with him on the committee to ensure we put meat around those comments.

I believe the climate action plan is ambitious. The difficulty with it is whether it is achievable and whether it is going to be achievable by the Government. In order for us to determine whether that is the case, we need to look at past delivery on targets set down by the Government and how it is doing on achieving those. I am not looking back to previous Governments. I am talking about commitments that have been made by the Green Party, Fianna Fáil and Fine Gael in the current Dáil.

Retrofitting is one of the key elements of the climate action plan. There is a commitment to have 500,000 homes retrofitted by 2030. One of the key constraints on delivering that is the construction workers and the people to do it. I recently retrofitted my home and it was very difficult to get people to come on site to do that work and that is going to be an issue for anyone looking to get that work done. The fact is there is no specific retrofitting apprenticeship scheme in the country at the moment, despite all the rhetoric we hear about the need for one. In December 2020, the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, said that within three months, there would be four retrofitting centres of excellence delivered across the country. That sounded fantastic and made for great press. Unfortunately, as only one has been delivered, that is a commitment that has not come to pass. On 18 February the Minister, Deputy Darragh O'Brien, launched the energy efficiency retrofitting programme. That targeted 2,400 social homes with retrofitting upgrades. To date, 1,099 homes have been completed across five counties, so there is a big deficit there. In 2020, he announced the midlands retrofitting programme where 750 units were to be retrofitted. To date, only 100 units have been retrofitted. The average time between application for a warmer homes grant and completion of the upgrade is 26 months, but that average hides a postcode lottery when it comes to getting these grants. In my home county of Wicklow, there is a two-and-a-half-year wait for a surveyor.

Electric vehicles are, again, another key tenet of the climate action plan. In August 2019, the Minister announced the roll-out of 1,000 public charging points. Since that time, only two councils have implemented that measure and just 29 out of 1,000 charging points have been installed. Last year, the percentage of State vehicles that were electric was 1.12%. This year it is 1.5%. It has not even gone up by a percentage point, despite more than 4,000 extra cars being registered by the State in that period.

It is clear that while the ambition may be high, the delivery is not. Alarm bells are ringing very loudly for me when it comes to this delivery. When I mentioned it previously to the Minister, Deputy Ryan, he said that we are in the middle of the Covid pandemic. I acknowledge that will slow things down but in instances where there can be no Covid excuse, such as the percentage of State vehicles that are electric, why is the State not purchasing electric vehicles at present? That is not a Covid-related issue.

When it comes to the retrofitting of housing stock, how come some councils could carry this out during the Covid pandemic and some could not? It was possible because some councils did it. We have to recognise that we do not know when we will be out of Covid. We are in the middle of a climate and biodiversity crisis now. We, and the Government, will have to work out a way to meet these targets, regardless of what is happening in our health system. The Government will have to speed things up, implement measures properly and ensure delivery is there because it is has not been there to date.

I also want to talk about the level of spin we have seen in recent times. I was very disappointed with the discussion of the climate action plan and how it was a €125 billion programme. It gave the impression the Government was going to invest €125 billion to enable all communities to get involved in climate action when that was, in fact, private money. It was rather unfortunate the Government gave that impression because it made the climate action plan seem much more feasible than it actually is.

I have repeatedly heard Government Deputies talk about how the carbon tax is ring-fenced and directed towards climate actions. That is not the case. It is just the increases in the carbon tax that are ring-fenced. Government Deputies either know that or they do not. If they do not know that, I ask the Minister of State to explain it because it again gives the wrong message. The majority of the carbon tax does not go back into climate action. I have seen Ministers who think that is the case. This is a matter the Government needs to get clear. The Social Democrats agree with and support the carbon tax but we want to see it ring-fenced so every person in our community can afford to make the climate action changes we will require of them.

I would have liked more time. It is an important discussion and six minutes for the Opposition is too short, but I thank the Acting Chairman for the opportunity to speak on this matter.

**Deputy Richard Bruton:** I sympathise with Deputy Whitmore; five or six minutes is too little. Normally, transformative change of the sort we are undertaking is created by some disruptive technology that sweeps everything before it. What is unique about this crisis is that we have to make this transformative change by an act of human or political will. That challenges us all because the task of politicians is to resolve conflict. It is a test of the Opposition as much as Government parties because this is a task for a generation.

I have seen other parties come to the Joint Committee on Environment and Climate Action and demand more and more ambition yet, when it comes to looking at any of the tools necessary to deliver that ambition, they shy away. They do not want to see carbon pricing, for example. They do not want to see that people will have to make changes in their lives and want everything to be done by big oil or big business. They present that as just transition but that is not what it is about. Just transition is about helping people to make the change in their lives that is needed. There is a basic dishonesty in trying to pretend that there will not need to be change in our lives. There will have to be.

I have great respect for Deputy Martin Kenny but suggesting that microgeneration on the roofs of farms will solve the contribution of farming is simply not realism. We all have to talk about this in much more committed terms rather than finding a little political nook to wriggle off the hook of this issue and point the finger at the Minister of State, who is trying to make this happen. We all need to make this happen over the next 30 years. We all aspire to be in government over that period so we have a vested interest in all of us making this work.

Ireland is more reliant than anyone else on making these changes occur. We are one of the biggest carbon emitters in the world. We are higher than the rest of Europe in virtually everything, including transport, heating and agriculture. We are higher than them all. We are also one of the most export-oriented countries in Europe so there is a major obligation on us to be an early mover. Our enterprises depend on being able to sell into a market where tastes will change and people will demand environmental sustainability. We want to be in those high-margin premium markets so the onus is on our enterprises to make those changes early, but it cannot be penal. I see some people pretending that we must punish the ICT or farming sectors.

That is not the way to get this done. We must work with both those sectors because they are part of our strongest export-oriented sectors. It is vital to the continued growth of rural and urban Ireland to see those sectors continue to be strong. We need to find solutions and work with those sectors to fix the problems they face.

The key is that the enterprises that make those changes early will be the profitable ones. If you talk to people who are engaged in smart farming, promoted by the Environmental Protection Agency, EPA, and the Irish Farmers' Association, IFA, they will show they are already cutting their costs by €6,000 by adopting some of the measures in the plan. Those of us who want to see a prosperous and thriving rural Ireland have to recognise it will be built on the infrastructures and practices of the future, not those of the past. I fought tooth and nail to get people to agree to the national broadband plan and there was a cacophony of opposition from across the benches saying that it was not the way to go.

**Deputy Darren O'Rourke:** It is not going great.

**Deputy Richard Bruton:** It is the way to go. We need to build prosperity in rural Ireland on the infrastructure of the future. We also need to help farming to do it.

There is a major job to be done in persuading the European Union to change the way it approaches agriculture. It does not value the modifications made in respect of methane emissions nearly enough. Farmers should be well rewarded where they make modifications to those emissions. The EU does not recognise our greater efficiency in agriculture, especially dairy, and that needs to change. We do not yet have a proper tool to reward farmers who invest in sequestration of peatlands or other lands. That has to change. We need policy tools to persuade farmers to come on this road with us.

**Deputy Joe Carey:** The four elements believed essential to life are earth, air, fire and water. It seems that human actions and inaction have damaged all these elements, especially over the past 150 years. We have seen the earth exploited through increased cultivation of our land, destruction of our forests and the increased use of landfill to dump our rubbish. We have seen a marked decline in our air quality, especially in increased CO<sub>2</sub> levels in our atmosphere and greater levels of all types of pollution in the air we breathe, leading to greater respiratory diseases in all, but especially in our children. Ireland has been part of this explosion in increasing CO<sub>2</sub> levels on the planet. We have all seen the results of climate change in our use of fire, especially in our use of the internal combustion engine and the burning of fossil fuels to create energy to power our homes and industrial production.

As for water, we are all aware of increased sea levels; more frequent flooding of our towns and homes; more violent climatic storms; and pollution of our drinking water, along with the quality of water in our rivers and seas. Over the past five years, Ireland has experienced its wettest winter and hottest summer on record. We had the stormiest winter in 147 years and our first taste of a near-intact Atlantic hurricane. We are now examining and constructing nearly 100 flood protection projects throughout the country to protect our towns and cities from these climatic events.

The past ten years in Ireland have been the wettest ten years in the last 300 years, with average rainfall rising from 912 mm in 1971 to 1,224 mm in 2018. The scientists have been telling us for many decades that if we continue on this path, we, the human race, along with all other forms of life on earth will self-destruct over the next century. In fact, they say we have to

reverse engines if our children and grandchildren are to survive and it is for them we must take the right steps to protect human life and property.

In this climate action plan, Ireland must take its place among the nations of the world to take the corrective steps to protect all of us. To put it simply, we need to reverse the increased carbon we created over the past 70 years in the next 30 years, before 2050. To correct this and to put us back on the best path to restoring our climate, the scientists have set out many strategies for us as a world community to take. While some of these are seen as dramatic and harsh, there is no doubt we will have to take numerous small and many large steps for the good of mankind and our environment.

The main changes would seem to be in the use of carbon fuels and energy to provide heat, light, transport and the production of consumer, industrial and food products. This plan is aimed at securing our future by cutting emissions, creating green jobs and protecting people and the planet. This plan commits Ireland to halving our greenhouse gas emissions by 2030 and reaching net zero by 2050, at the latest. It commits us to creating thousands of jobs in the green economy, by investing in areas such as offshore wind, forestry and cutting-edge agriculture.

I am proud to say County Clare is already planning to play a major role in providing off-shore wind energy, with two major projects planned off the coast of the county, one by ESB International in its Green Atlantic project and the other is by Simply Blue Group in partnership with Shell. The ESB project is also planning a facility for the production of green hydrogen fuel, with a view to exporting the fuel from the deep water berth at the Moneypoint facility in the Shannon Estuary. The development of these projects should provide more power than the output of the coal-burning Moneypoint station, which was once producing 45% of Ireland's electricity requirements.

This is a good example of how County Clare is making a major contribution in transforming from the old technology to the new green economy and the opportunities it can bring to all of us. This plan tells us that all citizens, communities and business will have a role to play. Government will support the changes through the €165 billion national development plan, which includes funding for retrofitting our homes, building new public transport, reskilling workers and supporting a just transition.

**Deputy Patricia Ryan:** I welcome the opportunity to speak on the climate action plan. The devil is in the detail and I do not believe this Government has any intention of addressing the climate crisis we face, nor the energy, cost-of-living, housing and health crises. I could go on, but I only have a short time. We have a Government of crisis currently in crisis. It strikes me as a Government living on borrowed time, going through the motions and waiting for the end. The year 2030 is eight years away and yet there is no sense of urgency. I was hopeful this Government and the Greens this time around would be different, but the Greens are like the Labour Party when they get into government in that they just disappoint.

There is no point in setting targets without detailing how to achieve them and it cannot just be left up to struggling workers and families to take personal responsibility. One cannot expect working poor to afford an electric car and solar panels, especially when this Government has not even bothered to implement the European directive, which would allow them to sell excess power back to the grid. This Government is too busy sucking up to vulture funds and data centre developers to worry about ordinary people.

Is the Minister of State aware this Government is in breach of EU law? The Government has announced, on five occasions, that microgeneration is coming. It is beginning to look like the new school in Monasterevin where I live - it is coming for 20 years. The Athy distributor road was first proposed in 1975 which is 46 years ago. It had more green lights than the Long Mile Road. We need climate justice and not the flip-flopping we have seen from successive governments.

I listened with intent to Deputy Bruton. Where is the sense in offering incentives to dairy farmers to expand their herds, only to ask them to reduce them a few short years later? Where is the sense in banning peat production and allowing exports, while our own producers have to import it? We need urgent planning for an alternative to peat. Meanwhile, tree planting, about which I listened to the other Deputy talking, is at the lowest level since 1936, due to the backlog in licensing. Licences are being issued at one third of the normal rate. Time is running out for the planet and it is definitely running out for this Government. It needs to get off the stage before it does more damage.

**Deputy Chris Andrews:** We are amidst a deepening crisis as climate change continues to accelerate apace. We hear of all the rhetoric and talk from Government of a just transition for our communities, grants and supports for retrofitting of homes and for electric cars. However, that is all it is to most people - it is talk. How can the average family afford a €40,000 to €60,000 retrofit of their family homes, while the cost of living continues to rise?

On top of that, we are now being told that local sports clubs are to have the primary grant for retrofitting of lighting pulled from 2022 onwards. What kind of message are we sending to sports groups and organisations which want to do the right thing? The message is clear that they are on their own and should not expect anything from Government. The Sustainable Energy Authority of Ireland, SEAI, grant has been a vital resource for local not-for-profit sports clubs which want to move to a more environmentally-friendly source of lighting.

One GAA club alone has estimated an annual reduction in CO2 emissions of 30 tonnes. Modernising two LED floodlights can cost a sports club up to €80,000. I struggle to understand how this Government thinks not-for-profit community sports clubs have upwards of €80,000 in their accounts for such works. We need to provide community organisations the supports for a just transition at a grassroots level and not put barriers in their way.

We continue to see Irish coastal communities being failed by this Government. Raw sewage is flowing into the swimming areas on a frequent basis. It may be late November, but if one heads down to the Half Moon at Poolbeg lighthouse in Sandymount, one will see that people swim there all year round now, as they do at the Forty Foot in Sandycove. However, in the eyes of officialdom, official bathing stops in November. Why has the bathing season not been updated to reflect the reality thousands of people are swimming throughout the year? The Minister of State has the power to amend the bathing water quality regulations with the stroke of a pen. I ask the Minister of State to amend these bathing regulations and start to give coastal communities the support they deserve.

**Deputy Gino Kenny:** It is in everybody's interest that the environment we live in is sustainable and that we can cohabitate with the natural world and the animal world. That is in all our interests given the damage done to, and the potential damage that will be inflicted on, this planet. We have come across environmental and social issues in the last seven or eight years where young people have engaged. I would compare what is going on now with the civil rights

movement in the 1960s. People are at the cutting edge. People demand radical change. They will ask if the governments *in situ*, including in Ireland, are in favour of radical change. There is a question about whether this plan and other plans will challenge the environmental vandalism that has happened to the planet.

This plan has flaws. A number of flaws relate to private companies involved in the plan and to the over-reliance on personal responsibility with regard to environmental issues. There is no mention of free public transport. There is an idea about 1 million electric cars. When I heard that first, I thought it was a joke. We want to get away from car culture and congestion. People want to use public transport. This has to be looked at collectively rather than individually. If it is looked at individually, it will be doomed to failure. It is costly for people in this State to get their homes retrofitted. There has to be a State company that will facilitate retrofitting people's homes at cost prices. There is also the issue of offshore renewable energy. ESB is one company that is involved. It has existed for 90 years. That has to be looked at with regard to offshore energy.

An elephant in the room is the matter of data centres. If the projections are correct, data centres will use an enormous amount of electricity. It is incredible. There are no mitigating circumstances regarding how much they will use and the damage that they will do now and in the future. There are flaws in this plan. As I said from the start, we all want a better environment, but we have to look at the flaws of this plan and of other plans from other Governments across the world.

**Deputy Richard Boyd Barrett:** Nothing will turn people off the climate action agenda that we need to urgently undertake more than big corporations, wealthy individuals and political elites lecturing ordinary people about their personal culpability for the climate crisis. I warn the Government that if it does not break from that reliance, it will turn people away from the climate agenda. It will alienate people. There is evidence that that is happening around the world. On the other hand, young people understand that system change is needed. It is not a matter of individual culpability or responsibility. The system needs to be changed. At the centre of what young people talk about, when they get out on the streets, is just transition. It is not just a phrase. They actually mean it. It will make the lives of ordinary people better. It is not the coded language of Deputy Bruton, who says that people need to realise that things will be tough and difficult. That goes back to responsibility. He went on to say why we need all the support for the corporate sector and that it will make the changes. He needs to make up his mind. If that road is taken, it will alienate people and all the targets in the world will mean nothing.

After looking at the targets and then our records on forestry, it makes me laugh. Ten years ago, when I came into this Dáil, there was a target of 12,000 ha of new forest every year. It was never met. There was 4,000 ha or 5,000 ha of afforestation at best in that period. We have the lowest level of forest cover of anywhere in Europe. Instead of trying to meet the targets, we revised them downwards. The targets in the climate action plan are half of what they were ten years ago when I came into the Dáil. There is climate ambition for you. Meanwhile, the State forestry company is trying to sell forests. Local communities had to fight to stop forests from being sold in my area. It also happened in Cork recently. One can look at the list of Coillte's sales or at previous attempts to sell harvesting rights. That happens because the mandate of the State forestry company is about commercial activity and making money, but it is not about protecting and expanding the forest estate. It should not have an industrial model but instead one that is about protecting the environment and guaranteeing a decent living for farmers and people who are protecting the environment through biodiversity and afforestation measures.

That is just one example of many.

We need to invest in public transport. It is amazing that it has not been debated since the budget. The Minister, Deputy Ryan, heads the Department of Transport, which is the only Department which had a budget cut in budget 2022. I could give many more examples. Unless there is an investment into just transition and the State taking the lead on system change, these targets are worse than useless.

**Deputy Alan Farrell:** I commend my colleagues of all parties and none on their work on the Joint Committee on Environment and Climate Action under the chairmanship of Deputy Leddin. We have done significant work on the policy and legislative framework for this climate action plan and on a great many other topics that we have debated in the committee with great ambition. I note that Deputies Leddin and O'Rourke are present, along with other Members who have made a significant contribution to the process.

I was in Glasgow for COP26. At the conference, we heard from small island nations for which climate action is not an abstract discussion but one about the future of their islands and their existence as nations. It puts into stark contrast the amount of change that this State must undertake. We must use our considerable influence on the global stage to ensure that other countries, especially wealthy, industrialised countries like our own, make the significant change that we have outlined in this climate action plan and in the agreements that existed before COP26, including the Paris Climate Accords. It is regrettable that larger nations such as Russia and China did not engage properly with COP26 and that nations, including Australia, India and China, weakened wording in the final days of the conference. I am a glass half-full kind of person and I believe there is still opportunity within the agreement. We can ensure that we hold nations to account. We can use our position on the UN Security Council, albeit for a short period of time, and our influence to ensure that other nations hear our voice.

In the context of this climate action plan, the increase in our ambition with regard to renewable electricity is clear, with a goal of 80% of electricity generation to be renewable by 2030. The training offered through the Department of Further and Higher Education, Research, Innovation and Science is a sign that we want to make the necessary changes within our society, especially with regard to retrofitting. I listened to the Members opposite, as I have for many years. There was much criticism and very few suggestions for change. They said that it is somebody else's fault, including big business or wealthy people, when they can be a significant contributor to the solution, which ultimately pays for the retrofitting schemes and other proposals contained in this climate action plan through taxation. We have a substantial amount of work to do. There is one area where I am a little sceptical. I was sceptical when the former Minister, Deputy Bruton, announced it and I am equally sceptical now, but not for the reasons set out by Deputy Boyd Barrett. That area is the target in regard to electric vehicles. With the best will in the world, I cannot see us hitting 1 million. From a policy perspective, we should not be aiming to hit a target of 1 million electric vehicles. Replacing the fleet like for like is not the right step. I listened carefully to Professor Caulfield when he appeared before the committee some months ago and it led me down a path of research. We need to be putting more emphasis on the delivery of mass transit options and on getting our infrastructural plans past the drawing board and into construction quicker than we have been doing. I will not reference MetroLink because it is a very poor example, but there are other proposals put forward in recent years that have come to fruition such as, for example, Luas cross-city. There are other projects that we need to prioritise.

**Acting Chairman (Deputy Bernard J. Durkan):** The Deputy's time has expired.

**Deputy Alan Farrell:** My understanding is that Deputy Matthews is taking four minutes.

**Deputy Steven Matthews:** Yes, but Deputy Dillon is getting three minutes.

**Deputy Alan Farrell:** My apologies, I misunderstood. I thought Deputy Matthews and I were sharing eight minutes.

**Deputy Steven Matthews:** We are sharing eight minutes and Deputy Dillon is getting three minutes.

**Acting Chairman (Deputy Bernard J. Durkan):** My understanding is that the time is being shared as follows, four minutes for Deputy Alan Farrell, four minutes for Deputy Matthews and three minutes for Deputy Dillon. Is that correct?

**Deputy Alan Dillon:** That is correct.

**Deputy Alan Farrell:** On that basis, my time has expired.

**Deputy Steven Matthews:** I thank Deputy Farrell for sharing time with me. This climate plan is hugely ambitious and it needs to be. It is a real challenge for every Deputy, every person living in Ireland and everybody who lives on the planet. Climate action is a massive challenge. It is such a big challenge for us in this Chamber because we have done very little about it for 20 years. People have spoken about it and people have been outraged about it but Members have done very little over the past 20 years to address climate change. That includes Government and Opposition. I note Deputy Boyd Barrett is shaking his head. I have not seen him do anything on climate action.

*(Interruptions.)*

**Deputy Steven Matthews:** The average age in this House is 50. I checked that earlier today. Most of us will not be around when the real horrors of climate change hit this country, when farmers are having difficulty farming on flooded lands, when sea levels rise in our coastal communities and when parts of the planet will be hugely challenged by mass migration as parts of the planet will not be habitable. We will not be around for that. It is difficult for a politician to take a decision beyond that five or ten year term of their political career. What we are doing here is not for us. It is not for our political gain, our political careers or to ensure any of us keeps or loses our seat; it is about protecting my children and the children and grandchildren of everybody here, and for every child not yet born in this country, so that over the next 20 to 30 years they have some chance to grow up in a country that will not be hammered by climate change. That is the decision we are taking.

I hear criticism from the Opposition. I welcome that criticism. We have got to do more so I encourage them to keep that criticism coming, but please to match it with some alternatives. I hear nothing but rhetoric on this from the Opposition. We are the ones taking action on it. We are taking action on it now and they can sit there forever with their criticisms, but they might also throw across a few alternatives. We would consider them because we all have to act on this.

**Deputy Alan Dillon:** We now have a blueprint to take real and meaningful action to ensure Ireland becomes an international brand leader in how we approach climate action. We have

seen so many areas of focus within this climate action plan, but I wish to focus on some practical issues that will make a real difference in rural constituencies.

Our green image historically stems from our agricultural sector. I want to ensure that this continues well into the future as we move towards greater production of organic and sustainable foods. If we summarise the actions in agriculture, the plan works towards significantly reducing chemical nitrogen fertiliser use to 325,000 tonnes per annum and improvements to animal breeding and feeding, as well as increasing organic farming land almost five-fold to 350,000 ha. I have been consistently repeating that we have to acknowledge the proactive role that agriculture will play in climate action. The plan aims to produce 1.6 TW hours of indigenous, sustainably produced biomethane per annum, which is a huge step forward in reducing our fossil fuel imports. Other actions include reviewing diversification opportunities for farmers, including energy production, agroforestry and woodland creation. These are all steps where the farming community are part of the solution and their willingness to step up to the plate needs to be remembered.

An issue raised regularly with me by constituents is the difficulty in accessing retrofit grants. Our existing retrofitting options need to be proactively highlighted and processes streamlined to increase uptake and ensure quicker turnarounds. It is great that the plan intends to drive demand for a new national retrofit plan. Other initiatives include blending a low-cost loan and SEAI grants to make retrofitting affordable and viewed as a real investment in our future. This will lead to a surge in demand for qualified people. It is great that three further training centres for retrofit upskilling are now planned. This is a clear demonstration that climate action and job creation can go hand-in-hand.

Other initiatives include the introduction of a programme to decarbonise the heating and cooling sector by 2050, as well as a phasing out of the use of fossil fuels for space and water heating in all new buildings. We are already making progress with community generation. Further efforts will see the roll-out of up to 2.6 TW hours of district heating. As recently as September, up to €6.4 million in funding was allocated to 15 community and home energy projects in Mayo as part of the community energy grant scheme. This was very welcome.

The climate action plan is very likely to be the most important initiative on which many of us will speak. The actions that we take in the short term will heavily impact the long term of climate action consequences and that essentially means the world our children will be living in. I applaud the actions contained within this plan. I look forward to doing whatever I can to get them implemented.

**Acting Chairman (Deputy Bernard J. Durkan):** The next slot is being shared by Deputies Carthy and Ó Murchú.

**Deputy Matt Carthy:** The climate action plan, essentially, is a reflection of this Government. It is very high on rhetoric, but low in terms of detail and how we deliver upon it. I have heard the impassioned speeches from the Government benches.

I want to deal with one area that is hugely important in terms of how we will deliver or not. That area is forestry, which is unique in this document in that it is very precise in terms of its targets. It intends, through an afforestation programme, to secure the sequestration of emissions by 0.8 Mt of carbon dioxide equivalent by 2030 and to deliver 2.1 Mt of sequestration of carbon dioxide equivalent thereafter. That is hugely important. It is almost like double counting

when you sequester carbon because if you do not meet those targets that means you have to find alternative sources. With the land use, land-use change and forestry, LULUCF, section of this document, that accounts for nearly 45% of the targets that have been set for sequestration. Here is the bad news: that target is not going to be met. It is based on assumptions that we will plant 8,000 additional ha per annum of forestry. This year, we will reach about 2,000 ha. That is down on last year. What is the worst part of this? This is being overseen by a Green Party Minister, who is ensuring that forestry becomes a dead duck in terms of agricultural policy. Over 80% of all new forests planted since 1980 were planted by farmers. The number of farmers who are participating in forestry schemes has dropped by 80% over the past decade. That drop is accelerating under the current Minister and regime. If we are serious, the Government should not be setting targets and producing glossy brochures; it should be working with farmers, the Opposition and local communities to deliver a forestry policy that will secure these targets. The current Minister is failing in that regard.

**Deputy Ruairí Ó Murchú:** I was somewhat confused when I came into the Chamber in that it looked like there were only two parties in government. I think I am correct that nobody from Fianna Fáil has spoken yet, but things are as they are. I am going to make my points in a straightforward way. I am glad we are having an over-and-back exchange and I am very glad the Government wants to work with the Opposition. We would be only too delighted to do so. However, it is all about delivery. At this point in time, as other speakers mentioned, we have a Government that has failed to deliver on its targets, including in regard to the public electric vehicles scheme, the retrofit scheme and training hubs. There has been a failure to front-load the changes needed in transport. The Government still has to get its act together on floating offshore wind. The minute all those things are done and the targets are delivered on, then we will get somewhere.

I will be straightforward again in referring to something I heard said earlier about the national broadband plan. It was the usual thing of, "I am very glad the Opposition is now on the same side as us and has seen the wrongs of its ways." We are not on side. We do not believe the correct contract was given or that it was done in the right way, but it is the only show in town. We all accept the necessity of facilitating remote working and Internet access for the public. We need delivery on that as soon as possible and we will maintain it at the top of our agenda. That is the way it is. However, we need to be absolutely clear on one point. We are not going to deliver climate change if the public sees it is being done on the backs of regular people by imposing carbon taxes without any alternatives being offered. We all accept there will be difficulties. There is nobody in the farming sector who does not know that is the case. There is a need for the Government to consult with people and show them a future roadmap. Unless that is done, there will no public buy-in and we will not have delivery of the targets set.

**Deputy Seán Canney:** I may share time with Deputy Shanahan, who is not yet in the Chamber.

**Acting Chairman (Deputy Bernard J. Durkan):** I am sure he is in the environs.

**Deputy Seán Canney:** I am glad the Minister of State is in the House to hear my few humble words on the climate action plan. The first point I want to make is that all plans can be torn asunder by the people reading them. They can nitpick and say this or that is wrong and will not work. The proof of the pudding for any plan is in its implementation. We need this plan and I agree we need to implement it. There are certain issues we need to watch out for, one of which is ensuring we do not turn people against us in implementing it. We need to bring everybody

together. We must speak more about the potential in the plan for offshore energy and for the west of Ireland. For example, we need to put in the infrastructure to ensure Galway, Foynes, Cork, Ros an Mhíl and Killybegs ports are all ready to take on that potential. We must realise the full potential of the plan from a regional economic development point of view, as well as acting on climate action.

It is important to look at where we are at in this country right now and what grenades might be thrown in terms of issues that could create problems. One such issue is in regard to the re-fitting of homes, on which we have seen very slow progress thus far. I understand additional resources are being put into the Sustainable Energy Authority of Ireland to try to move that on. At the moment, people who apply to the scheme may have to spend two years waiting for an engineer to come out and do a survey. I have seen that process happening, and I have seen excellent work being done afterwards, but it takes so long that people begin to lose faith. In the past, some people received a small grant to put cavity or attic insulation into their houses. They are precluded from applying for the new scheme, which would allow them do much more to bring their homes up to standard. That needs to be looked at to ensure people who got a token sum of €500 or €600 in the past to fill cavities are allowed back into the frame and can get more support.

