



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

Ceisteanna ó Cheannairí - Leaders' Questions . . . . .	167
An tOrd Gnó - Order of Business . . . . .	177
Technological Universities Act 2018 (Section 36) (Appointed Day) Order 2022: Motion . . . . .	190
Ministerial Rota for Parliamentary Questions: Motion . . . . .	190
Houses of the Oireachtas Commission: Motion . . . . .	190
Cabinet Committees . . . . .	191
Cabinet Committees . . . . .	195
Cabinet Committees . . . . .	200
Legacy Issues in Northern Ireland and New Decade, New Approach: Statements . . . . .	204
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters . . . . .	237
Child and Adolescent Mental Health Service: Motion [Private Members] . . . . .	238
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions . . . . .	268
Education Schemes. . . . .	268
Educational Reform . . . . .	270
State Examinations. . . . .	272
School Accommodation. . . . .	274
School Transport. . . . .	276
Ceisteanna Eile - Other Questions . . . . .	278
State Examinations. . . . .	278
State Examinations. . . . .	280
School Accommodation. . . . .	283
Disadvantaged Status. . . . .	285
State Examinations. . . . .	287
Curaclam Scoile . . . . .	290
School Accommodation. . . . .	292
Saincheisteanna Tráthúla - Topical Issue Debate . . . . .	293
Pigmeat Sector. . . . .	293
Road Projects. . . . .	297
Heritage Sites. . . . .	300
Local Authorities . . . . .	302

# DÁIL ÉIREANN

*Dé Máirt, 1 Feabhra 2022*

*Tuesday, 1 February 2022*

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

***Paidir.***

***Prayer.***

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

**An Ceann Comhairle:** Lá Fhéile Bríde sona daoibh go léir. I hope you all have a very good St. Brigid's Day.

**The Taoiseach:** Agus duit féin.

**An Ceann Comhairle:** Go raibh míle maith agat. I call Deputy McDonald.

**Deputy Mary Lou McDonald:** The Government's decision that students will not have choice this year for their leaving certificate is appalling. It is a massive mistake not to allow a hybrid or blended model and not to give a choice to students between traditional exams and calculated grades. Furthermore, the way in which this decision was communicated was equally awful. It was cynically leaked to the media late last night. Stressed-out students who had waited for months for the Government to make a decision found out through social media or from a WhatsApp message that the die had been cast. An incredible level of disrespect has been shown to these young people. Their voices have been ignored and set aside. The Government has failed fundamentally to understand the level of disruption they have been subjected to. Fairness is the victim in all of this.

Students have been coherently calling for choice and for a blended approach because it makes sense and because it is fair. This year's leaving certificate students have had their entire senior cycle, both fifth year and sixth year, disrupted by Covid-19. They have had to overcome massive academic challenges and that is before we even consider the incredible pressure on their mental health. Students faced two months of full closures last year and had out-of-class education, which is not comparable to in-classroom learning. Many struggled with a lack of devices and WiFi connection issues. On top of all that, they had the stress of living through a global pandemic.

They were high levels of absences for students and teachers because of self-isolation and infection, which has had a massive impact. To this day, it is having an impact in the classroom.

The Irish Second–Level Students Union, ISSU, surveyed more than 40,000 students and almost half of them reported that they had missed between one and three classes per day on average. That disruption continues. There have been huge problems with substitute teacher cover. In some schools, mock exams have been pushed back because the students are far behind.

None of this should be swept under the carpet. Students want choice. That is what happened last year. A huge number of students, when given the choice, chose to sit the traditional exam but they also had the calculated grades. Covid has affected different schools, different students and different teachers in different subjects in very different ways. Additional options within a paper do not fairly compensate for all of that. It is obvious that what we need here is a choice that affords students the option of a written exam or calculated grades. None of this is plain sailing. There are challenges but I do not accept that any of them are insurmountable. Is cinneadh uafásach é leanúint ar aghaidh le hardteistiméireacht traidisiúnta. Cuireadh isteach go mór ar mhic léinn le dhá bhliain anuas. Teastaíonn rogha uathu. Teastaíonn ardteistiméireacht hibrid uathu. The Government has made the wrong call and I am asking the Taoiseach - in fact, I am appealing to him - on behalf of every leaving certificate student to do the fair thing, which is to give students choice.

**The Taoiseach:** I thank the Deputy for raising this issue. Last week, I was asked similar questions on this and the most pressing demand, correctly, from Members of the Opposition and generally was for clarity and certainty for students as early as possible. Students were uppermost and of primary concern for Government in reaching its decision.

The Minister, in her engagement with students and indeed with parents, teachers, school management bodies and others, was asked primarily by students to deal with and respond to four issues. One was the need for clarity and certainty. The second was greater choice within the written, oral and practical examinations. The third was grade inflation in order that the students of 2022 would not be disadvantaged compared to those who sat the leaving certificate in 2021 and the fourth was accredited grades. They wanted that option between accredited grades and a written leaving certificate exam.

I acknowledge it has been a very challenging year for students, with Covid-19 and its impact on the learning environment. One of the biggest challenges this year to an accredited grades system was that it could not have been applied as fairly as it was last year, because 25% of the students did not do the junior certificate and their data would not have been available for an accredited grades alternative. I have not seen anybody put forward a meaningful alternative to that. This is important because we would be developing an alternative system that would not use the students' own data, which was used last year, which is very important for comparability and standardisation.

The Minister has now opted to give very wide choice in both the written examinations, to such an extent that most papers will have their content cut by one third. Students should look to the paper of 2021 as a guide and full details of the syllabus and so on will be published in the coming days by the State Examinations Commission.

Instead of having to answer all ten questions on each mathematics paper, candidates will only have to answer six. With regard to the additional choice through additional questions on the biology paper, candidates only have to answer eight questions instead of 11 and furthermore, can focus on a reduced range of mandatory activities. In English paper 1, candidates will have to answer only half the number of comprehension questions as would have been the case

and in English paper 2, they only have to answer on any two sections, instead of on all three, which is a reduction of one third.

This represents a dramatic widening of choice compared to that of those who sat in 2019 or 2018. People should not understate the significance of the adjustments being made to the paper and the oral and practical examinations. Then one had the accredited grades. Ní raibh aon rogha ag an Rialtas, i ndáiríre. Bhí córas eile ó thaobh accredited grades dodhéanta agus ní bheadh sé féarálte do na mic léinn go háirithe. It would not have been fair to the students, primarily, to have pursued the accredited grades option.

I remember here last year everybody was very angry about the concept or prospect of historic profiling of schools as a basis for an accredited grades system. Collectively, it was taken out of such a system. It is challenging times, without question, in terms of Covid-19, but we have given certainty and clarity as early as we possibly could and much earlier than last year, in line with what people were asking us to do then.

**Deputy Mary Lou McDonald:** What students have asked for and a point on which they have been consistent was choice, which meant a choice between a traditional exam in whatever form and calculated grades. That was deemed appropriate and necessary last year because of the Covid disruption and the truth is that this year's leaving certificate students have been similarly disrupted. There has been significant disruption to the learning of fifth-year and sixth-year students.

If the Taoiseach listened to what students were telling him, he would be left in no doubt that when they asked the Minister for choice, that is what they meant. Yes, they wanted clarity. They wanted a clear expression from Government that they had been heard and that fairness would guide the decision of Government. Nothing the Taoiseach has said to me explains away the fact that he has failed to give that choice to our students. I reiterate that students have been through an incredible disruption. This has had an effect, as the Taoiseach conceded, on their learning.

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

**Deputy Mary Lou McDonald:** It has also had a deep effect on so many of them personally. They have asked the Government to simply be as fair with them this year as it was with students last year. I appeal to the Taoiseach again. This is the wrong decision and I invite the Taoiseach and the Minister to reverse it in the interests of those students.

**The Taoiseach:** The Minister met the students on quite a number of occasions and engaged with them. There were four requests. I have gone through the four. The Minister has been able to respond positively to three of those four requests. On the fourth, which relates to accredited grades, that simply was not possible.

I explained to Deputy McDonald, as she knows well, that there is a huge challenge to the accredited grades option because of the fact that 25% of this year's leaving certificate-----

**Deputy Mary Lou McDonald:** There are options.

**The Taoiseach:** Deputy McDonald did not spell them out. I have not heard them from her in three weeks.

**Deputy Donnchadh Ó Laoghaire:** The Minister has received them.

**The Taoiseach:** Deputy McDonald keeps pointing-----

**Deputy Mary Lou McDonald:** Deputy Ó Laoghaire has written to the Minister.

**The Taoiseach:** Deputy McDonald keeps pointing to her colleague.

**Deputy Mary Lou McDonald:** Deputy Ó Laoghaire is our spokesperson on education.

**Deputy Donnchadh Ó Laoghaire:** The Minister has received them.

**An Ceann Comhairle:** Please.

**The Taoiseach:** I did not interrupt. The bottom line is I have not got a coherent cogent alternative from Deputy McDonald-----

**Deputy Mary Lou McDonald:** There are assessment tools that are used in the North.

**The Taoiseach:** -----in the past three weeks in relation to that core point.

**Deputy Donnchadh Ó Laoghaire:** The Minister has them.

**The Taoiseach:** I accept what-----

**Deputy Mary Lou McDonald:** But the Taoiseach is not the Minister for Education.

**The Taoiseach:** I accept what people said-----

**Deputy Mary Lou McDonald:** The Minister for Education has the options.

**The Taoiseach:** -----when the issue was raised in the House in the past while. The point I am making is that there is a huge issue there. People do not want historic profiling; in other words, that results would be based on those of previous students in schools. Nobody wants that. That was the collective view here.

**Deputy Mary Lou McDonald:** That is correct.

**The Taoiseach:** As a result, there is a real challenge in terms of the 25%.

**An Ceann Comhairle:** I thank the Taoiseach. The time is up now.

**The Taoiseach:** It could not have been done as fairly as it was done last year. That is the point.

**Deputy Mary Lou McDonald:** It is done elsewhere.

**The Taoiseach:** Every other European jurisdiction, from what I know, and the UK are going back to the pre-pandemic assessment approaches that they had.

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

**Deputy Mary Lou McDonald:** Assessment tools.

**The Taoiseach:** They are gone back to their pre-Covid assessment tools.

**Deputy Mary Lou McDonald:** They are given a choice.

**The Taoiseach:** We are not out of line with what is happening across Europe and the United Kingdom.

**Deputy Mary Lou McDonald:** The Taoiseach is out of line with fairness.

**Deputy Catherine Murphy:** My office, like everyone else's, has been receiving lots of calls and emails since the news about reverting to the traditional leaving certificate for this year was leaked last night. Students and parents are extremely anxious and confused. Many of them are angry not only about what has been announced but, just as importantly, they are also angry about how that happened. One parent told me that their child has lost almost all of their resource hours because of the pandemic, and she is extremely distressed at today's news. Many are similarly upset.

As a former secondary school teacher, the Taoiseach knows that the leaving certificate is a two-year examination and that the curriculum covers those two years. This year's cohort of leaving certificate students have not had two years to prepare. There have been lengthy school closures as a result of teachers and pupils being either ill or close contacts. In addition, students whose education was seriously disrupted because of Covid did not experience the pandemic equally. Those who were lucky enough to have access to remote teaching and, perhaps, even grinds during lockdowns do not compare with others who did not even have broadband or a tablet to keep up with coursework.

Last week, two separate reports from the Ombudsman for Children and the special rapporteur on child protection emphasised that while school closures had a negative impact on all children, they disproportionately impacted on disadvantaged and marginalised children. Today's announcement heaps further disadvantage onto that. I heard the Minister for Education speaking earlier. She stated she had abandoned the hybrid system because she did not feel it would be as fair as last year. Fair to whom?

In terms of identifying what the solution should be, there must be a genuine effort to recognise the impact Covid has had over the past two years and this must be more than just tinkering with examination papers. None of us believes that this is straightforward or easy.

Was the hybrid system ever on the table during the consultations? Given that we have known for the past two years that 25% of leaving certificate students did not sit the junior certificate, were contingency measures either considered or put in place in the past 12 months? How can the Taoiseach claim that the leaving certificate will be fair this year given what we all know about the disproportionate impact the pandemic has had on marginalised and disadvantaged students?

**The Taoiseach:** First, it is about that very point of fairness. If one had proceeded on historic profiling to get an accredited grades system, that would have disadvantaged those disadvantaged students even more than is the case now. Students were very concerned about a number of things. One was grade inflation and that there would be a comparison with last year's results and outcomes in terms of grade inflation last year. The Minister has met that concern. Through the marking scheme and the standardisation that will apply here, the students of 2022 will not receive lower grades than the aggregate, as opposed to 2021. That grade inflation issue has been met. The State Examinations Commission, working with the Minister, has worked on that issue, which was an important one in terms of progression to further education, third level education, apprenticeships and so on, which is an important consideration once students have

finished their leaving certificate.

The choice is not tinkering with the examination. Cutting the content by one third is not tinkering. Reducing the content of each paper by more than a third is not tinkering. These are very radical changes that will give significant choice to students not only in terms of sitting and answering questions - there will be reduced questions and more options - but in terms of study on specific syllabuses and revision. The same applies to the orals and practicals. As the Deputy will know, the orals and practicals are taking place during the holiday time to ensure students do not lose school time. For example, in the oral Irish, the *sraith pictiúr* is halved from 20 to ten. These are significant changes that will help students and will take account of what the Deputy correctly said has been a very challenging two years for this cohort of students. In terms of the papers they will be sitting and the orals and practicals they will be participating in, the burden will be reduced significantly to take account of the challenges this year's students have had to face.

On the accredited grades, that was looked at. It was on the table. It was looked at by the Minister and her officials, in particular. It is a very complex issue that cannot be wished away either. The whole accredited grades system is very complex and challenging. Added to the situation this year is the fact 25% of the students did not sit the junior certificate. Some people might say they did a completion certificate and so on, but not all teachers gave grades in those completion certificates. That would not have been available either as a mechanism to be used in accredited grades system. To a large extent, they were running out of options when it came to an alternative accredited grades system, primarily because 25% of that cohort did not do the junior certificate.

**Deputy Catherine Murphy:** The two reports, the report of the Ombudsman for Children and the report of special rapporteur on child protection, emphasised the point about all children being impacted but the ones who were most impacted were those who were disadvantaged and marginalised. Where did that come into the thinking on what has been presented? Where are they specifically represented? What about the parent who contacted me this morning about their child who did not get resource hours and who will never get those hours back? That is about charting a course for a student to get to leaving certificate who may not have an ambition to go to college. It is an achievement to get the leaving certificate. Where is that factored in? There is a significant issue in terms of the assessment for those children and for students who did not have, for example, access to broadband or a tablet. We all remember the discussions we had on families who were relying on accessing information on a mobile phone and people sharing devices. That was this cohort as well. Where will that be recognised specifically in this? Where is the choice for that cohort?

**The Taoiseach:** First, I acknowledge the reports of the ombudsman and the special rapporteur in terms of their conclusions and observations in respect of children and students from certain backgrounds without access to technology or other factors. The impact the pandemic had on them was particularly profound. Not all students do the leaving certificate applied but for the cohort doing the leaving certificate applied, the scaling factor applied to the written papers, for example, was increased from 1.5 to 1.25, so in all papers that the various cohorts will be doing, adjustments will be made to take account of the challenges that they faced. That is why, for example, we were determined in January to reopen the schools. For a large period around this time last year, the schools were closed and we were in level 5 completely. The adjustments are very significant. Cutting by one third the content of most papers will give wide choice. There is also the fact the standardisation will ensure there will not be that disadvantage when compared

with those who completed it last year.

**An Ceann Comhairle:** We move to the Regional Group. I call Deputy Canney.

**Deputy Seán Canney:** I would like to raise with the Taoiseach a very important issue in regard to the Government's plan to make a once-off tax free €1,000 bonus payment to front-line healthcare workers and the concerns that not all of our front-line workers will be included in this bonus payment. Take, for example, a letter I received from Ability West in Galway which provides services right across the region. It stated that it is with great shock that it is beginning to realise that section 39 disability service providers will potentially be excluded from the once-off bonus payment. This is divisive and it is also creating a tier within our health service provision, which is very worrying and very dangerous. Where people are providing care in residential services, respite services, day services and multidisciplinary services, it is important they get the same recognition as section 38 or HSE directly employed front-line workers.

Many workers involved in these hospitals who were gowned up and dealing with people who had Covid, bringing them their food and taking care of them, and they were contracted in by subcontractors. Will they be included?

A huge shadow has been cast over the scheme. It is right that the scheme should be brought in but it has to be thought out fully to make sure that the people who deserve it will get it, and that we do not make sections within our health service among those who provided the same type of service right across the board. We think about people in nursing homes who were gowned up every day and who provided all the protocols that were needed. How come they may not be included in this plan?

People will ask how far do we go with this but, at the end of the day, we have a situation where the Government is bringing forward a plan and the plan does not seem to be fair to everybody. When we entered into Covid, the restrictions and everything that was applied to them, the one thing we said was that we are all in this together. If there is going to be a bonus for healthcare workers, it needs to be there for all healthcare workers who provided so much service to the State. I also believe family carers should be considered for the scheme. The Taoiseach might ask how far do we go with it. We need to know, before the scheme is introduced, that all of those who made a contribution, who were gowned up, who were in the situation where they were putting their own health at risk for the sake of others and to save others, are all included in the scheme.

**The Taoiseach:** I thank the Deputy for raising the issue. As he correctly said, in recognition of the efforts of the general public, volunteers and, indeed, all workers during the Covid-19 pandemic, and in remembrance of people who lost their lives due to Covid-19, the Government announced last week a once-off public holiday that will take place on Friday, 18 March this year, and a new annual public holiday from 2023 in celebration of St. Brigid's day. The Government also announced the Covid-19 recognition payment for front-line public sector healthcare workers to recognise their unique role during the pandemic. The payment of €1,000 will not be subject to tax, USC or PRSI. It will be ring-fenced for staff ordinarily on site in healthcare environments exposed to Covid-19 in the period from 1 March 2020 to 30 June 2021. Those eligible for the Covid-19 recognition payment are general front-line public healthcare workers who are directly employed by the public health sector and worked or trained in environments exposed to Covid-19 or clinical settings. Aside from the staff covered by that, staff also intended to be covered by this arrangement are home carers working for and contracted out to the



HSE, and agency staff who worked in clinical settings for the HSE, including agency nurses, doctors, cleaners and paramedics. Those working in long-term disability care facilities, under section 39, and in public-private voluntary nursing homes and hospices are also covered. The arrangements for processing this decision are currently being finalised by the Department of Health and the HSE. It is challenging, without a doubt.

The Minister for Public Expenditure and Reform made the point that it is difficult to know where to draw a line once it goes beyond healthcare workers. The core objective was to respond, in particular, to the front-line healthcare workers who were faced with challenging situations in acute hospital settings throughout the pandemic, because of the various surges and waves of the pandemic and of different variants, which caused enormous distress, with people putting themselves at risk on a consistent basis over a long time and through the entirety of the pandemic.

The bank holiday arrangement is a general acknowledgement of everyone's contribution, as well as permanent remembrance and recognition of those who lost their lives and of the trauma that many people went through during the pandemic.

**Deputy Seán Canney:** I thank the Taoiseach for the comprehensive reply. I welcome the fact this payment is being made. I reiterate that section 38 service providers, like Ability West, should have their front-line workers included. The Minister, Deputy Donnelly, said that this payment will be for everyone who was on site, involved, and had to be around patients. The Tánaiste, Deputy Varadkar, said that healthcare staff wearing gowns and masks, who were exposed in Covid-19 in clinical settings, should receive special recognition. Organisations such as Ability West fit all of these categories. It is a section 38 company, which provides a significant service right across the region of Galway and the west of Ireland. I plead with the Taoiseach to make sure that its front-line workers are included so that we do not have division.