An issue relating to protecting the environment was raised in the media in the past week. The more than 670 private wastewater treatment plants that are littering our country are a time bomb. In some places, raw sewage is spilling into people's gardens and into the seas. A sum of €300 million is the price the Minister, Deputy Darragh O'Brien, was given to put that right. Thus far, some €3 million has been put into it and approximately 16 private wastewater treatment plants will be upgraded and taken in charge by Irish Water. This is only tokenism, however, and the Minister needs to push matters along to ensure we get rid of this blight on our society. At the moment, it is left to residents to try to maintain the treatment plants and they are failing because they do not have the money to do it.

I know the Minister of State agrees with me that if we are to transform our transport system, we must transform our transport model. My pet subject is the western rail corridor, which is an example of what can be done to make public transport available to workers who need to get to work in the cities. The corridor is interconnecting Westport and Castlebar with Galway, Limerick, Cork and Waterford. It is important that we push these projects along. Some of them are not very expensive and can be done quickly. They show how the transformation can happen.

When I was Minister of State with responsibility for the Office of Public Works, my remit included flood relief schemes. We have seen the devastation flooding can cause in this country. In my constituency, there is a number of areas where severe flooding has happened as a result of climate change. We must ensure we address that issue, which requires addressing our way of life and living to ensure safety into the future for the coming generations.

It is important that we get closure on a number of issues on which the Minister of State is working. One of these is microgeneration schemes for domestic dwellings where people have invested in solar panels and are producing surplus energy. Those people had an undertaking they would be compensated for the excess energy they are feeding back into the grid. Right now, however, they do not even have a meter to measure what is going back into the grid, there is no rate of payment and they do not know when they will be paid. That is creating a distrust around climate action that needs to be resolved as quickly as possible. Another small action that would help is to remove the need for planning permission to put solar panels on houses or roof

sheds. People need to know they do not have to go through that process. It is important that we give homeowners a push, in the assurance that everything is working in the right direction.

I listened to the contributions from different speakers on the issue of farming. Farmers want to do and will do what is right. It is what they have always done to the best of their ability. They will be engaging in new means of working the land and producing food. What they need, and are looking for, is engagement and support to effect those changes. There will be a cost to doing so and they need to see that the schemes coming into place will support that, not take money from their basic payment schemes, which are there as a family support. Small family farmers, in particular, are very worried and that worry is added to by the vacuum that is being created. It is important to engage with them and get schemes in place that are workable and less bureaucratic that they have been in the past.

I heard a Deputy saying earlier that a just transition is about helping people to make a change. That is the point. We must help people to make the changes that are needed. If everybody does that, the just transition will work. Sometimes, in an effort to make those changes, we do not have the alternatives in place of which people can avail. I have spoken on several occasions about rural public transport. I often think about our school transport network, which delivers children to their schools in the morning, after which the buses are parked for the day before coming out again at 4 p.m. Making better use of those publicly owned buses could do a great deal for rural transport in my constituency and every other constituency around the country. We must utilise what we have.

*6 o'clock*

As well as this, instead of falling over ourselves to produce all these electric cars, we should look at how we can get people to use alternative sources. One small example that the Minister of State might look into is a bus lane that is required from Claregalway into Galway city. It has been documented and talked about for nigh on ten years. It is small project, which would not require taking land, but for some reason it has not happened. We are trying to convince people that the best way to go to work in Galway is by bus. The private operators want to do it. They are blue in the face asking us to provide that bus lane, so that they can guarantee people will arrive at work on time.

**An Leas-Cheann Comhairle:** Ag bog ar ais go dtí an Rialtas. A Theachta Marc Ó Cathasaigh.

**Deputy Marc Ó Cathasaigh:** This climate action plan is extremely ambitious, notwithstanding its implementation, which of course is where rubber meets road. It sets ambitious targets from here to 2030 and out to 2050. That begs the question for Members of this House of how we envision that future in 2050, 30 years hence. How do we envision that future in different sectors of our economy and society? For example, in transport, do we just imagine another lane on the M50 and continued congestion in and out of our cities? Alternatively, do we envision a different transport future in which we have a connected rural Ireland, quality public transport and active travel networks that help our children move independently around our towns and cities?

In agriculture, when we think to 2050, do we still see watercourses that are saturated with excess nitrogen, ever-increasing intensification and a monoculture in our fields and forests, or do we see something different? Do we see a true origin green in our farming, where we still

produce the highest quality of food, while promoting biodiversity and farm family incomes?

On housing and planning, what type of communities do we want to build into the future? Do we want atomised and car-dependent communities or sustainable communities with quality public realm and warmer, more comfortable homes?

The Climate Action and Low Carbon Development (Amendment) Act 2021 was an essential first Act on that imagined path towards the 2050 we want to create. It is heartening that 129 Deputies in this House voted in favour of that legislation. The climate action plan sets out a further roadmap, with 475 individual actions laid out. The Opposition claims the plan is lacking in ambition, which is good because I want to go further faster. I want to see implementation. However, if the Opposition wants more ambition, let it lay out its vision of what 2050 looks like.

On transport actions in the plan, although I do not propose to go through 475 individual actions, we set out to better balance movement priorities within urban areas and thereby transition the built environment from one that is vehicle centred to one that is people centred. I am less interested in autonomous vehicles and much more interested in autonomous children. We will implement an enhanced rural transport system through the delivery of Connecting Ireland. This project is now out for public consultation. We are actively encouraging people to engage constructively with it to improve the routes in the plans - there is no beating local knowledge in this regard - and help us move away from car dependency. Another action is to continue the improvement and expansion of the active travel and greenway network, as well as to have a coherent and connected national cycle network strategy. This will ensure that kids can get to their school independently, older people can walk safely or cycle around their own communities and our towns and cities are not choked with fumes, noise and unsafe streets.

Under agriculture, we have numerous actions. I will pick three. The first is to increase the current area under organic production threefold and more. The second is to use chemical nitrogen and fertilisers more judiciously to help farmers reduce input costs and keep the good of those inputs on their land. The third is to promote ecosystem restoration and conservation through payment for ecosystem services and investment in actions that increase carbon sinks while promoting biodiversity, for example, in our woodlands, bogs and hedgerows and through soil management.

In improving homes, the programme sets out to deliver necessary increase in upskilling, reskilling and apprenticeship supports for residential retrofitting. This is a huge jobs opportunity-----

**An Leas-Cheann Comhairle:** The Deputies have four minutes each.

**Deputy Marc Ó Cathasaigh:** I must have my timings all wrong.

**An Leas-Cheann Comhairle:** I am sorry. Perhaps I should have told the Deputy earlier.

**Deputy Kieran O'Donnell:** How much time do I have?

**An Leas-Cheann Comhairle:** You have less than four minutes.

**Deputy Kieran O'Donnell:** I welcome this debate. I confine my comments to two areas, namely, agriculture and transport. On agriculture, I have a basic and simple principle. We encouraged farmers, particularly those on the dairy side, to be more productive and increase cattle

numbers. We have to find a way to support the productive farmer. If there are other areas where people wish to scale back, we need to support them in doing that. We need to find a model to preserve a sector that is highly efficient in global terms but contributes a high proportion of our carbon emissions. This will be difficult and it is where the transition fund must play a key role.

I will confine my comments to transport to electric vehicles. I speak to taxi drivers and ordinary people. People are making a seismic shift and considering buying an electric car. Many taxi drivers have already made the switch. They tell me that if their vehicle qualifies and based on the grant of €20,000 and the savings they will make from the difference in the price of petrol and diesel versus electric charging, they can change to a new electric car virtually at neutral cost. That is a good model. The key feature is getting people to move to electric vehicles. As with many others, I would like my next car to be electric. The question is how I will take that step.

The target of having 1 million electric cars by 2030 is an ambitious one. In this case, however, the target has to be ambitious. The key issues are cost and charging points. Do we have enough charging points? How long will it take to charge a car? That is a key question. On how electric cars are used, they are good for commuter driving but travelling any sort of distance depletes the battery.

In summary, the issue is how we use the just transition to reach our targets. In farming, the transition fund must be used to ensure that people who are productive in farming are supported. We need to find a way of ensuring non-productive areas make an exponential contribution towards carbon reductions. We must not put young, productive farmers - male or female - in a position where they have to reduce their herd. That is not an easy challenge but it is, nonetheless, an important one.

On electric cars, we-----

**An Leas-Cheann Comhairle:** The Deputy's time is up.

**Deputy Kieran O'Donnell:** -----have to ensure we put charging infrastructure in place and address cost. We need to get to the point where people will choose an electric vehicle the next time they change their car.

**Deputy Cormac Devlin:** I wish the Ceann Comhairle the very best. I welcome this opportunity to examine the Government's proposed Climate Action Plan 2021. The science on climate change is clear. As temperatures continue to rise, extreme weather events are becoming more frequent, with increased risk to global food supplies and security. We now have to act. We can build a greener economy and society which create opportunities for us all.

The plan lists actions needed to deliver on our climate targets. It sets indicative ranges of emission reductions for each sector of the economy. I will briefly touch on three aspects in the time available to me. I welcome the Minister of State's comments that a one-stop shop will be established to help people retrofit private homes and that details of suppliers, contractors and finance options will be available. This mirrors a call I made recently in that regard. Perhaps the Minister of State in his closing remarks will provide an update on plans to retrofit council housing stock. As energy prices continue to rise, many people living in council housing will be eager to see the benefits of retrofitting. We need county-by-county targets and detailed timelines so people know where they stand. Perhaps the Minister might also touch on plans to increase afforestation. Ireland currently has one of the lowest levels of forestry in the EU at

11%. That is just ahead of Netherlands on 10% and Malta on just 1%. We need serious ambition in this area to at least double the level of afforestation, which would still leave us at half the EU average of 39%. I also appeal to the Minister to do everything in his power to inject a sense of urgency into Government agencies that manage and deliver public transport. We need more urgency around major projects.

Many constituents are onto us about retrofitting schemes, particularly the elderly. While the forms are simple and easy to use, and I commend their simplistic nature which will ensure that everybody can avail of them, the Minister will be aware of the timeline and delay associated with these schemes. We need to do more. If people want to work with us to ensure they have warmer homes, we need to do everything we can on the other side to facilitate that as much as possible, be it for public or private homes. There is a great yearning from the public to assist the country in achieving its targets, whether for 2030 or 2050. Many of those targets are ambitious but it is incumbent on all of us to work as clearly and collectively as possible to ensure we reach those targets.

**Deputy Richard O'Donoghue:** The Rural Independent Group is behind everything that can be done to reduce emissions but it will not accept a carbon tax that is being foisted on the Irish people. Irish people will pay the highest rate of carbon tax anywhere in the world at €41 per tonne following budget 2022, with a statutory target of a staggering €100 per tonne by 2030. Like everyone else, we want the planet to be sustainable. However, it is not an accident that the haulage, farming and taxi industries are going to the streets on the issue of carbon tax, because this is crippling their business. Governments in other countries have capped the massive increases in the price of fuel due to inflation. Depriving people of their livelihoods is not the answer. The Government's answer was to close the peat factories and now we are importing peat. There are other cases of the Government closing down different situations and importing stuff into the country. The Green Party is a city-based party with no Deputy from outside a city. The Minister does not understand how the food gets to the shelves. He does not understand that what he is doing is costing every taxpayer in Ireland extra money to feed their children. He does not understand it even though every time he has stood up here he was asked to come down to Limerick. I would tell him what rural Ireland is like but he is a coward and will not come down.

**Deputy Michael Healy-Rae:** The Minister will not like to be told that Moneypoint and Tarbert power stations have had to reopen. Why did they have to open? The Minister did everything he could to shut them down. It was part of Green Party policy, the same as doing away with a proposed liquefied natural gas, LNG, project. The Minister shut that down. These stations had to open in spite of him and we would be in the dark here tonight if it was not for them.

**Deputy Richard O'Donoghue:** Hear, hear.

**Deputy Michael Healy-Rae:** Will the Minister wake up and admit that? I would like him to answer that question when he is responding later. I will be listening very intently to what he says. He should answer the people and tell them that his failed policies were going to result in Ireland being shut down for electricity. Some people received redundancies, or were on pensions retired at home, and they got the call asking them to come back because the stations had to open up and if they did not we would not have power. That is the Minister's failure in government, his failure as the leader of the Green Party and his failure as a politician. He has failed disgracefully. He has all these grand ideas but they are backed up with nothing - zero - and what he is actually doing is hurting people. I am not a climate change denier but I have heard from

other Deputies who buy into this and they are saying that we should go further quicker. What do they mean? Do they mean that old people should not have heat in their homes? Is that what they mean? They say they want to get away from the car culture. What do they want? Do they want people at home to be walking around or going on bicycles?

**Deputy Danny Healy-Rae:** What the Minister is doing in Ireland will not even move the global greenhouse gas scale, yet our people are being taxed out of existence and targeted financially because of a Green nirvana agenda that is more fanatical than realistic. Our small island country produces just 0.13% of all the worldwide emissions. That is all. Yet our farmers, who produce the highest quality food from fresh grass, are being blamed by the environmentalists. Deputies in this House and the media, including RTÉ, are blaming the transport sector. Yet there is no blame for coal producers in Romania, China and Colombia. The Government has stopped us burning turf and timber and one Fine Gael Deputy said people should be penalised for selling turf and timber. The Minister should remember that we are all under the one sky. He does not realise that and he is trying to paralyse the people who are working. Sadly but gladly, the transport industry is coming up to the gates of Leinster House tomorrow. That will be the start of letting the Government know what it is doing because it is blackguarding the people.

**Deputy Michael Collins:** The Green Party believes its view of the world is superior. The hollow talk of building back better, just transitions and our glowing net-zero future sounds great from an ideological standpoint but means the burden will be borne primarily by rural residents. The rural-urban divide is perhaps most evident when it comes to public transport. The CSO data indicate that rural-urban public transport use is very unequal. This is due to the lack of public transportation options in rural Ireland.

Agriculture should not be carrying a levy to fight global warming. Food is not a luxury and agriculture should not be the sector that suffers so others do not. During the Dáil debates on the Climate Action and Low Carbon Development (Amendment) Bill 2021 earlier this year, the Rural Independent Group tabled a large volume of alternative proposals. Deputy Matthews, who is gone now, said there was no one putting forward proposals. We put forward 100 amendments to the Bill, all of which were voted down by the Green Government in which the Minister stands. Some of the amendments we put forward would have meant a 0% VAT rate on insulation or all children living 1 km or more from a school having free access to school transport. We wanted farmers to be rewarded for making lands available for biodiversity, including scrub, and have previous penalty reduction payments reinstated. We said the green low-carbon agri-environment scheme, GLAS, should be revamped to make it more economically viable for farmers and that a new and substantial carbon offsetting scheme should be introduced for the agriculture sector, which would include a blend of tax incentives and grant aid. These are just a few of the amendments we submitted but they were all rejected.

Ultimately, if Ireland went back to the Stone Age it would do nothing to reduce global greenhouse gas emissions as the emissions coming out of China, India, Australia, the USA and Russia continue to climb. It must also be noted that any statement coming from China on any issue, including emissions, should be taken with a grain of salt. All 400 private jets that carried most of the world's grandees, tech people, lords, ministers, various royals and world leaders to COP26 are back at base, which is a total contradiction of what we are fighting for here today.

**Deputy Thomas Pringle:** What strikes me most about the 2021 climate action plan is not only its lack of ambition and bravery, but most important, its complete lack of any sense of togetherness in the face of this immense global issue that we are facing together. It is clear that

the plan is not in line with climate justice. The statement by the Taoiseach, the Tánaiste, and the Minister, Deputy Eamon Ryan, stating that the bulk of funding would come from the pockets of individuals and households just demonstrates how they plan for this to be yet another unfair burden on ordinary people, rather than a real and effective way to tackle the defining issue of our time.

We are at a defining moment. With rising sea levels, increasing temperatures, shifting weather patterns and threats to food production, the impacts of climate change are truly unprecedented in scale. What is the Government's response to this? It is not to address the fact that, according to this climate action plan, data centres are forecast to take up 23% of this country's electricity demand by 2030, but to aim instead to get individuals to retrofit their homes, despite the huge personal cost of this. The Government's response is not to address the huge investment needed for public transport, including a well-functioning train service that might extend to my constituency of Donegal, but to try to have a million EVs on the road by 2030. This is, again, despite the immense personal cost this will have for motorists. The solution to assist with this personal cost, according to the climate action plan, is to provide grants and support from the State balanced with some private sector funding. I will not even begin on the issues that arise from relying on private sector funding but it is clear that none of the three Government party leaders have assisted their constituents in applying for SEAI grants recently or they would know of the huge backlog and years of waiting that applicants are currently facing. Even if this backlog was addressed, SEAI grants do nothing to assist ordinary families. These grants are aimed at those who already have the money to invest in retrofitting and electric vehicles. It is clear to me that this climate action plan is restricted to the wealthy and that investment in climate action is a luxury for the few, unfortunately.

In his analysis of the climate action plan, Dr. Rory Hearne rightly argues that "Green-washing in policy should be analysed for what it is. The vested interests of propertied speculators, fossil fuel interests, and an economy based on endless growth in material consumption can no longer hold sway." The climate action plan is disappointing, at best, in addressing the issue of an out-of-control data centre sector driving the entire country towards power cuts. I cannot stress enough the importance of urgently clamping down on data centre development. I strongly welcome the Government's announcement that it will review its policies on data centre growth to keep them in line with emissions and renewable energy targets. I sincerely hope the Government is true to its word on this but history would suggest otherwise.

All in all, the 2021 climate action plan is too little, too late and there seems to be no attempt to bring the country together to create meaningful action in the face of an incredibly terrifying climate crisis that will sadly affect us all.

**Deputy Marian Harkin:** Climate change and how we deal with it is the defining issue of our generation, an issue that will impact forever, at least in human terms, on future generations. While we recognise and accept individual responsibility, as we must, we must also look to our Government to put systems and structures in place to facilitate us as citizens to play our role, not to absolve us from responsibility but to facilitate our engagement as mothers and grandmothers of the generations to come.

The climate action plan promises much but delivery is still very much in question. We need clarity on how we can play our part. One of the issues that really concerns me in all of this is the narrative of urban versus rural. In terms of context, Ireland did not have an industrial revolution and therefore agricultural production, which sustains much of rural Ireland, makes a

proportionately higher contribution to greenhouse gas emissions than in most other countries. We also conveniently forget that Harvest 2020, stated Government policy, promoted higher levels of production and, consequently, a significant increase in the national herd. All of this finger-pointing is getting us nowhere.

Too many people, especially in rural Ireland, feel left out, not of the debate which they are right in the middle of, but of shaping the solutions and of playing a meaningful, positive and realistic role in mitigating climate change. That role includes sustainable food production and Ireland and the EU recognising, for example, that we need to look again at the Mercosur agreement and all of its implications. The role also includes payment for carbon farming. The most crucial aspect involves individuals and communities coming to the fore in areas like, for example, microgeneration projects rather than the huge, towering wind turbines planned for places like Croagh and Dough Mountain in County Leitrim. I refer to projects involving solar panels and small turbines because that is where we get community support, community buy-in and positive outcomes. We need to see agro-forestry that sequesters carbon, provides income, protects biodiversity and provides areas where people, animals and plants can interact in positive ways instead of the community-destroying Sitka spruce we have marching across the landscape.

The debate around the national herd is fraught. It is crucial to point out that suckler herd numbers are decreasing year on year. Slowly and quietly, a sector that underpins many rural counties along the west coast and elsewhere is fading. In the next CAP the target for sucklers is 385,000 and the kicker is that just 20,000 farmers take part in the beef genomics scheme. Nobody is talking about this or taking the bull by the horns. We need an honest, robust debate about the future of the suckler herd. Platitudes are useless. A recent report from KPMG showed that if agricultural emissions are to fall by 30%, then farm profitability will also fall by 30%. Is there a just transition? If this plan is to work, and we want it to work, then we must engage with rural communities.

**Minister for the Environment, Climate and Communications (Deputy Eamon Ryan):** I thank Deputies for contributing to the debate this evening. At COP26 in Glasgow, it was interesting to note that there was not a single country represented that did not recognise the absolute urgency and need for us to meet the targets set in the Paris Agreement to try to keep the increase in global temperatures below 1.5 degrees. As Mary Robinson said during the course of the proceedings, we cannot negotiate with science. That target or limit was set for a very good reason because going above it risks us reaching a tipping point resulting in runaway climate change that is dangerous beyond compare.

Similarly, it is important to reflect that in terms of the basic science, this is not an issue that divides this House. Nobody here spoke in opposition to the certainty that climate change is happening, that it is caused by our emissions, particularly from fossil fuels, land use and other short-lived greenhouse gases and that we have to act fast. If we accept the science, then we must act fast and, as clearly set out, cut our emissions by half this decade and achieve net zero emissions globally by 2050. That is a challenge beyond compare and it has never happened before. No country has halved its emissions in a decade, which is what we are setting out to do. However, that is what we have to do to protect the future of the next generation.

An interesting perspective on this for a country like Ireland is to consider the alternative if we do not meet the targets. Every other country is clearly going in this direction. Our next-door neighbour, the UK, has set out similar net zero plans and if one looks to the Continent, the major

economies of Germany and France are committed to going in this direction. Germany is likely to accelerate now with the expected formation of a new government involving the Green Party, which will push for further and greater ambition. The US economy is doing the same. Despite the setback in Glasgow with the Indian and Chinese governments creating some uncertainty around the phasing out of coal, it is clear that every single modern economy is going in this direction. It is inevitable that economies are going to decarbonise and those countries that are first in this process will benefit most.

It is important to remember that we need to do this for basic climate justice, that is, justice for the next generation and for the poorest people in the world who are suffering most from the consequences of climate change but we also need to do it for economic reasons. If we are not beyond compare in our ambition and do not make some of the hard decisions we need to make, we will fall behind and will not develop the opportunity that exists to be good at this, to learn how to do it and to share that knowledge and experience elsewhere. We have the structures in place to do it. We have political agreement on the imperative and we have a national development plan that sets out a public capital investment programme worth €165 million. An additional €100 million in private capital must also be deployed.

We also have in the plan from Eirgrid, Shaping our Electricity Future, a clear understanding of how we can develop economic opportunity across the island by tapping into renewable and microgeneration power resources. As Deputy Harkin rightly pointed out, this has to be community centred and not just based around big business. We know we can do that. We also have a climate action plan that sets out the framework we will follow in order to deliver, as well as an Act that provides that if Departments are failing, they are held to account by the Climate Change Advisory Council and this House and will have to amend policies, year on year, to get us back on the path to decarbonisation. I described it at the Oireachtas committee the other day as a straitjacket, but it is an appropriate description because we have not delivered the change nor risen to the opportunity and we need to test ourselves because it is not easy to change. The reason it is important that there is political agreement on the basic science and on the imperative is because six Governments in a row will have to follow this course. That is what we signed up to when we enacted the climate Act. The next Government as well as this one will have to do it. The more thought we put into the measures and the more consensus we can get on the basic approach, the better, because then we will not be stopping and starting. We will be giving clear signals and certainty to all people on the course we are about to take.

I will briefly make a couple of points in response to some of the issues raised by Deputies in the course of the debate. Deputy Bacik raised a valid question about the series of actions which will be published within the coming weeks to show exactly how the Government is going to hold itself to account on delivering the key measures we need to take.

I heard in contributions from Deputy O'Donoghue, Deputy Danny Healy-Rae and others that there is a rural-urban divide on this. If there is, let us stop that straight away, because that does not serve anyone. No one is pointing the finger at any one community, industry or sector and saying: "You are the problem, you are the ones that have to be held to account." We are all involved in this. Farming will be at the centre of the solutions, but it will also be at the centre in the future in terms of paying farmers properly for the important work they do in providing food and managing and looking after our land and nature, the natural systems which are under real stress. They are heavily polluted, and biodiversity has been lost. Let us start paying farmers for the restoration of those natural systems, as well as the high quality food that they produce. That is surely something that will not divide. Why would that divide us, as we set out mechanisms

to pay farmers, foresters and fishers properly, to protect and make sure that we live with our natural systems and the natural beauty that we love on this island?

I always say transport will be more difficult because, in truth, through our planning in the past 50 years, we have embedded dependency on the car, which will be hard to unwind. It is not that we are saying “No” to people driving. Cars will be electric. We will need people to have those choices and freedom to be able to move around, but the current system does not work, not just in climate terms but also due to gridlock geometry. If we go back to reliance on those systems and replace the combustion engine with electric vehicles, we will still have those problems. This is an opportunity to switch fuels, shift to other modes of transport and to reduce the overall volume of traffic so we can all get around in a much more efficient and better way for local communities.

There are significant opportunities in energy because we have a massive resource in offshore wind in particular that we can and will tap into. First and foremost, on this cold day, we should start with heating. We should start thinking about how this is an opportunity to improve every single home so that we do not have to spend so much on keeping ourselves warm and healthy in our homes. This is achievable. I was at a very interesting meeting earlier today with the Sustainable Energy Authority of Ireland where we mapped out some of the future for heating. It will involve district heating, which will bring communities together. It is a much more efficient and cheaper way of heating homes. It will involve a switch to heat pumps from oil-fired central heating, as oil burners need to be replaced. That is what we are going to have to do. The Government will support it with grants and one-stop-shops, as will the future Government, because it makes such sense. There will be a clear pathway to this better way of heating our homes.

My last point is about industry. I am only just skating over the surface. Today, the Commission for Regulation of Utilities pointed out that all industries must play their part. That includes data centres. They must live within this plan. Every sector must. No sector is held beyond the others. We are not naming and shaming. Everyone in business and in industry knows that this is the way the world is going and if they want to be in business it is the way they must go too.

That is what we should do as a country. We will be good at this. We will make this transition. It will take time to ramp up the ports to deliver the offshore turbines we need. It will also take time to make the switch from oil-fired burners to heat pump technology, but we can and will do it. It will be organised from these two Houses. Local authorities will have a central role. We will do it together.

### **Mother and Baby Homes Redress Scheme: Motion [Private Members]**

**Deputy Kathleen Funchion:** I move:

That Dáil Éireann:

acknowledges:

—that the State failed the women and children who were in Ireland’s Mother and Baby Homes and County Homes institutions;

—that women and their children were unlawfully separated during their time in these institutions;

—that women and their children were unlawfully separated during their time in institutions not investigated by the Commission of Investigation into Mother and Baby Homes and certain related Matters;

—that women and their children were unlawfully separated in non-institutionalised settings, including through adoption agencies and private facilitators;

—the Taoiseach’s acceptance of the lack of respect for the fundamental dignity and rights of mothers and children who spent time in these institutions and that the State did not uphold its duty of care to them;

—that the Taoiseach’s apology in January did not acknowledge the full extent of the human rights violations experienced by people affected by this issue;

—that the State has failed to acknowledge the full extent of unlawful and forced family separation; and

—that the final report of the Commission of Investigation into Mother and Baby Homes and certain related Matters is currently being challenged in the High Court;

recognises:

—the personal trauma and human rights abuse of forced family separation;

—that the harms associated with forced family separation are not dependent on length of stay in a Mother and Baby Home or similar institution;

—that the harms associated with forced family separation are not dependent on spending time in an institution; and

—that the exclusion of people who were in these institutions for a period less than six months, people who were boarded out, people who were in institutions not falling under the remit of the Commission of Investigation, and people who experienced forced family separation but were not institutionalised is inequitable and unjust;

commends the survivors, mothers, adopted people, their families, and the families of the children who died in these institutions for sharing their lived experiences and trauma, and those who have advocated on their behalf; and

calls on the Government to:

—seek immediate and substantive recourse from religious orders and pharmaceutical companies to contribute to the State’s redress scheme;

—use OAK’s ‘Report of the findings of the Consultation with Survivors of Mother and Baby Homes and County Homes’ as a basis for amending the proposed redress scheme;

—engage immediately with the victims and survivors’ organisations and those directly affected by the scandal of Mother and Baby Homes and County Homes institutions; and

—urgently review, in consultation with these groups, the following matters:

- the time-based criteria;
- the exclusion of children who were boarded out from the redress scheme;
- access to the enhanced medical card;
- proposed payment rates;
- the failure to include all Mother and Baby Homes, County Homes, institutions, agencies and individuals involved in forced family separation;
- the legal waiver attached to the scheme; and
- amend the scheme accordingly to meet the needs of the survivors.”

I wish to share time with colleagues. I will take the first seven minutes.

**An Leas-Cheann Comhairle:** Is that agreed? Agreed.

**Deputy Kathleen Funchion:** I am pleased to get the opportunity to raise this issue and speak on the redress scheme. I clearly remember the first woman who confided in me about her time in a mother and baby institution. It was about ten years ago, and I was a member of Kilkenny Borough Council at the time. This lady had come to me for advice on a different matter, but she ended up telling me her story. I still remember her sadness, partly because so few in her life knew about it. It has stayed with me to this day. I always felt very glad that she felt she could share her story with me. Since that time, I have had the privilege of meeting and speaking with so many women who were forced into mother and baby institutions and many children, now adults, who were born into an institution. Some have found their child or mother, but so many are still looking and still holding out hope, sometimes up to 50 years later, that they will be reunited.

On many occasions within this Chamber and throughout debates on this issue I have heard people refer to this period as being a dark time in our history. I have always struggled with this description, as while it certainly was a dark time – there is no disputing that – trying to confine it completely to history misses the serious intergenerational trauma still felt today by so many. While the State continues to deny justice both to the women sent to these State-run institutions and to the children born there, it remains very much part of our present.

In 2007, I was 25 when I had my first son, Emmet. I was not married at this time. If it had been 1967, 1977 or even 1987, I wonder if I would have found myself in a mother and baby institution. Would Emmet have even been taken away from me? I find this really difficult even to think about. I remember how incredibly nerve-wracking the whole labour and birth process was. I had great support and encouragement by my side. I had great medical help, in particular from the midwife. I always remember she stayed on with me when her shift ended. What exactly must this have been like for women alone, scared, in fact, terrified, who were met not only with little or no medical help but no encouragement, kindness, support or even a reassuring smile?

Tonight, as we discuss this, I am thinking of the woman I met who was raped at 15. She did not know what pregnancy was or what was happening to her body. I am thinking about the woman who had a partner. When she discovered she was pregnant, they planned to get married, but she was taken away late one evening. She was told that she was going on a drive to

visit a relative and then she was driven to Bessborough. Her son was taken from her when he was born a few months later. I am thinking about the woman who told me she tried desperately to get her baby back from the nuns. Eventually, she was told he had been adopted to a county that was far away from where she was located in the south-east. Thirty years later, when she tracked down her child, it turned out the story had been total lies. In fact, her son had spent the first eight months of his life less than a mile from her home. I am thinking about the man in his 60s who I met and who had spent decades looking for his mother. Thankfully, he did find her but he only had two meetings with her before she passed away. When he eventually received his file after she had passed away, it was filled with countless letters begging to know where her son was. I am thinking of the woman who is still looking for her daughter born 42 years ago in Bessborough, and of so many others.

Imagine, after all of that, to learn that you might be excluded from the scheme because the institution you were sent to is not included. Imagine you only spent the first three months of your life there, not the first six months. Imagine you are left with certain medical conditions as a result of your time in one of the institutions but you were only there for five months, not six months, so you do not qualify for the enhanced medical card. I know a number of women who are left incontinent due to the circumstances of their childbirth and who were left traumatised and unable to form significant relationships going forward because of their embarrassment and shame on that issue. They should not have to come and tell us such personal stories but they do. However, one of those women did not spend six months in an institution, so she will not be entitled to the enhanced medical card. Another lady spent five months and 20 days, to be exact, in an institution and nearly lost her leg due to sepsis brought on by the horrific treatment during her labour but, again, she falls outside the criteria. Imagine you were boarded out or nursed out, treated like a slave and, in many of these situations, physically and sexually abused but you do not qualify for the scheme.

There is no price that can be put on any of this but what the State can do is listen to survivors and their families, look at the OAK report commissioned by the Minister and use that as a starting point. People engaged with this process in good faith, again reliving their stories, which was not easy, and now it seems it was for nothing. Nobody should be excluded from the scheme. It should cover 100% of survivors. The religious institutions and the pharmaceutical companies also need to be held to account for their role in this. They often profited at the expense of children and women and they must also pay. Survivors and their families are tired of apologies with no action.

I understand the Minister is not the person responsible for the commission of investigation and, in fact, he inherited this from predecessors who I believe were happy to kick it down the road to his door. However, he is now in a position where he can, for the first time, on behalf of the State, ensure the right thing is done and that survivors are actually listened to and their wishes respected. He can ensure nobody is left out of this scheme. I fully believe he would have the support of each and every one of the Deputies in the Dáil to do this. This Thirty-third Dáil must finally be the one that ensures justice is done by every single woman and child who had to pass through those horrific institutions.

**Deputy Johnny Guirke:** I tried over the last few days to think of new words somehow to crack through the State's deep-seated denial and awful treatment of the mother and baby homes survivors – women, girls and children who suffered horrific abuse and human rights violations in these religious prisons, one in my own constituency of Meath West, Castlepollard mother and baby home. I do not have words strong enough to split the State's cruel and coercive attitude

of disrespect towards survivors. It is an attitude beyond any language I know. It stands in stark contrast to the human dignity of the survivors and their families. These women have been to hell and back. If it was not for their courage and bravery, the shameful legacy of the mother and baby homes would have remained shrouded in secrecy, swept under the carpet. There would have been no commission of investigation, no State apology, no redress scheme. The survivors had to push the State every inch of this tortuous journey. They had to chip away at a wall of silence.

The redress scheme published last week is an insult to the survivors. It is an extension of the flood of disrespect that these women and their families have waded through for decades. It is shameful that the Government has brought forward a scheme that creates a hierarchy of victims by taking the view that some mothers and their children suffered less than others. It is cruel to deny compensation and medical supports to some survivors simply because they were taken from their mothers or left the institution before six months. Not only is it callous, it flies in the face of modern clinical evidence regarding the traumatic impact of forced separation on babies of that age. The idea that it did not affect them because they were under six months is not only morally repugnant, but it is also nonsense in a scientific sense. It is wrong that the Minister would seek to justify this botched scheme in this way. This needs to be rectified. No matter how long people spent in these places, no matter what age they were when they left, they suffered greatly and they carry the trauma and the pain with them to this day.

Religious institutions are responsible for that pain and trauma too and they must contribute to the scheme. The State cannot allow them to wipe their hands.

The timing of the scheme is also disrespectful. The Minister announced the scheme in the full knowledge that, in the very same week, survivors were in the High Court challenging the report of the commission, the report on whose recommendations the scheme is based, recommendations which survivors described as whitewashing of their abuse, especially the contention that no forced separation took place. This scheme continues the disrespect demonstrated in attempts to seal survivors' records, in the leaking of the commission's report to the media before survivors had a chance to see it and in the destroying of survivors' evidence given to the commission. What is so fundamentally wrong with the State in 2021 that it would seek to prolong rather than help to ease the trauma of these women? This exposes again the deep and dark psyche of the State that puts its claustrophobic interest above those citizens brutalised in its name – women, girls and children who cry out for justice, for dignity and for basic humanity, while the State pushes back against those cries at each and every turn.

Survivors do not want this botched report. They want an equal scheme in which everyone's hurt and trauma is recognised. They are not willing to leave behind anyone who spent a single breathing moment incarcerated in those wretched places. That is an integrity, a strength and a compassion to which we should all aspire and Ireland would be a better place if we did. I ask the Minister finally to listen to the survivors and to deliver a scheme that matches the gravity of their experiences, a scheme that is fair, just and equal for all.

**Deputy Pauline Tully:** The redress scheme needs to be reviewed as a matter of urgency and proper consultation with organisations representing survivors of institutions which oversaw the forced separation of mothers and babies needs to take place immediately. All of those affected need to be treated equally and fairly, regardless of age when separated, whether they were boarded out, what institution they were in or, indeed, how long they spent there. The State has failed women and it has failed the children who were forcibly removed from their mothers. It

does not matter what age the person was when they were actually removed from their family; it has had an impact on them. For this redress scheme to exclude children under six months of age is inequitable.

I have heard from many of the survivors of these institutions, including the ones named under the scheme and those who are not, and their stories are heartbreaking. Again, it does not matter what age they were as they have been very much affected throughout their lives. Many survivors will tell us that they may have been adopted by a perfectly lovely family who gave them a good upbringing, but that does not take away the different feelings of separation, sense of loss, the feeling of not being wanted or not knowing who they are or why they were adopted. There has been research that would indicate that children of less than six months of age are affected by separation and, indeed, only people who have been adopted can understand the concept of not having a sense of belonging or knowing exactly who they are.

I cannot understand why children who were boarded out are not included in this redress scheme. Many of those children were nothing short of slaves and were often terribly treated. It was common for farming families to have a boy or a number of boys on the farm to work. While some may have been treated fairly well, many were not and once they reached the age of 14, they left this country forever, and who would blame them? They felt unwanted then and they feel unwanted now after they have been ignored again. There is a need to include everyone in this scheme, no matter what age they were or what institution they were in. Religious orders and pharmaceutical companies need to finance the redress scheme or to at least contribute to it. Substantive recourse from these bodies needs to be insisted on immediately.

**Deputy Mark Ward:** I am a member of the Joint Committee on Children, Equality, Disability, Integration and Youth and we heard the heartbreaking testimonies of those affected by the mother and baby homes there. The last time I spoke on this I read testimonies that survivors made to the commission of investigation and I will read testimonies again tonight because it is important to hear these women's voices. One woman spoke about the conditions her mother endured while giving birth and stated her mother "was tied to the bed and when she couldn't push, one of the nuns sat on her chest to make her". On the immoral and evil practice of forced adoption, one person stated her son:

was wrenched from my breast by one of the nuns whilst I was feeding him and taken away for adoption. ... At no time did I give my consent to my son's adoption.

Another mother spoke about the death of her child:

I do not even know whether he was buried in a coffin. ... There was never even a kind or sympathetic [word] spoken to me.

The psychological impact on mothers has been enormous. A mother said:

The nuns at Bessborough made my life hell and changed my life forever. I could not get over what happened to me. I think I am still in shock, still traumatised. My time at Bessborough was a horrific, horrible experience. ... I think I will die with the pain and trauma that this has caused me during this time.

The reality is that if any of these survivors spent less than six months in a mother and baby institution, they would not be eligible for full redress. This has to be changed for a myriad of reasons. These stories are horrific, harrowing and heartbreaking and it is emotional to read

them out on behalf of these women. As these women and children already have been abused by the State, let us not abuse them again.

**Deputy Maurice Quinlivan:** The State's response to the suffering of its citizens in these institutions is best described as too little and too late. We were far too late in stopping these practices in these mother and baby homes and we were far too late in setting up the commission of investigation, the final report of which was best described by my party colleague as a miscarriage of truth. It has been too little in terms of the amount of redress and the number of people it is proposed to include in the scheme. This Government has failed at every turn when it comes to the survivors of these penal-like institutions and now they will be failed again.

Why must it always be like this? I will make reference to a different case involving sexual abuse in day schools. I explained to various Ministers for Education and for Education and Skills over the years the case of sexual abuse in Creagh Lane school in Limerick. At the time, those Ministers seemed upset and promised to act. Their failure to act leads me to believe that any fair solutions they had were torpedoed by officials in their Department. I ask the Minister if the same thing happened to him. When Louise O'Keeffe won her case in Europe, it took years for the survivors to be included in redress. The brave men in Creagh Lane school had to protest in Brussels and at the gates of the Dáil to achieve fairness. Will the survivors of the mother and baby homes need to do the same? I hope to God they will not.

At every point in the mother and baby homes process, the Government has placed obstacles before survivors. The final report underplayed the actions of those institutions. The stark reality of what happened is that these women were interned and their children were kidnapped and now we are expected to accept there will be a hierarchy of survivors. We are expected to accept that those boarded-out children are to be excluded and to accept a redress scheme that is based on a commission report that is itself extremely flawed. It cannot be accepted and will not be accepted by the survivors I have spoken to. What can be accepted is a commitment to remove the time-based redress criteria and a commitment that those who were boarded out will be included in the scheme. What can be accepted is fairness for all the survivors. The responsibility and shame is with the organisations that ran those homes of hardship.

Deputies from all parties read the accounts of the survivors last year. Many of us were emotional when we spoke about the horrendous wrongs that were done to the women and children of those homes. I appeal to those on the Government benches to be sympathetic to the needs of all the survivors. I ask them to support this motion and together we can, at the very least, ease some of their pain in this regard.

**Deputy Martin Browne:** Throughout my discussions with the Minister, he always has seemed to genuinely care about the survivors and to want to do the right thing by them. I will not deny that but unfortunately, it seems as though he is being prevented by his Fianna Fáil and Fine Gael colleagues in government from doing the right thing. Those parties have a desperate track record on this issue and they are stuck up to their necks in it. It is not just them but it is also the religious institutions, the embassies and the justice system. They were all responsible for keeping these hellholes open and for putting families through what happened.

We are effectively talking about human trafficking and I have said that in this House before, yet a six-month exclusion is being put in place by the Government, which denies 41% of people who were in these homes from getting redress. Let us make no mistake; these homes and institutions were a moneymaking machine for an awful lot of people down through the decades and

now we are denying families and individuals. I said to the Minister the other day that all most of the survivors want is recognition but we are even denying them that. Children who were boarded out were brought up already. They must be included and there must be more consultation with the religious orders as they have a responsibility. The pharmaceutical companies also have a responsibility in these issues.

Women who went through these institutions and others like them, such as Sean Ross Abbey and the county homes in Thurles and Cashel in my constituency, deserve to be heard and listened to. I am asking the Minister to do the right thing and to review the whole redress scheme immediately because it is not wanted and it is not even making the survivors happy. It is just adding more hurt on top of the hurt that has gone on for decades. I hate to say this but I am asking the Minister to stand up to those in Fianna Fáil and Fine Gael who were stuck up to their necks in this throughout the decades. That seems to be the only way the survivors will get what they deserve at this stage. I am pleading with the Minister, on behalf of the survivors who have been in contact with me and everyone in this House, to do the right thing by them.

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman):** I welcome the opportunity to address the issues raised in this motion. We are all united in our belief that the State must take responsibility for the indisputable wrongs that were visited on women and children who spent time in these institutions. As the Taoiseach stated in his apology earlier this year, “The State failed you - the mothers and children in these homes.” It would be difficult to find a family in Ireland whose lives the legacy of mother and baby institutions has not touched. It weighs heavily on individuals and on us as a country.

Since coming into office, I have met many survivors. I have listened to their stories and I know that for each survivor of these institutions the experience has had a unique and deeply personal impact. There are no easy answers when it comes to trying to remedy the huge grief and anguish that survivors have experienced. I know there is no sum of money or action that can adequately atone for the vast harm, the lasting trauma, and the impact mother and baby institutions have had on each individual who passed through their doors. My engagement has also shown that redress for survivors is a broad concept.

What I have found throughout the last 18 months is that Government is an imperfect vehicle for the restitution of past wrongs. It can move slowly, often out of necessity, to deliberate, but at a time when those affected have already waited for far too long. When the commission’s report was published in January, I made it clear that this work was a priority for the Government. In the 11 months since, we have: advanced legislation to allow for exhumation at Tuam; introduced draft legislation to allow access to birth and early life information; and opened the commission’s archive to survivors. Throughout all of this I have sought to work constructively with Deputies and Senators from all sides. Previously, I have accepted Private Members’ Bills where the intention of that legislation reflected the Government’s and I have worked with the Oireachtas Joint Committee on Children, Equality, Disability, Integration and Youth to progress legislation. Given the sensitivity of these issues, I have aimed to seek consensus over division and to allow for these issues to be fully debated. It is on this basis, that the Government will not oppose the motion brought forward by Sinn Féin and supported by some other parties this evening. We will be bringing forward legislation in the new year to support the establishment of a payment scheme and during that time, Deputies will have the opportunity to bring forward specific proposals with their views on that scheme.

In January of this year, when the commission’s report was published, there was significant

criticism within this House and outside, of the categories suggested to be eligible for payment in that report.

*7 o'clock*

Although not part of its terms of reference, the commission recommended the following three categories for consideration: people who were resident as unaccompanied children in a mother and baby or county institution; pregnant women who entered mother and baby or county institutions before 1974 and who spent six months in such institutions; and women who undertook commercial work without pay in county homes, in the Tuam mother and baby home or outside a mother and baby institution where they were resident.

If a six-month residency condition was applied to the categories identified by the commission, it is estimated that 6,500 people would have been eligible for a financial payment and the cost of providing this payment and the enhanced medical card would have been €400 million. Concerns about the use of those criteria were a central theme in the debates that we have had in this House and in many of the parliamentary questions that Deputies have submitted to me.

The interdepartmental group, established to bring proposals on a scheme to Government, made broader recommendations. It recommended that all those who spent more than six months in an institution as mothers or children would qualify for a financial payment and an enhanced medical card. This would have increased the number eligible for benefits under the scheme to 19,000 individuals and would have cost €673 million. However, in the decision the Government took last week, the Government went significantly further.

Having considered the interdepartmental group's report, and noting the feedback from the consultation process, the Government has brought forward a scheme which will provide financial payments to an estimated 34,000 people and enhanced medical cards to an estimated 19,000 people. The value of this scheme is €800 million. It will be the largest scheme of its kind in the history of the State in terms of the number of beneficiaries.

In bringing forward this scheme, the Government is responding to the concerns about the categories that have been raised since the commission's report. It will include all mothers, including those who entered an institution after 1974 and who spent any period of time in one of these institutions.

It will also include children, both unaccompanied and accompanied, who spent six months or more in an institution. This expansion recognises that a strong case was made that there was little distinction in reality between being an unaccompanied or an accompanied child in one of the institutions.

For children who spent short periods of time in an institution during their infancy, and recognising the diverse understanding of redress, the Government's action plan provides a response to their needs in the birth information and tracing Bill. The legislation will provide guaranteed access to an unredacted birth certificate, as well as wider birth and early life information for those who have questions in relation to their origins. This is the overwhelming priority need which has been expressed by people who, as children, were adopted or otherwise separated from their birth family.

It is also important to emphasise that for all survivors and former residents of mother and baby and county home institutions, counselling support is available under the National Coun-

selling Service. It is free of charge, includes out-of-hours support and survivors are entitled to priority access.

Through the consultation process survivors made it very clear that they want a scheme that is non-adversarial, simple and based on trust. Survivors did not want a scheme that would require evidence of the harm done to them. The requirement for a low burden of proof was also a key issue raised. This is what the mother and baby institutions payment scheme seeks to deliver.

It was concluded that providing a general payment based on time spent, with no requirement to bring forward any evidence of abuse or harm, was the best way to ensure that this scheme causes no further trauma or harm. The simplicity of the scheme will also allow it to be established and for payments to be made more quickly.

In terms of next steps, I want to confirm that I will be seeking significant contributions from the relevant religious congregations towards the cost of the scheme. I wrote initially to the religious authorities involved in the operation of the relevant institutions in January, when the commission's report was published. When bringing proposals for this scheme to Cabinet I contacted them again, signalling I intended to bring forward this scheme imminently and seeking a meeting to discuss their contribution to the cost of the scheme. I am due to meet several of the congregations in the coming weeks.

Beyond the matter of the congregations' contribution, I want to assure survivors that everything in our power will be done to get the scheme up and running swiftly and that the scheme will be designed so that the applications from older and vulnerable survivors will be prioritised.

Due to the magnitude of the scheme, legislation is required to establish it. My officials are preparing a general scheme of a Bill as a matter of urgency and I have confirmed with my Cabinet colleagues that I will look for priority drafting of the Bill when the general scheme comes to Government.

The mother and baby payment scheme, providing 34,000 survivors with financial payments and 19,000 survivors with an enhanced medical card, is just one element of the Government's comprehensive response to the legacy of mother and baby institutions.

I have spoken already of the legislation to allow for the remains in Tuam to be exhumed, identified and reburied, of the birth information and tracing legislation giving a legal right to an unredacted birth certificate, and of access to the commission's archive which has already been taken up by 300 survivors. We are also progressing commitments on a national memorial and records centre, which will appropriately memorialise and inform on Ireland's history of institutional abuse.

We are also progressing health research with former residents, the introduction of the history of this period into the secondary curriculum through the National Council for Curriculum and Assessment, NCCA, research scholarships on childhood disadvantage, and an examination of the terminology and language we use when discussing these issues.

All 22 actions, each of which represents a particular facet of the State's response and each of which represents elements of the State's redress to individual survivors and to survivors as a group, continue to be advanced by my Department and across Government.

I thank the Deputies for their contributions to this debate. Most importantly, I, again, pay tribute to the resilience, courage, engagement and patience of survivors, their families and advocates. As a Government, we will continue to work at responding to the legacy of mother and baby institutions.

**Deputy Pa Daly:** I wish to share time with Deputies Buckley, Mythen, Munster and Ellis.

I want to tell the Minister and Minister of State about two boys from Kerry, James and Michael. They were left to the mercy of this State and suffered a horrendous childhood. They were boarded out from the county home in Killarney, County Kerry. James was eight and a half and Michael was seven. The State had a duty of care to these little children but sent them to work in servitude and enforced labour. “You are here to work,” they were told.

The shameful story is of James and Michael Sugrue. They were sent to a house which had no lighting and no heating. They were not properly fed and having authorised their boarding out, there were no adequate inspections provided by the State.

James, who is now 70, told me, again today, he was physically and sexually abused over many years. He was failed by the social workers who were supposed to protect him and when his education finished, his school and his council declined him a grant for further education on the basis that there would be no additional benefit to him. James went to Hammersmith and later made a life for himself in London, and has suffered from post-traumatic stress disorder.

Michael was not so fortunate. Growing up, he had been beaten many, many times, and stripped and beaten in public with a stick on one occasion. He suffered with addiction and mental health and was found dead alone in Crystal Palace in 1993. This left a void in James’s life which can never be replaced.

Later in life, compounding this injustice, James was forgotten by every redress scheme. He was not recognised. He was denied a full Garda investigation. At every hand’s turn, the State told him that there was nothing it could do.

Why, having listened to James, is the Minister, Deputy O’Gorman, continuing to ignore him? Offering counselling to a man at this stage of his life, he says, is an insult. Give them the comfort of redress, please. For once, in this State, let them be included, or will the Minister be like Michael’s neighbour who said to James after his funeral that he was sorry about his brother, they heard his screams but they did nothing. That is the only apology that they have ever received.

**Deputy Pat Buckley:** I welcome the fact the Government will not oppose the motion tonight. The Minister, Deputy O’Gorman, has heard the statements from the Deputies here tonight. They are true and we have all known people who have been directly affected. Obviously, the Minister has been in direct contact with people. However, when you listen to witness statements and to a woman saying how she breastfed her child while facing a wall and for her to have that child torn from her breast and for it to have taken nearly 45 years to see him, tell me that is not traumatic.

The State, the Church, pharmaceutical companies, the legal profession and undertakers were mentioned. We are not finished with this at all yet. People are coming forward all the time. I would ask for the utmost urgency in trying to get some kind of redress.

Many people have told me survivors are very anxious to get advanced medical cards. They are getting old and frail. The cost of dental work and other medical procedures is extremely expensive. They are only looking for a bit of quality of life. They have gone through their suffering. They are going through the pain now. Yes, many of them wanted just to tell their stories. They were not looking for a pat on the back but they needed to off-load. Yet, here we are again. Listening to other speakers earlier, I thought, my God, we have had many dark times in our history but this is something that we should be really ashamed of because we let our own people down. We let mothers, children and grandparents down. If we cannot stand up today and admit that if it was a collective thing, we should be all in it together and sort it out. We have a responsibility to do that and I ask that be done urgently.

**Deputy Johnny Mythen:** The facts have been laid bare of the scandal of the mother and baby homes. The survivors had to fight every inch to even be heard, let alone be recognised. Now they face another botched scheme. No disrespect is intended. It was designed, no doubt, by people who never had anyone belonging to them in these institutions or who knew anyone who endured the hardships they suffered. It is in this context that the people of Ireland are outraged at the latest attempt to bring forward a very flawed and diluted mother and baby institution payment scheme. It is a scheme that will prevent hundreds of survivors from obtaining enhanced medical cards because the period spent in the institution was less than six months. It is a scheme which to all intents created a hierarchy of suffering and pain, differentiating and categorising each survivor as though one person's pain and suffering was not the same as anyone who stepped over those notorious thresholds. It is a scheme which excluded innocent children, especially those who were boarded out and those who spent less than six months in these cold, oppressive and callous institutions, which represents about 6% in total. The scheme must be redesigned. We, as a nation, must do far more for the survivors of these oppressive, inhumane institutions who treated mothers and babies like chattel. We call on the Government to listen to the ordinary decent people who want this sorted out in the dignified and honourable way.

Speaking of honour, it would be remiss of us not to mention Catherine Corless and her relentless fortitude in her search for justice for the babies and mothers who perished in Tuam. The Taoiseach, in his apology, said the shame is not theirs but ours. It was our shame that we did not show them the respect and compassion that we as a country owe them. Then let us do exactly that and rethink and redesign the scheme for the memory of all the lost babies and all the survivors of the mother and baby homes. Let us do this in the spirit of a nation that really cares and cherishes all the children of the nation equally.

**Deputy Imelda Munster:** I suppose the question everyone across the State wants an answer to is why the Government has decided that there should be a hierarchy on suffering. Who made that decision? Children who were boarded out, many used as slaves and many abused, have been excluded along with children who were less than six months in these appalling institutions. A number of homes and institutions and all the survivors who spent time in them have been excluded. That means they cannot access the enhanced medical card or the financial redress but much worse than that, it means that the State does not recognise what happened to them. That is the biggest insult of all. The scheme has created an appalling hierarchy of victims and a clumsy hierarchy of suffering that does not reflect the experiences that survivors have had. Yet the Minister said he listened to survivors. It needs to be rectified immediately before more hurt and trauma is inflicted by the State on survivors. Let us remember that the State is responsible for the harm that was done and it must take responsibility for that. The time limits that exclude survivors must be removed. The institutions and children who were boarded out

must be included. The religious orders and the pharmaceutical companies must also step up and take responsibility for what they did. The Minister said that he has been in negotiations with them but he must ensure that it happens.

All these abuses have life-long effects on people. Survivors, after all this time, are still being excluded. There is one opportunity to address it. It has to be addressed. Let the Government do the right thing in the name of God, after decades of survivors' campaigning for redress and justice. Just this once, will the Government surprise us and do the right thing by these people who were let down by the State?

**Deputy Dessie Ellis:** It is impossible to calculate the trauma experienced by those who resided in many of the mother and baby homes across the country. To understand the emotional, psychological and physical distress the survivors still experience is something that can only be comprehended by those who lived through the awful experience. We can only attempt to grasp their suffering by listening to their testimonies. It is clear from the many stories these survivors tell that they still manifest the pain of their traumatic past each and every day. Every day the survivors face new challenges. As they get older, they face the additional challenges of declining health, retirement or losing their spouse. These are things that may negatively impact on their already fragile psychological states. Many exhibit symptoms of post traumatic stress. While their experiences may not have prevented their ability to adapt to daily life, for many living a normal life as best as they can will involve repressing many of these traumatic memories so that they can focus on building a life. For others, the trauma and stress of their experience has left a permanent mark which has continued to influence their lives. The Government could have resolved this because it is the right thing to do. Recently, the Taoiseach told the Dáil that not everybody would be satisfied with the entirety of the redress scheme. He needs to understand that it is not simply a question of whether or not someone is satisfied with the proposed scheme but that the scheme is causing unnecessary distress to survivors. In fact, it is re-traumatising the survivors who have been excluded from the scheme and will only continue the pain and hurt that they have felt all their lives. The Government must look again at this flawed scheme to ensure that no survivor is excluded.

**Deputy Ivana Bacik:** I welcome the opportunity to debate this motion so ably proposed by Deputy Funchion. My Labour Party colleagues and I were happy to co-sign the motion to render it more of a truly cross-party motion. I welcome the Minister's announcement that the Government will not oppose it and I look forward to further constructive engagement on the legislation the Minister desisted that will be introduced in the new year that will form the basis of the scheme. It is a genuine attempt to work to strengthen and improve the redress scheme. It is appropriate that we would all work on a cross-party, collaborative basis and I think survivors would want that. Many of us have received emails from and have been contacted by survivors who have eloquently conveyed their feelings and experiences. We have all heard the very powerful voices of survivors.

I want to pay tribute to the incredible women like Catherine Corless, former Tánaiste, Joan Burton, the late Christine Buckley, Rose and Mags McKinney, Susan Lohan, Anne O'Meara, Samantha Long and all those who used their voices so bravely in pursuing justice and who have spoken out about the injustices that they experienced. We owe them a collaborative approach to ensure that their trauma does not become a political football and that we can move forward in a non-adversarial fashion.