I welcome the fact a public holiday has been created this year as a once-off, with a public holiday in commemoration thereafter. All of these things are noble and to be welcomed. We are making a bonus payment and we should make sure that we do not leave a sour taste in anybody's mouth when it is all over. Those who are entitled to it should receive it. In the spirit of being generous and everyone being in it together, that should be done.

**The Taoiseach:** I appreciate where the Deputy is coming from. Ability West does exceptional work. It is a broad-based organisation, covering a range of services, including day, respite, residential, outreach and multidisciplinary support services, for both children and adults with intellectual disabilities. That is acknowledged. The challenge facing Government is the difficulty in drawing clear demarcation lines for this. Fundamentally, it is about front-line healthcare workers, who were continually exposed, on multiple occasions, to multiple patients through engagements with them throughout the pandemic. Early on, when we saw the programmes on RTÉ and elsewhere illustrating the impact of the pandemic on intensive care, there was a clear understanding of why that area in particular needed clear recognition, above and beyond others. It was because they were really in the firing line. There is a two-tiered response here. There is the recognition payment and then there is the general bank holiday, which is permanent and will apply to everybody else.

**Deputy Joan Collins:** I raise an issue that arose just before Christmas. Two weeks ago, I tabled a question to the Minister for Housing, Local Government and Heritage relating to a family in Crumlin that was facing possible homelessness. The family, with two children, one

1 February 2022

of whom has autism, had been renting the same house for 18 years. The landlord wanted to sell the house and because of his relationship with the family, he approached Dublin City Council, DCC, to offer it the property for sale. He wanted to keep the family in their home. He was told that the council was not acquiring properties as before. Councillor Pat Dunne followed this up with the housing manager but was told that due to a directive issued by the Minister in December, DCC was prohibited from buying the property. In his reply to my question, the Minister said he was keen that local authorities and approved housing bodies, AHBs, avoid competing with potential private purchasers for available properties. Fortunately, I just heard today that DCC has exercised its discretion and has agreed to buy the property.

The reversal of the policy of encouraging local authorities and AHBs to buy housing stock instead of building directly would make sense if the State was building the level of public housing that is required but that is not happening. In the midst of a homelessness crisis, it is a blunt and crude measure which could have resulted in a family being made homeless as a direct consequence of a Government directive. Homelessness is on the rise and has increased by 14% since May 2021. There were 9,099 people in emergency accommodation in November, including 2,548 children. According to the Simon Community, only 11% of the rental properties that were available in December accepted the housing assistance payment, HAP, which equates to 148 out of a total of 1,350 properties across 16 areas, including major cities.

The concern of the Minister is that local authorities and AHBs buying up properties was partly responsible for squeezing people out of the market but the real issue is the role of institutional investors. Government policy is to encourage such investors. An update to Housing for All states that the Department is engaging with institutional investors to encourage sustainable investment in residential accommodation. Of the €12 billion needed to build 33,000 units per year, which is the target in Housing for All, a full €10 billion is expected to come from the private sector. This reliance on the private sector and the policy to effectively stop building public housing which dates from the 1980s are at the root of the housing and homelessness crisis.

The targets in Housing for All are not being met either by the private sector, the local authorities or the AHBs. In total, 20,400 houses were built in 2021, which is 12,000 below the target, as also happened in 2020 and 2019. That is a total of 36,000 houses below the target in three years. Between 2017 and 2020, the total of social housing stock only rose by less than 10,000. The Housing for All target is to build 9,000 social housing units per year but in the first three quarters of last year, just 3,144 units were built and two thirds of these were not new builds but were bought from private developers.

The situation is a mess and the people suffering the most are the aforementioned family in Crumlin and many other families who could be facing homelessness in the future. Will the Taoiseach and the Minister for Housing, Planning and Local Government change the directive issued to the local authorities and permit priority acquisitions in specific circumstances so that families and individuals do not face eviction into homelessness?

**The Taoiseach:** I thank Deputy Joan Collins for raising the issue and am glad that the particular family's situation has been resolved, with DCC now facilitating the purchase of the house. I think the Deputy said there were two children with special needs in the house. Commonsense and flexibility should always apply in situations like this. Councils have flexibility.

The target this year is for 12,000 social homes, of which 9,000 are to be direct build, between approved social housing bodies and local authorities. I can recall a year ago or longer

that people were saying local authorities were not building enough social housing. I said it myself when I was in opposition. We want local authorities building houses as the core activity in housing provision along with approved social housing bodies. I am talking here in the context of social housing. We do not want acquisition to be the alternative to local authorities building their own homes and getting houses built. That is the point.

From a policy orientation point of view, the clear message to local authorities has to be that their route to social housing provision is primarily through construction, either by the local authority or the approved social housing body. In certain circumstances, there can be acquisitions. In the phasing out of the leasing situation, which has been ongoing for some time and helps in respect of homelessness and the immediate issues the Deputy just raised, there has to be flexibility when situations present themselves to councils in respect of particular families or sets of circumstances so that the councils can respond flexibly. That flexibility has to be there.

In addition, €4 billion of State funding will be provided for housing, both social affordable and cost rental, per annum for the duration of the plan. In addition to that, an estimated €10 billion is required for private house developments that will be needed. We need private sector investment in addition to the public investment to get to the 33,000 completions a year that we want.

The Deputy, in her presentation, omitted the reality of the pandemic and its impact on housebuilding. She said the targets were not met in 2020. That is obvious because of the prolonged lockdown that year. The same happened in 2021 when there was a prolonged lockdown, unfortunately, because of the Alpha variant. That went on for three to four months. That impacted on public sector housebuilding outputs and in terms of private sector housebuilding. Housebuilding made a good recovery in the latter half of the year. There were 31,000 commencements in 2021 and about 38,000 planning permissions were granted. The pipeline is getting much better. It is not a mess at all and we have clear visibility now in terms of the social housing pipeline and private housing.

The Land Development Agency, LDA, has been established on a statutory basis. It has a number of projects ready to go. It has also developed Project Tosaigh which works with developers on projects that had been lying dormant even though they had planning permission. The LDA is there to activate those to get houses built fast so that the people who need housing can get it.

**Deputy Joan Collins:** For clarity, I made the point that 20,400 houses were built in 2021, which is 12,000 below the target. That also happened in 2020 and in 2019, which was before the pandemic.

My question relates to the directive. Dublin City Council obviously did not get clarity that it could intervene in these situations. I outlined to the Minister the situation with the family who were facing homelessness. He replied that he was keen that local authorities and approved housing bodies avoid competing with potential private purchase for available properties. He raised specific priority acquisitions of one-bedroom units to deliver for Housing First, etc. He concluded by saying that he understood that Dublin City Council had informed his Department that as the property did not fall under the priority categories for acquisitions, it was not in a position to acquire it at that time. If that is what Dublin City Council was reading from the directive, there is a great danger that situation is being replicated around the country. I am asking the Taoiseach to intervene and clarify the directive for the local authorities that specific

1 February 2022

purpose acquisitions should also be used when families and others are facing homelessness through evictions.

**The Taoiseach:** I have not seen the detail of the particular case but what the Deputy read was that the council told the Minister it did not feel it came within the priorities. There is an issue of why it did not feel that was the case. However, it clearly does now.

**Deputy Joan Collins:** The councils are under huge pressure.

**The Taoiseach:** I can appreciate that. It is good for the family that it happened. Remember there was a debate here almost a year ago on acquisitions. People in this House wanted ordinary people to be able to buy houses in estates without being outbid by the councils or institutions.

**Deputy Joan Collins:** That is not the issue.

**The Taoiseach:** It is the rationale behind the general policy. We do not want individuals or couples competing with the council all the time to buy a house. That is the balance that has to be achieved here. The primary focus we want from local authorities is to concentrate on getting social houses built directly. We need more housebuilding on all fronts. This includes the private sector, agencies like the Land Development Agency, LDA, local authorities and approved social housing bodies. They all need finance in different guises to enable the financial capacity to be put behind what will be a massive housebuilding programme for the next ten years.

**Deputy Joan Collins:** Will he talk to the Minister about that?

**The Taoiseach:** Yes. I will talk to him about what the Deputy has raised as well.

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

**An Ceann Comhairle:** The report of the Business Committee has been circulated and may be taken as read. Are the proposed arrangements for this week's business agreed to?

**Deputy Pearse Doherty:** They are not agreed.

**An Ceann Comhairle:** I call Deputy Doherty.

**Deputy Pearse Doherty:** Go raibh maith agat a Cheann Comhairle. Late last night, in an attempt that now characterises this Government's approach to accountability, we had the internal report into the rule-breaking champagne party in the Department of Foreign Affairs given to the media. This is an internal report that did not even interview the man in charge. Why? Because the Minister ensured the terms of reference he drafted ensured he was outside the scope of the review. This is typical of a Minister who is out of touch, who has been at the helm for too long and whose judgment has been called into question more and more often. On the media this morning the Minister, Deputy Coveney, said he is accountable to this House and it is here he will answer questions. Will the Taoiseach move swiftly to ensure the Minister comes before the House this week to make a statement and answer questions on this affair?

**An Ceann Comhairle:** I call Deputy Boyd Barrett.

**Deputy Richard Boyd Barrett:** Since we agreed the Order of Business last week we have had the really shocking announcement of the Government's bloody-minded insistence on going

back to a traditional leaving certificate, which ignores the clear call of leaving certificate students for an alternative. Before that decision is finalised we need to have a serious discussion in this House, because there are alternatives. I heard the Taoiseach say earlier that we have not outlined our alternatives. Give us the chance to do so in the House this week. We have set out clearly our view the leaving certificate should be scrapped and that it is an unfair gatekeeping exercise limiting access to higher and further education. Let us discuss that. Has the Government looked seriously at it? Has it looked at expanding the places in further and higher education to do away with the need for the pointless-----

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

**Deputy Richard Boyd Barrett:** -----and stressful leaving certificate.

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

**Deputy Richard Boyd Barrett:** Will the Taoiseach allow for a debate on the leaving certificate and the options and alternatives for students?

**An Ceann Comhairle:** I understand we will have question time with the Minister for Education this evening. I call Deputy Michael Collins.

**Deputy Michael Collins:** I thank the Ceann Comhairle. We saw last week that the military exercise by the Russians off the south-west coast of Ireland was moved outside the exclusive economic zone, EEZ, only after the intervention of our fishermen with the Russians. We need a full debate on this issue in the Dáil on how, as with Brexit, our Government stood idly by while these fishermen's lives and livelihoods were in jeopardy. It is astonishing, to say the least, and has left the nation in hysterics, that the country's political system failed the fishermen and they had to go out there themselves and sort the issue out. Will the Taoiseach allow us to debate where the Government went wrong on this issue this week in the Dáil?

**An Ceann Comhairle:** I call Deputy Naughten.

**Deputy Denis Naughten:** I will be brief, a Cheann Comhairle. There is huge anxiety out there among leaving certificate students. The way they were informed last night, namely, via social media, was not the way they should have been. This Chamber, Dáil Éireann, should have a proper debate. Let the Minister for Education come and outline exactly the detail that has been presented to her and let us explore some of the practical options that could ease the anxiety for students. As I said here last week, we should be looking at an alternative model that is neither the current approach or the hybrid one but one that eases the anxiety of students. We should be given the opportunity to have that debate.

**An Ceann Comhairle:** I thank Deputy Naughten. There is nobody else. I call on the Taoiseach to reply.

**The Taoiseach:** First, Deputy Doherty has called on me, I think, to instigate an independent investigation into what happened in the Department of Foreign Affairs when we won our seat on the UN Security Council. I am satisfied with the investigation that has taken place and I will not be doing that. While I was not in government at the time, I have been very clear since this event was brought to my attention that it was wrong and should not have happened. Those involved have apologised. I am genuinely taken aback by Deputy Doherty's tone and attitude on this matter. He is the deputy leader of a party that invited almost 2,000 members and sup-

1 February 2022

porters onto the streets of Belfast and then to a political rally, in essence, in Milltown Cemetery at a time when the ordinary men and women he spoke about-----

**Deputy Matt Carthy:** The Taoiseach is comparing a funeral to a champagne party. Scandalous.

*(Interruptions).*

**An Ceann Comhairle:** The Taoiseach, without interruption.

**The Taoiseach:** -----that is, everybody else on the island, were limited to 30 people at a funeral.

**Deputy Matt Carthy:** The Taoiseach will stand over any Fine Gael-----

**The Taoiseach:** Sinn Féin had people lining the streets in uniform, while the ordinary men and women Deputy Doherty talked about were distraught because they could not attend the funeral of their loved ones.

**Deputy Matt Carthy:** The Taoiseach will stand over any crony appointment, or any pay raise or whatever it takes-----

**The Taoiseach:** The Deputy's party was being investigated by the police for four months-----

**Deputy Matt Carthy:** -----but he will not actually do the decent thing.

**The Taoiseach:** -----for breaches of the criminal law.

**Deputy Pádraig Mac Lochlainn:** That comment should be withdrawn.

**The Taoiseach:** The point is that everybody with eyes in their head could see what happened. That funeral took place only weeks after the event Deputy Doherty is raising such a huge issue about. To the best of my knowledge-----

**Deputy Pearse Doherty:** Is the Minister coming to the House?

**The Taoiseach:** -----the Deputy and his organisation have never admitted that they were wrong in what they did, but they lecture everybody else. There is one law for Sinn Féin and a different law for everybody else when it comes to this.

*(Interruptions).*

**An Ceann Comhairle:** Will the Deputies please let the Taoiseach respond?

**Deputy Pearse Doherty:** How long is the Ceann Comhairle going to give him to respond? He has not responded. He is talking about the funeral of somebody who passed away two years ago.

**The Taoiseach:** I do not like having to do that.

**Deputy Pearse Doherty:** No. The Taoiseach actually took plenty of joy in that.

**The Taoiseach:** The Deputy keeps going on. I do not like having to do that.

**Deputy Pearse Doherty:** The Taoiseach does not care that there is a grieving family in the

middle of this.

**The Taoiseach:** I do care.

**Deputy Pearse Doherty:** The Taoiseach's attempt to compare a champagne party with the funeral of a friend is disgraceful.

**Deputy Pádraig Mac Lochlainn:** It is shameful.

**Deputy Pearse Doherty:** It is.

*(Interruptions).*

**An Ceann Comhairle:** Can we all hold on a minute? I said last week that if this constant interruption continues, I will suspend the House. If Deputies want me to do so, they should continue to interrupt, but I think we will do the courteous thing and hear the Taoiseach out. He has three minutes in which to respond.

**Deputy Pádraig Mac Lochlainn:** The Taoiseach made a very provocative statement, in fairness. It was an outrageous statement. What does the Ceann Comhairle expect us to do?

**The Taoiseach:** It seems the only people who can call foul, criticise or say others have created a scandal are those in the Sinn Féin Party. I am telling home truths.

**Deputy Matt Carthy:** If the Taoiseach wants to go into the muck-----

**The Taoiseach:** I do not like doing it. I have to do it.

**Deputy Matt Carthy:** -----he should expect to be rebuffed.

**The Taoiseach:** What went on in respect of the Department of Foreign Affairs event was the wrong thing to do. Those involved are public servants involved have given long service to this State. They have admitted they were wrong and have apologised for one minute's breach of the social guidance. It pales into insignificance by comparison with what Sinn Féin organised. That is the bottom line. That is what I am saying and that is all I have to say about it. I am not revisiting the issue any more. I ask Deputy Doherty not to be so hypocritical in his response.

*(Interruptions).*

**The Taoiseach:** In response to Deputy Boyd Barrett, there are questions this evening-----

**Deputy Pearse Doherty:** Can we get an answer to the question?

**An Ceann Comhairle:** The Deputy should resume his seat.

**Deputy Pearse Doherty:** On a point of order-----

**An Ceann Comhairle:** There is no point of order.

**Deputy Pearse Doherty:** -----will the Minister come to the House to answer questions? This is the House that keeps the Minister accountable.

**An Ceann Comhairle:** The Deputy should resume his seat.

**The Taoiseach:** The Minister for Education will be in the House this evening-----

1 February 2022

**Deputy Richard Boyd Barrett:** We need a specific discussion on this.

**The Taoiseach:** -----to answer questions on the leaving certificate. We will talk to the Whip to see if, at some later date this week, a debate can be organised on the leaving certificate. I take Deputy Denis Naughten's point that a debate, where people can bring their different perspectives to the table fully, would be useful and important. I have no issue with that. The Minister will be in the House this evening to answer questions and, I presume, there will be a number of questions on the leaving certificate.

*(Interruptions).*

**The Taoiseach:** Deputy Michael Collins raised the issue of the work of our fisherman in respect of their diplomacy with the Russian ambassador. I understand that one of the key fishermen involved thanked the Minister, Deputy Coveney, for his intervention. Apparently, they were at one regarding the successful outcome of the representations made by the Minister and our fishermen.

**Deputy Pearse Doherty:** I have a point of order. This is not to be provocative, but I-----

**An Ceann Comhairle:** There is no point of order on this matter.

**Deputy Pearse Doherty:** There is.

**An Ceann Comhairle:** No, there is not. The Deputy does not decide whether there is a point of order. I do. There is no point of order.

**Deputy Pearse Doherty:** Can we get clarity? Is the Minister to come to the House?

**An Ceann Comhairle:** I have no power or authority under Standing Orders to direct the Taoiseach to give the Deputy any particular answer.

**Deputy Pearse Doherty:** Can I ask the question again because the Taoiseach answers-----

**An Ceann Comhairle:** Does the Deputy want to change Standing Orders? We have conducted-----

**Deputy Pearse Doherty:** We are supposed to hold the Minister to account.

**An Ceann Comhairle:** Excuse me. We have done our business in accordance with the procedures set down. The question now is whether the proposal for the week's business is agreed to.

*(Interruptions).*

**Deputy Pearse Doherty:** I would like clarity on whether the Taoiseach is going facilitate the Minister coming to the Chamber or not, because he avoided the question.

**An Ceann Comhairle:** No, no.

**Deputy Richard Boyd Barrett:** Has the Taoiseach agreed to a debate on the leaving certificate? I want clarity on that.

**An Ceann Comhairle:** He said he would talk to the Whip with a view to organising it.



**The Taoiseach:** Yes. I will arrange it with the Whip.

**Deputy Pearse Doherty:** On the same point, has the Taoiseach agreed to the Minister for Foreign Affairs coming in to answer questions on his role?

**The Taoiseach:** I said that we are not revisiting the issue as far as I am concerned.

**Deputy Pearse Doherty:** It is not agreed.

**The Taoiseach:** The report stands.

**Deputy Pearse Doherty:** The Minister will not come to the Chamber to answer questions.

**The Taoiseach:** Regardless of the Minister does, the report stands. It is not being revisited.

**Deputy Pearse Doherty:** It is not about the report. Will the Taoiseach facilitate the Minister coming to answer questions in this House, which he said on “Morning Ireland” he would do?

**The Taoiseach:** If he does, that is fine.

**An Ceann Comhairle:** Please, Deputy. It is as clear as day that the Taoiseach is saying: “No, the Minister won’t be brought in to answer questions on this matter.” That is what the Taoiseach is saying.

Is the proposal for dealing with this week’s business agreed to?

**Deputy Pearse Doherty:** It is not agreed.

Question put: “That the proposal for dealing with this week’s business be agreed to.”