I want to express my sympathies, and those of my Labour Party colleagues, to all those who

experienced suffering and distress in the mother and baby, county and Bethany homes. Since its publication in January, the report of the commission has generated intense debate which has been both painful and cathartic for survivors as well as for our society more generally. It has built on the reports of other shameful institutional practices in our State like the Ryan commission report, the Murphy report and so many reports that exposed the abuses to which women and children in particular endured in so many institutions over a relatively short time. Our history of institutional abuse is horrific. We have incarcerated people, women and children, in particular, for far too long.

The witness evidence in the report really exposed the violations of human rights of so many. We know a total of 56,000 mothers and 57,000 children passed through the institutions in the decades examined. Thousands more were residents in other institutions outside the terms of reference of the commission. A shocking mortality rate for infants was exposed in the report and 9,000 infants and babies in the homes covered by the report died before their first birthday. That is a really shocking rate of 15% or one in seven. Within the confidential committee section in particular, we learned of the true extent of abuse, both physical and psychological, suffered by survivors. There was also the widespread practice of forced labour and the extensive practice of coerced or forced adoption. We are all conscious that, as the Minister acknowledged, there can be no quantification of the distress and trauma caused. It is very difficult, indeed probably impossible, to place any sort of price on what is owed to survivors by the State, religious orders and all those complicit, including pharmaceutical companies. That is something I want to refer to.

In my previous life as a barrister I had the privilege of representing survivors of abuse before the Residential Institutions Redress Board, so I have experience of working within one of those redress schemes. I learned from so many of the terrible harms they had suffered in those institutions but I also witnessed the flaws in that system and I think we clearly learned from that scheme. It essentially institutionalised a hierarchy of suffering in that it required survivors to provide evidence of harm and abuse suffered in institutions in order to achieve a certain level of compensation. Appearing before the board was a very difficult and very traumatic process for those survivors who did so. Many of them told me they felt it was pitting survivors against each other, so that was a really retraumatising impact. It was obviously devised with the best of intentions but we see how difficult it is to develop an effective, robust compensation scheme.

Learning from that, there are many aspects of this redress scheme that are very welcome and that are clearly a great improvement. The scale of this scheme is hugely welcome, with 34,000 survivors eligible for financial payments and 19,000 eligible for an enhanced medical card. It is to be non-adversarial and that is very welcome. It is to be accessible and there is no requirement submit evidence of abuse or harm caused, and again that is really welcome. There is no requirement of silence, as I understand it, and that again is very welcome because that was a really unfortunate facet of the previous scheme.

Those are all the welcome aspects but of course there are also critiques that have been expressed in recent days. They are very valid ones because there are still a number of people who will be excluded. While it is great women survivors who live abroad will qualify, as well as those who spent less than six months in the institutions, we still see a distinction where children who spent less than six months will be ineligible for payment, as will children who were boarded out, unless they spent their first six months in an institution. Women who spent less than six months in an institution have been excluded from the enhanced medical card scheme and that is really regrettable, especially as many of those women will have arrived at the institutions in

late stages of pregnancy. We have heard from many who suffered physical harm and medical harm as a result of incarceration. Indeed, back on 24 February this Dáil passed an amendment from my colleague, Deputy Sherlock, to give an entitlement to a medical card to all former residents of mother and baby and county homes. I ask that the Minister consider giving effect to that intention of the Dáil as expressed following a very constructive debate that day. That is something others have also sought and it is called for in the motion.

Many survivors have also expressed concern about the timeline for redress and concerns that if the scheme does not open until late 2022 then payments may not be expected until 2023. I ask that the Minister might examine the feasibility of a programme of interim payments to survivors, as was done in the North. I am aware he said he will prioritise older and vulnerable survivors but there is that other mechanism of an interim payment scheme and it might well meet some needs of survivors.

I also want to address the point the Minister raised in his speech of who pays for the scheme and the role of the religious orders. The executive summary of the commission's report was widely criticised for spreading blame perhaps too broadly beyond State and church and saying responsibility rests mainly with fathers and immediate families. We need to re-emphasise the causative role of both State and church authorities. We know how powerful the church was for so many of the decades in which these institutions prevailed and we know the church was also, through its teaching of ethical and moral dogma, directly responsible for generating the moral context within which shame and secrecy prevailed for so many who were incarcerated in the homes. Not until the Labour Party's Frank Cluskey introduced what was called then the unmarried mothers allowance in 1973 did the State take any responsibility for women who had been so shamefully neglected for so many decades. Not until 1987 did we finally pass laws to abolish the status of illegitimacy. State and church thus bear huge responsibility for the suffering of women in these institutions. Indeed, it was not just the Catholic Church. We know Protestant churches also had a role in incarceration. We are conscious also that obstructiveness was displayed by some of the orders involved during the compilation of the report and that has certainly been made public.

Therefore, we need to see a much greater role for the religious orders in bearing the financial cost of redress. I again refer to the residential institutions redress scheme and the well-known failure of church and religious orders to pay what was their fair share of redress, leaving the State to bear the disproportionate cost of the scheme. The reasons for that have been well-aired in this House and elsewhere. We in the Labour Party have called for religious institutions to make a fair and proportionate contribution to this redress and the Minister has stated his intention that they would do so. If they do not, we have committed to drafting legislation to compel them to make a contribution. I hope it will not come to that because, again, I think we have learned from the experiences of the past.

We need to look at the role of private capital in the system of abuse. In chapter 34 of the commission's report the issue of vaccine trials was discussed in great detail. It is really disappointing to learn pharmaceutical companies involved in those trials apparently do not see it as necessary to make a financial contribution. I ask the Minister that we look again at that.

We must acknowledge that there are many other measures that are crucial for survivors. This includes the adoption (information and tracing) Bill 2021 our committee is currently reviewing and, of course, a comprehensive review of adoption practices in this country, which we think should be done to ensure we are truly dealing with the legacy of the past. We must look

at issues around illegal adoptions, in particular, forced and coerced adoptions and falsified birth certificates. We need to work constructively with the Minister and we certainly intend to do so to ensure the strengthening of this redress scheme, but also that these other measures that are so sorely needed by survivors are put in place. I look forward to doing so and I am glad that we will not see a vote on the motion, which has cross-party support.

**Deputy Holly Cairns:** Every time I stand up in this House to talk about mother and baby homes I feel the weight of it. It is always hard to know where to begin when talking about something that has caused generations of trauma for so many people. It is difficult to convey the hurt, the bewilderment and the sheer rage that no one is actually being held accountable for these crimes and it does not look like anyone ever will be.

The scale of what went on in these institutions is staggering. It is horrifying. There were forced adoptions, falsified records, vaccine trials, medical experiments, missing children, mass graves, the forced separation of families and the casual obliteration of histories. Survivors deserve justice. The public are behind them. The Government still is not listening.

Despite what the Minister claims, this clearly is not a survivor-centred scheme, nor is it based on transitional justice. The headline-grabbing figures might look impressive at first glance but the real story lies in the details, which include time limits, the signing away of litigation rights and the disregarding of very many survivors' trauma. Regrettably, none of this is surprising. After all, this Government resisted attempts to give survivors access to their personal records, continues to deny the GDPR, and refused to extend the commission of investigation to allow greater accountability. All of this compounds the abuse suffered by thousands of individuals and their families from the State-administered and church-run system that incarcerated single mothers, victims of rape, and children. The redress scheme needs considerable reform. If the Minister is sincere about his intention to listen to survivors, he needs to start acting like it.

I am going to use my time to highlight some of the deficiencies of the scheme but there are many others I will not have time to address. The Government needs to listen to the survivors groups, not to a deeply inadequate commission's report and not to attempts by the Department to limit the rights of survivors. The main defect is the highly insulting requirement for individuals to have spent six months as a child in a mother and baby institution. Forced family separation is one of the worst human rights violations. The State and religious orders intentionally separated mothers and babies, stigmatised them and denied them the means to find each other. This is a lived and very real trauma, which is not bound by a minimum time in an institution. Someone born in a mother and baby home could have spent a week there, but a lifetime searching for his or her family. Under this scheme, that person is not entitled to redress.

Survivors have expressed their devastation at this cruel stipulation. Clinicians and medics have shown that the six-month requisite has no basis in evidence and shows no understanding of trauma. The letter to the Minister from over 30 experts stated that childhood trauma has the greatest impact early in childhood. These experts pointed out that there is no threshold of time linked to this trauma and, as a result, "having an arbitrary period of 6 months' exposure is simply that, arbitrary". This arbitrary time restriction needs to go. Any and all children who were subjected to this cruel system deserve acknowledgement and redress. That is the absolute bare minimum.

The second issue relates to the provision that those who received redress in respect of time in mother and baby homes under the residential institutions redress scheme cannot access this

scheme. This limitation is symptomatic of the absence of any understanding of trauma and a pervasive civil servant mindset that is more concerned with balance sheets than justice. The language used in the Government's proposal gives a sense of the cold, unsympathetic language used. It states: "The intention is to prevent double-counting by making a second payment in respect of the same institutional experience." In other words, how dare survivors seek more redress? Why can they not be happy with the little they were given?

This language is condescending and paternalistic. It makes another appearance in the third matter I will raise, that of the legal waiver. A survivor of a mother and baby home who wants to avail of this scheme must sign away his or her rights to take this matter to court. In essence, the Government is proposing a legal gagging order on survivors. In other words, survivors are being told to take the official apology, and as little as €5,000, to sign away their rights to any legal recourse. Not only is this deeply troubling in principle, the proposed scheme's language reveals the patronising attitude of the Government, which acknowledges that:

applicants may be disappointed at the inclusion of a waiver in the Scheme, and some may interpret it as representing a failure to take responsibility or ... be truly accountable. This is not the case.

Why is this not the case? The Taoiseach apologised. In other words, sign away your rights and be happy with an inadequate apology. The Government goes on to explain how survivors should accept redress as it will spare them burdensome court procedures and the risk of incurring high legal fees. It does not take a legal expert to read between the lines here. If survivors do not sign the waiver, their other option will be an adversarial court case because the State will oppose them.

The Government seems to have no appreciation of the anger among survivors and the general public. People are simply not going to stand for this redress scheme. Not only is there a complete lack of understanding and empathy for survivors, but no lessons have been learned, for example, from the ongoing mass rejection of the CervicalCheck scheme. The same will happen with this redress scheme unless major deficiencies are rectified. Survivors will rightly reject it and they will be supported by society. Limitations, caveats and waivers were found in previous redress schemes for survivors of institutional and clerical abuse and Magdalen laundries. The difference now is that we will not stand for it. In the past week, we have got a sense of the anger and frustration at this scheme. The opposition to its flawed elements will only increase when it comes to the legislation.

If the Minister will not make the necessary changes because it is the right thing to do, perhaps he will do so in response to the waves of public pressure that are on the way. We saw it last year with the public outcry concerning the archive of the Commission of Investigation into Mother and Baby Homes. Society has changed. People are incredibly angry at the abuses perpetrated by this State and religious organisations. Furthermore, they are shocked at the treatment of survivors and this anger will not abate.

The next issue is the Minister's reference to the birth information and tracing Bill as being part of the Government's response. During pre-legislative scrutiny of this Bill, we heard from survivor groups, human rights advocates and experts, and data rights experts who pointed out multiple issues with the legislation. It places barriers on access to birth records, limits early life and care information and denies siblings and other relatives access. The legislation needs significant changes if it is to come anywhere near what the Minister is claiming it does.

Where is the accountability? Ultimately, nobody is being held to account for the worst abuses perpetrated by this State against its citizens, including vulnerable young women, people with special needs, victims of rape and incest and members of ethnic minorities. Why are existing laws against incarceration, forced labour or human trafficking not being applied? Why is there one rule for church and State and another for everybody else? Why has the coroner not investigated the unnatural deaths that occurred in these institutions? We know there are mass graves and we know that crimes occurred. Instead of responding by seeking justice and accountability, the Government's burials Bill limits the powers of the coroner to investigate. You could not make it up.

Disgracefully, the outline of the scheme informs us that the Minister has written to the religious congregations seeking to "meet with them in order to discuss how they might contribute to the Scheme." This is cap-in-hand stuff. It is 2021, not 1950. Where are the demands for justice? Where are the attempts to seize the proceeds of illegalities? These orders profited from these systems. Not only did they receive State payments; they participated in forced labour, human trafficking and the sale of babies for money. Many of the people who committed these heinous crimes are now deceased but not all, and the orders still have assets from the money made off the backs of young mothers, children and babies. Where is the scheme to seize those assets for survivors?

I do not have the time to raise other deficiencies, such as the overall inadequacies of the financial amounts and the limiting of the scheme to certain institutions, but these will also need to be addressed. While the scheme in its current form has many insulting and callous flaws, it is not a done deal. The Government still has time to do the right thing and put in place a scheme that is survivor centred and based on transitional justice. There is still time to do the right thing by survivors but the Government should know that if it does not, survivors will not stand for it and nor will any of us.

**Deputy Richard Boyd Barrett:** I move amendment No. 1:

To delete all words after "Dáil Éireann" and substitute the following:

"acknowledges:

— that the State failed the women and children who were in Ireland's Mother and Baby Homes and County Homes institutions;

— that women and their children were separated through coercion and/or force, often unlawfully, during their time in these institutions;

— that women and their children were separated through coercion and/or force, often unlawfully, during their time in institutions not investigated by the Commission of Investigation into Mother and Baby Homes and certain related Matters;

— that women and their children were separated through coercion and/or force, often unlawfully, in non-institutionalised settings, including through adoption agencies, maternity hospitals and private facilitators;

— the role religious authorities, social workers and private individuals played in non-institutionalised settings, where women and their children were separated through coercion and/or force, often unlawfully;

— the Taoiseach’s acceptance of the lack of respect for the fundamental dignity and rights of mothers and children who spent time in these institutions and that the State did not uphold its duty of care to them;

— that the Taoiseach’s apology in January did not acknowledge the full extent of the human rights violations experienced by people affected by this issue, and the long-term effects of these violations on their lives;

— that the Taoiseach’s apology in January did not acknowledge the full extent of the human rights violations experienced by people affected by this issue;

— that the State has failed to acknowledge the full extent of unlawful and forced family separation; and

— that the final report of the Commission of Investigation into Mother and Baby Homes and certain related Matters, which is currently being challenged in the High Court, failed utterly to respect, acknowledge, or give adequate weight to the personal testimonies of survivors;

recognises:

— the personal trauma and human rights abuse of coercion of a mother to relinquish her baby and of forced family separation;

— that the harms associated with forced family separation are not dependent on length of stay in a Mother and Baby Home or similar institution;

— that the harms associated with forced family separation are not dependent on spending time in an institution;

— that the exclusion of people who were in these institutions for a period less than six months, people who were boarded out, placed at nurse, people who were in institutions not falling under the remit of the Commission of Investigation, and people who experienced forced family separation but were not institutionalised is inequitable, unjust, and contrary to the survivor feedback received by OAK;

— the primal wound of separating babies from their mothers, by coercion and/or force, often unlawfully, at any age; and

— that all babies, regardless of age, experienced trauma due to being deprived of their mother’s care, often being left unsupervised, neglected and/or malnourished;

commends the survivors, mothers, adopted people, their families, and the families of the children who died in these institutions for sharing their lived experiences and trauma, and those who have advocated on their behalf; and

calls on the Government to:

— demand immediate and substantive recourse from religious authorities (both Catholic and Protestant) and pharmaceutical companies to contribute to the State’s redress scheme and, if necessary, expropriate their assets to achieve this;

— use OAK’s ‘Report of the findings of the Consultation with Survivors of Mother and

Baby Homes and County Homes' as a basis for amending the proposed redress scheme;

— engage immediately with the victims and survivors' organisations and those directly affected by the scandal of Mother and Baby Home and County Home institutions;

— urgently review, in consultation with these groups, the following matters:

— the time-based criteria;

— the exclusion of children who were boarded out/placed at nurse from the redress scheme;

— access to the enhanced medical card;

— proposed payment rates;

— the failure to include all Mother and Baby Homes, County Homes, institutions, agencies and individuals involved in forced family separation;

— the legal waiver attached to the scheme; and

— amend the scheme accordingly to meet the needs of those survivors;

— repudiate the final report of the Commission of Investigation into Mother and Baby Homes and certain related Matters and cease contesting cases that are being taken by survivors;

— ensure that applications for redress payments for older survivors, who are pensioners, be opened from next January 2022 rather than the end of 2022;

— investigate records and burial sites of homes (including Tuam) where babies and children have been documented as deceased but where there are no burial records;

— provide all adoptees, boarded out and placed at nurse people with their full medical history as a priority;

— make a State apology to adopted, boarded out and placed at nurse people who were placed in abusive families and households; and

— preserve the oral confidential committee tapes and written Commission of Investigation testimonies in consultation with the survivors.”

I thank Sinn Féin and the other signatories to the motion. We agree with everything that is in it and thank them for bringing it forward. It has only just become apparent to me that the changes we submitted in our amendment were purely additions. We did not propose to delete the motion. I want to make that clear. That line has been added by the Bills Office. We sent in additions, with a couple of changes, but nothing substantial. They were all additions to what was there because we agree with everything in the main motion. I just want to make that clear. The idea was it should not be a choice between the motion and the amendment. The Bills Office have done it that way and I do not understand why.

I will set that aside because the more important point is the message that gets across to the Government on this matter. I am telling the Minister now that he will have to revisit this. Arbitrary time periods, or tables of compensation linked to time periods, are offensive. They

completely fail to take into account the reality of coerced, forced separation of mothers from children. The trauma, suffering, impact and lifelong and varying consequences are unique to every single case. There should be no attempt to try to link those consequences to arbitrary time periods in an institution, or to a table with amounts of money linked to time periods, and it is offensive to do so. I ask the Minister to think about it. It is shocking and he will have to revisit it.

I was born in a mother and baby home and from what I understand, I was in two mother and baby homes. I do not know how long I was in them and I am sure many others do not know how long they were in them either. The impact could be horrendous if you were in a home for one day and it could be somewhat less if you were in one for six months, depending on the outcome. However, in every case, the primal wound of children being separated from their mothers and mothers being separated from their children is a crime that was committed by the church and State against tens of thousands of mothers and children.

To create arbitrary thresholds that you reach, where the State considers you worthy of redress, is absolutely offensive. I know the Minister did not mean to be offensive, but the problem with this whole sorry saga, which is about the crimes of the church and the State against mothers and children and their then trying to cover their backs and limit the damage, is that he has ended up compounding the hurt, insult, abuse and trauma perpetrated against mothers and children and re-traumatising the victims. It is obnoxious. I know the Minister did not mean to be obnoxious, but that is the net result.

This compounds what was done with the commission of investigation report in which the testimonies of the survivors were relegated to being relatively unimportant. Whether that was intended or was just a gross mistake, I do not know, but it was wrong. One of the things we have added in our amendment is to say that report must be fully repudiated in terms of its conclusions. Some of the stuff in that report was offensive. I am just telling the Minister it was offensive. There is no point in saying it was not offensive because it was. Some of what is in this scheme is offensive. I do not believe it was deliberate, but it smacks of the State covering itself and trying to limit things, instead of trying to do right by the survivors and victims of this whole horrible scandal. We have to walk in lockstep with the people at the centre of this - the mothers, children and survivors - if we are to get this right. This scheme has not done so and I ask the Minister to review it in consultation with the survivors.

Our amendment also adds to the motion a demand that if the church institutions and pharmaceutical companies, which have a lot of assets, do not pay their fair share to fund redress, they must be forced to do so. We should state clearly that their assets will be expropriated if they do not do so. I do not know what half of these institutions are still doing running our hospitals and schools. Rather than us asking them nicely, they have to be told and if they will not do it, they have to be forced.

I will not bother with other individual details. They are in the amendment we proposed. However, the point has already been made by Deputy Cairns and others that what the Minister has said about those who are not included in this scheme having guaranteed access to all their identity records and birth certificates in the adoption (information and tracing) Bill 2021 and so on is not true, according to people who have looked at that legislation closely and also as I see it. We need to address that.

The other changes we have proposed are to say that sometimes it is forcible separation - in fact, it is always forcible - but the way in which it is forced can be coercion or force, it can be

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unlawful technically or lawful technically, but it is all wrong. To create a hierarchy and distinctions that do not understand that human reality is wrong and the Minister needs to revisit it.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** It has been clarified to me that the Deputy's text is additional, as opposed to a replacement.

**Deputy Richard Boyd Barrett:** It is additional.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** That is what I have been given to understand.

**Deputy Mick Barry:** A game of divide and conquer is being played here and I believe it is entirely deliberate. There are 58,000 survivors of mother and baby homes in this State. The redress scheme will provide financial compensation for 34,000 of them. Thousands will receive no compensation whatsoever. These include the children who were boarded out and all those who left the homes before attaining the age of six months. Divide and conquer is being played out here. The survivors to whom I have spoken believe so and I have spoken to many of them.

More than 30 experts in childhood trauma wrote to the Minister saying these provisions ignore best practice guidelines in neuroscience, childhood trauma and attachment. They make the following telling point: "The earlier the impact of trauma the more long lasting the effects". That rather spectacularly undermines the Minister's crude six-month cut-off rule. Rosie Rodgers, a survivor of Castlepollard, put it very well and pointed to the divisiveness of the Minister's policy when she said:

Anything after six months and you are acknowledged. Anything less and your pain doesn't count. Everybody who spent a day in those institutions, it has left its mark. There is no inclusiveness in this redress.

Nor is the compensation adequate for the 34,000 survivors. Furthermore, forcing people to wait until 2023 to receive payment is unfair. Many of the survivors are, of course, elderly. Interim payments are being made in Northern Ireland. Why is that not happening here?

I will say a few brief words about the role of the Minister and the Green Party in all of this. Many people voted for the Green Party in general election 2020 and, in doing so, they voted for change in many cases. They wanted something different and bought the idea that the greens were radical. However, what they see here is the old politics, including an attempt to divide and conquer with people who are victims of oppression. Those people cannot see any difference between Fianna Fáil and Fine Gael and they have a strong point. I will leave it at that.

**Deputy Seán Canney:** I thank Sinn Féin for putting forward the motion. I supported and put my name to the motion on the basis that the idea of dividing people has come across very badly with survivors. In the past week, I have spoken to a number of survivors about the redress scheme. They are disappointed because they all came into this together, told their stories together and bared their souls in public and private to tell people what had happened to them. They did not do it for any reason other than wanting to get, first, an apology from the State and, second, recognition for what they had gone through.

As one of the survivors said to me, the first six months went grand and then it turned after that. One day in one of these homes could have caused somebody as much trauma and anguish and left as big a mark as it did on somebody who was there for five or six years. That is why

the idea of segregating, categorising and dividing people has created resistance to the redress scheme. The scheme is well-intended. The Minister talked about the cost of the scheme. I take a different view. I do not believe the State should look at the cost as much as it looks at what the cost in human terms is to the people who were in these homes, both the mothers and the babies, and the lives they have led in the meantime. They have carried this burden and anguish for years. Whether it was a month, a day or six years, the anguish and pain are still there.

Sometimes when we try to do something good, we get it wrong. This redress scheme needs to be re-examined. We should not try to divide and segregate people. It is also important to realise, as a previous speaker said, that the survivors are getting older. Many survivors have told me over the last five or six years that this is not about money but about recognition and the State saying it will try to do something for them. When it says it will do something for some people but not for others, because they were not in a home for long enough, how do we address that? People have asked me if they have to serve an apprenticeship before they qualify.

We have to look at this and say this is not what it is all about. It is about real people who have suffered more than enough. We are talking about events in the past. We are not proud of them, but we have to stop talking and act. We have to get people what they require. They have placed their faith in modern politics and the politicians of today to make sure they get what they deserve. I think the Minister has accepted the motion but he has to go beyond that. It is not just about not opposing the motion. We have to see this redress scheme broken apart and put back together in conjunction with all the survivors and advocacy groups in order that we can create something that is fitting for what we are dealing with. It is a major part of people's lives. As Deputy Boyd Barrett said, there is passion about this. It is not a political issue but one of everybody trying to do the right thing. That is why we are talking about this motion tonight.

As politicians, we come across some things that we say are not right. I was talking to a survivor on Saturday. He said he was lucky because he was fostered to a good family and good home. There are good stories. He farmed the land for 40 or 50 years and was left the farm. When it came to giving him the land, he had to pay stamp duty at 7.5% because he was a foster child, as opposed to paying stamp duty at 1% as if he was the son. He told me that survivors are being victimised everywhere they go. Despite what the paperwork said, this was a family handing its son the family farm. Even though this man was fostered, he had to pay 7.5% stamp duty. When he tried to get it back, he was told those were the rules. We have to ask why the rules are there. They are not supposed to victimise people but to help them along.

The other part of the motion that we have to look at, which was spoken about earlier, is its call on the Government to "seek immediate and substantive recourse from religious orders and pharmaceutical companies to contribute to the State's redress scheme". We have to be strong on this. The pharmaceutical companies played a part in all of this. They cannot be allowed to just walk away. They need to own up to what they were doing. I spoke to a woman who was in a home in Cork. She told me that after having the baby, she was given a tablet. She did not know what it was for and she never found out. It is not recorded in any medical history. Experiments were carried out for the benefit of pharmaceutical companies without the knowledge or express permission of the mothers or the children.

We have to say to the religious orders that they need to own up too. I went to school in Tuam. The mother and baby home was probably closed before I started secondary school in the town but I know many people who remember it. They remember how children were segregated when going to classrooms and schools. They would be brought in after everybody was in the

classroom brought out before anybody else was let out. One said that by changing the redress scheme to provide nothing for those who were there for less than six months and something for those who were there for a longer period is the same as when they went to school. They were treated differently then and people are being divided and treated differently now.

We have to ensure survivors and their families receive the recognition they surely deserve. They need the State apology, which has already been given, to be repeated many times. We have to show them respect. We have to give all of them restitution for what happened to them. We cannot be selective. That would not be the right thing to do. It is not about the money but the people who suffered unjust experiences, some of which are probably indescribable.

I acknowledge all of the work the Minister and Minister of State have done but this scheme needs to be overhauled before it goes further. We do not want to have any more anguish for the survivors. I acknowledge all of the survivors who I have met and who have written to me. Some have become friends. They have done everything they have been asked to do. They have been polite and brave. At times, they have gone through much anguish when telling the public what they went through. It has been a watershed for them. I hope this redress scheme will become a watershed for this State, making sure that we do something right for these people.

I acknowledge the work of Catherine Corless from my home town, Tuam, and her family. They have gone through a journey with her as she did all this work and research to expose what happened in the town. Tuam is not the only place where it happened, unfortunately. We have an opportunity and I would welcome the efforts of the Minister and Minister of State to make sure the scheme is for everybody.

**Deputy Danny Healy-Rae:** I thank Sinn Féin. I was too late to sign the motion, but my heart is in it. This has been a terrible time in the history of our State. It is 11 months since the commission of investigation delivered its final report. The payment scheme was finally published on Tuesday, 16 November. The payment involves an €800 million redress payment for 34,000 survivors of mother and baby homes and county homes. However, we know from the response of the Minister for Children, Equality, Disability, Integration and Youth in the Dáil last week that an estimated 58,000 survivors of mother and baby homes are alive today. This means that the compensation scheme will not be available to 24,000 other survivors, including babies and women who were in these homes. These women were treated shabbily from the start by parents, religious orders, different Governments and health boards.

*8 o'clock*

Many babies died from neglect and not getting the medical care or interventions that would have kept them alive. Clearly, for the religious orders in the mother and baby homes, the money that they made was more important to them than keeping babies alive. Many babies were taken from their mothers and sold into adoption. Can you imagine that?

Last year, the Government tried to keep the records from those trying to contact sons or daughters and, likewise, sons and daughters trying to find their mothers, and stated that they had been destroyed. It must be a divine right that a child is not impeded from finding out the identity of his or her mother or father. No arm of the State should in any way impede a person trying getting that information, if available.

What happened to the babies in Tuam by way of mass burial in a septic tank was absolutely terrible. I watched the RTÉ programme a week or so ago. It was horrific. The Government

now wants survivors to put their signatures to what it is offering them by way of redress and is trying to ensure that there can be no further claims. This tells me that the Government knows that what it is offering is in no way adequate. Why else would it be trying to get survivors to sign on the dotted line? The scheme provides that unless a person was resident in a mother and baby home for more than six months prior to his or her being adopted out, no redress will be payable. Who decided that a child would have to have been in a mother and baby home for six months or more? A group of women contacted me in the past few days. They were outraged because one of them was in Bessborough for four months and another was there for five. They are being denied any redress. I would like to meet the person who set that time limit. Those who were boarded out to other homes are also not entitled to redress.

The Government is not even halfway there. It must do right and be seen to do right. It must rectify the wrong that has been done. A savage wrong has been done to these survivors. It is wrong that people would be left out regardless of whether they were there for a short period or for much less than six months. I cannot understand how the Government thinks it is going to get away with this. What is on offer is not adequate. I appeal to the Minister to look at this again and ensure that all survivors, male or female, are looked after properly. The manner in which the Government is going about this in terms of requiring these people to sign on the dotted line that they are happy with what they are getting leaves me in grave doubt as to what it is doing. I am very worried about it and I cannot stand over it. I ask the Minister to look at the matter again.

I am glad to have the opportunity to speak on behalf of these misfortunates who have been treated so badly in our State, and by many people in our State, and not that long ago. Many of them are still alive. I am asking the Minister to look at this again. I am not shouting or roaring; I am appealing to him to look at this in a fair way because what is happening in regard to the nine people who were in the homes for less than six months is wrong. I appeal to the Minister to look at this again and to do what is right for those survivors. Now is the time; do not let it pass. Do not delay because many of these people are on their last legs. Medical cards should be awarded to each and every one of them to ensure that while they did not get proper medical treatment at the time they were born into these homes, they will at least get it for the remaining days of their lives. I appeal to the Minister to do that.

**Deputy Thomas Pringle:** I welcome the opportunity to speak on this very important issue. I completely support Sinn Féin's motion for an expansion of the mother and baby homes redress scheme to all former residents of mother and baby homes regardless of how long or short their stay. I thank Deputy Funchion for bringing this motion to the House.

I echo the words of the survivors' group, who I listened to and met outside the gates of Leinster House today and who described the mother and baby homes redress scheme as a travesty of justice. It truly is a travesty that those who lived or were born into these terrible institutions and spent less than six months there have been completely left out and excluded from claiming deserved redress. Who are those in government to put a timeline on trauma or to decide at what point survivors deserve compensation for the awful conditions in which they were forced to endure? It is a complete insult to these survivors who have already been failed by this State time and again. We really ought to be ashamed of ourselves for allowing this to happen.

This redress scheme is not inclusive and does not meet the needs of the survivors. It is clear that there is a complete lack of survivor voice within this scheme. We cannot create a scheme without the input of the people it affects. This should be at the heart of every redress scheme

that is established and it should be the priority of all schemes going forward, be they in respect of the mother and baby homes or the mica issue. It is of utmost importance that those affected have a large part to play in discussing the impact and the redress that is due to them.

It is a simple face of governance and politics that when attempting to provide some form of monetary redress to a portion of the public, tragedies must be quantified. My issue is that the mother and baby homes redress scheme appears to be an operation of spreadsheets and finances, with little or no evidence that the survivors were at the heart of things. It seems as though a kitty was agreed upon and, on the basis of that amount, the tragedies of survivors were weighed up and calculated. As I said, I understand that a certain amount of box ticking and bureaucracy must be accepted and expected in order for such schemes to operate. Subjectivity in application will not work. However, in cases such as this, the starting point should not be a final budget or monetary limit. The starting point should be, and must be, the survivors.

If we must quantify the pain suffered by Irish citizens, pain that was sanctioned by the State on our behalf, then the Minister must listen to the survivors and base the quantification of the redress not on what has been deemed available but on the Government's genuine desire to offer a meaningful gesture of sorrow and remorse towards those women, children and families who it so gravely wronged. The impact of early trauma cannot be understood by anyone but those who have experienced it. Such trauma should not be overlooked. The time spent in mother and baby homes should be completely irrelevant and the fact that anyone was forced into these institutions against their will, separated from their babies or their mothers, should be the sole focus here. It does not matter for how long they were forcibly separated, the fact of the matter was that they were, and wrongly so. We cannot measure wrongdoing by how long it went on, but rather and simply whether the act was wrong.

The reports that have come out over the past few years regarding these institutions are truly harrowing. It is devastating to read of the huge loss of lives in these homes. In the Stranorlar County Home in Donegal, 343 illegitimate children died in infancy or early childhood. Many of those who lived were subjected to awful conditions and, unfortunately, experienced separation anxiety, post-traumatic stress disorder and other mental health issues throughout their lives. The very least that we can do is give full and fair redress to every single one of those impacted. It is the very least the survivors deserve after all they have been forced to endure and continue to endure. I am calling on the Government to do the right thing. This is a shameful chapter in our country's history. We cannot bury our heads in the sand and pretend it did not happen. We need to address it and support the survivors. We must give each and every one of them proper redress for the pain, sorrow and heartache that the State, in our name, has caused them.

**Deputy Catherine Connolly:** I thank Deputy Funchion for tabling the motion and Solidarity-People Before Profit for the proposed additions. I welcome the opportunity to take part in the debate. I recognise the work the Minister has done to get us to this point. I could go over the history of the issue but will not do so in the limited time available. Instead, I will focus on a number of issues and refer to several submissions and reports.

First is the submission to the Government from the Irish Human Rights and Equality Commission, IHREC, which includes a number of observations and recommendations. On page 22, it states:

By the Commission of Investigation's own admissions, it did not take a human rights-based approach. This has resulted in findings and recommendations that do not reflect

Ireland's human rights or equality obligations and in turn is not an adequate mechanism for identifying the full universe of survivors.

I acknowledge that the Minister has gone a little beyond the commission's recommendations, but not far enough. The IHREC submission further states:

In the past Ireland has been criticised for its narrow interpretation of the category of persons who should qualify... All participants emphasised how the Final Report failed to recognise the gravity and magnitude of the human rights violations that occurred in Mother and Baby Homes and related institutions... [They reported] a perceived lack of recognition [I would go much stronger than that] of trauma of being separated from mother or child and the 'family destruction' therein.

The Minister has come forward with a scheme and, notwithstanding his best efforts, he is now perpetuating that discrimination all over again and adding to survivors' trauma, whether he likes it or not.

Let us consider the people, other than my colleagues and me, who have made that case. The open letter the Minister received from therapists was a bold statement. They do not often do such a thing and I welcome it. The letter has 30-plus signatures of professionals who have spoken out. They state: "Firstly, childhood trauma, which includes separation from primary caregiver and exposure to multiple caregivers in an institutional setting, has the greatest impact early in childhood." Lack of time prevents me from reading out the whole letter but I ask all members of the Government to read it. The authors further state:

Secondly, there is no quantum of time that allows us to think about the impact of childhood trauma. Thus, having an arbitrary period of six months' exposure is simply that, arbitrary. What is known from research in the area of childhood trauma is that it is the combination of adversity and quality of relationships which confer risk.

They go on to refer to research in this area. Having had the privilege, in a previous life, of working in psychology, I refer the Minister to the work of John Bowlby, which we knew of as students, even when we were not paying much attention to our studies. We knew the importance of the early childhood bond, as outlined in the letter.

The submission from the IHREC likewise asks the Minister to withdraw the six-month residency distinction. However, he is persisting with it. I looked for some idea as to where that criterion came from and what the justification is for it. I am afraid, like Deputy Barry, I cannot think of any reason other than a monetary one. The report of the interdepartmental group reflects the fact it did some good work, but it was done within a financial framework and without any understanding of the trauma that was caused by many parts of the experience of survivors, particularly by the separation of mother and baby. There is an utter failure to recognise that and, again, a perpetuation of the abuse.

I apologise if I am sometimes too passionate about this issue but I know it inside out from both professional and personal experience. The personal has nothing to do with my role in the Dáil but the professional side does. It is our duty to highlight every occasion on which this Government and other Governments have perpetuated this injustice and the misuse of language. I notice, for instance, that the interdepartmental report refers to the importance of kindness. I certainly agree that kindness is a quality that should be inherent in a just system based on principle. The report talks about the principle of kindness. In fact, kindness is not a principle;

it is a quality that should be present in any interaction with the State. What is important are the principles of justice, proportionality, fairness, equality and so on. That is not recognised in the interdepartmental report or the proposal with which the Minister is persisting.

On page 35 of the interdepartmental report, we get some idea of why the six-month residency condition is included. It is stated very clearly and quite adamantly, as outlined earlier in the chapter, as follows: “The group is strongly of the view that the six month residency criterion is particularly important when considering children [I do not know whether the Minister has read this] as it [the interdepartmental committee] does not want to create a circumstance whereby being born in a mother and baby home or a county home is deemed a basis for the redress under the scheme”. There we have it. The mere fact that someone was born in a home is not going to give him or her any right or entitlement. That brings home to me the utter failure to understand what we have all been guilty of in allowing what happened in mother and baby homes in Ireland. An apology was given by the Taoiseach and other apologies were given in 1999 by Bertie Ahern. We are utterly failing to act on those apologies in a meaningful fashion.

As the time is almost up, the final point I will make is that serious consideration must be given to the provision of interim payments. This is a vulnerable group of people, of whom more than one third are aged over 70, one third are aged between 60 and 70 and one third are nearing 60 years of age. That has to be first and foremost in our minds. I cannot escape the conclusion that decisions were made on the basis of money. The exclusion is not done on principles of justice or equality but for the purpose of saving money for the State, religious institutions and pharmaceutical companies.

**Minister of State at the Department of Children, Equality, Disability, Integration and Youth (Deputy Anne Rabbitte):** I thank Members for their contributions. In January this year, the Taoiseach, on behalf of the Government, the State and its citizens, apologised for the profound generational wrong visited upon Irish mothers and their children who ended up in mother and baby homes or county homes. He stated categorically that the State did not uphold its duty of care and thereby failed these women and children. He acknowledged that an apology alone was not enough but only a first step.

The Government had undertaken to respond to the needs of survivors in consultation with them. As stated by the Minister, Deputy O’Gorman, in his opening remarks, while the Government strives to deliver an inclusive response, there are no easy answers when it comes to providing a remedy to the significant grief and anguish caused to the women and children who spent time in these institutions. In many respects, it is not possible to replace what has been lost to survivors. No financial reward or service provision can take back the hurt, loss and distress that were suffered through decades of failure. Nevertheless, the Government is earnest in its wish to provide an enduring response to the priority needs of all concerned.

The action plan for survivors and former residents of mother and baby and county home institutions begins with an apology. It is broad-reaching, encompassing actions under a wide variety of themes, which include a survivor-centred approach, the apology, access to personal information, archives and databases, education and research, memorialisation, restorative recognition, including health supports and financial payments, and dignified burial. Although only recently published, work on the action plan has been under way since January to ensure the 22 action plan points set out across the eight themes are developed and implemented. The mother and baby institution payment scheme, while hugely important and, indeed, the most significant scheme of its type in the history of the State, is just one element of the plan. The Government’s

intention is to deliver a payment scheme that is non-adversarial, simple and respectful. Work on the scheme is already under way.

It is important, in addition, to highlight the other hugely significant elements of the plan. These actions are not only important to the Government in demonstrating sincerity in addressing the wrongs of the past but, more crucially, they are vitally important to the survivors. First, counselling to support all former residents has been in place since before the publication of the commission's report. The service has been strengthened with additional investment and an expanded out-of-hours support. The Government has published the general scheme of a birth information and tracing Bill. This is currently the subject of pre-legislative scrutiny. It will provide guaranteed access to birth certificates and wider birth and early life information for those who have questions about their origins. It will also provide a robust statutory tracing service to support family contact and reunion. The Government is committed to advancing institutional burials legislation to provide for dignified and respectful treatment of remains at Tuam, and elsewhere if necessary.

On the same day that the Government approved proposals for the mother and baby institutions payment scheme, it further progressed two other important actions, both of which are intended to demonstrate the its commitment to acknowledge the failings of the past and to learn from those failings. The first of these actions is the creation of a children's fund to honour the memory of the children who died in mother and baby homes by providing supports to children who experience disadvantage in the present day. The second action is the creation of a national memorial and records centre. This action is hugely important to survivors. A scoping group chaired by the Secretary General to the Government will develop an overarching vision and proposed approach to the creation of a national centre. It will then be brought to the Government for approval. Both of these actions are tangible demonstrations of the Government's determination not to forget the past and not to repeat the past. They stand as part of the gesture of acknowledgement, apology and healing to those who were failed as mothers and as children.

I acknowledge the amendment to the motion tabled this evening. I value all contributions from Deputies on this most important of issues. However, the motion calls for action that would be grossly unconstitutional. The Chamber cannot and should not seek to pre-empt or anticipate matters that are under the examination of the courts. The Government simply cannot support the amendment. I thank all Members for their time this evening in debating this important matter. I echo the Minister's opening words of appreciation to survivors and their families as the Government continues to work through these complex issues.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** I thank the Minister of State. We will return to Sinn Féin to conclude the debate.

**Deputy Denise Mitchell:** This scheme is not fit for purpose. The Minister needs to go back to the drawing board. The scheme has been widely condemned by survivors and experts. On a human level, it dismisses their suffering. It basically says that many of their experiences are not traumatic enough to receive redress. Boarded-out children and infants who spent less than six months in these appalling institutions are completely excluded. A group of 30 childhood experts wrote to the Minister over the weekend explaining why this is a shocking decision. Trauma cannot be measured by time periods. The Minister completely ignored the views expressed by survivors in the OAK report. That is insulting to survivors who have experienced decades of appalling treatment by this State. The Minister has created a hierarchy of victims here. I do not believe he intended to do that, but that is the reality. The current proposal is heartless and

tone-deaf. I welcome that the Minister spoke to religious institutions, but he needs to speak to the pharmaceutical companies involved and demand that they, too, pay for the pain and suffering they caused. Forced adoptions, forced labour, physical and sexual abuse and vaccine trials happened in these institutions. They should all be held to account, along with the State. It is a dark stain on this State's history. The Minister needs to listen to the criticism of this scheme and make the changes that are needed for it to be acceptable for survivors.

**Deputy Rose Conway-Walsh:** We would not be here this evening if the Minister had used the findings of the OAK consultation with the survivors of the mother and baby homes. Nobody wants to be here, at least of all the people who are watching in tonight. The survivors do not want to be watching this. I send them our solidarity. I thank all of those who have engaged with Deputies across the House and told us their stories.

Some of those who are watching tonight have raised a couple of things with me since the debate started. The Minister says he has sought to seek consensus rather than division in the House, but I have been asked why he is continuously trying to create a divide between survivors. He needs to hear that going out of this Chamber tonight. He needs to include it in the legislation he is bringing forward. The Minister also said that the Government has gone significantly further, when he referred to what the Government has done. They say that this is not far enough. If they say that it is not far enough, it is not far enough. The Minister said that this is the largest scheme of its kind in the history of the State, but they want to remind him that it is the largest and most inhumane scandal in the history of the State. The Minister has to listen, even at this late stage.

I want to remember tonight the tenacity and courage of Catherine Corless in uncovering the scandal of the 796 babies still in the sewage tanks in Tuam. Some 208 of them are from my own county of Mayo. I want to acknowledge the recent initiatives by Valerie Jennings and Seosamh Mulchrone to highlight that to the Minister. That needs to be done. I ask the Minister, please, to listen to the survivors.

**Deputy Sorca Clarke:** Countless men and women living in my area have a history intertwined with the Castlepollard institution. I do not have the time to fully express to the Minister the hurt, frustration and disbelief they have expressed to me. I want to place on the record of the Dáil some quotes from an open letter written by the survivors of the Castlepollard institution earlier this year. It begins:

The sad fact is that losing a baby to forced adoption is a traumatic event in a mother's life causing a form of post traumatic stress disorder and it makes zero difference how soon after birth this trauma is inflicted; the horror remains, the depression, anxiety, nightmares, flashbacks ...

The survivors make it clear in their open letter that "the commission's final report is deeply flawed". It continues:

Up to 15,000 people in Ireland ... were illegally adopted during the timeframe under investigation and they were excluded ... they have spent their entire lives giving false, misleading and potentially lethal family medical histories to doctors and hospital staff.

The letter further states:

Furthermore the rest of the county homes were ignored by this commission - more than

two dozen escaped investigation ... Where is their truth and justice?

It continues:

We listened to both Taoiseach Martin and Tánaiste Varadkar apologise in the Dáil today ... Neither mentioned their own political parties nor their culpability in what is essentially Ireland's own little holocaust ... insult headed upon injury and salt thrown in the wounds by the empty seats ... Apparently, it was 'society's fault'. What was the point in our testifying if our word was to be doubted? Our testimonies ARE the proof.

Neither of the sickening double act in the Dáil today bothered to talk about real and immediate action for living survivors ... the living survivor community must take priority ... we need action while some of us are alive.

These are the raw, hurt words of survivors, told in their own words in an open letter. They have had enough of political waffle to last them more than a lifetime. They have been failed time and again. Actions, not words, are what is needed now, because people start to heal the moment they feel heard. These survivors have yet to feel heard. Do not deny them again. I ask the Minister not to let that happen on his watch. He must ensure that justice is finally delivered.

**Deputy Kathleen Funchion:** I thank everybody who has been involved in the debate. I welcome the fact that the motion is not being opposed. Genuinely, the Minister and Minister of State have heard tonight that people want to work constructively. That is why we brought this motion forward. We want to highlight the issues. I imagine that Government Deputies, like everyone else, were inundated with people asking why they were excluded from the scheme. I do not believe that anybody, whether they stand in opposition or in government, wants to exclude anybody. That is why we brought the motion forward. I genuinely hope that there is sincerity when the Minister says that he wants to work with us and that he is not opposing the motion for that reason. Everybody wants a scheme that will suit and that is fit for purpose.

As already stated, this has to be the Dáil that finally deals with these issues because we have been talking about them for so long. People are literally dying as we are debating them. I reiterate what I said earlier. A lot of this was left at the Minister's door by predecessors, who were probably happy enough to leave it there, but he now has an opportunity to deal with it properly and constructively and listen to people.

The letter that was written to the Minister was mentioned on a number of occasions. Some of it has already been read out but I will read out two final points. We should welcome that we have such experts to whom we can look, particularly when this matter comes to legislation and the pre-legislative scrutiny process. I am hoping that people like these will feed into that process and that we can base that legislation on some of their work. It is excellent, as Deputy Connolly said, that they had the courage to come out with this letter at the weekend. It states:

We are seeking a revision of the recommendations arising from the report, with inclusion of best practice guidelines regarding neuroscience, childhood trauma and attachment. We are willing to work alongside you to see these changes through and want to meaningfully contribute to better practices, rather than simply criticising from the sidelines.

One final point. These women and children have experienced complex trauma and adversity in their lives. Yes, the money will help, there's no doubt about it. But there is also an opportunity to right a wrong, to empathise at a human level and seek to understand. We

want to minimise the risk of secondary traumatisation and invalidation of survivors and their families which is most likely where experiences are not heard, respected and redressed. Fundamentally it is about mothers, children and families being seen and heard and having their lived experiences validated. Collectively we can surely strive for this?

That perfectly sums up what we are trying to achieve with this motion. These people are clinical psychologists and therapeutic social workers. They work with children and understand trauma very well. We should take their suggestions on board. I think everybody would agree that this scheme has to be inclusive. It should include all survivors, particularly as regards the medical card aspect. An awful lot of women are being retraumatised by that because they were holding out and waiting for this enhanced medical card. It is not right that they would be denied it. Interim payments should also be looked at and that is being examined in the Six Counties as part of their report.

There will be statements on this matter again on Thursday so we will be discussing the topic again. I thank people for their support on this motion. I send solidarity and support to all survivors who were sent to institutions, anybody who was born there and their families. I know it retraumatises them every time we talk about it but it is important to raise the issues. I am thinking of all the people I have met, and who we have all met.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** The debate having concluded, I must deal first with amendment No. 1 in the name of Solidarity-People Before Profit.

**Deputy Richard Boyd Barrett:** To be absolutely clear, our amendment will now be an addition. It was not submitted as a counterproposal to the Sinn Féin motion. It is additional to it.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** The amendment before the House is as it appeared on the Order Paper.

**Deputy Richard Boyd Barrett:** We never submitted an amendment looking to delete anything in the motion. What we did was amend it. I do not understand how it has come out with the word “delete” as part of it.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** If there are multiple additions to different parts of the motion, it can be couched as a full rewrite of the motion. That is what has happened in this instance because there were multiple changes suggested in the amendment that the Deputy submitted.

**Deputy Richard Boyd Barrett:** We have often put in changes before and that did not happen. That is not at all what we intended. I do not want anything that implies we were deleting any aspect of the motion because we were not. We were adding to it.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** Is the Deputy choosing not to press the amendment?

**Deputy Richard Boyd Barrett:** I have no choice, but I am not very happy about it. We never put the word “delete” into the amendment. I am not happy. You sometimes add and sometimes delete all of it and we did not put the word “delete” in our amendment. That was not in anything we submitted to the Journal Office.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** I accept that the Deputy is not happy with the situation. Can I take it that he is withdrawing the amendment?

**Deputy Richard Boyd Barrett:** I think I had better. I think I have no choice.

**Deputy Holly Cairns:** Can anything be done now? Is it too late to change it?

**Acting Chairman (Deputy Marc Ó Cathasaigh):** We are only able to deal with what is actually before the House so there could not be any substantial changes.

**Deputy Richard Boyd Barrett:** What does Deputy Funchion think?

**Deputy Kathleen Funchion:** I do not know.

**Deputy Richard Boyd Barrett:** If the proposers accept the amendment, will the names of all the signatories from all parties, including those of the original motion, be on the amended motion or will it only be the of the signatories to the amendment? I would not want that. The whole point was that the amendment was in solidarity with the cross-party motion.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** I am not an expert but I do not think that would be the effect of the amendment.

**Deputy Holly Cairns:** If there is an issue with the Order Paper or if there was a misprint, could we not change it?

**Acting Chairman (Deputy Marc Ó Cathasaigh):** The debate has taken place based on what was on the Order Paper. We cannot unpick a debate-----

**Deputy Richard Boyd Barrett:** Can the Acting Chair just clarify that point? If the amendment was accepted-----

**Deputy Holly Cairns:** It was obviously submitted on the basis that it was an amendment.

**Deputy Richard Boyd Barrett:** If the amendment was accepted by the proposers, would the names of all the signatories to the original motion stay on the agreed and amended motion? That is what I want to know.

**Deputy Kathleen Funchion:** No, because we are going to have a vote and it will depend on how the vote goes.

**Deputy Richard Boyd Barrett:** I do not want it to be just our names.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** The resolution form of the agreed motion would have no names on it because it would be a decision of the House.

**Deputy Richard Boyd Barrett:** Is that the way any motion passed would be?

**Acting Chairman (Deputy Marc Ó Cathasaigh):** Yes.

**Deputy Richard Boyd Barrett:** So it does not make any difference. Then I will press it.  
Amendment put.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** In accordance with Standing Order 80(2), the division is postponed until the weekly division time on Wednesday, 24 November 2021.

## Ceisteanna - Questions (Resumed)

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

#### Covid-19 Pandemic

56. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if clarity will be provided on the Covid-19 safety measures in school settings, including the potential use of filtration devices and all other measures required. [57257/21]

**Deputy Rose Conway-Walsh:** I am asking this question on behalf of my party colleague, Deputy Ó Laoghaire, who has been unavoidably detained tonight. We have known for some time now that Covid-19 is an airborne virus and that ventilation, including air filtration, has a key role to play in protecting students and staff in our schools. Sinn Féin has been calling for adequate ventilation measures for the guts of a year now. Will the Minister commit to providing high efficiency particulate absorbing, HEPA, air filtration devices for every classroom that needs them? If not, why not?

**Minister for Education (Deputy Norma Foley):** Ensuring schools can operate safely has been a key priority for me as Minister for Education. My Department has always been guided by public health advice on appropriate Covid-19 infection prevention and control measures in our schools. These measures protect students, their parents and school staff and are effective. Public health advice is that the two most important actions to prevent the introduction and spread of Covid-19 and other respiratory viruses are ensuring no one with new onset symptoms attends school and all recommended infection prevention and control measures are in place in line with school Covid response plans.

Each school was provided with an updated Covid-19 response plan in advance of the return to school. Significant additional resources of €639 million were put into schools in the previous academic year to keep schools safe. Further funding of €57.6 million has been paid by way of Covid-19 capitation to schools in September for the implementation of infection prevention and control measures for this term alone. This funding will cater for school costs related to hand hygiene measures, personal protective equipment, PPE, requirements, enhanced cleaning supports and supervision.

At primary level, additional management resources for principal release days were provided for principals and deputy principals. Teacher supply panels were also expanded to cover the majority of primary schools nationwide, and a recent review saw an additional 100 teaching posts added, resulting in approximately 480 teaching posts on these panels available to provide substitute cover in schools. At post-primary level, more than 1,000 teaching posts were provided to support social distancing within classrooms, to provide for enhanced supervision arrangements to manage and prevent congregation of large groups of students, and to ensure the careful movement in a socially distant manner to classes for specialist subjects where it is neither practical nor possible to remain in the classroom. This funding also included additional posts for guidance provision.

Managing ventilation is also an important part of the measures to keep our schools safe. Updated guidance for schools on practical steps for the deployment of good ventilation practices in schools was provided at the end of May following the work of an expert group that

carefully considered the role of ventilation in managing Covid-19. The Department's guidance is clear that where the recommended measures have been undertaken and poor ventilation continues to exist in a particular room, air cleaners may be considered as an additional measure in conjunction with the other methods of ventilation that are available.

**Deputy Rose Conway-Walsh:** We all want schools to be open and functioning well but we cannot pretend Covid-19 is not in our schools. Too often the Department seems to minimise these issues. According to a principal in Mayo, 15% of one school's students are at home with Covid-19. If education remaining open is as important as we say it is, surely we should be throwing the kitchen sink at it. While I acknowledge the ventilation measures the Minister has outlined, CO2 monitors alone are not enough to ensure schools remain open safely and functioning well. It is crunch time and I am urging the Minister to go back to her Department and seriously examine the role HEPA filters can play here. Sinn Féin wants HEPA filter systems in all classrooms and the Government needs to resource schools to put them in place. This would cost less than €30 million. The Department of Education needs to provide rapid access and must publish costings. We have known for a long time that ventilation is a crucial issue and the Minister needs to do everything she can to keep classrooms as safe as possible.

I also want to discuss antigen testing and the tracing regime that was announced last week.

**Deputy Norma Foley:** At the outset I want to be very clear that we have followed public health advice and guidance in our schools. It is the expert view of public health officials that our schools are places of low transmission, largely because of the very significant and substantial infection prevention and control measures that are in place in schools.

Specifically on the points made by the Deputy on CO2 monitors, these were suggested and are available in our schools. Equally, in terms of ventilation we have been very clear at every point that if there are issues with ventilation, they can and will be addressed. Public health officials have been very clear in telling us that natural ventilation is the most important type of ventilation, but where there are specific issues with a vent or a window or more substantial issues, we have a technical team available to schools. Schools can apply for emergency works funding, which they have done and they have been supported in doing so. All measures that are required in terms of ventilation are being put in place in schools, whatever those measures might be.

**Deputy Rose Conway-Walsh:** Principals are already at the end of their tether and now it seems responsibility for contact tracing will fall to them and to parents. I urge the Minister to ask the HSE to ensure public health teams have a significant role in contact tracing in our schools. We need school-specific contact tracing. Many school staff are concerned by the details of the antigen testing plan. They are rightly asking what protections, in the context of antigen testing, are in place for them. Given school staff are not part of classroom pods, is there is any possibility of staff receiving antigen tests? There are further concerns about delays between children being identified as pod close contacts and receiving antigen tests in the post. The advice is children should continue to go to school unless they have a positive antigen test. This means children who may have Covid-19 may continue to attend school for days while waiting for antigen tests in the post. What has the Minister done to ensure rapid access to antigen testing? Has she examined the possibility of tests being delivered directly to schools or collected from a HSE location?

**Deputy Norma Foley:** Again, to reiterate, at the risk of repeating myself, we follow best

practice public health advice in our schools. Indeed, that is what we have done in wider society also. The Deputy is aware it is the expert judgment of the Chief Medical Officer, CMO, that there is now a role for antigen testing in our schools and the HSE has been charged with the responsibility of rolling that out.

The Deputy will be aware that if a child tests positive, parents are being asked to inform the principal. In turn, the principal is being asked to inform the parents of the children in that child's pod, without giving away any personal details. If there are more than two outbreaks in a classroom within a seven-day period, apart from the original pod, antigen testing will be made available to the entire class. In that instance, accommodation will be made for staff members related to the pod or the class.

In terms of the mechanism of receiving tests in the post, the Deputy will be aware this is the current situation regarding wider society. There is no question of principals or anyone else in the school sector being asked to do contact tracing. Public health teams remain available to schools where the need arises.