<i>The Dáil divided: Tá, 26; Níl, 18; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bruton, Richard.</i>	<i>Brady, John.</i>	
<i>Burke, Colm.</i>	<i>Cairns, Holly.</i>	
<i>Byrne, Thomas.</i>	<i>Collins, Michael.</i>	
<i>Canney, Seán.</i>	<i>Daly, Pa.</i>	
<i>Carey, Joe.</i>	<i>Farrell, Mairéad.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Gannon, Gary.</i>	
<i>Chambers, Jack.</i>	<i>Harkin, Marian.</i>	
<i>Cowen, Barry.</i>	<i>Kelly, Alan.</i>	
<i>Durkan, Bernard J.</i>	<i>Kenny, Martin.</i>	
<i>Farrell, Alan.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Flaherty, Joe.</i>	<i>McDonald, Mary Lou.</i>	
<i>Flanagan, Charles.</i>	<i>Mitchell, Denise.</i>	
<i>Fleming, Sean.</i>	<i>Mythen, Johnny.</i>	
<i>Haughey, Seán.</i>	<i>Nolan, Carol.</i>	
<i>Higgins, Emer.</i>	<i>Pringle, Thomas.</i>	
<i>Martin, Micheál.</i>	<i>Ryan, Patricia.</i>	
<i>McAuliffe, Paul.</i>	<i>Smith, Duncan.</i>	
<i>Murphy, Verona.</i>	<i>Tully, Pauline.</i>	

<i>Naughten, Denis.</i>		
<i>O'Connor, James.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Richmond, Neale.</i>		
<i>Smyth, Ossian.</i>		

Tellers: Tá, Deputies Jack Chambers and Marc Ó Cathasaigh; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Question declared carried.

**An Ceann Comhairle:** There are 17 questions listed for Questions on Promised and we have 20 minutes. If Members limit themselves to 30 seconds for the question and 30 seconds for the answer, we will probably get through them all. If they do not, we will not get through them.

**Deputy Mary Lou McDonald:** The Taoiseach met with the Women of Honour group yesterday. They had hoped to convince him that Government is taking the wrong approach to cases of rape, sexual assault, bullying and harassment of women within the Defence Forces. Sadly, however, they were left feeling deflated and disappointed following the meeting. The group are correct in saying that the review that has been proposed by Government is flawed and entirely unfit for purpose. Their call for an independent statutory inquiry that is removed from the Department of Defence is warranted and is in the best interests of truth and justice. They said they tried to persuade the Taoiseach of this necessity, but that he was not for turning. That is most unfortunate. These women have been to hell and back. They cannot and will not tolerate a whitewash. I want to invite the Taoiseach to establish the independent investigative process that is necessary.

**The Taoiseach:** I thank the Deputy for raising question. I had a good meeting yesterday with the Women of Honour group. I am also open to meeting with other stakeholders and other groups with whom the Minister for Defence, Deputy Coveney, would have met in relation to this. They have been through a lot of trauma. There is no question about that. They are clear that they want cultural change within our Defence Forces in relation to assault as well as in the hierarchical nature of our Defence Forces in terms of how complaints are dealt with, particularly those that involve violence against women, sexual assault and the subsequent isolation of women who raise issues and who are then not considered for promotional opportunities and so on. Essentially, because they raise issues, they effectively get punished. That was the basic tenet of the presentation.

The review currently being decided on by Government is independent with a judge independent of the political system.

**An Ceann Comhairle:** The Taoiseach's time is up.

**The Taoiseach:** A statutory inquiry has not been ruled out. I have made that clear. We have had examples in the past where scoping reviews proved effective. Eventually, if the Government takes a decision to go down that particular route, this work will be important.

**Deputy Alan Kelly:** The Taoiseach's predecessor, the current Tánaiste, set up a Cabinet subcommittee on national security, but the Taoiseach got rid of it. Why did he get rid of it? Recent events have shown us the real and serious concerns we have as a nation in modern times about security in all its facets. I say, "Well done" to Patrick Murphy and all his colleagues in west Cork for what they have achieved over the last number of weeks. However, we cannot outsource our security, whether that is online, offline, on land or on sea. We cannot outsource it.

The cyberattack on the HSE has shown our digital weaknesses. The Taoiseach set up a senior committee on national security, which does not have the Minister for Defence, the Minister for Justice, the Minister for Foreign Affairs, the Taoiseach or the Tánaiste on it. The Taoiseach got rid of the Cabinet subcommittee on security. When will the report on the Commission on the Defence Forces be published? Will he, on the foot of my request now, re-establish the Cabinet subcommittee on security?

**The Taoiseach:** I hope the report will be brought to the Government shortly. That will be an important report for the broader defence and security debate that we need in this House in respect of the modern threats to any country that are not just military but, as the Deputy said, are in the realms of cybersecurity, terrorism and so on. There are significant issues on which we have to deliver. I did not get rid of any committees-----

**Deputy Alan Kelly:** You did. It does not exist anymore.

**The Taoiseach:** -----and we established a range of policy committees.

**Deputy Alan Kelly:** That is just a fact.

**An Ceann Comhairle:** Please, Deputy.

**The Taoiseach:** I have regular contacts-----

**Deputy Alan Kelly:** It existed as part of the previous Government and does not exist in this one. That is just a fact.

**The Taoiseach:** The bottom line is that we are briefed on national security issues but there is a need for broader debate.

**Deputy Holly Cairns:** The programme for Government committed to reviewing the Health (Regulation of Termination of Pregnancy) Act 2018 in 2021. This deadline has already been missed. I welcome the appointment of an independent chair for the review but there is still considerable confusion about the nature of the process and its timeline. All we have heard about is the very limited budget of €60,000. We need a real review that examines the lived experience of women who have been forced to travel abroad for care, who have had to wait unnecessarily for three days and who faced other barriers, as well as the experiences of service providers. The programme for Government also commits to establishing exclusion zones but the spring legislative schedule shows that the Bill introducing safe zones has not moved forward in the past year. Instead, the Together for Safety group is working with Senators to progress a Bill in this area as the Government is failing. What is the status of the repeal review and the Government's plans on safe access zones?

**The Taoiseach:** I thank Deputy Cairns for raising this important issue. As part of the first phase of the review, information and evidence on the operation of the Act will be collected from women who used the services and from health professionals who provide them. The views of the public will also be sought. There will be three elements to the first phase of the review, including public consultation, and a detailed examination of the views and experiences of service users, women and their partners. Research to inform the service users strand is being carried out by Dr. Catherine Conlon, who is progressing a large qualitative study to investigate unplanned pregnancy and abortion care. This study was commissioned by the HSE's sexual health and crisis pregnancy programme and will generate an in-depth understanding of the experiences of women who have accessed abortion care services since the commencement of the Act. A request for tenders to carry out research into the views of service providers has been published on e-tenders. The objective of this strand of the review is to ascertain the experiences of service providers in delivering the services for termination of pregnancy in the community and hospital sector. The second phase of the review will be led by an independent chair. I will ask the Minister for Health to engage with the Deputy on the issue and I will talk to him about the points she has raised.

**Deputy Gino Kenny:** I raise the matter of orthopaedic surgery waiting lists. I am not sure if the Taoiseach saw the reports over the weekend about a little girl called Ava Cahill. She has spina bifida and has been waiting more than a year and a half for corrective surgery. You would need a heart of stone not to be moved by Ava's situation. There are other children like Ava in Ireland waiting for corrective surgery. There is a crisis at the moment in orthopaedic surgery. Even the top leading surgeon in the country has said that the care provided is inadequate. He spoke with huge passion at the Joint Committee on Health last November about children who are suffering unnecessarily. The Government has a responsibility to address this with resources and not let these children suffer needlessly.

**The Taoiseach:** I fully accept what the Deputy is saying about orthopaedic waiting lists, particularly for children who require surgery, be that for spina bifida or scoliosis. Very substantial funding has been provided. Covid-19 unfortunately had an impact on waiting lists in 2020 and 2021 but there are plans to increase capacity in the existing orthopaedic centres and at Cappagh, the national orthopaedic hospital, to support paediatric orthopaedic services. That will form part of the 2022 waiting list action plan. We are going to have to concentrate very quickly on those who are waiting too long for urgent surgery.

**Deputy Denis Naughten:** The Minister for Agriculture, Food and the Marine, Deputy McConalogue, is travelling to Ros an Mhíl to announce a very welcome €25 million investment to help capitalise on our massive offshore energy opportunities. While the Russians are holding the EU over a barrel regarding gas supplies, thus taming the EU approach not just to Ukraine but to war games off our own coast, we in Ireland are sitting on enough offshore electricity to power more than 64 million homes across the European Union. As I pointed out in our Private Members' motion that was unanimously adopted by the Dáil on 8 December 2021, unless we take a strategic approach to developing all our ports, we will never maximise this opportunity or drive down the cost of electricity for Irish families. When will the Government establish an offshore renewable development authority to drive a fully co-ordinated national action plan for our offshore energy sector?

**The Taoiseach:** The Minister for the Environment, Climate and Communication, Deputy Eamon Ryan, and the Government as a whole, are very conscious of the extraordinary impact offshore wind can have on the economy of the west and in meeting our energy needs into the

future. We could become a net exporter of electricity and energy into the future, with the use of hydrogen as well. There is very significant potential for the west coast, south-west coast and east coast with regard to the exploitation of wind into the future. Without question, the Ukrainian-Russian situation and the current crisis in energy prices reveals the need for more renewables and for us to do more on the renewable front. Looking at a European map, it is very clear that we have to do more on renewables and that is the entire focus of the Government right now.

**Deputy Michael Collins:** Last Friday Bridie Roycroft, postmistress of the ever-popular Ballydehob post office, posted a statement on social media stating that the sorting of post by postmen and postwomen in Ballydehob, Schull and Goleen post offices was now being moved to Skibbereen after decades of being done locally. This is another loss of income for postmasters in rural communities, who will lose a big chunk of their income. These postmasters tell me daily when I meet them that they are already struggling to keep their doors open. Postmasters in rural communities are on the verge of closing their post offices, have now lost another source of income from the post-sorting side of their business and are dealing with an increase of 15 cent in the price of a stamp today. What percentage increase to their income will these postmasters receive to keep their doors open in rural communities?

**The Taoiseach:** I do not have the specific details about the Ballydehob post office but it is the Government's objective to do everything we possibly can to support post offices across rural Ireland, and also to bring more Government activity and services to rural Ireland. That is manifest in the huge investment in hubs to facilitate remote working, SMEs, entrepreneurs, start-ups and so on. There are challenges but I will inquire with An Post in respect of the specifics the Deputy has raised.

**Deputy Marian Harkin:** I raise the shock announcement of the loss of 80 jobs at the B. Braun facility in Collooney in County Sligo. This is a hammer blow for the workers, their families and the entire community in Collooney, which is about 1,700 or 1,800 people. B. Braun has said it will retain a specialist research and development unit in Sligo so this may present an opportunity to resource and grow the research and development part of the business. There are also opportunities with linkages to the new Atlantic technological university. I ask the Taoiseach to raise this matter with the Tánaiste and Minister for Enterprise, Trade and Employment as he has a responsibility to help ensure, first and foremost, alternative employment opportunities for those who lost their jobs, as well as support for growing the research and development part of this business.

**The Taoiseach:** I thank Deputy Harkin for raising this issue. I am deeply saddened by the announcement from B. Braun that it will be closing the manufacturing side of its Sligo facility. Our hearts and minds are with the employees and their families at this very difficult time for them. B. Braun has provided enormous employment opportunities for Sligo and this will be devastating for the community. The Government and IDA Ireland held close consultations with the site management, who strove to find alternative solutions. However, such solutions could not be found, leading to this closure. As the Deputy noted, the firm is going to keep the research and development team of 11 employees and has stated that further investment in the area will be potentially coming further down the line. We have invested €13.7 million in IT Sligo and the Collooney to Castlebaldwin road also represents a very significant investment. Advantio announced in January its plans to open its European cybersecurity headquarters in Sligo. We will do whatever we can to help the workers secure alternative employment and to get alternative employment into the sector.

1 February 2022

**Deputy Jennifer Murnane O'Connor:** Today the Joint Oireachtas Committee on Children, Equality, Disability, Integration and Youth is discussing surrogacy which is very important issue. We do not have a roadmap for those who become parents through surrogacy and we do not have the correct status. A mother told me she had to sit in the carpark of a children's hospital while her young child was inside as she is not recognised as the child's legal guardian. Surrogacy advocates ask that children born here are legally recognised, but, and this is important, it is a separate issue to those who will become parents in the future through international surrogacy. They must also be legislated for. We need to look at how we can separate these two issues. It does not fall under the remit of the Department of Children, Equality, Disability, Integration and Youth, but the Departments of Justice, Health and Transport. Will the Taoiseach tell me when the special joint Oireachtas committee on international surrogacy be set up? It is urgent.

**The Taoiseach:** I thank Deputy Murnane O'Connor for raising a very important issue. I understand the concern of parents and the need for recognition of Irish citizens born through surrogacy and the rights of parents in that situation. Legislation is being developed by the Minister for Health to come before the House and it will be published shortly. The special Oireachtas committee will be established with the objective of the topic being debated by all Members of the Houses to try to arrive at a consensus and conclusion on it.

**Deputy Richard Bruton:** It is important that we have to go back to the outdated leaving certificate this year. While I accept it is very hard to deliver a fair system when one does not have a consistently applied source to standardise teachers' assessment results, we must learn from this experience and embed within the two years of the senior cycle credible projects in order that continuous assessment can occur within the leaving certificate and we can have a hybrid system in 2023 and beyond. Reform of the leaving certificate started in 2016, but we have yet to see a published roadmap for it. We need to move on because apprenticeships and the CAO are moving on and the leaving certificate cannot be left behind.

**The Taoiseach:** I agree with the need for reform of the leaving certificate. It has been reformed incrementally over the years, long before 2016. There are the leaving certificate vocational and applied programmes. The Deputy is right that we need more continuous assessment and more project-based work to be assessed. Covid has taught us that assessment, along with other forms of written exams and so on, is a viable and valid way of doing things. We cannot do it on the fly coming out of Covid, but Covid has taught us it can be done. The Minister will have proposals on reforming the leaving certificate into the future and the opportunity should be grasped once we emerge from Covid. I am 100% on that.

**Deputy Pauline Tully:** Does the Government have plans to revise the cross-border directive or the planned healthcare scheme when it is applied to the North? Recently a woman contacted me who requires two knee replacements. She has been advised that she will have to wait for at least two years in the public system here for an operation. When she inquired about having the operation in Derry, she was told she would be approved by the HSE for just over €11,000 for the operation, but it costs in excess of £12,000, which equates to more than €14,800. That is a difference of €3,800 per operation and more than €7,600 in total. It is beyond her capacity and that of most ordinary people to pay that amount.

We would much rather see the public system here being able to accommodate all patients, but that will not happen any time soon. Instead of having people waiting in agony for years, is there a possibility the prices here can be reviewed to bring them into line with what is being charged in the North or *vice versa*?

**The Taoiseach:** The directive became redundant because the UK left the European Union and the Government, through the Minister of Health, then initiated a process whereby we would fund and support operations through a North-South arrangement in lieu of the directive. I will check the specifics of the cost and so on, but my understanding was there was a relationship between the HSE and the hospitals concerned in the North. I will check that out.

**Deputy Johnny Mythen:** The waiting list for home support services in County Wexford stands at 644 families, with another 227 families waiting for increased supports. Home support, as I am sure the Taoiseach will agree, is one of the most important life-changing services the HSE provides to families and their loved ones and lifts people out of a world of anxiety and worry. A report was completed for home care service for Wexford in 2021, with plans to implement the recommendations throughout 2022. Will the HSE provide copies of this report? Does the Taoiseach know whether resources are allocated to cover the recommendations contained in the report?

**The Taoiseach:** I will follow that up with the Minister in respect of funding for the home supports.

**Deputy Willie O’Dea:** What is the Government’s view on the suggestion which has been widely canvassed that an elective-only hospital be established in the mid-western area? The reason for that, which we all witness every day, is the chronic shortages and overcrowding at University Hospital Limerick which is always at or near the top of the trolley count. On a few occasions recently, it ran out of trolleys, which is indefensible. The simple reality is that the medical facilities in the region are insufficient to cater for its population. We do not have enough beds.

**The Taoiseach:** I have sympathy for what the Deputy said. The Sláintecare report identified three elective hospitals in Galway, Dublin and Cork. There is merit in an elective-only facility in the mid-west to free up the hospital for trauma and other tertiary treatments. It is the way to go.

**An Ceann Comhairle:** A number of Deputies remain but we are out of time. I ask that they use 30 seconds per question.

**Deputy Fergus O’Dowd:** I warn the Taoiseach that the dental services in Louth and Meath have collapsed and the number of patients helping General Medical Services, GMS, patients has fallen from 61 two years ago to 22 today. Thousands of people cannot get an appointment, their teeth looked after or their oral hygiene checked and worse, there is no option to redirect them anywhere else because there is nowhere for them to go. It is extremely urgent. Only emergency appointments are available to people now. They are being provided by the HSE dental services. The problem is that special needs services and children’s services suffer as a result. It is a huge crisis which needs Government intervention now.

**Deputy Patricia Ryan:** I wish everyone a happy St. Brigid’s day. I welcome the pandemic bonus payment. However, when will it be made and will the Government commit to including workers in organisations funded under sections 38 and 39 of the Health Act 2004 and those in receipt of carers allowance?

**Deputy Catherine Connolly:** I will return to the Women of Honour. How can the Taoiseach proceed with a so-called independent inquiry where the terms of reference have not been drawn up the Dáil or the women who courageously came forward and made known what they

1 February 2022

had suffered? They also pointed out that all the previous reviews and policies had utterly failed to protect women and men in the Defence Forces. The Taoiseach will now proceed with an apparently independent inquiry, which it is not, in which the women have said they will not be participating. Does that pose a dilemma for the Taoiseach?

**Deputy Colm Burke:** The programme for Government set out the need to expand primary and community care. The Irish College of General Practitioners has proposed that a high-level working group be established within the Department of Health, taking into account the ICGP, the Irish Medical Organisation, IMO, the Irish Medical Council and all of the relevant stakeholders, to develop the expansion of primary healthcare and community care. Will the Taoiseach support the proposal on the establishment of this high-level working group?

**The Taoiseach:** Two rounds of discussions have been held with the Irish Dental Association, the most recent of which was on 17 December, when the Department and the HSE outlined provisional proposals to invest additional resources to the scheme, including €10 million provided in the budget, on top of the 2022 Estimate allocation of €56 million. The Department is anxious to move the process on in the interest of patients and hopes to meet the Irish Dental Association shortly to try to progress matters.

Deputy Patricia Ryan raised the issue of when Covid payments would be made. The HSE is operationalising and working on the payment of the recognition payment to the workers.

Deputy Connolly raised the Women of Honour group which I met yesterday. There were other groups of women serving in the Army and in the Defence Forces that met with the Minister, Deputy Coveney, as well as other representative organisations. They may have slightly different perspectives on the independent review that has been announced. I had a relatively lengthy discussion yesterday with the Women of Honour group. It is independent in the first instance. It is an independent judge with assistance from a senior counsel and also Ms Jane Williams, who has a very good record from a human resource perspective. The discussion ranged over a number of issues. Importantly, if we go back over a number of statutory inquiries that were held, the better ones benefited from scoping work that was done in advance. We have not ruled out a statutory inquiry.

It is important the Minister has an obligation to make sure the current situation is optimal for the protection of Defence Forces personnel right now. This review can come up with valuable recommendations in that regard.

In response to Deputy Colm Burke, I would support the proposal on the establishment of this high-level working group. I will discuss the primary healthcare and community care high-level group with the Minister.

### **Technological Universities Act 2018 (Section 36) (Appointed Day) Order 2022: Motion**

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

That Dáil Éireann approves the following Order in draft:

Technological Universities Act 2018 (Section 36) (Appointed Day) Order 2022,  
copies of which have been laid in draft form before Dáil Éireann on 29th November,



2021.