### **Educational Reform**

57. **Deputy Richard Boyd Barrett** asked the Minister for Education if she will give a full report on the recent discussions her Department has been having on reform of the leaving certificate; the timeline for changes to same; and if she will make a statement on the matter. [57644/21]

**Deputy Richard Boyd Barrett:** It is our view the leaving certificate should go because it has outlived its usefulness. It is a gatekeeping and streaming exercise which perpetuates inequality and limits or streams access to third level education. The Minister might not agree with all of that but she has committed to some sort of review of the leaving certificate. I want to know the status of that review because, particularly after Covid, a root-and-branch review is long overdue.

**Deputy Norma Foley:** I appreciate the question and the sincerity with which it is put. The Deputy may be aware that, between 2016 and 2020, the National Council for Curriculum and Assessment, NCCA, undertook an extensive review of senior cycle programmes and vocational pathways. The NCCA's advisory report on the senior cycle has been submitted to my Department for consideration and will be published once that consideration is complete. I am aware of the desire in the education community and more generally for that to happen, but we must complete our consideration of the report. I am focusing on what the implementation of the report would involve and what we can do to best ensure the further evolution of the senior cycle.

As the consideration of the advisory report has continued, my officials have had contact with officials in the NCCA and the State Examinations Commission, SEC, to ensure there is a clarity of understanding on some matters identified in the report. I have had a considerable number of briefing sessions and meetings with relevant officials in my Department as our consideration of the NCCA advisory report has continued. In addition, I recently attended an NCCA meeting to thank the council and acknowledge its work in developing the advisory report. I also opened the recent Joint Managerial Body conference, the theme of which was A Senior Cycle for All.

In respect of the advisory report, the review considered a number of areas, including the

question of the overall purpose of senior cycle education, as the Deputy referenced, how to establish continuity and progression, and the pathways available to students. The review involved a broad range of research, consultations, and communications with a broad range of stakeholders, including very importantly, students themselves, on all aspects of review and redevelopment. The NCCA also commissioned external expertise, which is also important, to support the process, including the ESRI and the OECD.

**Deputy Richard Boyd Barrett:** A lecturer in UCD told me that much of the modern examination system originated with efforts to populate the civil service in British-controlled colonial China. I do not know if it is true, but it is a structure that is about enforcing certain norms and notions of hierarchy. That is still true of the leaving certificate. There are some dinosaurs in the North or in Britain who might hark back to the days of the 11 plus, when people's access to secondary education was streamed through exams. We now think that is horrible. The time has come for us to have the same attitude towards accessing third-level education. I do not see how the leaving certificate is anything other than a gatekeeping exercise, a streaming exercise and an unnecessary stress that does nothing to encourage education and has long outlived its usefulness.

**Deputy Norma Foley:** I appreciate the point the Deputy made. Covid has focused our lens even more closely on how the leaving certificate and senior cycle operates. To be fair, the entire review involves all of the senior cycle, and, therefore, includes the leaving certificate applied, the leaving certificate established and the leaving certificate vocational programme. We are also referring to the transition year programme as well. I agree that when we are looking at the senior cycle, we must look at it in its entirety.

I acknowledge that within the report there has been an opportunity to consider what we have currently and what works well, but also to go beyond that and to consider the key question, which is if there is a pathway for all within education where every child's needs are met within the education system and there is an opportunity for everybody to progress to whatever level or to take whatever pathway they might wish to follow.

I am especially pleased that the review has consulted widely and that students have been at the centre of it, and also that there is outside expertise. There is an urgency attached to moving ahead with senior cycle reform. I confirm that I am conscious of that and cognisant of it.

**Deputy Richard Boyd Barrett:** Could the Minister be more specific about when the report will be published and when this is going to happen? This cannot be long-fingered. As she said, Covid has highlighted the inadequacies that were there, but it has shone a sharp light on the problems and the unfairness of the leaving certificate. It is unfair to put large numbers of students through the incredible and unnecessary stress it imposes on them. That is damaging to the intellectual development and confidence of many students. Given that we recognise that it has gone past its state of usefulness, as long as it remains in use when it is outdated, it is damaging. There is a certain urgency in the root-and-branch review that is necessary to remove any barriers or hierarchies in terms of accessing the next level of education.

**Deputy Norma Foley:** I appreciate the points the Deputy has made and the urgency with which he views the question. The review was four years in the making and involves a considerable body of work. There was the widest consultation, rightly, with all the partners in education – parents, teachers, wider society, obviously students as well, and also the views and experiences of experts from other jurisdictions. Therefore, it demands a level of consideration that

is important. As I previously outlined to the Deputy, it has involved further engagement with the NCCA on points of clarification. It has also involved work with the secondary education committee, SEC. I appreciate the urgency attached to the review. I assure him that it will be published in the shortest timeframe. I am confident that it will set a pathway forward.

### School Staff

58. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education the steps she is taking to address the substitution crisis in schools. [57258/21]

**Deputy Rose Conway-Walsh:** The education system is at crisis point and many schools are struggling to stay afloat. School leaders are working up to midnight every night trying to source substitute teachers for their schools for the next day. Many of these positions remain unfilled and many classes end up with no teacher to take them. According to an INTO survey, nearly one third of substitution days were not covered. Does the Minister accept that there is a substitution crisis in schools?

Referring to my previous question, is she saying that we do not need school-specific contact tracing? Who will do the contact tracing if she says there is no way teachers or principals will have to do it?

**Deputy Norma Foley:** I am the first to acknowledge that these have been difficult and challenging times, not just currently but throughout the pandemic, for all school leaders and all school communities. There has been an extraordinary generosity by school leaders and school communities to do what needs to be done in the delivery of education and to pivot in other directions when it was not possible to maintain the delivery in the school setting and to provide remote teaching and learning.

I accept there are continuing challenges in the education sector. The Deputy referred in particular to substitution. I acknowledge that there has been extraordinary co-operation between the partners in education and others in finding a pathway forward. It is a considerable challenge, and it is more acute in some areas than others.

Significant measures have been put in place in recent weeks, and again this evening. Following positive engagement with the higher education institutions, HEIs, in recent weeks, including today, we are now in a position to say that there will be an opportunity for the HEIs to facilitate release of master's in primary education, and BEd years 3 and 4 students to support schools up to the end of term. The HEIs have also agreed to explore flexible options on the assessment requirements for programmes in the context of students being available to support schools also, which is an important consideration. Retired teachers returning to the classroom until the end of the current term will not have their pensions impacted. Qualified teachers on secondment to the Department's teacher education support services will now be released and made available to schools. The continuing professional development, CPD, programmes, which are being followed at primary school, where substitution is required will be deferred until the mid-term break in February. It is intended that the programmes will be rescheduled following the mid-term break.

There will also be additionality added to the supply panels. A total of 100 teachers were added in the past week or so and a further 200 will be added bringing us to 680 teachers avail-

able on a full-time basis. There are also other measures.

**Deputy Rose Conway-Walsh:** I welcome all of the measures. Some effort has been made to tackle substitution by deploying student teachers, albeit that we have been calling for this for some time. However, it is only part of the solution. Much more can be done, and every school must have access to a substitution panel. This is an emergency, and we need all hands on deck. Student teachers alone will not solve this crisis. Several hundred teachers are on secondment to other bodies. I would not usually advocate this, but given that we are in a state of emergency, surely it is time to identify some of these teachers and for them to return back to the classroom. Principals are under incredible pressure to find substitute cover. Sometimes they have no other option but to deploy a special education teacher to cover a mainstream class. This is not by choice but by necessity. Last year, schools were able to bank those special education hours to protect special education teaching time for children with additional needs. I cannot understand why this year, when the substitution crisis has deteriorated even further, that banking is no longer an option. This is one thing the Minister can do immediately.

**Deputy Norma Foley:** I want to be very clear. No single measure is sufficient of itself to meet the challenges that are particularly acute in some areas. I have referenced the fact that those who are on secondment, in particular those who are on secondment to the professional development service for teachers, PDST, will be released and made available.

*9 o'clock*

That is an important measure. It is important to say also that a number of measures have been announced in the last while and these are additional measures that are being announced today.

The Deputy referenced the substitution panel, which I also referenced. We now have full-time opportunities for teachers to make themselves available for emergency cover in schools. These panels have been expanded. Prior to this Government being formed, there were six of those panels in the country and there are now more than 400 of them, and we continue to keep that under review and to provide additionality, with more than 680 teachers being made available as well. There are also other measures in terms of teachers on supply panels completing Droichead in order to assist with the recruitment of teachers and, in the context of the pandemic, the Teaching Council has confirmed that teachers who secure posts on supply panels will also be eligible to complete Droichead.

**Deputy Rose Conway-Walsh:** The Minister needs to safeguard special educational teaching. Will the Minister reverse the decision to remove banked special education hours - "Yes" or "No"? I go back to my previous question. Does the Minister think there is no need for school-specific contact tracing? What happens with the time delay in having antigen tests delivered to schools? Teachers and parents need more clarity around that.

**Deputy Norma Foley:** To clarify with regard to substitution, a whole myriad of measures are being made available to schools, not one single measure. In terms of special education specifically, it is very important that children who need to avail of particular supports because they have particular special educational challenges should receive that support at the time they are scheduled to receive it. I do not think it is helpful to pit one group of students against another. It is important that, as the need arises and as the students are timetabled for special educational support, they should receive it at that time.

On contact tracing, I want to be very clear. The Deputy referred to public health, which continues to be available to schools currently and in the future in terms of any particular issues that might arise in schools. I have outlined previously what the new mechanisms will be, bearing in mind that this is the expert recommendation of the CMO and of public health, which have supported the running of our schools right from the very beginning and the onset of this pandemic.

### **Covid-19 Tests**

59. **Deputy Matt Shanahan** asked the Minister for Education if clarity will be provided in relation to antigen testing in schools and the way it is to be implemented within the school setting; if antigen testing will be used within both primary and secondary settings; the current protocol for same; and if she will make a statement on the matter. [57036/21]

**Deputy Matt Shanahan:** I thank the Minister for coming in and for the continuing support she offers to my office. My question is in regard to whether greater clarity will be provided in regard to antigen testing in schools, the way it is to be implemented within the school setting, if it will be used within both primary and secondary school settings and what protocol will be operated for same.

**Deputy Norma Foley:** I appreciate the question. The approach to supporting schools to operate safely during Covid-19 has been to follow and implement public health advice. A range of measures have been implemented across schools, including social distancing, enhanced cleaning and, as the Deputy will be aware, mask wearing in some settings for students and in all settings for staff.

As of 27 September 2021, following a recommendation from NPHET, a decision was taken to cease routine contact tracing of asymptomatic close contacts in children older than three months to under 13 years outside the household setting, including those attending primary educational and childcare settings. Contact tracing continues for those over 13 years, including those attending post-primary schools.

Schools are still required to undertake the two most important actions to prevent the introduction and spread of Covid-19 and other respiratory viruses by ensuring no one with new acute symptoms attends class and that all recommended infection prevention and control measures are in place in line with school Covid response plans.

The Department of Health and the HSE, working in collaboration with the Department of Education, announced last week a programme in which antigen tests will be made available to children in primary schools when a case of Covid-19 arises. Parents and guardians of a primary school child who is a confirmed case of Covid-19 following a PCR test are asked to inform their school principal. The school principal will then inform the parents of other children in the pod of a confirmed case. Where there are two cases in a class in more than one pod in a seven-day period, antigen tests will be offered to every child in the class. Of course, no personal details of the child will be shared. These parents will be provided with the option to receive free antigen tests for their child, which they will be able to order for delivery to their home.

It is important that parents inform principals quickly if a child receives a PCR “detected” test for Covid-19. By doing this, the choice to participate in antigen testing can be offered to other parents quickly. It is important that everyone continues to follow all the public health

advice in using this new programme. It is not mandatory for children to participate in antigen testing. Children who are in a pod where a child has tested positive for Covid-19 can continue to attend school whether they participate in antigen testing or not.

**Deputy Matt Shanahan:** The Minister might not be aware but I actually brought antigen testing to NPHE in April or May 2020 and I am somebody who has been promoting this technology for quite a while. The antigen test for infectiousness is very important and we are probably being too slow about rolling it out given the way we are proposing to roll it out. I accept it has limitations in terms of its effectiveness, whether it is in a managed setting or in a less formal setting. However, as I said in the House recently, I have a sister-in-law who works as a school secretary in the UK, where that school is managing antigen testing for all of the school's 900 pupils and doing it very successfully, with two antigen tests for all school pupils every week. This is something we should be looking at. The problem here is that the horse will have bolted while we are trying to close the stable door in many cases, given what we are proposing. For that reason, although maybe it is difficult considering the Minister is referencing health advice, I suggest that what we are proposing is not significant enough and not often enough.

**Deputy Norma Foley:** I thank the Deputy. Again, I appreciate the very positive approach he takes and the generosity with which he shares his experience. In terms of our schools as they exist, comparable to other schools, there are very significant infection prevention and control measures in our schools, and I would venture to say they are not comparable to the lack of them in other jurisdictions.

On antigen testing, the Deputy will appreciate there have been very differing views on antigen tests, their utility and their effectiveness, and all of that. As new evidence becomes available, as we have found throughout Covid, the implementation of measures and the recommendations are altered. We now have the expert view of the CMO who, having reviewed the evidence, believes there is a role for antigen testing in our schools, but he is very clear to say it is merely an additional tool and it will be seen and implemented in that respect. All of the other infection prevention and control measures will continue in schools to support the operation of our schools.

**Deputy Matt Shanahan:** I thank the Minister. I accept that response as the Minister has given it but, as I said, I do not think we are doing enough. I heard the CMO on radio the other morning and, basically, he was not gushing in his praise for what antigen testing can do. I think that is a mistake.

The other thing I would point out to the Minister is that there is a significant cost differential between PCR testing and antigen testing, probably at a rate of 10:1. Therefore, it suggests we could be doing a lot of antigen testing for the large amount of money that we are spending.

I want to offer the Minister one other piece of advice for teachers, if I may. There is now a lot of evidence that supports the supplementation of vitamin D. Despite the fact that, again, NPHE and the CMO will not endorse this, I can tell the Minister most medics in the country are supplementing vitamin D. I would ask that this message goes out to teachers at the moment. We live in a northern latitude country. We are not making enough vitamin D and there is a significant correlation between adverse Covid and low levels of vitamin D. Perhaps that is something the Minister might like to put out as a public health message at some point.

**Deputy Norma Foley:** I thank the Deputy. In terms of antigen testing, obviously, it is a

public health measure and it is being led by the HSE, but there is a significant body of work under way whereby guidelines will now be made available to school principals, school staff and parents, and that will all be communicated in advance of Monday, 29 November.

How correctly to utilise and use antigen testing will also form part of that communication, which is very important. Particular significance has been given to that by all of the public health officials so that we would know exactly how best to use and utilise them within the schools.

I want to be clear that, as I said previously, all of the measures that are recommended to us by public health have been made available to our schools and we have resourced them. This is an additional tool. We will continue to listen and to work with public health and any further recommendations or requirements that are necessary, we will also implement.

### **Defective Building Materials**

60. **Deputy Thomas Pringle** asked the Minister for Education her views in relation to the submission from the Donegal Education and Training Board, ETB, for additional supports to assist students affected by the mica issue; if her attention has been drawn to the unique challenges to the mental health and well-being of the student cohort in County Donegal; and if she will make a statement on the matter. [57562/21]

**Deputy Thomas Pringle:** This question is on a specific submission that was made by Donegal ETB to the Department to try to address a unique set of circumstances around children living in mica-affected homes in Donegal and the needs identified by their schools. There is no doubt that these children are living under severe pressure. Their homes are at risk of collapsing, they are going into schools and the schools need to be able to deal with that and respond to the needs of those people.

**Deputy Norma Foley:** I appreciate the Deputy raising this issue and the Minister for Agriculture, Food and the Marine, Deputy McConalogue, has raised it with me on an ongoing basis as well. I recognise the considerable challenge experienced by all of those impacted by mica. I have met families and representative groups to discuss the issue and I want to confirm that my colleague, the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, is engaging extensively with homeowners, as the Deputy will be aware, to develop an appropriate redress package for all those affected.

I am conscious of the submission from Donegal ETB seeking supports to assist those affected. My Department has a comprehensive range of supports in place to support the well-being and mental health of all students. These supports should be prioritised and utilised by the ETB to help address any mental health and well-being needs of those students who are affected by this issue. These supports include casework by psychologists from my Department's National Educational Psychological Service, NEPS. Psychologists also work with school staff to build their capability to support the well-being and academic, social and emotional development of all pupils. Resources and guidance on managing stress, anxiety and panic attacks and on self-regulation are also available. NEPS has developed a range of workshops to build the capability of school staff in the promotion of well-being and resilience in schools, which include upskilling school staff on the use and implementation of therapeutically informed approaches in schools.

The Department of Health has responsibility for the provision of counselling services,

and through HSE primary care psychology and child and adolescent mental health services, CAMHS, provides clinical support to children and young people with mental health requirements. My Department will continue to signpost schools and students to the HSE-funded mental health services. Significant additional resources have been made available to schools this year under the Covid learning and support scheme, CLASS, which has provided additional teaching hours to schools to support academic teaching and learning as well as holistic development and well-being. Overall, 3,930 hours have been allocated to Donegal ETB for the 2021 and 2022 school year in the CLASS.

**Deputy Thomas Pringle:** The Minister gave a comprehensive outline of the measures that are in place in schools to deal with the existing mental health problems and difficulties they have and that exist in every school all over the country. We are talking about a serious crisis that is happening in part of Donegal. The ETB's submission to the Department recognises that it is only in that specific part of the county that these resources are needed. Additional resources are needed as this is an additional crisis and the Minister has to recognise that. She said that the Minister for Agriculture, Food and the Marine, Deputy McConalogue, has been raising this with her as well but sadly it seems it has been falling on deaf ears within the Department. That is the reality of the situation. The Minister says that her Department "has a comprehensive range of supports in place to support the well-being and mental health of all students". That is the existing programme but this goes over and above that. The Minister has to recognise that and the Department should recognise that.

**Deputy Norma Foley:** I want to make it clear that I do not for one minute underestimate the personal difficulties of any family, individual, young person or child experiencing mica defects in their homes. As I have outlined, there are specific and strong supports available within our school system. Equally, additional measures have been put in place this year. For example, for the first time almost 4,000 hours are going to Donegal ETB under the CLASS, which is for academic and holistic supports that students would require at this time, even apart from mica. However, I am happy to say that I will be cognisant of the points the Deputy and the Minister for Agriculture, Food and the Marine, Deputy McConalogue, have raised with me. I will be happy for my officials in the Department to meet Donegal ETB to see what scope or opportunity there might be to address some of the points it wishes to raise.

**Deputy Thomas Pringle:** That is the most relevant thing the Minister has said tonight. It is vitally important that officials from the Department would meet Donegal ETB to discuss this issue with it. Donegal ETB even made a specific point in its briefing to Deputies outlining what it is doing and on what it made a submission to the Department of Education. That is how worried it is about the matter. Everything the Minister has outlined is welcome. She mentioned hours being allocated to Donegal ETB under the CLASS but that has been rolled out nationally and it is dealing with existing issues. These issues go over and above that. They are issues that cause schools and parents to be extremely worried about the impact this is having on young people across the board. I urge the Minister to ensure that this meeting would take place quickly and I urge the Minister to come back to the House and let us know what happens in that meeting. That is vitally important.

**Deputy Norma Foley:** I do not in any way take from the seriousness of the situation. There has been a request for counselling services and that is a matter for the Department of Health. It has responsibility for the provision of counselling services, and through the HSE it provides primary care psychology and CAMHS services to children and young people with mental health needs. On the additional supports that might help, I am open to officials in my Department

meeting Donegal ETB, recognising that there is a body of measures in place. I am open and willing to have my officials meet Donegal ETB to specifically hear from it about the measures it wishes to bring to the attention of the Department.

## **Ceisteanna Eile - Other Questions**

### **State Examinations**

61. **Deputy Kieran O'Donnell** asked the Minister for Education her priorities for the reform of the leaving certificate; and if she will make a statement on the matter. [57336/21]

66. **Deputy Alan Farrell** asked the Minister for Education her priorities with regard to the reform of the leaving certificate; and if she will make a statement on the matter. [57129/21]

**Deputy Kieran O'Donnell:** I want to raise the issue of the leaving certificate and of having certainty about what the leaving certificate will be about going forward. I note that the Minister has received the advisory report from the National Council for Curriculum and Assessment, NCCA. When does she expect to make a decision on it? We saw that the hybrid model worked in the last academic year but it had the consequence of points going up. When will we have certainty around this area? Students need to know from first year on what they will be facing.

**Deputy Norma Foley:** As the Deputy may be aware, the NCCA carried out a review of the senior cycle between 2016 and 2020, leading to the advisory report the Deputy has referenced. The review covered a number of areas, including the question of the overall identity and purposes of senior cycle education; how to establish continuity and progression with the new junior cycle; and the range of learning programmes and pathways available to students at senior cycle. In addition to this, the review considers: how best to improve flexibility and choice for students; the alignment of key skills with the needs of students; and the appropriate arrangements for assessment and certification in senior cycle.

The NCCA review involved a broad range of research, consultations and communications with a wide variety of stakeholders, including students, on all aspects of review and redevelopment over a number of phases over the period of the review. In particular, the second phase, which took place over 2018 and 2019, involved a school review and national seminar series. Teachers, students and parents in a representative cross-section of schools nationwide took part in a review of the existing senior cycle. Review feedback was then analysed and emerging themes and areas for further exploration were identified. The third phase of the review also invited individuals and organisations, including students and student representative organisations, to participate in a public consultation process, leading to the publication of a public consultation report in December 2019. This consultation included 4,300 responses to an online consultation survey, as well as focus groups, meetings and the receipt by the NCCA of written submissions. The NCCA also commissioned external expertise to support the process, including the ESRI and the OECD.

As I have mentioned, the NCCA submitted its advisory report to my Department. My officials and I have been considering the report carefully, with a view to delivering a senior cycle programme that meets the needs of the students of today and the future.

While I do not wish to pre-empt the conclusion of that consideration process this evening, my priority in considering the report is to deliver a senior cycle for all guided by the goals set out in the programme for Government which place the needs, experience and success of learners, educators and the community at the heart of the approach.

**Deputy Kieran O'Donnell:** Does the Minister believe that the hybrid model for the leaving certificate in June of 2021, which involved calculated grades along with students being able to sit the examination, was a success and does she believe that is the type of future model that will be laid out when she issues her direction in respect of the advisory report she has received?

When does the Minister expect to come to a conclusion on it? At this point, students of all age groups in secondary school, and more particularly, their parents, need certainty.

**Deputy Richard Bruton:** I am taking Deputy Alan Farrell's question.

The question I would like to ask the Minister is just how radical she is willing to be in this area. The reality is that memory retention, which is at the heart of the leaving certificate, is distorting teaching and learning. The OECD has reported it is creating a second-rate qualification for our students.

We are more than five years on from the start of this reform process and it sounds like it is being pushed further down the road. This is urgent. We need to have equity of respect for different pathways and the present leaving certificate simply does not offer that.

**Deputy Norma Foley:** In the first instance, as I referenced earlier, the senior cycle review is just that. It reviews all of senior cycle. That is important because it includes leaving certificate established or, as we would call it, leaving certificate; the transition year programme; leaving certificate applied; and leaving certificate vocational programme, LCVP. It is very much a holistic look at all that is on offer currently at senior cycle. It proposes to address the key questions of the overall identity and purpose of senior cycle, how to establish continuity and progression with the existing junior cycle and the range of learning programmes and pathways available to students at senior cycle.

The review has taken more than four years to complete. As the Deputies will appreciate, as a consequence there is a substantial body of work in it. Therefore, it demands substantial consideration on my part. I previously referenced clarification, whether it is with the State Examinations Commission, SEC, or whatever the case might be. It is my intention in the shortest timeframe possible to publish the report.

**Deputy Kieran O'Donnell:** As a parent, and having put four through the leaving certificate in recent years, it is a hugely significant examination for students.

In the past year, there was the hybrid model. While people may accept the point about memory retention, I believe there is scope for both. People have to be able to perform in an examination but, equally, they must be judged on their continuous assessment. Does the Minister consider the most recent leaving certificate, that hybrid model, a success and is it something that will feed into the process outside of everything else?

It is a significant examination. For someone at 17, 18 or 19 years of age, one has to ask if it is catering for all skills. At the same time, it is an equitable examination that the public have faith in. I like the fact of people going to an examination and putting their number at the top

of the page. It does not signify who they are. I like that aspect of it and it is something that I value. We should not lose that.

**Deputy Richard Bruton:** I have two short supplementaries. Could I have the assurance of the Minister that it will not take another five years to implement the changes when they do come out because that would be bitterly disappointing for people who want to see change? Does the Minister agree that the ceiling did not fall in when teachers undertook to assess their own students and that we need to be courageous in advocating and implementing change that allows modern learning and teaching to happen in our schools?

**Deputy Norma Foley:** It is important to point out that all learnings from Covid are important, not only within the education sector but in all of society. Specifically, in relation to the questions the Deputies raise here in terms of senior cycle, all of what we have learned through Covid is an important consideration. All of what we have learned and experienced prior to Covid also will inform this report.

Deputy O'Donnell quite correctly referred to leaving certificate, as we are focused on leaving certificate, as being a very significant examination. It is a very significant examination and it holds a considerable status within this country. Equally, wider society is clearly of a view - I am absolutely committed to this - that there is a need now to do a complete review of the leaving certificate in its entirety.

The Deputies referenced methods and means pertaining to assessment and certification. I absolutely acknowledge that. I also acknowledge that we need to be innovative in our thinking in terms of the pathways we offer people and that there should be every possible opportunity for students to progress from junior cycle straight into senior cycle and then onwards to whatever pathway that they might wish to pursue.

I want to be clear to the Deputies that I am entirely committed to the senior cycle review providing opportunities in terms of senior cycle education for all where every young person's ability and every young person's potential and capability is maximised, and that is the objective here. As I have said, I am committed to that and delivering on that.

*Questions Nos. 62 and 63 replied to with Written Answers.*

### **School Enrolments**

64. **Deputy Mark Ward** asked the Minister for Education if she will report on plans to increase secondary school places in an area (details supplied) to meet the demand of the growing population; and if she will make a statement on the matter. [57022/21]

**Deputy Mark Ward:** My constituency of Dublin Mid-West has an area of huge population growth. Can the Minister report on any plans to increase secondary school places in Clondalkin, Lucan, Rathcoole, Newcastle, Palmerstown, Saggart and Brittas to meet the demand of this growing population?

**Deputy Norma Foley:** I thank Deputy Ward for his question. I wish to advise the Deputy that the Department is aware of increasing local pressures and demand for additional post-primary school places in a number of school planning areas, including the mid-west Dublin area.

However, it is important to note that where enrolment pressures arise, it may not be as a result of lack of accommodation but may be driven by a number of different factors, as the Deputy will be aware. In some instances, it could be duplication of applications where pupils may apply for a place to a number of schools in the area; pupils cannot get a place in their preferred school or school of choice while there are places in other schools in the area; some towns or areas have single sex schools and while places are available in the school, they are not available to all pupils; and there is the external draw, with pupils coming from outside the local area. I reference these as sometimes causing specific issues.

The Department is working to establish the true extent of any capacity issues through ongoing discussions with the relevant school authorities. In that context, similar to the process adopted in advance of the current academic year, my Department is engaging with patron bodies, including those of schools in Dublin Mid-West, to identify particular capacity requirements for the forthcoming years which may necessitate further action to that already in train.

Under Project Ireland 2040, the Department continues to make progress to increase the infrastructural capacity in the schools sector, in order to meet demographic and other demands. It is expected that the enrolment pressures in this area and others will reduce in the short term as such planned additional capacity comes on stream and as demographic demand moves past its peak.

The capital programme details the school projects that are being progressed under Project Ireland 2040. The current status of large-scale projects being delivered under Project Ireland 2040, including projects in the school planning areas in question, may be viewed on my Department's website. In addition, a list of large-scale projects completed from 2010 to date may also be viewed on the website.

The capital programme also provides for devolved funding for additional classrooms, including accommodation for pupils with special educational needs, if required; and for schools where an additional enrolment need has been identified or where an additional teacher has been appointed. Details of schools listed on this programme can be found on the website.