Question put and agreed to.

### **Ministerial Rota for Parliamentary Questions: Motion**

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

That, notwithstanding anything in the Order of the Dáil of 30th July, 2020, setting out the rota in which Questions to members of the Government are to be asked, or in the Order of the Dáil of 25th January, 2022, Questions for oral answer, following those next set down to the Minister for Further and Higher Education, Research, Innovation and Science, shall be set down to Ministers in the following temporary sequence:

Tánaiste and Minister for Enterprise, Trade and Employment

Minister for Agriculture, Food and the Marine

Minister for Health

Minister for Rural and Community Development

Minister for Justice

whereupon the sequence established by the Order of 30th July, 2020, shall continue with Questions to the Minister for Environment, Climate and Communications.

Question put and agreed to.

### **Houses of the Oireachtas Commission: Motion**

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

That Dáil Éireann, pursuant to section 4(2)(f)(iv) of the Houses of the Oireachtas Commission Acts 2003-2021, hereby authorises the Houses of the Oireachtas Commission to defend Workplace Relations Commission proceedings against a member of Dáil Éireann entitled: ADJ-00035219, and which proceedings arise solely out of the performance by the member concerned of their parliamentary functions as a member of Dáil Éireann.

Question put and agreed to.

^ **Ceisteanna - Questions** ^

### **Cabinet Committees**

1. **Deputy Jennifer Murnane O'Connor** asked the Taoiseach when the Cabinet committee on Covid-19 will meet next. [61982/21]

2. **Deputy Niamh Smyth** asked the Taoiseach when the Cabinet committee on Covid-19

will meet next. [61983/21]

3. **Deputy Aindrias Moynihan** asked the Taoiseach when the Cabinet committee on Covid-19 is due to meet next. [61985/21]

4. **Deputy Alan Kelly** asked the Taoiseach when the Cabinet committee on Covid-19 last met and next plans to meet. [3312/22]

5. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the work of the Cabinet committee on Covid-19. [4365/22]

6. **Deputy Mick Barry** asked the Taoiseach when the Cabinet Committee on Covid-19 will next meet. [4631/22]

7. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on Covid-19 will meet next. [4698/22]

8. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on Covid-19 will meet next. [4701/22]

**The Taoiseach:** I propose to take Questions Nos. 1 to 8, inclusive, together.

The Cabinet committee on Covid-19 met most recently on 17 December. The date of the next meeting has not been set.

Following public health advice, the Government agreed that from 22 January, most of the public health measures that were in place could be removed, including guidance in relation to household visiting; early closing time for hospitality and events; capacity restrictions for outdoor events, including sporting fixtures; capacity restrictions for indoor events, including weddings; formal requirements for physical distancing, in general 2 m; use of pods for indoor activities; sectoral protective measures in hospitality, including physical distancing; restrictions on nightclubs; and requirements to have a valid digital Covid certificate to enter various premises.

A return to physical attendance in workplaces on a phased basis, as appropriate to each sector, commenced on 24 January. To support the transition back to physical attendance in the workplace and the continued safe operation of workplaces, a transitional protocol has been prepared. It draws on lessons learned to date, along with the latest public health guidance. It follows discussion and agreement at the Labour Employer Economic Forum.

A number of public health measures will remain in place until 28 February 2022, including requirements for mask wearing in all settings for which this is currently regulated and protective measures in schools and early learning and care facilities.

There remains a need for ongoing close monitoring of the virus. The pandemic is not over and the emergence of new variants with increased levels of transmissibility, immune escape and-or virulence remains a risk both nationally and globally, particularly in the context of continued high levels of infection and variance in vaccine supply and uptake globally.

We will need to continue to monitor the ongoing risk from the disease and take steps individually and collectively in our everyday lives to keep this risk under control. This includes continuing to follow the current advice for those with symptoms, cases and close contacts and

continued focus on maximising the uptake of the primary and booster vaccination. To this end, I encourage those who have not yet received their booster vaccine to avail of one of the many options available through the vaccination centres, pharmacies or GPs.

**Deputy Jennifer Murnane O'Connor:** While I welcome the restrictions lifted last week, I have concerns about how people with medical cards are being looked after. I have been contacted by people with medical cards who were denied dental appointments. I sat with one elderly gentleman in my office last week and we went through a list of dentists together. We finally finding one in Carlow who sees patients under the General Medical Services, GMS, Contract. This is unacceptable.

Are there fees for Covid consultations with GPs? I have had a few phone calls about that issue. Now that society has reopened, it is important that people who want to see their GP about non-Covid-related illnesses can see them and are not waiting a long time for appointments. I acknowledge doctors' surgeries are doing their best. People who are waiting on hospital appointments, also non-Covid related, must get them as soon as possible.

**Deputy Alan Kelly:** A public health reform expert advisory group has been set up by the Minister. It has 30 members and is chaired by Professor Hugh Brady, a former president of UCD. Will there be any formal review by the Government and has any model been decided on?

During Covid - we are still in Covid but during the really bad times - we had to make certain allowances in relation to hospitals. I want to raise the issue of University Hospital Limerick, UHL. Colleagues across politics have raised this matter. UHL is my local hospital. There are record numbers of people on trolleys in the hospital. Last week, it was 97, on Wednesday it was 111 and the figure for the whole month of January was 1,300. The overcrowding is 132% higher than it was last year. There is a systemic issue here. I have been fighting on this issue for a decade. The hospital is not big enough. There will have to be a change in pathways for the use of Nenagh, Ennis and St. John's hospitals. We have to do something because the management and staff at UHL cannot do any more. The hospital is too small for the population in the area.

When the Government is selecting an elective hospital for the future, the first base should be in the mid-west. Whether on the grounds of one of the current hospitals or with one of these hospitals, it should be in the mid-west because that is where the biggest crisis is. That is a long-term solution. In the short term, we need a change in pathways and also €41 million more in funding to bring UHL up to the required service of a model 4 hospital.

**Deputy Mary Lou McDonald:** Last September, the Taoiseach said that an evaluation of the State's Covid's response would begin early this year to consider how the country performed for the purposes of learning lessons to be applied in the future. Instead, what has transpired is the establishment of an expert advisory group whose scope is limited to the public health service. It is my strong view that there is a need for a public inquiry that is time-bound to consider all aspects of Government decision-making because there was no element of public service provision that did not face decisions it would not ordinarily have to make, while having to adapt services to an unprecedented changing environment.

A public inquiry is, in my view, the only mechanism by which the experiences of civic society and the outcomes of political and public policy decisions can be thoroughly explored and evaluated. This process does not have to be drawn out or adversarial but it must be independent, fit for purpose and human rights compliant. There will be hard questions for Government.

The Taoiseach was a member of multiple Cabinets that presided over a deeply fragmented public health service. Nursing homes, critical care, domestic violence services, disability and dementia services, mental health and addiction care were all casualties of an historically under-resourced public system. In the absence of a public inquiry, how can the Taoiseach's commitment to a full evaluation of the State's response to Covid be delivered on?

We have to also acknowledge that Covid-19 remains with us and the need for robust and resourced testing, tracing and vaccination programmes remain. We need clarity from the Taoiseach on what that will look like into the future.

**Deputy Mick Barry:** The Covid crisis has opened up a debate about remote working. When workers won the right to join a union, they did not win the right to request their employer to consider allowing a union. When women won the right to vote, they did not win the right to request the Government of the day to consider allowing them a vote. The Government seems to have a problem with understanding the concept of workers' rights. Coming from the Tánaiste and Minister for Enterprise, Trade and Employment, Deputy Varadkar, that does not surprise me - the man is a down-the-line Tory. However, the Taoiseach proclaims his working-class roots. He was at it here in the Dáil last week. He projects himself as a believer in workers' rights but when it comes to remote working, a key issue for workers concerned with work-life balance, long commutes, pricey petrol and so on, there is not a scintilla of difference between him and the Tánaiste. The Taoiseach is not supporting workers' rights here. He is supporting a miserable right to request. Why is that?

**Deputy Richard Boyd Barrett:** On a similar issue of rewarding workers who played a critical role during Covid, obviously we all accept and welcome the announcement that front-line workers are to get a pandemic bonus, although it should be extended to carers, as has been discussed. There is no doubt that group were on the front line of the Covid response. What does the Taoiseach have to say, if he is not willing to extend that bonus to them, to groups such as retail workers and those who worked in supermarkets? They are traditionally low paid but they kept food on the table during the Covid pandemic. Without them, we would not have got through the pandemic. They are very low paid, and I might add to that private security workers. They work in many of those places, also worked all through the pandemic and are incredibly low paid. What is the Government going to give in terms of a pandemic bonus and reward, long term, to those groups of workers? Does the Taoiseach agree they deserve something like what the Dunnes Stores workers have won, namely, a 10% pay increase, or that the minimum wage would be increased dramatically to something like €15 an hour, as against the abysmally low level of pays these workers currently suffer? If we are serious about respecting the role they played, what long-term dividends is the Government going to give them in the aftermath of Covid?

**Deputy Paul Murphy:** Yesterday, the Department of Foreign Affairs published its internal review of what it calls workplace arrangements in Iveagh House, a euphemism for champagne-gate on 17 June. This was a time when many people were not able to attend funerals of loved ones and thousands of people received fines for either organising or attending social gatherings in breach of the regulations in place at the time, and this report is a whitewash from start to finish. The narrative is the idea of it being an impromptu event, but the review cannot therefore explain why at least two members of staff were present at the social event who were not scheduled to come to work that day.

Most glaring, it is a whitewash for the Minister responsible, namely, the Minister for For-

ign Affairs, Deputy Coveney. The review did not even question or interview him about, for example, what he experienced when he went there. He was there about one hour and a half after the champagne corks had been popped, when clearly a social event of sorts was still continuing. As for what he did about it, he clearly did nothing. He was not interviewed in his capacity as the Minister responsible, with whom, ultimately, the buck has to stop.

Has the Taoiseach spoken to the Minister about why he deleted at least one text message from his phone - this is not the first time we have heard of that - about this party? Most important, will the Taoiseach please agree the Minister needs to come before the Dáil and answer questions about this, or is he going to collude in a cover-up?

**The Taoiseach:** I thank the Deputies for the range of questions. Deputy Murnane O'Connor raised pertinent issues about getting access to dentists, GPs and acute hospital services, as well as getting access to GPs more generally in respect of non-Covid illnesses. Obviously, Covid has had an impact on our health services, as did the cyberattack last year. In respect of dentists, I have made the point that contractual discussions are ongoing with the Irish Dental Association regarding fees and so forth, and additional funding has been provided in that regard.

I again pay tribute to the work of GPs during the pandemic on a range of fronts. Our health service stood the test throughout the pandemic despite what has been said, relatively speaking and compared with other countries in terms of mortality figures and the degree to which our ICUs held up notwithstanding significant pressures. We need to thank those involved. GPs in particular, through the booster campaign before Christmas and working with pharmacies, led a very important campaign to reduce the impact of Omicron, particularly in terms of hospital and ICU admissions, deaths and severe illness. People can take things like that for granted in the aftermath, but it was a very effective and well-run booster campaign that had a huge impact.

I get the point that we need now to open access because one of our big concerns relates to delayed diagnosis across a range of illnesses. That is a huge concern and we have to be alert. There will have to be intensive resourcing in the next 12 months to deal with this undoubted legacy from Covid, be it in cancer care, heart disease or a range of other areas where normal diagnostics or regular screening did not take place. I have some concerns about that and we will need to keep a close focus on it.

To respond to Deputy Kelly, we need to have a look at what is happening in the mid-west, where there has been an historical underprovision of beds. I support the idea of an elective facility but, under Sláintecare, that proposal has not emerged in respect of the mid-west. What has come back to us relates to elective facilities for Galway, Cork and Dublin, but I am open to the idea of an elective facility for the mid-west. I think an elective-only facility is the way to go and the health service needs to move more quickly than it normally does. It does not have to be a long-term provision but should rather be a short to medium-term one. Ideally, it should be on health ground lands to fast-track it.

Turning to Deputy McDonald, we need an evaluation and it is important that it be comprehensive in respect of everything that took place, with a view to learning lessons. In my view, it has to be about learning lessons. We do not want future public health officials or public servants to be hamstrung or looking over their shoulders if there is a new crisis, conscious that another inquiry may be conducted into what they are doing in the middle of that crisis. In the middle of a crisis, we need speed, we need people to make decisions and we need people to have courage to make decisions, and not to cover their back all the time or do box-ticking exercises. All in-

ternational responses to crises have this as a basic standard, whereby we look back to evaluate, learn and ensure those lessons are applied to future pandemics and crises. That should be the spirit of the approach and the Government will have to work on what the best model will be. Prior to Christmas and throughout the Christmas period, we were very focused on vaccination. Once that evaluation and inquiry is in train, it takes all the senior front-line people out of working on the pandemic, and all hands were on deck for Omicron during that period. We will come back to the House with proposals. The public health reform expert advisory group is there to focus and identify learnings from the public health components of the response to Covid-19. It is important that we have a strong and robust embedded public health system into the future.

Deputies Boyd Barrett and Barry asked questions in respect of workers. Throughout the pandemic, we have been very strong in supporting workers, be that through the pandemic unemployment payment, the employment wage subsidy scheme, EWSS, or the Covid restrictions support scheme, CRSS. We have provided a range of measures to support the economy and underpin employment. The best outcomes for workers relate to access to a job and the ability to get back to normal as quickly as we can. As was commented on earlier in the House, there is also the recognition payment, primarily for front-line healthcare workers.

### Cabinet Committees

9. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on housing will next meet.. [2221/22]

10. **Deputy Bríd Smith** asked the Taoiseach if his Department has commissioned any polling of the general public related to possible or existing policies within the remit of his Department for the period 1 January 2021 to date; if so, if he will provide details of the policies; and the costs incurred for each individual poll. [2223/22]

11. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on housing will next meet. [2225/22]

12. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on housing will next meet. [3242/22]

13. **Deputy Alan Kelly** asked the Taoiseach when the Cabinet committee on housing will next meet. [3313/22]

14. **Deputy Cian O’Callaghan** asked the Taoiseach when the Cabinet committee on housing will next meet. [3537/22]

15. **Deputy Jennifer Murnane O’Connor** asked the Taoiseach when the Cabinet committee on housing will next meet. [3619/22]

16. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on housing will next meet. [4629/22]

17. **Deputy Paul McAuliffe** asked the Taoiseach when the Cabinet committee on housing will next meet. [4724/22]

18. **Deputy John Lahart** asked the Taoiseach when the Cabinet committee on housing will

next meet. [4725/22]

**The Taoiseach:** I propose to take Questions Nos. 9 to 18, inclusive, together.

The Cabinet committee on housing met nine times in 2021 and met again on Monday, 24 January. The next meeting is planned for Thursday, 3 March. This committee works to ensure a co-ordinated approach to the delivery of the programme for Government commitments regarding housing and related matters. The focus of recent meetings has been on implementation of the Housing for All plan. Housing for All is the most ambitious housing plan in the history of our State and contains a range of actions and measures to ensure more than 300,000 homes are built by 2030. This figure includes 90,000 social, 36,000 affordable purchase and 18,000 cost-rental homes. The plan is backed by the highest ever State investment in housing.

Last week, the Government published the second quarterly progress report, for quarter 4 of 2021. It shows significant progress towards the fundamental reform of the housing system, setting the course to increase significantly the supply of housing and provide a sustainable housing system into the future. Recent data from the CSO show that, despite the disruption caused by Covid in 2021, a total of 20,433 new dwellings were completed in the year, with a significant pick-up in apartment development. The pipeline data are also strong, with more than 30,000 commencements in 2021, the highest since 2008. Of 213 actions in Housing for All, a total of 123 either have been completed or are being delivered on an ongoing basis. We have introduced measures, such as Project Tosaigh, to activate existing planning permissions and accelerate delivery of houses in key strategic locations. It is clear that the sector is rebounding from what has been a very difficult two years and we are confident that the target for delivery of 24,600 homes in 2022 will be met. Employment is back to pre-pandemic levels and apprenticeship registrations are increasing significantly. An international recruitment campaign will get under way shortly to further bolster capacity in the sector.

The actions outlined in the plan are backed by over €4 billion in annual guaranteed State investment in housing over the coming years. It is clear we also need to attract up to €10 billion of private capital into the market each year to meet our targets and ensure we deliver social, affordable, cost-rental and private homes at the substantial scale required right across the country. Through Housing for All, the Government has implemented a number of measures to make homes more affordable to buy or to rent. The new local authority home loan is open for applications, the help-to-buy scheme has been extended, we are scaling up the delivery of cost-rental homes and rent in rent pressure zones has been capped at 2%, or the rate of inflation, whichever is lower. We are also continuing to support our most vulnerable, those experiencing homelessness and those who have more complex housing needs. The Cabinet committee will continue to focus on delivery of the Housing for All plan.

**Deputy Richard Boyd Barrett:** This Friday in the District Court, behind the Four Courts, five individuals and families - working-class people - are going to pay the price for the Taoiseach's failure to address the housing crisis. The case of the St. Helen's Court apartment complex, where a vulture fund is going to evict the families, really tells the story of this housing crisis. They have always played their rent. The vulture fund is evicting them for no other reason than it wants to increase the value of the property - for profit. Faced with homelessness, they go to the council as they are on the housing list, but the council does not have any council houses for them because there are 5,000 families on the housing list. They are told to go and find a HAP tenancy but the council will only give them €1,000 to find a HAP tenancy and average rents in the area are €2,200. In other words, they are absolutely goosed. These are very worried people.

What is the Taoiseach going to do for these people facing homelessness? Otherwise, they and many like them are going to be driven into homelessness over the coming weeks because we have not delivered the rent controls, the tenants' rights and the affordable rents that people need.

**Deputy Bríd Smith:** The Taoiseach in his introduction mentioned affordable, social, cost-rental and help-to-buy housing but he did not say a word about strategic housing development, SHD, which is practically all build to let. In Drimnagh, Crumlin, Walkinstown and Ballyfermot, we have been swamped with applications for strategic housing development, which means there will be no sustainable communities and no permanent homes for the tens of thousands of families who are on the waiting list in those areas. It also means another thing, which is that sustainable communities will not be built. The Taoiseach is going to be asked by the community in Cherry Orchard to come out to visit them. They have been subjected to a massive increase in antisocial behaviour, which arises from the social conditions. I hope the Taoiseach does come to Cherry Orchard but he will be shocked. When I moved into Ballyfermot 30 years ago, Cherry Orchard had one shop and it still has one shop, but no cafés and chemist or post office. It does have a very good national school, which the community fought for, and a good equine centre. Beyond that, there are no facilities yet a strategic housing development is being given planning permission to go into that area, with hundreds more apartments, which probably means a few thousand added to the population. Where is the thought for infrastructure for sustainable communities?

**Deputy Paul Murphy:** I have quite incredible correspondence with me from Augustus Cullen Law Solicitors on behalf of Ardstone Homes Limited, which is a development and investment company. They are threatening letters to a Tidy Towns group, Ballyboden Tidy Towns Group, threatening to sue it for defamation. Why? It is because the group has stood up for proper planning against abuse of the SHD process and initiated two judicial review processes with Ardstone as a respondent. In the words of the Tidy Towns group's solicitor, Fred Logue, the litigation threatened in the letter amounts to SLAPP, strategic litigation against public participation, in other words, bullying. To quote Mr. Logue, it is litigation aimed not at obtaining the stated relief, but rather calculated to intimidate and silence civil society, environmental defenders and persons exercising their fundamental rights. It goes on to say that it is a calculated attempt to punish Mr. Logue's client for exercising its rights and to effectively shut it down. Will the Taoiseach condemn the abuse of the legal process to attempt to intimidate Tidy Towns groups which are attempting to stand up for their community?

**Deputy Mary Lou McDonald:** The Taoiseach's housing strategy and policy is a fiasco and a disaster. If he was to listen to those we call generation rent and their experiences, that would be apparent to him, as it would if he was to observe the clear generation gap, the generation cleavage that exists right across this State and reflect on the fact a whole generation of people have been locked out not alone from any aspiration to own their own home, but even to afford a stable, sustainable roof over their heads. I have said this to the Taoiseach many times but I say it to him again.

The Taoiseach has lauded his achievements with regard to homelessness. However, a report published by the Dublin Region Homeless Executive reflects a different story, in fact, a steady rise in homelessness for single people, families and children throughout last year, a dramatic drop-off in exit from homelessness compared with 2019 and 2020, and a very high level of long-term homelessness. We know from previous data that there can be a December hiatus in the Christmas period and numbers can drop but then they surge again.



The decision of the Minister for Housing, Local Government and Heritage to lift the Covid-19 ban on evictions has made a really bad situation worse. Will the Taoiseach intervene on that score at least and effect some minor change in those circumstances?

**Deputy Alan Kelly:** Home Building Finance Ireland was set up to provide finance to private developers at market rates for commercially viable housing developments. I would appreciate it if the Taoiseach would look into what I am about to raise with him. There is a small development funding product for developments under ten units through this organisation. However, while it will fund projects of between five and nine residential units, the rules limit access. The size of the loan must be from €1 million to include land purchase up to 50% and development funding. Small builders who want to borrow less than €1 million, for example, those who want to borrow €500,000 or €600,000 instead of €1 million, are excluded from the scheme. In rural parts of Ireland in particular and on urban infill sites in towns and villages, they are excluded because they do not need €1 million and, for example, might only need €500,000. These types of schemes are also lower risk because, generally, small builders know who they are building for as they are normally local people. They want to limit their risk, build in small phases and not be too leveraged, if the Taoiseach understands me. Will the Taoiseach look at the limit to see if there is a way in which it can be changed to facilitate small amounts of building in rural and urban areas, where it is necessary?

**Deputy Cian O’Callaghan:** For more than a year, I have been raising with the Taoiseach the issue of standards in privately run emergency accommodation for people who are homeless. I have also raised this with the Minister for Housing, Local Government and Heritage. While these are privately run homeless shelters, they are in receipt of public funds. I want to read a quote from one young woman about what she found when she came back to a hostel recently. She said:

All my stuff was robbed, which I was told would be safe and that only staff had access to rooms. I rang and the supervisor was telling me to go away and not be annoying him. Only the staff had keys to the room. I am only young and I have a job. I can’t be in hostels. I have chosen to sleep outside some nights rather than that.

This is in publicly funded hostels where people cannot leave their personal possessions without fear of them being robbed. When they raise a complaint with the management of the hostel that we pay for, they are told to go away and leave them alone. This is not acceptable. When is HIQA going to be asked to conduct independent inspections of emergency accommodation for homeless people?

**Deputy Jennifer Murnane O’Connor:** I know it is clear we need to build housing but we need to make it affordable. I still meet people who do not qualify for the local authority home loan and they do not qualify for social housing.

*4 o’clock*

We talk about supply being the issue, but there have been other issues, including a backlog in housing applications. I thank the Minister for Housing, Local Government and Heritage for addressing that by means of fast-tracking the appointment of new staff. The housing department in Carlow has five new staff and Kilkenny has six new staff. However, I had a family with me yesterday who are in receipt of income supplement. They are above the threshold to qualify for social housing. I ask that this be looked at. We cannot have a family on family income

supplement who are not qualified to go on the local authority housing list.

There is one other matter, which I know the Taoiseach will address. There are significant issues with the local authority adaptation grants and the policy relating to children. There does not seem to be a policy in place. It all seems to be for elderly people. I welcome that support, but lately I have met many children who need grants. This is a major issue. I thank the Taoiseach.

**Deputy Mick Barry:** A developer was told by Deloitte last year that an apartment project in Cork city would only be viable, or, in other words, profitable, if rents of €2,800 per month were charged for two-bedroom apartments. Perhaps the most famous apartment project in Cork, the Elysium, was left half-empty due to extortionate rents. Why does the Government persist with promoting this build-to-rent strategic housing development housing model? This matter has come up in a number of contributions and it can currently be seen with the planning application for 191 apartments at Hewitt's Mill in Blackpool in Cork city. Does the Taoiseach accept that for-profit apartment development is not what we need in Cork or elsewhere, that these build-to-rent developments are driving up the average price of rent, and that the focus instead needs to be on the provision of social and affordable housing and apartments?

**The Taoiseach:** I thank the Deputies for raising those wide-ranging issues. Deputy Boyd Barrett referred to the five families in St. Helen's Court and the challenges that they now face.

**Deputy Richard Boyd Barrett:** Court on Friday.

**The Taoiseach:** They are facing eviction and will be in court on Friday. I do not know the specifics of what will transpire in the court case but, suffice it to say, every effort should be made to prevent eviction, particularly when families have real challenges in securing alternative accommodation, whether through the housing list or through the HAP system. There are rules governing evictions and the basis upon which evictions can be granted.

**Deputy Richard Boyd Barrett:** The law allows this one.

**The Taoiseach:** I do not know the specifics of why this-----

**Deputy Richard Boyd Barrett:** Sale by a vulture fund.

**The Taoiseach:** The matter is before the courts. In my view, every effort should be made to prevent eviction. I do not know whether or not the local authority has been involved with the tenants. That should be pursued.

Deputy Bríd Smith raised the issue of affordable social and rental housing. Councillor Daithí de Róiste was in touch with me about what has transpired in the past week. He said that the committee would contact me to ask me to visit the area, which I will do. I am familiar with the facilities in Cherry Orchard, particularly the school facilities. I was in government when that was last developed. There was a comprehensive solution at the time. In the context of sustaining communities, a Cabinet sub-committee is developing a policy position in respect of key areas such as social and community development, housing and giving communities the tools to be safe, with an emphasis on childcare, early education and so on. It is somewhat similar to the drug task forces we had in the past and to the area partnerships that were developed. That is the way to proceed in order to give areas supports that are required. Officials in my Department are working on that agenda as I speak.

With regard to Deputy Paul Murphy's question, nobody should ever intimidate a Tidy Towns committee that is pursuing its objectives and work. It would be wrong to do so. I am not familiar with the specifics of the case the Deputy raised, but, in my view, Tidy Towns committees do exceptional work. They should be supported in that process and should not be intimidated by anybody.

Deputy McDonald referred to the housing policies and described them as a fiasco and a disaster. They are anything but that. Significant progress has been made, notwithstanding the impact of Covid-19 on housing construction in 2020 and 2021. The 30,000 commencements are significant. We need to build on that. The Deputy does not have to appreciate it, but I find it hard to reconcile what she said with the constant serial objections to good housing schemes in circumstances where there has been an abundance of debate about mixed solutions, including a combination of social, affordable and private housing. Projects such as that relating to O'Devaney Gardens went on for too long. It is a shame on everybody that they were allowed to go on for so long.

I will follow up on Deputy Kelly's questions.

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

**The Taoiseach:** There are many questions here.

**An Leas-Cheann Comhairle:** I am faced with a situation with many questions and less than ten minutes.

**The Taoiseach:** I take the Leas-Cheann Comhairle's point. Deputy O'Callaghan has been a consistent-----

**An Leas-Cheann Comhairle:** We are moving on to question No. 19.

### **Cabinet Committees**

19. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on education will next meet. [2226/22]

20. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on education will next meet. [2176/22]

21. **Deputy Gary Gannon** asked the Taoiseach when the Cabinet committee on education last met; and when it is next due to meet. [3076/22]

22. **Deputy Rose Conway-Walsh** asked the Taoiseach when the Cabinet committee on education last met and will next meet. [3335/22]

23. **Deputy Alan Kelly** asked the Taoiseach when the Cabinet committee on education will next meet. [3314/22]

24. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on education will next meet. [4630/22]

25. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on

education will next meet. [4699/22]

26. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on education will next meet. [4702/22]

27. **Deputy Pádraig O’Sullivan** asked the Taoiseach when the Cabinet committee on education will next meet. [4711/22]

28. **Deputy Cathal Crowe** asked the Taoiseach when the Cabinet committee on education will next meet. [4713/22]

29. **Deputy Cormac Devlin** asked the Taoiseach when the Cabinet committee on education will next meet. [4810/22]

30. **Deputy Niamh Smyth** asked the Taoiseach when the Cabinet committee on education will next meet. [4811/22]

**The Taoiseach:** I propose to take Questions Nos. 19 to 30, inclusive, together.

The Cabinet committee on education oversees implementation of the programme for Government commitments in the area of education, including the management of Covid in schools. This committee last met on 13 May 2021. It will meet again shortly. I have regular engagement with Ministers at Cabinet and individually to discuss priority issues relating to their Departments. The three party leaders met the Minister for Education and her officials a fortnight ago and recently had contact too. In addition, a number of meetings have been held between my officials and officials from relevant Departments since the establishment of the Cabinet committee in July 2020. That includes the Minister for Further and Higher Education, Research, Innovation and Science too.

**Deputy Paul Murphy:** The Taoiseach admitted a year ago that the leaving certificate was inflexible and that a new system was needed. Here we are, after two years of no traditional leaving certificate, as it is called, and now the Government is absolutely determined, against the wishes of 68% of students, to drive through a return to a so-called traditional leaving certificate. In addition to the usual anxieties that cause more than 50% of students to suffer from physical or mental illness as a result of the leaving certificate, are inadequacy of preparation and so on. The announcements did not even include mention of extra third level places to reduce competition. Instead, what is proposed is a recipe for massive points inflation, severe pressure on students and the continuation of this unnecessary rat race. Will the Taoiseach please reconsider the position and provide the investment to ensure that there will be places at third level for all who want them?

**Deputy Mary Lou McDonald:** It is disappointing that the Government has failed to hear and to respond to the reasonable request from leaving certificate students for fairness and recognise the level of disruption that they have suffered over the past two years. Here is what at least some of them are saying on social media platforms, which are the chosen platforms of this generation. Isobel stated: “I am so upset, disheartened and stressed right now I could cry.” She also stated: “Just had the mental breakdown of the century to my parents.” Ben stated: “...hard to believe that my year may be the only year in the history of the LC at this kind of disadvantage.” Alisa stated: “I’m stressed enough as it is about the leaving cert so if I have to sit a traditional leaving cert everything is gonna be worse. We have missed too much time.” Emma stated: “the past two years have been exhausting for everyone, how can 17/18 yr olds be expected to

sit important exams after missing out on crucial educational time? Disgrace”. Emma is quite correct.

**Deputy Gary Gannon:** One of the justifications the Government has given today for not affording students a hybrid leaving certificate is that 25% of the students do not have a junior certificate. I have never liked the leaving certificate but one of the arguments made in its favour by its proponents is that it is a fair exam that everybody sits on the same day. Now we have a scenario where three out of four students have had the practice of sitting a State examination but one out of four has not. Automatically, the logic of fairness goes out the window because some students have an advantage.

We had two reports, one from the Ombudsman for Children and the other from the Special Rapporteur on Child Protection, which clearly show that the pandemic has had a worse impact on children from disadvantaged areas than children from other communities around Ireland. Some students did not have access to laptops or remote study options, some missed school for a multitude of reasons, some did not have class time because their teachers were out sick and so on. Not every student experienced the pandemic in the same way but they are all being asked to sit the same examination, one that will have a real impact on their future. It is really unfair. The Government is grotesquely incorrect in pursuing this course.

**Deputy Mick Barry:** The Taoiseach can kiss goodbye to the votes of 60,000 leaving certificate students. As far as they are concerned they have been betrayed by the Minister for Education and the Government and they are not wrong. These students are a credit to themselves for the way they have campaigned, lobbied, gone on radio and protested. They gave the Government every chance to listen but it has decided not to do so. To add insult to injury, the Government is now forcing students to compete between themselves for a limited number of places at third level. The CAO deadline is today. It is bad enough to do that at any time but worse again in a pandemic year. I put it to the Taoiseach that his Government should invest heavily in third level to train the extra nurses, doctors, teachers, apprentices and others we need and offer far more college places next year for our leaving certificate students.

**Deputy Aodhán Ó Ríordáin:** I urge the Taoiseach to go down to his local second level school at the next opportunity, to walk into the sixth year class and observe the students all wearing masks, with the windows open, to count the number of teachers and students who are out because of the pandemic, and tell them that everything is going back to normal. The Taoiseach knows that if the schools were closed, the Department would find a mechanism to deliver a hybrid leaving certificate. All of the excuses the Taoiseach is trotting out about the junior certificate or the idea that school profiling was going to be essential just do not stand up to any scrutiny. The fact is the Government is dealing with a very conservative Department of Education and is failing to take it on. I implore the Taoiseach to go down to his local second level school and tell the students, with their masks on, the windows open, and the teachers out, that they can just go back to normal. The Government has failed to take on the Department of Education and its conservatism and it has failed the students.

**Deputy Richard Boyd Barrett:** The leaving certificate should be scrapped. It was never a fair exam. It always discriminated against those with special needs and those from disadvantaged areas and all of that has been compounded and made worse in the teeth of a pandemic. Will the Government take the bold step now, which could get us out of this mess, and say that everybody should be able to study the higher or further education course or apprenticeship of their choice? Imagine that. Imagine what it would be like if people got to study what they

1 February 2022

wanted to study at third level. It would make even more sense given the chronic shortage of psychologists, doctors, nurses, construction workers and so on. You name it, we have skills shortages and yet we want to maintain a stressful, gate-keeping exercise which makes it more difficult for our young people to advance.

**Deputy Pádraig O'Sullivan:** Last year when the Taoiseach assumed office we were presented with a situation in Cork where nearly 40 families had no special education place for their children. Since that time, we have opened a special needs school in Carrigaline and last week the Minister for Education confirmed to me in the House that a site has been also selected in my own town of Glanmire for another special education school. Given the problems we have had in Cork and the bottleneck that was recognised in the past, will the Taoiseach assure the House of his full support in ensuring that the Glanmire site will be progressed as quickly as possible.

**An Leas-Cheann Comhairle:** I am afraid we have run out of time so the Taoiseach has only one minute to respond to all Deputies.

**The Taoiseach:** I appreciate the work Deputy O'Sullivan has been doing on special education and can confirm that the Government will support the acquisition of that site.

On the broader issue of the leaving certificate, things are not going back to normal, as Deputy Ó Riordáin has suggested. This exam will not be the same as that which would have been put together in 2018 or 2019 in that about one third of the content has been cut back. The Minister did listen to the students. No one has come up with any alternative on the accredited grades. The fact that 25% of students did not sit the junior certificate and their data could not be used in an alternative accredited grades system is a very important point which is just being ignored in terms of any responses.

Students wanted clarity and certainty and that has been given. They also wanted greater choice on the exam papers and in the oral exams and that has been given, quite substantially. I went through some instances of that earlier today in respect of the English, maths, biology, art and accountancy papers. Very significant additional choice has been given to students and the burden reduced. It will not compare to 2019 or 2018 because of the greater choice being given.

The other key issue that students were anxious about was that they would not be disadvantaged in terms of grade inflation relative to the students of 2021. That has been also agreed by the Minister and that will be the case via the marking scheme and standardisation. The one area where the Minister could not respond was on accredited grades; not because she did not want to but because it would not have been as fair as last year. The Department could not devise a system that would have been as fair as last year's system, simply because we could not use the data of about 25% of the students because they had not done the junior certificate.

It is not about taking on the Department. I do not believe the Department is conservative on curriculum reform. There will be further reforms of the leaving certificate, as there should be. I would say to Deputy Boyd Barrett that the one aspect of the leaving certificate that has endured is fairness.

**Deputy Aodhán Ó Riordáin:** It is absolutely unfair.

**The Taoiseach:** Irrespective of background, in terms of access to higher level, it is not who you know in this country. It is crude, I accept that----

**Deputy Paul Murphy:** Look at the figures-----

**The Taoiseach:** -----and it needs to be reformed.

**Deputy Paul Murphy:** -----90% of people from Dublin 6, 10% from DEIS.

**The Taoiseach:** That is not because of the leaving certificate and the Deputy knows that. That goes back much earlier-----

**Deputy Paul Murphy:** It compounds and crystallises it.

**Deputy Gary Gannon:** That is how privilege is locked in.

**An Leas-Cheann Comhairle:** That concludes questions to An Taoiseach. Various Members are indicating that they may not have gone in on the appropriate list. I have a list before me and I can only work from that. The odd time I am not perfect but the list before me was as I took the speakers today.

### **Legacy Issues in Northern Ireland and New Decade, New Approach: Statements**

**The Taoiseach:** Is maith an rud é go bhfuilimid ag labhairt faoin gceist seo inniu mar is ceist ríthábhachtach é ó thaobh todhchaí na tíre de agus an easpa dul chun cinn i gcomhthéacs an chonartha seo.

It is just over two years since we reached the New Decade, New Approach, NDNA, agreement which restored to full operation the institutions of the Good Friday Agreement. This agreement was a very significant, shared achievement after three difficult years when these institutions did not operate. There are clear lessons from that period. We do not want that kind of hiatus to ever occur again but we need to acknowledge there are currently a number of challenging issues which are making it difficult to move forward and build on the progress made since the NDNA agreement.

Differences around legacy and dealing with the past, implementation of the Northern Ireland protocol and outstanding NDNA commitments, including on language and culture, continue to beset politics in Northern Ireland and relations on these islands. In recent months the North South Ministerial Council has not been able to meet due to the position taken by the DUP, based on its opposition to the protocol. This is really regrettable. No positive agenda is served by blocking practical North-South co-operation or by the breakdown of the institutions of the Good Friday Agreement. In fact, the contrary; it is a barrier to progress, co-operation and to pursuing the full potential of the Good Friday Agreement to deliver prosperity peace and a fully healed society for Northern Ireland and across these islands.

We take seriously unionist concerns in relation to the protocol and we have consistently sought to listen to and engage with those concerns. Only yesterday, I met with members of the Orange Order to discuss their perspectives and explain ours. Similarly, the European Union has listened closely to concerns in Northern Ireland and is working in good faith to minimise friction. The Commission has come forward with far-reaching proposals that comprehensively address the practical, genuine issues that matter most to citizens and businesses in Northern Ireland. Economic indicators are picking up the advantages to Northern Ireland of the protocol. This shows that it can be made to work for the benefit of all parts of the community.

1 February 2022

It is positive to see that talks on the implementation of the protocol have resumed between the European Union and the United Kingdom, including recent meetings between the Commission Vice President Šefčovič and the UK Foreign Secretary, Liz Truss. We need to see substantive progress for the joint tangible solutions in the coming weeks.

At the heart of the New Era, New Approach agreement is a commitment to address the issues that are that are of importance to the people of Northern Ireland. Crucially, of course, it contains significant and vital commitments to address the legacy of the past. Just two days ago, I stood with the Bloody Sunday families and the people of Derry as we marked together the 50th anniversary of one of the darkest days we have seen on this island. It is a testament to the families and to the city of Derry that this anniversary was marked with such dignity and grace, with creativity and a message of hope for the future. It is a city that has endured too much loss and yet there is such resilience and hope abides. The Bloody Sunday families had to work tirelessly in the face of almost inconceivable injustice to finally have acknowledged what they had always known to be true: the deaths of their loved ones were unjustified and unjustifiable. As a result of their dignified and unflinching campaign history will record that truth.