**Deputy Mark Ward:** Duplication of applications is a symptom of the problem. Parents in my constituency are finding it increasingly difficult to find a secondary school for their children. Dublin Mid-West is facing significant population growth. There are areas in the constituency that have seen major development in recent times. For instance, Adamstown and the Adamstown extension have seen an increase not only in their general population but also especially in their youth population. The areas known locally as "the four districts", namely, Rathcoole, Newcastle, Saggart and Brittas, are some of the fastest-growing areas not only in the constituency but also in the State. Clanburris will bring an additional 8,500 homes to our area. Parents usually contact me in the summer looking for assistance to find their children secondary school places, but they are already contacting me now. It is not even Christmas.

Are there any new plans to increase capacity of existing schools in the area?

**Deputy Norma Foley:** I mentioned some of those points because they can cause specific issues at different times. Under Project 2040, €8.9 billion will be invested by the Department of Education in the school building programme. On additional school accommodation being made available in Dublin mid-west, it is intended that the following building projects will provide additional capacity in these areas: at St. Joseph's College there is a project for extension,

refurbishment to cater for a long-term projected enrolment of 1,000 pupils. It is at stage 3 now. The project at Lucan Community College is for extension refurbishment to cater for a long-term projection of enrolment of 1,000 pupils and two SEN-based classrooms. It is at stage 2B. There is a project for a new school building at Griffeen Community College to provide a long-term projected enrolment of 1,000 pupils and four SEN-based classrooms. There will also be projects at Holy Family Community School and in City West and Saggart, Collaiste Pobal Fóla.

**Deputy Mark Ward:** We welcome the initial capacity building because it is really needed. A school that the Minister did not mention - I had hoped she would - is St. Kevin's Community College on the Fonthill Road. For the purposes of disclosure, that is my old school. When we first moved to the area, there was no secondary school. We had to be bused up to Lucan to a building that was not fit for purpose. It had mould and damp. Parents and pupils got into activism. They went out to the media to campaign for a new school. There are concerns in the area that the school has had to fight for everything it has. It is a really good school. There are plans to increase its capacity from 300 pupils to 1,000, as far as I know. We are asking that does not happen on an *ad hoc* basis, where modular buildings are dropped in here and there but that there is a comprehensive plan for the school so that the students can get the best education possible and the teacher can have the best facilities possible to deliver that.

**Deputy Norma Foley:** There are further large-scale projects which will also provide additional school accommodation in the Dublin mid-west area, including at Moyle Park College, Clondalkin, Collinstown Park Community College, Coláiste Cois Life and the school in which, I appreciate, the Deputy has a particular interest, namely, St. Kevin's Community College. St. Kevin's was provided with additional general classroom, specialist subject and ancillary accommodation under the Department's 2021 modular framework to meet additional needs in the current academic year.

All the issues raised by the Deputy in respect of Dublin mid-west are kept consistently under review. Where further resources are needed, we will not be found wanting.

### Special Educational Needs

65. **Deputy Pauline Tully** asked the Minister for Education the reason a response was never received to an expression of interest made in March 2020 by a school (details supplied) to assist with planning in respect of the requirement for special class provision; and if she will make a statement on the matter. [57284/21]

**Deputy Pauline Tully:** Milltown National School in Belturbet, County Cavan expressed an interest in having an ASD unit in the school but has not received a reply. What is the status of this request?

**Minister of State at the Department of Education (Deputy Josepha Madigan):** I understand that the National Council for Special Education, NCSE, has contacted the school on the request. It is a matter I take seriously as Minister of State with responsibility for special education. It is important to look at the growth in special classes. In 2011 there were 508 special classes and now there are 2,118, an increase of 386%. This year alone, we opened 269 special classes and will open 287 next year, with 1,700 special class places. That is the context. There has been rapid growth in special classes but that is not to say that we do not need more. The NCSE looks at current and projected demand and current and projected accommodation when

it considers whether to open a special class.

I understand that the school has not yet made an application to the Department for special class accommodation but has applied for a special class. I am informed that there is already sufficient special classes in that school planning area, as there are three special classes in the Beltubert special planning area. That could change. If there is a review with new information and additional resources are required, the NCSE will consider that seriously. I commend Milltown for looking into opening a special class voluntarily. Not every school is as forthcoming. I appreciate it and it is something that we will consider.

**Deputy Pauline Tully:** It was a parent who contacted me about this matter. She is anxious that all her children attend the same school. One of them is on the autism spectrum. From her conversations with the principal in Milltown, she knew the school was interested and had made an expression of interest in having an ASD unit but that it had not heard back. On foot of her query, I submitted a parliamentary question and the response was that there had been no application. That is why the principal was taken aback - there had been no interaction after he had expressed an interest.

This week, the special educational needs organiser, SENO, was in contact to say that they would consider taking it further because there may be a need for more places in that area, and the school is delighted to hear that. The school has been sanctioned for additional classrooms. It is a growing school and it has additional teachers-----

**An Leas-Cheann Comhairle:** I am sorry, the Deputy will have another chance to come back in a moment.

**Deputy Josepha Madigan:** I understand that it was recently approved for additional mainstream accommodation and resource teaching. The NCSE is engaging with the school. We are putting about 360 additional special education teachers and 620 SNAs to all the special classes. The NCSE says there are sufficient places within existing special classes now but that is subject to change. The ongoing engagement between the NCSE through its SENOs with the school will be pertinent.

**Deputy Pauline Tully:** As the Minister of State indicated, not all schools are volunteering to have ASD units put in place. The numbers of people being assessed as having autism are increasing. Not all will need to be in an ASD unit or special class. Many are in mainstream schools and classes and are thriving. Schools might need more information. The principal had asked if additional finances would be provided for the ASD unit. If the unit was sanctioned and came on stream, would temporary accommodation be provided, for example, if it came on stream for next year, if there was demand in the area? The school is using the school hall as a classroom now. The principal had hoped that they would use that as the unit but now they need a lot more space as their numbers have increased.

It is good to see schools volunteering. There are many schools that do not want to have a unit and students have to be bused out of their areas.

**Deputy Josepha Madigan:** I commend the school on taking the initiative to contact the NCSE in the first instance. If the NCSE agrees in future to open a special class, if there is demand, it and the Department give funding either to reconfigure accommodation or to provide new accommodation. It is also important to stress that when a school is opening a special class, there are additional grants. There is a start-up grant of about €6,500, there is an ICT grant that

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I think is €6,700, and there are a number of other grants as well. We are always encouraging schools to open special classes. All new schools from this year will automatically provide SEN facilities, so we will not be having a conversation like this in years to come. It will be automatically worked out. A better forecasting model is now in place so we can see where the future demographic growth will be and where that demand will arise in future.

*Question No. 66 answered with Question No. 61.*

### **School Facilities**

**67. Deputy Donnchadh Ó Laoghaire** asked the Minister for Education the steps she is taking to ensure all schools have access to appropriate physical education and school hall facilities. [57261/21]

**Deputy Rose Conway-Walsh:** The Covid-19 pandemic has shown us the importance of having adequate facilities, crucially space, in our schools. In September 2018 a significant monetary commitment was made to ensure all secondary schools would have access to physical education, PE, facilities. This was reiterated in the national development plan last month. However, schools are not seeing any changes, with some waiting years for crucial school hall facilities. When will these be delivered?

**Deputy Norma Foley:** I wish to confirm to the Deputy that the majority of schools have a general purpose room or physical education hall and practically all schools have outdoor play areas. In addition, many schools use adjacent local facilities, including community halls, public parks, playing fields and swimming pools.

Investment and expenditure on PE halls is an element of the overall expenditure and investment in the school building programme. The provision of PE halls and outdoor hard play areas such as basketball courts form part of the accommodation brief for all new school buildings or where a major building or refurbishment project is being delivered for an existing school. The Department provides general purpose rooms and PE halls with the construction of all new primary and post-primary schools, respectively. These facilities may also be provided where a major building or refurbishment project is being delivered for an existing school. In addition, the Department's design guidelines for all new schools provide for outdoor multi-use games areas, in other words, hard play areas, and the level of play space provided varies with the size of the school. For example, a new 24-classroom primary school with special educational needs classes is provided with three ball courts, two junior play areas as well as a secure hard and soft play area and a 100 sq. m sensory garden. In respect of new post-primary schools, a new 1,000 pupil post-primary school is provided with six ball courts and a 200 sq. m secure hard and soft special education play area.

The main focus of resources over the past decade and, as the Deputy will appreciate, for the coming period is on the provision of additional capacity to cater for increasing demographics, particularly at post-primary level and for special educational needs provision. The Deputy will appreciate the immediate priority of the Department is providing new and replacement school places each year to ensure every child has a school place. However, the second half of the national development plan period will see an increasing focus on the upgrade and refurbishment of the existing school stock. This will include a PE hall build and modernisation programme to ensure students in all post-primary schools have access to appropriate facilities to support

PE provision. The ancillary accommodation needs of primary schools, such as general purpose rooms, will also be considered. Details of large-scale projects being delivered under the school building programme may be viewed on the Department's website. In addition, a list of large-scale projects completed from 2010 to date may also be viewed on the website.

**Deputy Rose Conway-Walsh:** I thank the Minister but many schools throughout the country have no access to school hall facilities at all. Many talented students want to study leaving certificate PE but cannot access it as their school does not have the facilities. This is not good enough. It creates a real inequality. What will the Minister do to ensure all students who wish to study PE at leaving certificate level will have the same opportunity to do so and that their school will be provided with the resources to facilitate this? It is my understanding the Department is currently only focusing, as the Minister said, on school halls for new builds or where schools are undergoing significant renovation. This means schools operating in older and existing buildings are losing out. Is it the case the Department is not allowing applications for hall facilities for existing school buildings? Will the Minister reverse this policy decision to allow all schools have access to adequate PE facilities as committed to under the national development plan?

**Deputy Norma Foley:** As I have previously outlined, the Department has a significant pipeline of projects to be delivered over the coming years to meet capacity need managed under the large-scale capital programme and the additional school accommodation scheme. This involves in excess of 1,200 school building projects across various stages of planning, design, tender and construction. The current delivery status of these projects is listed county by county basis on the website, as I have said to the Deputy. There are currently 377 schools, or 338 projects, listed on the large-scale capital programme, which would be expected to provide new PE halls at post-primary level where none already exist, or general purpose halls at primary level where none exist. Under Project Ireland 2040, the education sector will receive a total of approximately €4.4 billion in capital investment over the period of 2021 to 2025.

The Deputy is correct the focus at present is on new builds and where there is a significant refurbishment of a school but equally I appreciate the importance of this area of provision. It is part of our plan going forward.

**Deputy Rose Conway-Walsh:** The challenge is that schools are obviously operating in real time. We must allow enough flexibility for the older schools to be able to have these facilities as well. Otherwise we are creating a real inequality. We must work in real time and in the here and now, in the same way as we do in terms of ventilation, having clean air in schools and all of those things. The problem in general with the approach of the Minister and the Department is that everything will be okay in time to come. However, teachers are at the coalface and have to meet the challenges here and now. They have to ensure there is equality within their own schools and between schools as well to meet the real needs of the students who are there currently.

**Deputy Norma Foley:** I want to be very clear to the Deputy there is an absolute commitment from the Department to provide all the necessary provision and opportunities necessary within the education sector. It is true to say we have presided over the single greatest investment in education in the most recent budget. Equally, there is a breadth of vision for education with respect to the provision of new builds, senior cycle reform as discussed earlier and the provision for special educational needs referred to by the Minister of State, Deputy Madigan. There is an enormous breadth of vision for education and indeed enormous investment in edu-

cation by the present Government. Specifically with new building and the refurbishment of existing buildings, there is a particular concentration at present on the provision of places for all students, but an equal emphasis is being placed on the provision of appropriate facilities and resources for students also.

### **Disadvantaged Status**

68. **Deputy Jennifer Murnane O'Connor** asked the Minister for Education the status of plans to include a school (details supplied) under the Delivering Equality of Opportunity in Schools, DEIS, programme; and if she will make a statement on the matter. [57292/21]

**Deputy Jennifer Murnane O'Connor:** I appreciate being given the time to raise this very important issue. I am hopeful of an update on plans to include schools in my constituency, namely, Scoil Mhuire gan Smál in Carlow and Scoil Mhuire Lourdes in Tullow in the DEIS programme. Schools that fall outside the DEIS support system are struggling. The sooner schools that qualify for DEIS are identified, the sooner these funding structures can be put in place.

**Deputy Norma Foley:** I thank the Deputy. I appreciate her taking the time to raise the question. Budget 2022, as the Deputy is aware, has provided for an allocation of €18 million for 2022 and €32 million for 2023 to extend the DEIS programme to further schools with the highest levels of disadvantage. This represents an increase of over 20% in funding for the DEIS programme and will enable an expansion in 2022 of the programme to further schools.

This year the Department will spend in the region of €150 million on providing supports for schools in the DEIS programme. The programme supports 884 schools and more than 180,000 learners. The Department's investment includes providing for in excess of 400 home school community liaison co-ordinators, in the region of €16 million in DEIS grants, additional posts for DEIS band 1 primary schools, curriculum supports, enhanced book grants, and access to the school completion programme. This year's package follows an extensive body of work that has been undertaken by the DEIS technical group on the development of a model to identify the concentrated levels of disadvantage of schools. This work involved an initial process of consultation between the Department and the education partners on the technical aspects of the model. The purpose of the consultation is to ensure that, as far as possible, the refined DEIS identification model can provide an objective and independent means of identifying schools serving high concentrations of pupils at risk of educational disadvantage and to ensure there is a full understanding of the refined model and its potential application.

Under DEIS plan 2017, the DEIS identification process is based on an objective statistics-based model to determine which schools merit inclusion in the programme. An extensive body of work has been undertaken by the DEIS technical group on developing the defined model. The key data sources used in the DEIS identification process are the Department of Education primary online database, the post-primary online databases and Central Statistics Office, CSO, data from the national census of population as represented in the Pobal HP deprivation index for small areas, which is a method of measuring the relative affluence or disadvantage of a particular geographical area.

**Deputy Jennifer Murnane O'Connor:** I am aware of the DEIS review that is being undertaken, but I want Carlow and Tullow to be included in it. The problem is that families are moving from schools which do not have the programme, which includes hot meals, to schools

that have it. That is a major issue. Scoil Mhuire Lourdes is in Tullow, but there are no DEIS schools there, while Scoil Mhuire gan Smál, the school I attended in my home town, has been looking for DEIS status for years. It is becoming a major issue because school completion programmes and hot meals are only allocated to DEIS schools. Schools on the cusp of being identified as DEIS must fight locally to access anything like that support. DEIS is delivering results. Data indicates that schools that are introduced into the DEIS programme continue to improve over time. The issue is the timescale for DEIS schools. I have contacted the Minister, and she has always come back to me, about these two particular schools that are struggling and urgently in need of DEIS status.

**Minister for Education Deputy Norma Foley:** I acknowledge that the Deputy is particularly invested in this issue. I would venture to say that the vast majority of Deputies are also invested in it, but she has been a particularly strong advocate for the schools she referenced and for the roll-out, enhancement and extension of the DEIS programme. She does not need to tell me - I am well aware of the importance of the DEIS programme. It is for that reason I am particularly pleased that during budget discussion and engagement I secured an additional allocation for the programme of €18 million for 2022, rising to €32 million in 2023, which will allow an extension of the programme as we go forward.

It is important to note that schools are not required to apply for inclusion in the DEIS programme and that all schools will be considered under the refined model. It is also important to note that educational outcomes do not play any part in identification of schools for inclusion in the DEIS programme, either at primary or post-primary level.

**Deputy Jennifer Murnane O'Connor:** I welcome the fact that the Minister secured the extra funding. From talking to different principals, especially in the two schools I mentioned, Scoil Mhuire gan Smál in Carlow and Scoil Mhuire Lourdes in Tullow, I am aware that our towns and villages are changing. The review process needs to be furnished urgently so that children do not fall through the cracks in their academic year, especially now, as the Minister knows, when we have public health guidelines and everybody is trying to social distance and mind themselves.

The Oireachtas children's committee discussed child poverty today. One of the issues that came out of that was the school meals programme and how important it is to schools and to the children that benefit from it. I know this is in the remit of the Minister for Social Protection, Deputy Humphreys, but I believe she and the Minister should work together on it. We need to look at school meals programmes in schools, especially for schools that keep applying for DEIS status and just have not got it. I welcome the review that is going on. I ask the Minister that Scoil Mhuire gan Smál in Carlow and Scoil Mhuire Lourdes in Tullow get DEIS status.

**Minister for Education Deputy Norma Foley:** I appreciate the case the Deputy made. She is correct that the hot meals programme for schools does not fall within my remit but she will be aware that the Minister, Deputy Humphreys, made some very positive announcements about it this week. I also acknowledge the other additional supports available to schools outside of the DEIS programme, notwithstanding its importance and the supports it provides and, as I said, the expectation that we are now looking forward to rolling it out even further. For example, I referenced previously the Covid-19 learning and support scheme, CLASS, which is a provision of up to €52 million for extra teaching hours that is being made available to all schools. This is another significant resource that is going into schools, specifically this year, to meet the challenge of Covid, not just from an academic and learning perspective but a holistic

perspective, where children and young people will have opportunities to experience socialisation and all that goes with it.

### State Examinations

69. **Deputy Kieran O'Donnell** asked the Minister for Education if she is considering arrangements for a hybrid leaving certificate for 2022; and if she will make a statement on the matter. [57335/21]

**Deputy Kieran O'Donnell:** This matter follows on from the issue of leaving certificate reform. I liked the hybrid model used for the 2021 examination. The Minister will be aware that I conducted an online survey of parents in Limerick prior to the leaving certificate. They were very much in favour of this model and I think it has worked. I know the State Examinations Commission is due to report but will the leaving certificate for this current year be the same type? Points went up slightly last year and it is critical there is certainty.

**Minister for Education Deputy Norma Foley:** On 30 June 2021, I announced that adjustments would be made to the 2022 leaving certificate and junior cycle examinations. As in previous years, adjustments were developed in conjunction with the leaving certificate advisory group, which is important. This group includes representation from students, parents, teachers and schools. Details of these adjustments were issued to schools in August 2021 to ensure that students and staff could familiarise themselves with any changes. These arrangements acknowledge the disruption faced by this particular cohort of students because of the Covid-19 pandemic. I consider that these arrangements are proportionate to the students' experience and loss of learning and are educationally appropriate. The adjustments ensure that the overall structure of exams remains intact but allows for greater choice for students. The level of adjustment will be similar to that applied by the assessment arrangements for junior cycle and leaving certificate examinations in 2021, as announced in December 2020.

As part of the adjustments for the 2022 exams, I also announced that an alternative set of leaving certificate examinations will be run in 2022, shortly after the conclusion of the main set of exams. These exams will be limited to certain students who are unable to sit the main set of exams due to close family bereavement and certain other categories of serious illness, to be determined with due regard for the principles of equity, fairness and integrity, which govern all aspects of the exam system.

The State Examinations Commission will issue further details regarding the 2022 examinations, guided by prevailing public health advice, which is an important consideration. There will be further engagement with stakeholders through the advisory group on planning for the State examinations, and with other stakeholders as appropriate, in advance of any detailed announcement.

**Deputy Kieran O'Donnell:** The Minister might just give us her view on the hybrid model that was in place for the 2021 leaving certificate examination. What did we learn from that? I believe in that combination of continuous assessment and written exam for those students. I like the aspect of anonymity in the latter, but we have to give certainty to students. What did the Minister and the Department learn from the hybrid model of calculated grades combined with written exams used for the most recent leaving certificate?

**Minister for Education Deputy Norma Foley:** I acknowledge that the provision of an opportunity, in the midst of a pandemic, for students to avail of the accredited grades process and written exams was a remarkable achievement for the education sector. I acknowledge school leadership and school communities who, in a very difficult and challenging time, really pulled together to ensure that the classes of 2021 and 2020 would have an opportunity to find a pathway forward to sit a final State exam.

One of the most interesting learnings from the process was the fact that there was such a high uptake for both options. There was a high uptake for the written exams, on which an element of doubt was cast originally. It was very interesting to see that students opted to maximise their potential. There are learnings from that but, equally, also from all we have known and experienced of senior cycle, in particular, prior to Covid.

*10 o'clock*

**Deputy Kieran O'Donnell:** Little did we think that two years after, we would still be very much living with and having to deal with Covid. We may have to do so for a number of years. Does the Minister believe the hybrid model that was adopted last year will be sustainable during any Covid period?

**Deputy Norma Foley:** Clear guidance has been given to schools on how the exams will operate for 2022. This has been formulated via the advisory group, which includes parents, teachers, students and school management and, therefore, it has been the widest engagement of consultation. Those amendments and their offering of a wider choice has been communicated to schools. Students are now very familiar with that opportunity. Equally, I was clear in making the decision that a second opportunity for taking the leaving certificate exams would be made available as close as possible after the first sitting of leaving certificate. We continue to operate currently and going forward on the back of public health advice, and any contingencies that might be required as a consequence of that advice will be put in place.

## **Educational Reform**

70. **Deputy Mick Barry** asked the Minister for Education the measures she will take in the assessment of the leaving certificate course to eliminate undue stress for students; and if she will make a statement on the matter. [57289/21]

**Deputy Mick Barry:** The leaving certificate is the most stressful exam for young adults anywhere in Europe. It is a complete outlier. Nowhere else are young adults forced to jump through hoops such as this. Yet, the Minister is asking 60,000 young people to do this exam next summer, despite the fact these students have missed months of classroom teaching time at the start of this year. Some students and teachers are missing school now with Covid and students, to boot, are sitting in freezing classrooms. I ask the Minister to comment.

**Deputy Norma Foley:** Having worked for many years in the classroom, I appreciate that exam time and most notably, leaving certificate exam time, can be a stressful time for students. Of course, the pandemic has added to the additional challenges faced by all in the school sector. The decisions taken by Government on leaving certificate 2021, in the context of the impact on teaching and learning of the Covid-19 pandemic, were taken with the best interests of students in mind.

The NCCA's advisory report on the senior cycle review has been submitted to me for consideration and will be published once that consideration is complete. Those considerations are being progressed with the best interests of students in mind.

The advisory report maps out, in broad terms, an ambitious programme of work, which would enable the development and construction of the components that would make up a framework for senior cycle and will involve further ongoing stakeholder engagement and consultation. The voices of students have contributed to the advisory report and will again be heard in those further engagements and consultations.

With regard to the 2022 examinations the Deputy referenced, adjusted assessment arrangements for students taking leaving certificate examinations next year were issued last August in advance of the school year beginning. These arrangements are designed to take account of the disrupted learning experience of students during the Covid-19 pandemic, by incorporating adjustments in a manner similar to the initial adjustments that were made for the students taking examinations in 2021.

Like departmental officials, I am keenly aware of the significant impact of the Covid-19 pandemic on our education system over the past two years, including its impact on students who were due to take their leaving certificate examinations in those years. I expect that the lessons to be learned from the pandemic will be considered and, where appropriate, will assist in informing the redevelopment of senior cycle and reducing undue stress going forward.

I am conscious the Deputy referenced the 2022 exam and for that reason, I highlight the measures currently in place have been agreed by the advisory group and are being made available to schools.

**Deputy Mick Barry:** The adjustments are minimal and would barely be noticed. I asked the question in the context of students having missed months of direct classroom teaching time at the start of the year. Many students and teachers are missing school with Covid and students are sitting in freezing classrooms. It is wrong to ask students to do a traditional leaving certificate next summer. There needs to be an alternative. I would support an open access policy with investment and guaranteed places in third level. What is the Minister suggesting? It does not cut it to say these minuscule adjustments are sufficient compensation for the class of 2022.

**Deputy Norma Foley:** It is important to point out, as I have said previously, that within the education system, we have operated successfully on the basis of partnership and inclusion. The advisory group is advising on the examinations and how we would progress and was supportive and helpful in finding a pathway forward for the classes of 2020 and 2021. This group comprises students, parents, teachers and school representatives and, collectively, they agreed a process for the accommodations that would be made for 2020, 2021 and indeed, 2022. Those accommodations are in place and have been advised to schools. There is also a provision for a second sitting of the leaving certificate examination. Of course, we operate under the guidance of public health. Should there be any change in public health information or guidance, we will pivot and put in place other additional contingencies that might be required.

**Deputy Mick Barry:** Mr. Paul Crone, director of the National Association of Principals and Deputy Principals, said today that many secondary schools are struggling to find enough teachers to provide cover. Schools will, of course, prioritise to provide the maximum cover for leaving certificate students, but teacher shortages can impact all students, leaving certificate

students included. I am aware the Minister brought in a package of emergency measures to provide cover earlier. However, will she continue to maintain visits to schools by school inspectors? If so, why, in the middle of a crisis such as this, would she continue to use fully-qualified teachers for such a role? Does she propose to keep them in that role or will she deploy them to provide the cover so desperately needed in schools?

**Deputy Norma Foley:** I want to be clear that there is a mechanism in place in terms of the measures we bring in for accommodations, such as those for leaving certificate 2022. We work with the advisory group, which is a representative group. Significant measures are also in place. If there is to be a change in any public health advice to require any additional measures, we will keep everything under review. The measures introduced earlier are quite comprehensive and add to previous measures in place. We have made clear CPD, in the form of substitutional CPD, will be deferred until after the mid-term break. All those teachers and those who have been seconded to the Department for that work will be released and made available. All other avenues, in terms of other personnel, will also be kept under review.

*Questions Nos. 71 to 75, inclusive, replied to with Written Answers.*

### **Departmental Staff**

76. **Deputy Ruairí Ó Murchú** asked the Minister for Education when staff waiting for summer provision payments will receive same; the reason for the delays; and if she will make a statement on the matter. [57215/21]

**Deputy Ruairí Ó Murchú:** The question is on summer provision, which is a vital service. However, it has come to our attention that there is some element of delay in the payment of staff who have worked in this service. What is the position on that? We all accept just how vital it is.

**Deputy Josepha Madigan:** The summer provision is extremely important. This year, we doubled the funding, from €20 million last year to €40 million. Some 81,000 children are eligible along with 4,000 schools. A total of 939 schools participated this year, in an increase of 72% on last year, which is considerable. We had 36,672 pupils, which is an increase of 60%. We recognise the risk of regression, which we said we were concerned about from the start of the pandemic. We wanted to mitigate against that, which is why we wanted expanded, enhanced summer provision this year, which we have achieved. That is on the back of the supplementary provision in Easter of this year, and the Covid learning and support scheme, CLASS.

*Written Answers are published on the Oireachtas website.*

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

#### **School Admissions**

**Deputy Aodhán Ó Ríordáin:** I have raised this issue with the Minister before. There is a crisis for many families. I do not use that word lightly. It is not just an issue in north Dublin. Many of my colleagues across different constituencies in Dublin, Wexford and in Drogheda

tell me the same thing. Colleagues of mine, John Nisbet, in Dublin North-West, Senator Marie Sherlock in Dublin North-Central, Deputy Duncan Smith in Dublin Fingal, and people in my constituency, Dublin Bay North, are talking about it. My colleague, Senator Mark Wall, from Kildare, raised it in the Seanad yesterday. There is a crisis with access to second level school places. Primary level is an issue too. We have discussed the provisions in the Education (Admission to Schools) Act 2018 for 25% of places to be kept aside for children or grandchildren of past pupils. That has now gone to Committee Stage in the Oireachtas education committee and we can discuss that.

It has been suggested to me that the level of social mobility around the time of the housing crash 12 or 13 years ago is part of the issue here because many families moved into areas they were not originally from. Their children are now reaching second level school age and so this problem is arising. For whatever reason, my office has never had the level of contact we have had in recent months about issues of accessing second level schools across the northside. These children have to be taught and to go to second level. We are now at a stage where panic is creeping in. The Minister can appreciate that being in primary school for the past years has been difficult with the pandemic. Young people want the security of knowing what secondary schools they will attend. Parents want to know too. It is becoming an acute problem in my constituency. Unfortunately, I do not have answers for these parents who contact my office. I suggest they go through the enrolment policy of the school and try to engage with the school in whatever way they can, but they tell me they are on different waiting lists for different schools.

I am also told there can sometimes be a general data protection regulation, GDPR, issue with sharing data about who is on which list. A number of parents may have their children on a number of different lists. It is not always obvious how many places are necessary for a cohort of young people. There is a parallel issue with the choice of patronage. If people have been educated through Irish until sixth class and would therefore choose an Irish-language medium second level school, that has its own challenges. If people have been taught with the Educate Together ethos until sixth class, they will prefer that type of schooling. Either way, my constituents face the crisis of not having any notion of where their children will go for first year of secondary school next year.

What analysis has the Department done of this issue in north Dublin or farther afield, in areas I have referred to? What measures is it putting in place to address it?

**Minister for Education (Deputy Norma Foley):** I thank the Deputy for raising this matter. It gives me the opportunity to set out for the House the position with regard to post-primary places in north Dublin for September 2022 and onwards. To plan for school provision and analyse the relevant demographic data, my Department divides the country into 314 school planning areas and uses a geographical information system, using data from a range of sources, to identify where increasing school place requirements and associated accommodation needs will arise. However, it is important to note that where local enrolment pressures emerge, it may not be as a result of lack of accommodation but may be driven by a number of factors, individually or collectively. One is duplication of applications, where pupils have applied for a place at a number of schools in the area. Another is school choice, when pupils cannot get a place in their preferred school while there are places in other schools in the town or area. Some towns or areas have single-sex schools, and while places are available in the school, they are not available to all pupils. There is also the external draw, with pupils coming from outside the local area. One or a combination of these factors may be involved.

The Department is working with relevant school authorities to establish the extent of enrolment pressures. In that context, similar to the process adopted in advance of the current academic year, the Department is engaging with patron bodies, including those of schools in north Dublin, to identify particular capacity requirements for the forthcoming years which may necessitate further action to that already in train. Where it is determined additional provision is required, the delivery of such additional provision is dependent on the particular circumstances of each case and may be provided through utilising existing unused capacity within a school or schools, extending the capacity of a school or schools, or provision of a new school or schools.

Under Project Ireland 2040, the Department continues to make progress to increase the infrastructural capacity in the school sector to meet demographic and other demands. The capital programme details the school projects that are being progressed under Project Ireland 2040. It is expected the enrolment pressures in north Dublin and in other areas will reduce in the short term as such planned additional capacity comes on stream and as demographic demand moves past its peak. With regard to projects, there has been significant investment under the major capital programme in the north Dublin area in recent years. Bremore Educate Together, Balbriggan has a new school building for 1,000 pupils, which was completed in 2018. Coláiste Ghlor na Mara, also in Balbriggan, was completed in 2019 and also has accommodation for 1,000 pupils. In addition, there are 13 other major projects at post-primary level in the north Dublin area, including at Belmayne, Malahide, Portmarnock, Swords, Dublin 15 and Rush, which are at various stages of the design and build process and will greatly contribute to the supply of school places in the area.

The capital programme also provides for devolved funding for additional classrooms, including accommodation for pupils with special educational needs, if required, for schools where an additional enrolment need has been identified. Included among additional accommodation projects are Dominican College, Drumcondra, Coláiste Dhúlaigh, Coolock and Santa Sabina Dominican College, Sutton. Clonturk Community College has had a significant amount of modular accommodation approved to cater for its needs. St. Aidan's, Whitehall has been approved for a significant project, which has been devolved to the school authorities for delivery. The Department is also engaging with school authorities at Castleknock Community College and Luttrellstown Community College to consider their accommodation needs. I can assure the Deputy that the Department is working intensively to ensure there is sufficient post-primary school accommodation available throughout the country, including in north Dublin, to meet school place requirements in every area.

**Deputy Aodhán Ó Ríordáin:** I thank the Minister for her reply. I appreciate she and the Department recognise there is an issue. We often raise issues in this House and get the sense from the Department or the Minister that this is not really a concern. I can tell from the Minister's response and previous responses that she acknowledges there is an issue. There is a push locally for a new Educate Together second level school in that catchment area, which could cater for a number of primary schools of that ethos. That would benefit the area and also release some of the pressure. I note that some of the schools mentioned by the Minister have additional accommodation projects. At what point will the Minister be able to respond to me as to the nature of the intensive work the Department is undertaking and what point will she be able to share with local Deputies the outcome of that work to ensure that we can then tell all of the constituents who contact us that there will be adequate places for their children in September? As the Minister will appreciate, this is not something that anybody can take lightly. If there is insecurity or uncertainty in a family in regard to where a young person will be attending

school in September, particularly if that child is the oldest child at school, one can appreciate the anxiety that creates. If it has not been resolved by this stage, it is going to dominate issues over Christmas and into the new year, etc. While I appreciate the Minister is acknowledging the issue, can I get an assurance from her that the Department will liaise with local Deputies and representatives in the Dublin Bay North area as to the results of this intensive work being done by the Department so that we can then relay that information to our constituents who are making contact with us?

**Deputy Norma Foley:** As I previously outlined, in quantifying the specific requirements for September 2022, the Department is assessing its nationwide demographic exercises to determine where additional school accommodation is needed at primary and post-primary levels across the 314 school planning areas through a geographical information system. The GIS uses data from a range of sources, including information from the Department of Social Protection, the Department of Education school enrolment databases and much more to identify where pressures for school places across the country will arise. In line with a strengthened approach in recent years, the process involves specific initiatives such as enhanced engagement with local authorities, which is hugely important, and information on residential development because clearly, as the Deputy will appreciate, where houses go education goes as well. There is additional engagement with patron bodies in regard to their local knowledge on school place requirements and with education and training boards, diocesan offices, national patron bodies such as Educate Together and An Foras Pátrúnachta, etc. They can also be an important source of knowledge. This will add to the information also provided to the Department by local authorities or individual schools. Utilising the information gleaned from schools under the national inventory of school capacity completed by individual schools last year as part of the PPOD returns process is also significant.

I assure the Deputy that the Department will continue to engage with patron bodies in identifying specific September 2022 capacity pressure points, prioritise those pressure points going forward and put in place the necessary and very specific actions. As the Deputy will appreciate, the demands in one school are not necessarily mirrored in terms of demands in other schools. I assure the Deputy that I am very happy to engage with him in regard to the specific issues he raised in regard to his own area.

### **Medical Aids and Appliances**

**Deputy Colm Burke:** I thank the Minister of State, Deputy Butler, for dealing with this matter. I was advised over six weeks ago that there were 28 children on a waiting list for vital medical devices such as wheelchairs and, in one particular case, a device required to assist a young person in regard to speech development. My understanding was that there were a total of 28 children on that waiting list as of the start of October 2021. In October, I tabled a parliamentary question to the Minister for Health. As a result, funding was made available, as I understand it, for devices to be provided for ten children.

In the parliamentary question I asked specifically about CHO 4 and CHO 5. CHO 4 is the Cork-Kerry region and CHO 5 is the Carlow-Kilkenny region. The reply I received from the HSE was to the effect that there is no waiting list in CHO 5, but in regard to CHO 4, the Cork-Kerry area, the reply states that the HSE sincerely regrets that there can be a waiting time for important equipment such as wheelchairs, in some cases, but that this is due to circumstances

beyond its control, such as long lead times when ordering from manufacturers and that in other cases, the funding available to it does not meet the demand. Why is there discrimination between children who are living in, say, Mitchelstown and children living in, say, Cork city? If one is living in Mitchelstown one could be waiting for up to 12 months for equipment whereas if one is living in Cahir there is no waiting list. That is total discrimination. I have raised this here with the Taoiseach as well in the past two weeks. He advised that there is adequate funding within the HSE. I understand that there is an underspend in some departments and that €60,000 would resolve the problem for the medical devices that are required for the remaining 18 children. I ask the Minister of State to clarify that this funding will be provided prior to 31 December.

**Minister of State at the Department of Health (Deputy Mary Butler):** I thank Deputy Burke for the opportunity to address the issue of the provision of medical aids and appliances, including wheelchairs, by the Health Service Executive in the Cork-Kerry region. I heard the Deputy raise the issue with the Taoiseach the week before last.

The HSE provides a wide range of medical and surgical aids and appliances, including wheelchairs, free of charge to eligible persons such as medical card holders and people on the long-term illness scheme following assessment by a relevant health professional. These appliances and aids are provided by the HSE through community services known as community funded schemes. These products and services play a key role in assisting and supporting people to maintain everyday functioning and to remain living in their homes and their local communities. They also avoid the need for a hospital presentation or admission when facilitating early discharge from hospital back into the community.

Each community health organisation, CHO, operates processes for the allocation of funding for medical and surgical aids and appliances. Each application within a CHO is assessed for eligible persons by the local resource allocation group. A determination is made regarding approval based on priority and funding available within local budgets. At times, due to the demand for resources exceeding the available capacity, waiting lists may apply for some categories of items provided through the medical and surgical aids and appliances budget in a particular CHO. CHOs undertake a range of initiatives to ensure optimum use of resources, including, for example, through the efficient recycling of stock items such as wheelchairs and walking aids.

In CHO 4, the Cork-Kerry area, there is currently a waiting list in place for the purchase of some wheelchairs. While additional funding was recently allocated in CHO 4, to which the Deputy alluded, the effects of Brexit and the global issues with the supply chain have further impacted the sourcing of appropriate wheelchairs for some applicants. The HSE is currently trying to resolve these issues and to source the wheelchairs in as timely a manner as possible. It should also be noted more generally that the waiting times vary depending on the priority rating and that the rating is made by healthcare professionals based on clinical risk. Priority is given to individuals with the greatest level of clinical need.

At national level in the HSE, a national service improvement programme has been established with the aim of improving the quality and sustainability of the community funded schemes through the establishment of national standards. These standards will be based on evidence-based rationale and will include a list of approved items, national prescribing guidelines and clinical criteria for each. This should improve equality of access, value for money and functional processes. Unfortunately, the Covid-19 pandemic has delayed progress on this

programme but, as the situation improves, it will gather pace. It is important to note that section 6 of the Health Service Executive (Governance) Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or personal service to any individual or to confer eligibility on any individual.

**Deputy Colm Burke:** I thank the Minister of State for her reply. I am aware that equipment has been ordered for ten children, leaving 18 for whom equipment has not been ordered. My understanding, from the Taoiseach's reply to my question, is that there is adequate funding for this provision within the HSE. I am concerned that if the funding is not directed to the Cork-Kerry region before 31 December, we will move into the 2022 budget and the money will have to go back to the Department of Finance. The money is there and there are 18 children for whom equipment has not been ordered. They have been assessed and it has been decided they require the equipment.

These children are located throughout all of counties Cork and Kerry, not in any one place. This is why it is very difficult for parents. I spoke to one last week who saw the article on this issue in the *Irish Examiner*. Her child was number three on the waiting list but no one from the HSE had called to tell her the equipment for her child was ordered. I advised her to contact the HSE. When she did so the following morning, she was advised that the equipment was ordered. This was the first she heard of it, even though she had been waiting since last March. To reiterate, there is equipment ordered for ten children and another 18 for whom it is not ordered. If it is not done by 31 December, we are going into next year's budget and the children will be back on the waiting list. There is a serious discrepancy between what is happening in CHO 4 and CHO 5. That is why I put down the question to the Minister in October about the comparison between the two areas. I am asking that the issue be resolved.

**Deputy Mary Butler:** I could read out the script I have been given but it more or less reiterates what I have already said. I heard the Deputy raising this issue with the Taoiseach two weeks ago and what the latter said in reply. There are 28 children who are in need and, as far as the Deputy is aware, appliances will be provided for ten of them, leaving 18 without. I will take this issue back to the Department of Health and the Minister to see whether we can make some progress on it.

**Deputy Colm Burke:** I thank the Minister of State.

### **Covid-19 Pandemic Supports**

**Deputy Dara Calleary:** Gabhaim buíochas leis an Cheann Comhairle as ucht an deis seo a thabhairt dom an t-ábhar seo a phlé anocht. I acknowledge the message I had from the Minister, Deputy Catherine Martin, that she could not attend the debate.

In the context of the current wave of Covid infections, our hospitality and night-time entertainment sector is once again at the forefront of the response. Many people are changing their plans, as has been acknowledged today by the Chief Medical Officer, CMO, and the sector is bearing the brunt of that. To give an example, I am aware of a small restaurant that has had 2,324 cancellations in the past two weeks. That is being replicated right across the country in restaurants, hotels, nightclubs, theatres and music venues. A specific response is needed to the situation they face in the coming weeks. These are not just any weeks; the weeks that make up the Christmas period sustain the hospitality and night-time entertainment industry through the

quiet months of January, February and March. The money that is earned now pays the bills during that time and allows businesses to build up again. The current situation requires a specific response, including a commitment to extend the employment wage subsidy scheme, EWSS, and the Covid restrictions support scheme, CRSS, to sustain businesses through the period.

There is also a need for a firmer discussion around the response to where hospitality finds itself at this stage in the Covid crisis. Are we serious about hospitality in Ireland or are we taking it for granted? Are we going to invest in training for the industry to provide the skills that are needed? Is the view prevailing, as has been expressed by some members of the Government in recent times, that there are loads of jobs in the industry, even though that does not recognise the skills needed within the sector? People cannot simply be moved around and skills are being lost to the industry. Employees are moving out of hospitality, tourism and late-night entertainment into other areas of the economy. Their skills will be lost and cannot easily be replaced. When international and domestic travel comes back, when we eventually put Covid behind us and once again look to tourism, hospitality and late-night entertainment to rebuild our lives, those skills will be gone.

We need a specific, tailored package in place for late-night entertainment specialists, including sound and music technicians. We also need a package of key employee supports in order that restaurants and hotels can retain employees such as chefs, whose skills are limited but necessary. They need to be retained within the hospitality industry. I know of chefs who have moved into catering in manufacturing, manufacturing itself or retail because there is certainty around employment. There must be an immediate response to the particular crisis being faced by hospitality and night-time entertainment, which is occurring as we speak. I referred to cancellations for the Christmas period, which include cancellations of late-night events. We also need a whole-of-government response that will put hospitality on a new setting, make it ready for a post-Covid world and ensure the skills are in place to make it an attractive sector in which to work. The industry also must respond by providing certainty and offering wages that are fair, decent and reflective of the modern economy. However, it cannot do that on its own. A partnership approach is needed.

I have been saying for a long time that we need some sort of specific training mechanism, such as that provided in the past by CERT. In its time, it did a wonderful job of providing training, preparing people for careers and offering life skills for workers in the hospitality and night-time entertainment industry. It is time we had a commitment once again to a body such as CERT. I look forward to a response from the Government. We will not have instant solutions this evening but there needs to be an awareness of how urgent the situation is for the many thousands of people employed in the industry.

**Minister of State at the Department of Finance (Deputy Sean Fleming):** I thank the Deputy for the opportunity to address the House on this matter this evening. As he is aware, the Minister, Deputy Catherine Martin, was unable to attend and asked me to stand in on her behalf. I want to start by acknowledging on a personal level that the challenges being faced by our hospitality and entertainment sectors, both currently and over the previous months, are severe. It is a difficult time for many, particularly those working in these industries. As a Government, we recognise the difficulties and are doing everything we can to support these important industries. While the ongoing public health situation is continually evolving and a recent deterioration saw the introduction last week of a requirement for Covid-19 passes for cinemas and theatres, as well as a midnight closing time for all on-licensed premises, we are optimistic these measures will allow businesses to keep operating and keep people at work.

Throughout the pandemic, the Minister, Deputy Martin, and the Tánaiste and Minister for Enterprise, Trade and Employment have been actively working with the tourism and hospitality sector to ensure it is properly supported. The significant additional funding secured for tourism services in budget 2022 will help to address immediate survival-related concerns while also enabling further resilience and recovery across the industry as we reopen to international tourism and transition to a more sustainable future. The Deputy referred to the situation for the domestic tourism sector by instancing the case of a single restaurant having nearly 2,400 cancellations. That is a phenomenal blow to any business. The funding for tourism in budget 2022, amounting to €288.5 million, represents an increase of €67.6 million over the 2021 allocation. It includes €50 million for further tourism business continuity supports to assist strategic tourism businesses with their survival and recovery. The 2022 funding is in addition to the €55 million in tourism business continuity supports that were made available this year. By the end of the year, hundreds of tourism businesses will have received vital funding to help them survive the impacts of the pandemic and hundreds more will again receive support in the coming year. In addition, a further €35 million increase in the tourism marketing fund has been secured in 2022 to enable Tourism Ireland to support the delivery of a marketing strategy to restore inbound tourism to Ireland. A sum of €36.5 million is also being provided in capital funding for tourism product development for the delivery of enhanced visitor experiences, in line with the objectives of the national development plan.

The supports for tourism also include a range of cross-government measures to assist the sector. Tourism enterprises continue to benefit from measures such as the continuation of the employment wage subsidy scheme, EWSS. Every hotelier and person operating restaurants whom I have met has said to me that the scheme was a lifeline for their business over the previous months. It kept employees connected to the business. It helped them to be able to continue. Some of them mentioned the rates rebates they received when they were closed as a key factor for those who had a rateable premises. The tax warehousing for commercial rates and the 9% VAT rate for hospitality remain in place until September 2022.

We also had a number of other programmes in place, such as the €25 million live performance support scheme, the €16 million events sector Covid-19 support scheme, the €10 million local private performance support scheme, the €4 million music and entertainment support scheme, the €5 million commercial entertainment capital grant and the €1 million provided for the St. Patrick's Day festival. There are no certainties with this virus, but the Government will continue to engage with stakeholders in a positive way to ensure the relevant concerns are addressed in the decision-making process. The Government wants to continue to support this sector and ensure it is given the opportunity to thrive again.

**Deputy Dara Calleary:** I acknowledge the Minister of State's response. Many of the commitments are welcome. The sector acknowledges the support that has been received and the importance of that support. Many commitments the Minister of State mentioned are macro. They are for the overall industry. It is essential that we have commitments very soon that the EWSS and the CRSS will be continued after 1 December at their current rates. The VAT level changes on 31 August ahead of September. It seems rather silly to have two different VAT years for one calendar year, particularly in tourism and hospitality. Ireland is growing a reputation for autumn and early winter tourism. The industry does not have the certainty to market that. It needs certainty. As I said, no small business could sustain 50% cancellation rates in two weeks. The cancellations had begun before the restrictions to which the Minister of State referred were announced. They began with the overall messaging that was coming from NPHE in particu-

lar. The cancellations affect restaurants, pubs, Christmas parties, events and concerts. The musicians to whom the Minister of State referred are being absolutely hammered because their ticket sales have been cancelled. They need an urgent response in the coming days and weeks. Many of the supports the Minister of State mentioned are macro. The industry may not be there to benefit from them unless we get a response in place.

Finally, the EWSS should be expanded to protect key employees within hospitality, such as a chef, a particular barman or a skilled technician within an events company. The link between that company and the employee, as the Minister of State said, should be protected. The link between a company and a particularly valued employee should especially be protected. That is the basis on which we regrow and rebuild the industry. This industry is crucial not just for cities, but for revitalising our towns in our rural economy post Covid-19.

**Deputy Sean Fleming:** I want to acknowledge what the Deputy has said. I outlined the provisions that were made at national level across the sector. Each one of them worked its way down to individual people who are involved in the industry. I mentioned the global name for each of the schemes, but every one of them had a positive impact on many people on the ground. It takes time for those schemes to work their way down through the system, but this has been done.

Everybody now recognises that many people are back at work. Some 90% of people who were on the PUP earlier in the year are now back at work. In the days, weeks and months ahead, the focus has to be on the specific sectors that are now affected more than others as a result of Covid-19. Everything we talk about now has to be geared towards specific sectors. Large sections of the economy are back to normal again. I met many business owners in the last couple of weeks who said that despite everything, they have had a reasonably good year. However, that certainly does not include this sector. That is why it has to be supported specifically.

The Deputy mentioned issues such as the key employee support scheme. Such issues, along with training for the industry, need to be examined to make sure core people are in place such that when tourism fully reopens next year when Covid-19 is behind us, we are not short of staff and we are not looking outside the country for people to come in and give people their céad míle fáilte.

The tourism VAT rate does not hold for the full year. However, it is designed to get us over the tourism season, which was the main element. I am sure that topic will come up for discussion in the period ahead again. I thank the Deputy for raising that. The people had commenced the cancellations before the Government made the announcement. Many people would have been hesitant about going out, regardless of whether the Government closed down or introduced the midnight restriction. I will talk directly to the Minister, Deputy Catherine Martin, in the morning in light of our debate this evening.

### **Mental Health Services**

**An Leas-Cheann Comhairle:** The final Topical Issue matter is in the name of Deputy Ward, who wishes to discuss a report published by the Mental Health Commission entitled Access to Mental Health Services for People in the Criminal Justice System.

**Deputy Mark Ward:** I thank the Minister of State, Deputy Butler, for taking the time to

stay back at this late hour to take this Topical Issue matter. I commend the Mental Health Commission on its stark report, Access to Mental Health Services for People in the Criminal Justice System. When I first submitted this matter to the Ceann Comhairle, I was asked to clarify which Department it was going to. I was not sure if it would go to the Department of Health or the Department of Justice. Therefore, some of my questions and input will be related to the Department of Justice. This highlights the fact that there needs to be a cross-departmental approach when it comes to mental health. The Minister of State probably knows that better than anybody.

I attended the launch of the report, along with the Sinn Féin spokesperson on justice, Deputy Martin Kenny, last week. It is clear that what we have heard anecdotally over the years has been solidified in the report by the inspector of mental health services, Dr. Susan Finnerty. In fact, what is contained in this report is far more serious than any of us imagined. Those who commit crimes while acutely mentally ill are essentially being warehoused in our prison services, often in solitary confinement with little or no supports to rehabilitate them. This failure, in turn, is having a negative impact on rates of reoffending. If a serious mental health difficulty, such as acute psychosis, is the root cause of an offence, what hope is there for rehabilitation when the prisoner cannot access basic mental health services?

The end results often lead to reoffending upon release, which also leads to an increase in victims. This vicious cycle has been perpetuated by successive Governments' lack of investment and resource planning in both the Irish Prison Service and mental health services in the wider community. As part of our alternative budget, we called for a significant investment in prison services, which would allow for additional spending on staffing, rehabilitation and health services. We need reform for the safety of staff and prisoners and to reduce the potential for reoffending. Ireland has one of the highest reoffending rates across Europe. Much of that is due to low levels of funding for basic services.

I am interested in Dr. Finnerty's call for diversion programmes for people who offend as a direct result of serious mental health difficulty. My Sinn Féin colleagues and I wholeheartedly support this call, which brings me to my first question. Does the Government have any plans for diversion programmes for people with mental health issues who find themselves in the judicial system?

We speak to the stakeholders in community all the time. We are well aware of the faults in the system. We will continue to support communities to correct the wrongs in a broken system that criminalises a person who is unwell. For too long, the Irish justice system has been the gatekeeper for those experiencing mental health difficulties. An Garda Síochána is often the first group to respond to someone who is having a mental health crisis in our communities.

I welcome the pilot project that will begin in Limerick in the new year. It is mentioned in the report. It will see the establishment of a crisis de-escalation team that will treat someone who is having a mental health difficulty in the community. Along with my Sinn Féin colleagues, I have been calling for this approach to be adopted. We would like to see it replicated across the State.

Some of the conditions that mentally ill people are experiencing in our prisons at present are inhumane. There is no parity of esteem between a prisoner's mental health and his or her physical health. For example, if a prisoner is suffering from a physical health issue, he or she will be removed from the prison and treated accordingly. This report has proven that the same treatment is not given to prisoners experiencing mental health problems. We will continue to

support calls for diversion programmes for people who are mentally unwell. We will support communities that experience these issues and have clearly been forgotten by successive Governments. What learnings have been taken by the Government from this report? Will it start taking a cross-departmental approach? Are there any plans for diversion projects for those in front of the judicial system?

**Deputy Mary Butler:** I thank Deputy Ward for raising this important matter. I was happy to stay late tonight to answer it because it is so important. The Deputy was not wrong when he said it was a stark report and it does require a cross-departmental approach. There is no doubt about that.

The Government and I welcome this recent report by the Mental Health Commission, recognising the vital role it plays in supporting and assisting us in developing and improving our mental health services overall. The report presents a realistic picture of the various challenges faced by people with mental health difficulties in the criminal justice system. These include issues that extend beyond the capacity of specialist mental health services and require input from other sectors, such as primary care, addiction and homeless services. I met with Dr. Susan Finnerty, the author of the report, and John Farrelly, the chief executive of the Mental Health Commission, earlier this month prior to the report's publication. We had a constructive discussion on many of the report's findings.

Importantly, the Government remains firmly committed to continuing to improve forensic mental health services, as reflected in various commitments under the programme for Government, *Sharing the Vision* and in the significant new investment that has been provided to the development of the National Forensic Mental Health Service. Both the opening of the new forensic mental health facility in Portrane and the development of a high-level interdepartmental task force to consider the mental health and addiction challenges of people in the criminal justice system are specific commitments under the programme for Government. That task force has been up and running for the past six months. It is chaired by Kathleen Lynch, who was formerly a Minister of State with responsibility for mental health. The task force will develop a report in early 2022 and will propose a high-level implementation plan for any required actions arising.

The issues under consideration by the task force include diversion of individuals with addiction and mental health difficulties away from the criminal justice system. Three subcommittees have been set up to look at the issues of diversion, the capacity of the Irish Prison Service and the National Forensic Mental Health Service, and community issues, including throughcare from custody. When I met with Kathleen Lynch, we discussed the fact a person might be exiting prison on a Friday evening with nowhere to go. He or she does not have a medical card. If that person has mental health difficulties, we will be recommending, or I hope we will be recommending, that he or she has some place to stay and has, at minimum, a medical card and an apportionment with a mental health consultant or medical person within seven days. That is what we need to stop the revolving door. That high-level interdepartmental task force has been operational for the past six months and is doing a huge amount of work.

As the Deputy may be aware, everyone who is committed to prison is subject to a comprehensive medical assessment by the prison healthcare team, which can include, as appropriate, a mental health assessment. This is used to develop an individual healthcare plan for the person while in custody. Where necessary, individuals are referred to a forensic clinician or prison service psychologist, or both. In-reach mental health services are provided by the HSE's National Forensic Mental Health Service, involving the provision of weekly forensic mental health ses-

sions. However, we heard from Dr. Finnerty that these services are a postcode lottery and can be better in some areas than others, so that is something we have to look at as well. The Deputy is quite right in what he said. The Minister for Justice could be answering these questions as well but I am looking at it purely from a mental health perspective, and that is the side of it we are trying to drive on.

**Deputy Mark Ward:** I understand that. It is one of those things that falls between a couple of stools. There is not a debate in this Chamber where mental health is not mentioned. There is not a decision made at the Cabinet table, good, bad or indifferent, that does not have an impact on people's mental health. Good decisions will impact people mentally and bad decisions will have an adverse effect. When I was thinking about this earlier, I wondered where this debate could go. We could bring in health, justice, social protection, education and housing. The reasons people end up in the judicial system go right across the spectrum, so a cross-departmental approach is worth looking into.

I did not see this mentioned in the report but there is a service within the prison system called the community prisons links programme. Workers are sent in to help people who have addiction issues and mental health issues or a dual diagnosis. It is like what the Minister of State was calling for, where they make sure that when people leave, their payments are set up, they have somewhere to go and have their basic needs met so they are less likely to reoffend and go back in. Maybe that is something that could be expanded as part of the report.

On the report itself, prisoners and those in the community who have a forensic history must have the same access to quality mental healthcare as the general population. That needs to be a must as part of the report. The report also stated the commission welcomed the pilot crisis intervention team that is going to be rolled out in Limerick. I am looking forward to it. It could be a game changer in access to 24-7 emergency mental healthcare. Is that still on track for early next year? Will the Minister of State give me an update on what it will entail? I also ask her to elaborate on this cross-departmental approach between the Departments of Justice and Health.

**Deputy Mary Butler:** I appreciate the constructive approach the Deputy has taken to this matter. Sharing the Vision is clear that people with mental health difficulties in the criminal justice system should have access to mental health services equal to that of the general population. Everybody is agreed on that. Many of the recommendations made in this report are reflected in Sharing the Vision and Sláintecare. Sharing the Vision recommendations include opening the new forensic mental health unit in Portrane, the development of intensive care rehabilitation units and psychiatric intensive care units nationally, and improving diversion, which is very important, to reduce the number of people with mental health difficulties within the criminal justice system. Implementation of Sharing the Vision is being driven by the independent national implementation and monitoring committee.

In line with Sharing the Vision, I have requested, and am committed to, an acute bed capacity review for mental health services. This review has commenced and will help address the capacity issues in our forensic mental health services. It will provide us with the necessary data on forensic mental health capacity, as well as data for communities and departments of psychiatry throughout the country. I am looking forward to that report. It is being worked on by the national implementation and monitoring committee and three subcommittees have been set up, so I thank them for the work they are doing in the background. There is a lot of work under way at the moment. We have one subcommittee on the bed capacity review, one on child and adolescent mental health services, CAMHS, and the waiting lists, and one on support for

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minority groups, the Traveller and Roma communities and women with mental health issues. A lot of work is under way.

On the Deputy's specific question, my understanding is that pilot is on target and a cross-departmental approach is being taken. I will check that out for him.

The Dáil adjourned at 10.58 p.m. until 9.12 a.m. on Wednesday, 24 November 2021.