The breakthrough of justice represented by the Saville report and by the apology of the British Prime Minister was not a breakthrough simply for the families or for the city or for one community. The struggle and the grief of the Bloody Sunday families is shared by countless families across these islands from all communities. I have been honoured to meet with grieving families from all communities and I will do so again later this week. I stood in Enniskillen on Remembrance Sunday in the same spirit of solidarity that as I did in Derry on Sunday last. Loss knows no boundary and nor should justice. Too many families have had spent decades in the tireless pursuit of truth and justice for those that have lost. Many have been met with barriers and brick walls, with silence. It is vital that we address the legacy of the Troubles and remove those barriers now for each one of those families that have been waiting too long. Their hope must be matched by our efforts.

In 2014, after a long and difficult period of negotiation, the two Governments and the parties in Northern Ireland concluded the Stormont House Agreement. The purpose of that agreement was to address amongst other issues, the legacy of the past and put in place a comprehensive framework that was based on the guiding principles of truth, justice, and reconciliation. Unfortunately, that comprehensive and balanced framework we agreed to has yet to be put in place. Last year, as we know, the United Kingdom Government published a command paper that represented a radical departure from the Stormont House Agreement. It set out a proposal for a statute of limitations which would see an end to criminal investigations and prosecutions for Troubles-related offences pre 1998, as well as ending inquests and civil litigation. It is essentially a proposal for an unconditional amnesty for those not yet convicted. This proposal was understandably met with deep concern and upset from victims and survivors and from civil society human rights organisations. Every party on this island, North and South, has strongly and has publicly opposed it. The Government has made it abundantly clear that United Kingdom proposals cannot be the basis of a way forward. To completely close off the avenue to justice for families is not only deeply unfair but it would also undermine both the rule of law and our shared work for deeper reconciliation. It would likely result in years of legal challenge and further hardship for families.

Each family deserves access to a process of justice and until that processes in place families and communities will campaign and have to fight through the courts. And as time passes, that burden has already been passed to new generations. That is not acceptable. The Government



is engaged with the United Kingdom Government and the parties in Northern Ireland to seek a collective way forward on the issue. We will continue to do so. It is vital that we find an agreed approach that we could see implemented in both jurisdictions. It is also vital that any approach meets the legitimate needs of victims and survivors and also upholds our shared human rights obligations. We will also continue to urge the United Kingdom Government in the clearest terms against taking any unilateral action in this space. This is a message I have communicated directly to the Prime Minister and that the Minister for Foreign Affairs has underlined consistently in his engagements with the Secretary of State for Northern Ireland. Crucially, in dealing with legacy, as with so many issues in Northern Ireland, only through partnership can we effect real and lasting progress.

As we emerge together, North and South, from the Covid pandemic, the need for North-South and east-west partnership is more pressing than ever. Yet there is a danger that as we move towards the assembly elections, positions will get more trenchant and the progress of recent years will be undermined. It is important that all the political parties keep to the promise of the New Decade, New Approach agreement, in committing with renewed vigour to governing in the best interests of everyone in Northern Ireland. That pledge is more relevant now than ever.

For our part, the Government, through the shared island initiative, is working for the future of the whole island in a positive, practical and ambitious way, engaging with all communities and traditions, to build consensus around the shared future underpinned by the Good Friday Agreement. Through open and inclusive dialogue, practical and strategic North-South investments and new and innovative research, we are taking forward this initiative.

Backed by a shared island fund of €1 billion between now and the end of 2030, we are working to build a more connected, a more sustainable, and a more prosperous island for all. Through the shared island dialogue series, the Government is listening to people right across the island and ensuring the inclusion of under-represented voices on how we can better work together for a shared future.

There was an inspiring response last year, from civic representatives across all communities, regions and sectors. Patrick Kielty's excellent contribution in December sparked awareness and debate on these islands and beyond these shores. We are continuing and deepening the shared island conversation this year now that we can move to in-person and regional engagements.

Our approach is inclusive, constructive and forward-looking. The Government is working with ambition and unshakable political commitment for a shared, reconciled future for all on this island, founded on the Good Friday Agreement. However, without a comprehensive framework to address the legacy of the past, any healing and reconciliation will only be partial.

**Minister for Foreign Affairs (Deputy Simon Coveney):** This is an important debate. The legacy of conflict on this island and how we address this chapter of our history is vital for the shared future that we want, a shared future committed to on all sides as part of the Good Friday Agreement. We cannot build an inclusive future on cracked foundations. That is why, as difficult as it is, we must have a comprehensive approach to the violence of the past. This must deliver as much as is possible for victims and survivors from both communities in both jurisdictions, and across these islands.

1 February 2022

On Sunday, the Taoiseach and I travelled to Derry where we met the families of those who were killed on Bloody Sunday. We stood in solidarity with them as the city marked, with characteristic dignity and courage, the 50th anniversary of that terrible day. It was a fitting tribute to those whose lives were lost. The memory of that day continues to resonate across the island, as the story of the campaign that finally ensured the truth was brought into the light.

Experiences of the Bloody Sunday families, the Kingsmill families, the Birmingham families, the Dublin and Monaghan families and many others must drive us to find a better way forward. I have met regularly with families from all communities who lost loved ones in the conflict. They campaign with great determination but I am deeply conscious that with every year that passes the burden on their shoulders gets heavier and the struggle a little bit harder.

It was the need to provide a clear framework to meet the needs of victims and survivors that led to the Stormont House Agreement in 2014. That agreement envisaged the establishment of an independent historical investigations unit, as well as an independent commission for information recovery. It also importantly allowed for oral history initiatives and acknowledgement. Crucially, the agreement was built on the core principle of justice, truth and the rule of law. In July last year the British Government published a command paper which proposed the introduction of a general statute of limitations - meaning an immediate end to criminal investigations, the removal of the prospect of prosecutions and the end of all judicial activity in relation to Troubles-related incidents, including current future civil cases and inquests. This proposal has understandably caused widespread hurt and anger. It is important to be absolutely clear this is not a proposal the Irish Government could ever support. I have given that message consistently to the Secretary of State for Northern Ireland and the Taoiseach has conveyed it to Prime Minister Johnson also. We are completely clear in our position that it is only through a collective approach that we can hope to deal with legacy issues comprehensively and fairly and in a way that is acceptable to victims' families. That has been conveyed also to our friends in the United States Congress and Administration and in the important forum of the Council of Europe.

At the British-Irish Intergovernmental Conference held in June last year I agreed with the Secretary of State to begin a period of intensive engagement so that the political parties in Northern Ireland and the voices of victims could be centrally heard in finding an agreed way forward. That process ran throughout the summer and early autumn and engaged with a wide range of victims' organisations, civil society, academics and those working to deliver the current legacy investigations. That engagement process made very clear the almost universal opposition to the idea of a statute of limitations in Northern Ireland. It was also evident that there was unanimous opposition to the UK statute of limitations proposal across the political spectrum in Northern Ireland. This rejection was confirmed in a motion in the Northern Ireland Assembly on 20 July. I am conscious also of the clearly expressed view of all parties in the Oireachtas, as reflected in a Seanad motion last November. That political and community consensus has been borne out in many conversations I have had, both formally and informally, with families and victims' groups from all communities, including most recently in Derry on Sunday.

The UK proposals have also drawn significant international concern and been criticised by members of the US Congress as well as experts in the Council of Europe and the United Nations. However, the current situation of piecemeal and under-resourced investigations and prosecutions is also not working well enough. We see important breakthroughs such as the Ballymurphy inquest findings last year. We see important new information coming out such as the Police Ombudsman for Northern Ireland's Operation Greenwich report that found collusive

behaviours within the RUC in relation to a series of loyalist paramilitary murders from 1989 to 1993. However, the important ongoing efforts in place are uneven, and inadequate to the scale of the task. Thus, while making absolutely clear to the UK Government that we cannot and will not support an amnesty we have also remained open and ready to engage seriously with the UK Government to find a way forward. Unilateral action here cannot work but we know from decades of experience what is possible when we work in a partnership between both Governments and parties and stakeholders in Northern Ireland. Indeed, the New Decade, New Approach agreement is an example of what can be achieved when that spirit of partnership prevails. It took difficult compromises from all sides to reach that agreement. There were real political differences but there was also an end and a shared commitment to deliver. I was privileged to work with successive Secretaries of State and party leaders and officials across many challenging months and years but the reward was the restoration of the institutions and a restored voice for the people of Northern Ireland on the issues that impact their lives. The NDNA agreement set out a range of priorities for the Executive with respect to health, education, infrastructure, welfare, language and the sustainability of the institutions. Although Covid has undoubtedly presented an immense challenge and has rightly been the focus, progress nonetheless has been made across a range of some of those areas.

The pandemic also demonstrated the importance of having functioning political institutions able to respond and make vital decisions to protect people when necessary. For our part, the Government also made a series of commitments alongside the NDNA agreement focused on working with the Executive through the North-South Ministerial Council to deliver projects that benefit people across this island. Significant progress has been made with projects such as the Narrow Water Bridge and the Ulster Canal. An expanded reconciliation fund and the newly agreed EU PEACE PLUS programme will continue to support organisations North and South in delivering vital work within communities.

Another key component of the NDNA agreement was of course language and identity. It is welcome that the Secretary of State for Northern Ireland has committed to introducing a package of legislation in Westminster to enact what was agreed by all parties, in support of linguistic diversity and cultural expression in Northern Ireland. We would certainly welcome dates on when that legislation would be brought forward.

There is, of course, much more that needs to be said on all of these important issues and I look forward to the contributions of colleagues and to responding at the conclusion of this debate. As a final point on legacy, we want to continue to try to build consensus between political parties, between both Governments and, most importantly, with groups that are representing victims and their families. The *status quo* is not working. The structures are under-resourced and families are not getting the truth that they deserve and not getting the pathways to justice they rightly demand. The Stormont House Agreement was imperfect but it was a way forward that we all agreed to. If there is to be an alternative to that it needs to be agreed collectively by both Governments and by political parties and victims groups. We remain available and open to have that discussion but in reality, given the political timelines in Northern Ireland, the time in which to do this is short. The Taoiseach and myself have given a very clear signal to the British Government that we are willing to have his serious discussion but only in the context of trying to build consensus with political parties and victims' groups. I look forward to hearing what other Deputies have to say.

**Deputy Mary Lou McDonald:** On Sunday, I had the privilege of accompanying the Bloody Sunday families as they walked the same route taken by those who marched for civil rights 50

years ago. I listened to the families recall those they lost and share their memories of that fateful day. Their pain is still very raw and their deep sense of injustice burns still. They say time heals all wounds but this has not been so for the families of the 14 innocent people shot down by the British Army on 30 January 1972. How could it? For them, the five decades since the murder of their loved ones at the hands of the parachute regiment have been dominated by British Government denial, cover-up and lies about what happened that day, thwarting at every turn the families' quest for truth and justice. The dignity and determination of the Bloody Sunday families is mirrored by the courage and decency of the Ballymurphy families. They too have fought for 50 years to seek justice for the ten innocent civilians murdered by the same regiment in the west Belfast neighbourhood in August 1971.

The integrity of these families stands in stark contrast to shame of the current Tory Government. This government now seeks to push through an amnesty for all those who carried out acts of British state murder in Ireland, including those who perpetrated the atrocities of Bloody Sunday and Ballymurphy, and for those agents who shot dead five innocent people on the Ormeau Road 30 years ago this week, for those who carried out the Dublin and Monaghan bombings, for those British soldiers who in 1974 shot John Pat Cunningham in the back as he ran in fear from them and for those who murdered Pat Finucane and Rosemary Nelson.

As we walked the roads of Derry in the January sunshine, members of the families not only conveyed their anger about Boris Johnson's proposed amnesty, they also spoke of their feelings of being re-traumatised by what the British Government was attempting to do. They said this amnesty is not just an effort to rob them of the justice they have been seeking for their loved ones for a half a century but also a statement to the world that innocent people murdered by the British state during the conflict do not matter and never mattered. This amnesty will be resisted and opposed by the Bloody Sunday families, the Ballymurphy families and others, with the same dignity and determination that has carried their fight for 50 years. Their loved ones counted and their lives mattered. Saoránaigh Éireannacha ab ea iad siúd a dúnmharaíodh ag stát na Breataine le linn an cheangail. Tá sé ríthábhachtach go mbeidh Rialtas na hÉireann dílis, glórach agus réamhghníomhach in aghaidh phardún na dTóraithe.

The families are buoyed by the fact that there is no support for this amnesty on this island. I believe it is important that we have an all-of-Oireachtas approach in challenging the British Government on how it deals with legacy. Only last month, we saw exposed again the depth of Britain's dirty war in Ireland. The Police Ombudsman for Northern Ireland's report into Operation Greenwich revealed what so many have known for decades. Collusion between British forces and loyalist death squads was rife. It was a key component of British military strategy in Ireland. These were not random or *ad hoc* killings but were conceived of, directed and orchestrated by the British state at the highest levels. It was a concentrated campaign of murder that targeted the nationalist community, human rights advocates and, indeed, Sinn Féin elected representatives and members. It was an operation targeting republicans and the embryonic peace process in Ireland. The report dealt with 19 killings and two attempted murders of Irish citizens by the British state yet, to this day, there has not been a comprehensive response from the Irish Government.

The Tory policy seeks to grant amnesty to those who perpetrated these murders. Is é an rud is tábhachtaí ar féidir linn a dhéanamh anois ná na meicníochtaí oidhreachta a d'aontaigh Rialtas na Breataine, Rialtas na hÉireann agus na páirtithe polaitíochta ag Teach Stormont in 2014 a chosaint go diongbháilte. The Stormont House Agreement is central to dealing with legacy. It ensures that victims of the conflict have access to agreed mechanisms for delivering truth

and justice. These mechanisms are grounded in a human rights approach and best international practice. Provisions include the establishment of a historic enquiries unit, an independent commission on information retrieval, an oral history archive and the creation of an implementation and reconciliation group. The agreement preserves the right of victims of the conflict, and their families, to pursue justice through the courts, a right the proposed British amnesty seeks to shut down.

The British Government committed to implementing the Stormont House proposals within the first 100 days of the New Decade, New Approach agreement. So much for that. Two years on, not alone has Boris Johnson failed to honour this commitment, he has unilaterally pressed forward with legislation that undermines the Stormont mechanisms, replacing them with a self-serving, politically motivated amnesty and citing bogus national security concerns. Far from focusing on the need for truth and reconciliation, and building a new future for all, the Tory government seeks to destabilise the work of peacebuilding and new beginnings in Ireland. The British Prime Minister, in a reckless move, has cast aside the trust, good faith and political integrity that underpinned the achievement of the Good Friday Agreement and subsequent accords. He chooses belligerence, Machiavellianism and downright disrespect of all those who suffered at the hands of British forces and their agents.

I have always said that making agreements is important, but keeping them is all the more so. *Caithfidh Rialtas na Breataine dul i ngleic lena gcuid oibleagáidí. Caithfidh Boris Johnson stop a chur leis an bpardún seo.* The Taoiseach's remarks at the weekend opposing the British amnesty are very welcome, but now the Government must apply concerted, consistent pressure on the British Government to bin the legislation and return in good faith to what was agreed at Stormont House. This must involve effort at all levels, but especially through the Taoiseach engaging Mr. Johnson directly. Time is of the essence. Family members of those killed are getting older. Sadly, some have gone to their graves having never seen justice.

The task of building peace, reconciliation and justice in Ireland is precious. It falls to each of us, those who truly wish to see a new Ireland, to step forward and do everything we can to see this vision grow and flourish. It falls to both governments as co-guarantors of the Good Friday Agreement - the people's agreement - to never take that responsibility lightly. Dealing with legacy issues is important to shaping our future. It is not about settling old scores, winning or losing or wading into the deep, muddy waters of blame. It has to be about healing, it has to be about ending divisions that have held back our country and it has to be about truth and justice. These must be the foundations of the new future for our people, regardless of background or identity.

Building an Ireland in which every person can lead a happy and prosperous life, free from discrimination and inequality, must be our goal and guiding light. Understanding the past, healing from the past and opening the gates of justice that others seek to slam shut are foremost responsibilities of political leadership. In times such as these, when we are faced with challenges and barriers, history is made and the future is shaped. We must commit everything to ensure we never again see the dark days of the past and move forward in the belief that no matter our backgrounds, no matter our identities and no matter the journey we have travelled to this point, we can reconcile, heal divisions and build our future together on foundations of truth and justice.

**Deputy John Brady:** I firmly believe that if we are allowed to follow the thread of state violence, be that on the streets of Derry, Ballymurphy, Greysteel or Loughinisland, or any of the dozens of sites of state murder across the north, we will be able to uncover a direct link to

1 February 2022

the Cabinet table of the British Government. This the same British Government that is now attempting to introduce an amnesty for the state actors who have murdered in its name. They bring shame on the ideals of justice. The historical experience of British counter-insurgency has been an arc of development beginning with a blunt instrument used to bludgeon native populations into submission and later refined into an instrument of deadly and sophisticated state policy applied with lethal precision. This has been the pattern of state violence in the North from the 1970s right through to the 1990s.

In February 1971, the British appointed Harry Tuzo as general officer commanding, GOC, for the North, a man described by his own superiors as being unfit to hold a senior command in the British army. Tuzo was GOC during the Ballymurphy massacre, Bloody Sunday and internment. He also sought to have the Ulster Defence Association become a formal instrument of British army strategy on the ground in the North. The same loyalist groups formed the basis of the pseudo gangs of Brigadier Frank Kitson's design, which murdered at the behest of the British Government for decades.

The brutality of the British dirty and secret war was to hit home in my town of Bray, when Bray man Fran O'Toole, along with other members of the Miami Showband, Tony Geraghty and Brian McCoy, were massacred by a loyalist gang accompanied by a British army officer. Today, Stephen Travers and Des Lee still have to live with the horror of that attack and the quest for truth and justice. The Miami Showband attack was intended as a cross-Border bombing. The bomb the British-led gang were attempting to place on the minibus was intended to explode after the band crossed into the South. The Miami Showband massacre can be placed alongside a series of high profile cross-Border attacks, including the bombing of Dublin and Monaghan and the murder of a Sinn Féin elected representative, Eddie Fullerton, in County Donegal.

The British understood the instrumental nature of violence better than anyone, which they used to maximum effect when they bombed Dublin on the eve of the Dáil vote on the introduction of the Offences against the State Act in order to influence public opinion. Like other acts of state violence committed across the North, they were designed in the language of British counterinsurgency to inflict a moral lesson on the native population, to terrorise the public from supporting the IRA. British state violence was a performance of power designed to its maximum effect on the psyche of the public. Our primary concern must be for the victims of violence. There have been many victims on all sides. Today, we are looking at the impact on the victims of state violence. I pay tribute to all victims, the survivors and their families. I applaud their search for truth and justice. This search must continue with the support of this House. There can be no fitting legacy to the conflict that took place in the North until the full extent of the British state's role in orchestrating violence against the civilian population is laid bare. History and experience inform us that this will be no easy task, but we have no choice. Trust must sit at the very heart of the continuing efforts of truth and reconciliation for there cannot be justice without truth.

**Deputy Alan Kelly:** Last weekend marked 50 years since the terrible slaughter of Bloody Sunday, a day nobody will ever forget. Having learned about it as we grew up or through various different formats, it is a day that will be always etched in our memories. On behalf of the Labour Party, my colleague, Deputy Duncan Smith, laid a wreath in Derry on Sunday. The day's events were a powerful and moving ceremony for all those who were killed and injured.

Despite half a century having passed, the impact of that day is so raw. It is a date and a time that is pencilled into Irish history. When we talk about legacy, truth and reconciliation, it can

be very hard for those of us more removed from the direct impact of the Troubles to really appreciate what is at stake. I was struck by the remarks of Kay Duddy at the weekend when she made the following simple request to the British Parachute Regiment:

Please put your hands up and say you did it, so we can lay our wee brother to rest. My wee brother, Jackie Duddy, has been buried for 50 years but up to this minute in time, he hasn't been laid to rest.

That struck a chord with me.

It says an awful lot about the current approach of the Johnson Tory Government that its plans for a *de facto* amnesty, driven by the demands of his backbenchers and cheerleaders and not the people of Northern Ireland, have managed to unite all the political parties North and South against those proposals. It is a unique achievement. The proposed statute of limitations by banning all prosecutions for Troubles-related killings, other crimes, legacy inquests and civil cases up to 1988 will not address the truth and justice Kay Duddy and so many others seek. There are people on many sides who have been involved in atrocities that cannot be forgotten, left in limbo or wiped out because history does not get wiped out.

Last August, my colleague, Deputy Howlin, joined a cross-party gathering of Deputies and Senators and members of the main Northern Ireland political parties to meet with a cross-community group of victims' campaigners to make clear our views on the proposals from the UK Government. They signed a document rejecting the one-sided proposals from the British Government. These proposals ride roughshod over the concerns of families and survivors in both communities and will poison any efforts for a truth recovery process. This is a serious breach of the Stormont House Agreement of 2014, which was reaffirmed in New Decade, New Approach in January 2020.

The recent Supreme Court ruling that the PSNI was wrong not to investigate the cases of the hooded men in 2014 confirms once again the need for a pathway to justice for all victims of the Troubles. At the heart of New Decade, New Approach was the restoration of the Executive after three years. What people in Northern Ireland want is to see progress on public services and a decent and fair society. That is a shared goal North and South. As I said in November, the biggest priority for everyone on this island should be getting a home and medical treatment and providing for their children, whether they live in Eastwall, Dublin or east Belfast. The pandemic showed us the reality of the interconnectedness of this island and the importance of co-ordinating our approaches on vital public services such as healthcare, transport and social services. So many of the commitments in New Decade, New Approach have not yet been started never mind implemented. Whether it is the anti-poverty strategy, integrated education, waiting lists or climate action, too much time has been lost on this island.

One of the key outstanding issues is the Irish language Act. It was expected to be moved in Westminster in January but it has yet to progress. At this stage, we would all welcome if this issue was addressed once and for all. It has gone on way too long. It took Labour MPs in our sister party in Westminster to finally deal with the issues of abortion and marriage equality, but there are still delays to the roll-out of healthcare for women with only partial services in many health trusts. Parties such as the DUP continue to try to roll that back, most recently in December. Unfortunately, Sinn Féin also abstained at one point on that Bill. Work on an integrated society and integrated education has hardly moved an inch. One of the reforms of New Decade, New Approach was to ensure that Northern Ireland could never again go three years without an

1 February 2022

Executive in place. The current brinkmanship and political games from, in particular, the DUP in regard to the protocol and future Executive is, sadly, all too familiar and, dare I say it, at this stage boring. Once again, they are trying to weaponise protocol checks at ports. The commitment to sustainable institutions is hardly enhanced by threats by the DUP to pull its Ministers out of the Northern Ireland Executive and failures to commit to a new Executive after the next elections. We all want the institutions set up by the Good Friday Agreement to succeed, but with the Assembly elections due in May, it is inevitable now that efforts to seek electoral advantage will take precedence over delivery of New Decade, New Approach. It is the worst of politics, unfortunately, at a time when we need politics the most.

**Minister of State at the Department of Foreign Affairs (Deputy Thomas Byrne):** The legacy of the Troubles continues to impact on so many families and communities across this island and beyond as they continue, rightly, to seek truth and justice for their loved ones. The issue has been at the forefront of all our minds in recent days as the events marking the 50th anniversary of Bloody Sunday took place in Derry. It was an emotional moment across the island and beyond as so many reflected on the terrible day, the bitter legacy and the history that it shaped. We were all struck by the collective determination of the people of Derry, in particular the families, to remember the 14 people who died and those injured on the day, as well as all victims of the Troubles in Northern Ireland.

At this particular time, our thoughts are with the people of Derry and, in particular, the families impacted by Bloody Sunday, but as stated by the Taoiseach and the Minister, Deputy Coveney, as everyone knows only too well, there are many hundreds of families across these islands whose daily lives continue to be impacted by that painful legacy. For anyone who lost a loved one and has to continue to campaign on his or her behalf to uncover the truth of what happened or for any measure of justice, the decades that have passed have not lessened the heartbreak. The wounds have not been allowed to heal. On their behalf, it is incumbent on us, as we work for real, lasting reconciliation on this island, to establish a clear and open legacy process that meets the needs of victims. The Stormont House Agreement gave us such a process. It sets out a path, a framework to guide us, as agreed by the British and Irish Governments and the parties in Northern Ireland. It is incumbent on all of us to see that framework implemented. It is an obligation of us all to see that framework implemented. It is clear that the UK proposals on a statute of limitations do not have the support of victims.

*5 o'clock*

They do not have the support of parties in Northern Ireland and they have united this House as well. They have caused grave concern to international human rights bodies. They are without international precedent. They would, if introduced, be subject to years of well-founded legal challenge and the cause of even greater hardship and pain for yet another generation. They cannot be the way forward.

We have consistently said we are ready to engage with concerns or issues with the implementation of the Stormont House Agreement but any such changes must be discussed and agreed by the parties and both Governments. The Government is always committed, as was the case at the time of the Stormont House Agreement, to fully play our part in the collective effort to deliver for the legitimate needs of victims and survivors across both jurisdictions and for society as a whole.

With respect to New Decade, New Approach, the restoration of the institutions of the Good



Friday Agreement was a significant achievement. As co-guarantors of the Good Friday Agreement, we must do all we can to work for stability in the period ahead. As has been said, there have been challenges, which include issues around legacy, language, identity and Brexit, but there has also been real progress. It is clear that these and other challenges are best met when the institutions that allow for debate, dialogue and co-operation are functioning well for the benefit of the people and the economic and social progress of Northern Ireland. Moreover, the North-South institutions are a core part of the structures created by the Good Friday Agreement and are essential to allow for the Administrations on the island to work together to deliver real benefits for citizens on both sides of the Border. The important work of the North-South Ministerial Council is not currently proceeding as it should. That is deeply regrettable, particularly at a time when we need to focus on supporting communities and businesses across the island to recover from the pandemic. It is best that we work together to do that work on behalf of the people and all of this island. As was said by the Taoiseach and the Minister for Foreign Affairs, Deputy Coveney, we know what is possible when we work together in a spirit of genuine partnership and with determination, both North and South, and between the two Governments.

For our part, we will continue to work for a brighter, more peaceful and prosperous future for everyone across this island. We will continue to play our part. We should also remind ourselves and everybody else that with all of the discussion of the statute of limitations the British are proposing, there is no statute of limitations in this jurisdiction whatever. Even for an old crime for which justice is demanded, anybody with information should go to the Garda. The Garda will look at the evidence and continue investigations. A number of older files are still open in the Garda. We should always remind ourselves of that in this jurisdiction while continuing to keep the pressure on the British Government to comply with obligations to which it has submitted.

**Deputy Brendan Smith:** I am glad of the opportunity to contribute to these important statements on such important issues. Over the past 12 or 18 months, I have asked the Taoiseach on a number of occasions in this House if the Government would ensure that in every communication, both verbal and written, with the British Government it reiterates the total opposition of the people of this country to the proposed amnesty. It is an amnesty for murderers, be they state forces or people from paramilitary organisations. That is totally unacceptable and I am glad the Taoiseach and the Minister, Deputy Coveney, reiterated that clearly in their earlier contributions. I was glad the Taoiseach took the opportunity in Derry on Sunday to state the Government's outright opposition, and that of the Oireachtas and people of this island, to any such proposal. No way is the idea of an amnesty for murderers acceptable. Under no circumstances should it be acceptable in any democratic country. Introducing such a proposal means the British Government wants to put an end to all investigations. Imagine a Government proposing to close down existing investigations and give up on whatever chance there is of getting the truth.

I have, over the years, dealt with many families who have, unfortunately, lost loved ones and close family members, and nobody has ever been brought to justice for those heinous crimes inflicted on innocent people. All those individuals, families and groups with whom I have engaged over the years act with grace and dignity in campaigning to get the truth. They are not out for revenge; they are seeking the truth. That is the message that comes across to all of us who engage with such families and individuals. Imagine a Government putting forward a proposal to close down all investigations when there are families and individuals who have campaigned for decades to try to get the truth about what happened to their loved ones on those fatal and tragic occasions. It is absolutely appalling. We would be jumping up and down if

some state in Latin America made such a proposal. I am glad of the communications of the Minister, Deputy Coveney, at departmental and ministerial level, and the communications of the Taoiseach. The Taoiseach has told us clearly in this House on numerous occasions that he has conveyed those points clearly to Mr. Johnson.

I was struck by an article in the *Derry Journal* at the weekend. It was written by Colum Eastwood, MP for Derry, to coincide with the 50th anniversary of that awful and tragic day in Derry. It stated:

The world knows what happened on the streets of Derry on January 30, 1972. Faced with peaceful civil rights demonstrators standing against institutional discrimination which had denied them, their parents and their children the same opportunities in housing, voting and jobs that others had, the British Army responded by indiscriminately murdering 14 unarmed men and children. Fourteen people, six of them children, went out without so much as a stone in their hands to demonstrate their strong and peaceful opposition to the oppression visited upon our communities by a state steeped in sectarianism and they didn't come home.

It went on to state, "And, now with clear plans to prevent the investigation or prosecution of historic offences, this British Government is launching a full scale assault on victims and survivors across our society." I always recall the comment of John Hume after those awful murders on that day 50 years ago. He described the soldiers as "uniformed murderers". He was a man who campaigned for decades and was a champion of peace in our land. He aptly said it all with that particular phrase.

The Minister will recall the many exchanges we have had in this House over the years about the Dublin and Monaghan bombings. I know the Minister and his predecessors of all political parties have consistently raised with the British Government the need to ensure a full and comprehensive investigation into those awful bombings on that day in 1974. There were unanimous requests in this House in 2008, 2011 and 2016, as I recall, that called on the British Government to ensure an independent legal person would be given access to all files and papers pertaining to those bombings. Sadly, the British Government has not responded to the request of the sovereign Parliament of a neighbour. Those motions rightly called on the British Government to allow access for an independent international judicial figure to all original documents relating to the Dublin and Monaghan bombings, as well as the Dublin bombings of 1972 and 1973, the bombings of Kay's Tavern in Dundalk and the murder of Seamus Ludlow. Sadly, Seamus's brother, Kevin, passed away in my home county a few months ago. He said to me at one stage that he would go to his grave without the truth about the murder of his brother.

Before the Dáil rose for Christmas, I again raised the terrible bombing in my home area of Belturbet, County Cavan, on 28 December 1972 when two teenagers, Geraldine O'Reilly and Patrick Stanley, were killed. There is now clear evidence that the bomb was brought across the Border from Fermanagh and planted in Belturbet. Two young people were killed. They were innocent teenagers. Many others were injured that night. There has never been a proper, full and comprehensive investigation into those murders in either Northern Ireland or Britain. I went to Belturbet, as I do on an annual basis, and said a prayer at the monument to Geraldine and Patrick. Last December was the 49th anniversary of those murders. Here we are, half a century later, and nobody has been brought to justice and nobody has got the truth. I said to the Taoiseach privately a week or so ago that the anger, worry and concern of families are not abating. The grief is getting more intense. We are all getting older and the years are going by.

Sadly, many families fear they will go to their eternal reward without ever getting the truth. These are issues to which the Government must continue to attach the utmost importance. We must do everything to support the families of those victims who are gone.

**Deputy Pádraig Mac Lochlainn:** The Operation Greenwich investigation and the report that flows from it, which was made public by the police ombudsman in the North, are absolutely damning. If the Minister has not read through the report, I ask that he do so. I will focus on one individual identified as “Person K”. When one reads through the report, it is absolutely astonishing that Person K was never brought to justice for that person’s central involvement in at least 17 murders and seven attempted murders.

Deputy Brendan Smith referred to a number of bombings in this State. That puts a focus on what is missing from our peace process. When the Good Friday Agreement took place, as the Minister well remembers, the IRA and loyalists - the protagonists on this island - accepted responsibility and conveyed their regrets for the hurt and pain they had inflicted during the conflict. What was missing, however, was the central role of the British state in that conflict, right through from the 1960s, 1970s, 1980s and into the 1990s.

One case that is deeply personal to me is that of Councillor Eddie Fullerton. Eddie was a personal hero of mine. I was a teenager when he was taken away from us. His family have campaigned tirelessly for justice for the last 30 years. In 2006, they made a complaint to the police ombudsman in the North. Seven years later, the then ombudsman, Dr. Michael Maguire, said that the issues he and his team had uncovered in the re-examination of Councillor Eddie Fullerton’s assassination and murder had thrown up wider issues that he wanted to investigate. He asked the family if they would hold back on the interim report and wait until the publication of a final report. It was incredibly gracious of the family, particularly Eddie’s widow Dinah who would have been in her 70s at that stage, that they did so.

If we fast forward to recent weeks, more than 15 years after the family’s original complaint to the ombudsman, we end up with this damning report. It is a tribute to the Fullerton family in particular, but also all the other families. It deals with 19 murders between 1989 and 1993.

I want to talk about Person K. This person, whose identity is known to me and, more importantly, the families and their legal representatives is a mass murderer who was given a licence to kill by the British state. This person is closely identified with the murders of Gerard Casey, Councillor Eddie Fullerton, Thomas Donaghy, Danny Cassidy, Malachy Carey and the massacres at Castlerock and Greysteel. In the case of the murder of Malachy Carey, the person convicted as a getaway driver in that murder said he got the car from Person K. The getaway car was registered in Person K’s name yet Person K was never arrested. That is what the ombudsman uncovered. Person K was at the scene of murder after murder and, again and again, was not brought to justice.

Person K gave an alibi for Torrens Knight, who admitted his responsibility for the Castlerock massacre and was also convicted of the Greysteel massacre. The alibi for Torrens Knight came from Person K. Another person, the brigadier of the UDA, also gave an alibi. Yet, after Torrens Knight admitted his role, they were never questioned or brought to justice.

The big one is the Greysteel massacre, however. One of those convicted for Greysteel identified Person K as overseeing the purchase of the car, supplying the weapons, making sure they got to carry out their dastardly deed. Person K’s fingerprints were found on the holdall with

1 February 2022

the weapons used at Greysteel and the plastic bag. Again, Person K was not brought to justice.

I appeal to the Minister and his Department officials to examine this report deeply, particularly Person K, a mass murderer with a licence to kill. He must be brought to justice.

**Deputy Gary Gannon:** I will begin by acknowledging that although many of the events I will speak of happened a mere couple of hours up the road, I find it difficult to relate to them because I was 11 when the Good Friday Agreement was signed. I never had to march with my family to seek justice from state forces. The bombs had grown silent by the time I would have been old enough to hear them. The peace was hard fought for and we should cherish and fight for it every day of our lives.

I first acknowledge that last Sunday marked the 50th anniversary of Bloody Sunday. It was a day of mourning and a time to reflect and think about what happened on that fateful day and the victims, and to demonstrate solidarity with the survivors, their loved ones and a community that still hurts so much despite five decades having passed. On 30 January 1972, some 20,000 people came together in Derry to protest against the mass arrest and internment of Catholic men and women across Northern Ireland and protest for their rights. Families, community groups and local people came together to demand an end to imprisonment without trial. It was hoped that a large collective action could bring about change. Days before, a protest plan was put in place. People were determined to have their voices heard. They were resolute and the march went ahead.

We have all watched the footage of that fateful day, which was caught by both Irish and British journalists who were present on the streets. We have heard the testimonies of those who watched friends and family members fleeing and then falling. We saw the bloody handkerchief in the hands of a priest who was trying to get those who were shot to safety. Twenty-six unarmed and innocent people were shot by the British army that day, 14 of whom were killed. They were shot from behind and while trying to help the injured. They died while being blocked from getting to hospitals for urgent medical care. There are so many witness testimonies. It was quite simply horrific.

To add to the grief and trauma, we watched as a Tory narrative was constructed and is now being reconstructed to cover up and protect individual soldiers, try to prevent justice, infer that the crowd brought it on themselves and create a narrative that the soldiers believed the crowd was armed and dangerous, yet not one British soldier was shot on that day. Those same Tories who created that narrative now want amnesty for soldiers who shot innocent people in cold blood. That is not amnesty. That is an attempt at a state cover-up. It is the opposite of justice. I welcome the fact that across this Chamber Deputies will oppose that as vociferously as we can.

We also remember the Ballymurphy massacre in west Belfast, which took place just six months before Bloody Sunday as a result of British soldiers rounding up people to intern. Eleven people died in all, including a priest and a mother of eight children. This was a dark day for the entire island. It must be said that if there had been truth and accountability at that moment in Ballymurphy, perhaps what happened in Derry could have been prevented.

Of course, every single day of the year is an anniversary of another atrocity, another killing, and of families and communities torn apart by violence and hate. More than 3,700 people were killed during the Troubles and almost 48,000 were injured. The Good Friday Agreement came to pass in 1998 and, in many ways, transformed this island. Almost 24 years after this historic

agreement came into being, there are still many people who have been denied access to truth, accountability, justice, safety and the process of reconciliation.

Families deserve to know the whole facts about what happened either to them or their loved ones. We must acknowledge the intergenerational pain and trauma still held by so many families across this island. Without that, there is no pathway to healing to repair broken relationships or move past the hurt. Families desperately want and need truth, empathy, accountability and justice. The process of peace cannot move forward without this, and peace is a process.

Today, people in the North of Ireland are being denied access to economic opportunity, social mobility and educational attainment. Some 17% of all people living in Northern Ireland are living in relative income poverty. Indeed, 17% of all children, 14% of pensioners and 11% of the working age population live in absolute poverty. There is no peace in poverty.

Working-class communities are underfunded. The fact that no anti-poverty strategy has been adopted to help improve the lives of people from all communities is damning. When a society emerges from conflict, that violence leaves a stain. That violence is still present and manifests itself in a number of ways.

Another important point to make about the future of the North of Ireland is the need to recognise that there are more than just two communities in Northern Ireland. We have seen the grassroots community organising by feminists, young people, civil society groups, community networks, the working class, LGBTQI and non-religious groups, to name but a few, seeking rights for abortion, the ending of religious segregation of all children in schools, marriage equality, an end to poverty, improved housing conditions and a place at the table when the future of the island is being discussed and decided upon.

We have a responsibility in this House. We watch each day in this House as leaders clash, insults are slung and words are used as pawns in a game and battle to have the final say. People watch these antics. Most of them are exhausted from seeing the same Punch and Judy show, day in and day out. Our peace is a process and it is a precious thing. It is delicate and it needs care and attention. It is not a hot potato to throw around to score points or make headlines. We must treat it with the respect and time that it deserves.

We often talk in this Chamber of the idea of what constitutes a republic. Many of us talk about being republicans in our outlook. In a republic, in a shared island, we do not get to say we will not speak to people across the Chamber or outside the Chamber. That does not respect the wishes of the voters. We have an obligation to be tolerant of each other and others' views and of what it means to live in a Republic. Parliamentary debate should be robust. We should argue vociferously about taxation, expenditure and policy direction. We should hold each other to account when our behaviour does not meet standards. However, we should not go beyond that and too often in this Chamber, we do that. We personalise issues and get into cleavages when we do not need to. If we can take any lesson from the Good Friday Agreement, it is that it brought political actors into the State and into the Republic. That should be respected.

The 50th anniversary of Bloody Sunday gives us an opportunity to think about how far we have come and consider where we are going and how we will get there. We simply cannot move forward until we fully recognise and understand our past and know what has shaped us and our values, cultures, differences and conflicts. Only then can we move forward.

**Deputy Fergus O'Dowd:** I very much welcome this debate. In particular, I welcome the

1 February 2022

consensus on all sides of this House on legacy issues in Northern Ireland and the New Decade, New Approach agreement. We all agree on rejecting the British Government proposals. Unilateral action on this most sensitive of issues is an impediment to reconciliation. Indeed, it is totally divisive. If we stand firm, which we do, and reject any of the possibilities of amnesties or statutes of limitations, that will be the way forward for us in the South and also for the North given that the Northern Assembly has also unanimously agreed that these proposals should not proceed.

The Stormont House Agreement sets out a comprehensive set of measures to deal with legacy issues in a way that can meet the legitimate needs and expectations of victims and survivors. It supports closure and reconciliation for those communities that have been most affected by the Troubles. These measures must be victim-centred and victim-focused. It is critical that the historical investigations unit, which is part of the Stormont House Agreement, is fully implemented and given the power and resources to investigate legacy events.

In Fine Gael, we stand with the victims and the families who have lost loved ones during the Troubles. They must have access to truth and justice. Regardless of whether the perpetrators were British soldiers, republicans or loyalists, these people must be brought to justice. I am the Chair of the Joint Committee on the Implementation of the Good Friday Agreement. We have met many people in the North and South. Meeting representatives of the Wave Trauma Centre and the families of the disappeared, one feels, touches and understands the pain and hurt that is there on all sides. We met Maria Lynskey, whose uncle Joe Lynskey was disappeared by the IRA in August 1972 and whose body has never been recovered. We met Dymrna Kerr and Oliver McVeigh and talked and listened to them. When we looked in their eyes we saw their pain and hurt because their family member, Columba McVeigh, has never been found. It is appalling and it is a shame. We have to try to bring closure to this.

Deputy Brady spoke about his county. I can speak about County Louth. I live on the Border. Of the often evil deeds that were done in my county, and there were many during that period, the murder of Tom Oliver was appalling, disgraceful and shameful. To abduct Jean McConville, a mother of 14 children, murder her and bury her in an unmarked grave was an appalling evil act. What has happened in our country is shocking and appalling. It is unacceptable that there should be an amnesty for anybody who was involved.

The British Government under its present leadership is divisive in its policies towards Ireland. It has clearly shown this through Brexit and the protocols, and by leaning to one side only in the North rather than seeking to bring us all forward into a new, brighter shared island, which is what this Government and Parliament want. I believe the previous Prime Ministers, Tony Blair and John Major, fully and truly understood how to solve the problems in our country, work with all sides and engage everyone on this island to bring about a peaceful reconciliation after what has gone on for hundreds of years. We need to have peace on our island. We need a new Assembly election and I hope we will have an administration up there that works because apart from the legacy issues, the key issues are the economy of our island, North and South. This is about education, fighting disadvantage, working together and building a future that we can all agree on, regardless of our past.

I am old enough to have been around on Bloody Sunday. I marched in a parade the following day in Dublin. I saw the hundreds of thousands of people who came because there were shocked and horrified by what had happened. On Sunday, I went to Derry where I met some of the relatives who are still looking for closure. They will never get it while Soldier F is free

to roam and walk about as he will. We have to get justice for all of those people. I have been to Ballymurphy and I have met the families there. Most of all, I have listened to people in the Wave Trauma Centre. I have spoken to people who lost family members in the Shankill Road bombing. It just goes on and on. We can all iterate and talk about these things. This will go on unless the British Government listens to what we are all saying on this island. Let us have a fair and due process and let everybody get closure and get peace.

To the Sinn Féin Deputies over there, we need the bodies of the disappeared, the three bodies which have not yet been found, which you murdered and buried in unmarked graves. We need those bodies to be brought forward for decent, Christian burial. The fact is that somebody had to bring them there. Somebody out there knows all about it. The challenge for those in Sinn Féin, who wish to sit on this side of the House and be in government leadership, is that they must make sure the disappeared are found and given a decent, Christian burial.

**Deputy Jennifer Carroll MacNeill:** I, too, am thankful for the opportunity to contribute to these important statements today. They come at a moment of huge sensitivity for the island as we solemnly remember the victims of Bloody Sunday in Derry. It is also a sensitive time for the implementation of the Good Friday Agreement and, it should be said, for the conduct of our co-guarantor of that agreement in relation to legacy and on the question of the protocol. I hope I will get to that issue.

I am also a member of the Joint Committee on the Implementation of the Good Friday Agreement, which is chaired by my Fine Gael party colleague, Deputy O'Dowd. It is a privilege to be on that committee, to be joined by MPs and MLAs from Northern Ireland, and for us to have the benefit of experience and shared knowledge as we work through the various groups.

I wanted to mention three groups. I will start with the most important, namely, the victims and their families. Last weekend marked the 50th anniversary of the utterly offensive and indefensible murders of civilians in Derry. Their families and communities still feel the hurt to this day. They were mowed down by paratroopers acting with complete inhumanity, entirely outside every law of the land and any law of humanity. The victims' names were besmirched following the event and members of the community who were left behind were interned. Bloody Sunday was among the darkest of many dark days in the Northern Ireland of the time.

The treatment of the Bloody Sunday families in the Widgery report and in the many years to follow continued the state-sponsored hurt and pain that are felt to this day. They are by no means the only ones. We met the Springhill and Ballymurphy families in November, whose pain, again, was all too raw but their experience was vindicated, at least, by the Ballymurphy inquest in May of last year.

The damaging and unhelpful proposals by the British Government to allow an amnesty and not to pursue these cases of justice have been widely rejected and criticised in this House and across Northern Ireland. I join that chorus of condemnation of these unacceptable proposals. All victims of violence and their families deserve justice. In contrast to the turn of the back and the close of the heart which, it seems, has been given by the British Government in its proposals on legacy, we want to turn towards victims, pay our respects to them and give our true recognition to those victims of every community, as my colleague Deputy O'Dowd said, in their search for justice.

In that vein, and again at their specific request, I, too, want to highlight the case of the

1 February 2022

families of the disappeared, whom the committee met in Belfast in November and again in the committee rooms in the Oireachtas in December. They would simply like to give their family member a Christian burial. They have called, both privately in our meeting and publicly in our committee room, on members of Sinn Féin to do everything they can to help achieve that. These families have asked me and others to continue to raise this matter in the House and publicly while there is still some chance of recovering bodies from bogs, as we go into yet another spring. We also met with the Commission for the Location of Victims Remains. The members of that commission know that every spring counts and that every piece of information counts as they go through more and more bog, forest and territory with no recoveries. I reiterate the calls made at the committee and countless times before by Dympna and Oliver McVeigh, brother and sister of Columba, and Maria Lynskey, sister of Joe, that we use our voices in the Dáil to call again for help for these people, in their final years, to recover these bodies. They also deserve peace and their killers, like the killers in Derry, deserve no amnesty.

These are issues of the past, which persist into the hurt of today, but of course we also have to look at Northern Ireland today. Again we face challenges from the British Government with the protocol and its operation. British Government representatives in Dublin and elsewhere tell us privately about the difficulties of the protocol for business but very little about the opportunities for Northern Ireland and businesses there. We had the good fortune to meet the Londonderry Chamber of Commerce before Christmas and we asked its chief executive, Paul Clancy, about its members' experience of doing business in Northern Ireland, sector by sector in Derry, based on its survey data. The view of those members was that the protocol is working for them. There are some technical issues but the opportunity is bigger than any hindrance. They stated that their experience is replicated across Northern Ireland, according to conversations with their sister chamber groups. They say stability is needed but that they will make it work.

We also asked business leaders about the quality of the communication received from the British Government. We keep hearing about how everything is so difficult but we are not hearing anything about the opportunities created by the unique circumstances of the protocol for Northern Ireland. Business leaders in Northern Ireland say that communication with the Executive is very good and straightforward and that they have very good access but that it is just not there with the British Government, either in terms of accessibility or quality. They stated at the committee: "... there are other priorities, as it were, with regard to what is going on either in England, Scotland or Wales rather than what is happening in Northern Ireland." That is their view. I highlight this because we cannot continue to neglect these issues or fail to call out the conduct of the British Government on all these matters.

On the future, we are a short while away from the 25th anniversary of the signing of the Good Friday Agreement. Though we have had great stability and good recovery in those 25 years, there is so much work left to be done for true reconciliation and the enhancement of mutual trust and understanding between communities. To that end, last week we had the good fortune to meet representatives of the Integrated Education Fund, IEF. There is so much work yet to be done. Paul Collins from the IEF described the current system as one that creates a group of young people: "... divided into two tribes, who have no knowledge of the other." He told us the story of two tiny neighbourhood friends walking down the lane, with one turning to the right and one to the left as they went to their separate schools to begin their division into separate identities, at just aged four.

**Deputy Martin Kenny:** Reconciliation, peace-building and looking at the legacies of the past is a problem for everywhere in the world where there has been conflict, whether that be



Ireland, South Africa or wherever else. There are always issues and difficulties. In 2014 that was recognised and the Stormont House Agreement was agreed by everyone, including both Governments and all the parties in the North as the process for going forward. The Minister for Foreign Affairs is quite correct that this agreement is the pathway to justice that was agreed by all. It is not perfect but it is the pathway that was agreed. The British Government has unilaterally set up a situation where it is prepared to turn its back on this agreement, which was the consequence of other agreements that failed in the past. It did not keep its word on the Good Friday Agreement or the St. Andrew's Agreement. Now we come to the Stormont House Agreement, and that is the problem we are facing again.

I recognise that this is very difficult work. For much of the 2000s I was engaged in this work myself. I sat in those rooms with people who had lost people. Without betraying anyone's confidence, I sat with one man whose brother, who was a member of the UDR, was killed by the IRA in a bomb explosion. He spoke of his hurt and pain and everything his family went through. Others in the room had similar experiences. There was an older woman who talked of her nephew who had been shot by loyalists with a UDR weapon, and the hurt and pain she felt.

There is a lot of whataboutery in those contexts. That is part of the process of reconciliation because you have to hear and understand each other. That is part of what was going on in those meetings and engagements and it went on for many years. However, we also have to understand that whataboutery does not get you very far. We have to actually find a process of healing. That is what the Stormont House Agreement was attempting to do. It was Ireland's attempt at a South Africa-style truth and reconciliation process. It was not perfect but it was an attempt at it and for the British Government to walk away from it is outrageous. I welcome that everyone in this Chamber recognises that and understands that we have to put maximum pressure on. The Minister said the Government is prepared to talk to everyone about the difficulties with the Stormont House Agreement and what changes may need to be made. We need to hold the line as firm as possible to ensure there are no changes made to it because that is what we agreed and it is the way forward.

There is a Bombay Street in Belfast. On one occasion, the lady I referred to talked about how two sons of hers, when they were quite young, went to a civil rights protest in a local town. After the protest their names were taken by the RUC and about a week later two cars pulled up on the street and local men got out and threatened them. They told the family, who were farmers living in an isolated rural area, that if they continued going to protests like that, they would have a Bombay Street at home. She said they kept their heads down for too long but that they are not prepared to keep them down anymore. That was people's experience and that is part of this reconciliation and truth-building process. It is not just about the things that happened but what that did to people, how it affected them, how it made them what they were and how, in some cases, it made them do terrible things to each other. We have to listen to all of that and we have to have a space to do it.

Of course there is wrong on all sides and of course there is right on all sides. However, there is a sense that we on this side of the Border can somehow stand up and be high and mighty about it and say both sides did terrible things and was it not awful and wash our hands of it. We in this State have a responsibility as well. Some 100 years ago, the Anglo-Irish treaty was signed. The signing of that treaty was the beginning of a conflict because it set up a discriminatory sectarian state in the North that was bound to go for conflict. Many years ago, I read Nelson Mandela's book in which he talked about his trial. He said that the people of South Africa looked for civil rights and peacefully marched for their right to have a place in the sun but the only response of

1 February 2022

their government toward them looking for their equal rights was a violent one. It was the very same in Derry on Bloody Sunday and it was the very same in these situations. If we are going to learn anything from the past we have to work together and we cannot leave anyone out. If we are going to work together, the British Government has to be part of that. It is as responsible as anyone else for what happened in the Six Counties and it is going to have to be part of the solution. It cannot walk away from any of these agreements and it certainly cannot walk away from the Stormont House Agreement. All of us recognise that we have a part to play but more than anyone else, the Minister has a huge part to play in holding the British Government to account and holding it to the Stormont House Agreement.

**Deputy Bríd Smith:** I am sharing time with Deputy Barry. There were a lot of us in Derry on Sunday. The People Before Profit Deputies attended the second demonstration in the afternoon while official Ireland, including the Minister, the Taoiseach, Deputy McDonald, etc., attended a morning demonstration. It was very good that official Ireland was represented at it and that we are unified in rejecting the idea of an amnesty. We left Creggan with tens of thousands of people and marched to Free Derry Corner. We listened to speeches from Kate Nash, whose brother was massacred on that day, from Bernadette Devlin McAliskey and from Eamonn McCann. The repeated theme of that demonstration was a call for the prosecution of General Sir Michael Jackson. Many people know the name Michael Jackson but they may not associate it with Bloody Sunday or, as mentioned earlier by Deputy McDonald, with the Ballymurphy massacre. General Michael Jackson was second in command on Bloody Sunday. Not only was he second in command on the day of that massacre, he was also central to creating a piece of fiction afterwards about the events of that day, which formed the basis of the failed Widgery tribunal. As well as being adjutant general on that day, he was subsequently promoted to head of the British Army and spent time in Iraq and Kosovo.

The British establishment always tries to portray the conflict in Ireland as some kind of war between two tribes and itself as the awkward piggy in the middle trying to keep us apart. However, Blood Sunday in particular shows that it arose from a cold-blooded decision by the British establishment to suppress the mass movement for civil rights, the result of which was absolute carnage throughout the North. The Parachute Regiment was sent to Derry, not to keep two warring factions apart, but to conduct a massacre and break up and intimidate a mass movement.

It was right that official Ireland was in Derry, but I put it to the Tánaiste, the Taoiseach and the rest of this House that instead of us always looking to park these things, we should look first at where the fish rots from. It rots from the head. These commanders who gave the orders to shoot and then tried to scapegoat the soldiers have to be called to book. Today, I call on the Minister to echo the call from that demonstration, which left the Creggan and went to Free Derry Corner, to jail General Sir Michael Jackson and bring him to trial for both his lies and the orders he gave in Ballymurphy and, especially, in Derry on Bloody Sunday.

The conflict in Northern Ireland is not just about two warring factions. It increasingly shows that all sides in the North have things very much in common for which we must struggle. I marched behind a banner that said, "Class not creed. We shall overcome". I marched with people who have been out on strike for increases in pay because they worked in the NHS and with those fighting for full reproductive rights for women throughout the North, workers rights and climate justice. We have these issues in common in the South, as do both sides of what is called the traditional divide in the North.

That is why People Before Profit take the job of building a 32-county party that stands for

neither orange or green, but the best traditions of James Connolly, for a working class that can liberate itself and unite to get rid of partition and the yoke of imperialism that has dominated our history for so long. I ask the Minister to come back on that call for the prosecution of General Sir Michael Jackson and rather than go after Soldiers F or G, to go to the top from where these orders came and to he who tried to cover it up by giving a list of lies to the Widgery tribunal.

**Deputy Mick Barry:** Does anyone seriously believe that the massacre of 14 unarmed civilians in Derry 50 years ago last weekend was merely down to rank-and-file soldiers losing control on the day? Three weeks before Bloody Sunday, Major General Robert Ford wrote: “I am coming to the conclusion that the minimum force necessary to achieve a restoration of law and order is to shoot selected ringleaders.” The Tory Government in London, led by Edward Heath, did not remove Major General Ford from his position.

The prosecution of Soldier F may provide some form of justice and closure for the victims’ families, as might prosecution of individual paramilitaries for heinous sectarian acts, such as those at Kingsmill and Loughinisland, for others. However, for genuine truth and justice to more fully prevail, investigation must be made into the role of those higher up the chain of command in the British state, such as General Mike Jackson, and those in leading roles in paramilitary organisations.

I have no confidence in the capacity of the State or sectarian politicians to subject their roles in the Troubles to real scrutiny. I do, however, have confidence in working class people to bring the truth to light. This could, for instance, take place through some form of wide-ranging inquiry into the Troubles made up of respected trade unionists, genuine community groups and human rights organisations.

When I addressed the House before Brexit, I warned there must be neither a land nor sea border post Brexit and that if there were either, there would be consequences, including the danger of an increase in sectarian tensions. We are beginning to see precisely such a scenario play out with regard to the sea border and I intend to return to this issue when I have a bit more time in the not-too-distant future.

**An Leas-Cheann Comhairle:** Deputy Richmond will share with Deputy Costello.

**Deputy Neale Richmond:** I appreciate the opportunity to contribute to this extremely important and timely debate. Reconciliation on these islands will be built through a shared desire to move forward to brighter days, but to do that, we must ensure all commitments are met, especially those contained in New Decade, New Approach.

Despite this important agreement being reached not that long ago, many of its core promises simply are not being met. The continuing boycott of the North-South Ministerial Council and near daily threats to collapse Stormont is political posturing that merely hardens divisions and delivers nothing for anyone on this island.

With looming elections in Northern Ireland, it is disappointing that outdated rhetoric is once again being deployed and that the familiar bogeymen in Dublin and Brussels are being targeted. This short-term political play acting moves us further away from the reconciliation and prosperity sought by the vast majority from every tradition on this entire island and indeed, these islands. It is important, therefore, that all of us in this House and beyond continue to push for the full implementation of New Decade, New Approach.

1 February 2022

Within New Decade, New Approach, we consider the commitments to truth and justice as central to delivering true reconciliation. Often, in that context, when we speak of the Troubles and Northern Ireland's history, we hear some people say that we simply need to move on and forward and leave the past behind. However, as we were reminded this weekend in Derry, so many families do not have the luxury of simply moving on.

That there was a bomb scare in Derry city centre today, almost 25 years after the signing of the Good Friday Agreement, is a clear illustration of how much work is still left to be done and that so many people have to be brought into that process. Too many families who lost loved ones cannot just move on, especially at a time when they are being deprived the possibility of justice from the British Government or information from former paramilitaries that can at least give them closure.

Last year, the Seanad passed an all-party, cross-community motion to oppose the British Government's *de facto* amnesty plans. I hope that we can also come together in this Chamber and jointly declare that there should be no amnesties in respect of offences committed in Northern Ireland. Time is no substitute for justice. The responsibilities and duties of the British Government are clear and they simply must be met.

Equally, there remains so many families who have been deprived of the right to afford their loved ones a proper Christian burial. It is not too late for those that know to come forward and put those like the family of Columba McVeigh out of their misery and afford them their closure and justice. There can be no hierarchy when it comes to suffering in the Troubles. There is an equal opportunity to right the wrongs of the past but it is, crucially, an equal responsibility. The disappeared, which was one of the cruellest and shameful atrocities of the Troubles, could still be put right.

There are brighter days ahead for this island, North and South, but we need genuine commitment from all parties to get to that point and to work through the difficulties that will move us towards genuine reconciliation. I can never pretend to truly appreciate the pain experienced by those families and individuals directly impacted by the atrocities that scarred our land during a dark period in our shared history, but I can promise that their pain will not be ignored nor their right to justice denied. I hope all of us in this Chamber can agree on and attempt to deliver this.

**Deputy Patrick Costello:** One of the recurring themes when we talk about the legacy issues is the responsibility of the British Government to act. It does have a responsibility and I will get to it in a minute. However, we also have a responsibility here in Dublin. We are co-guarantors of the Good Friday Agreement. As a result, we are co-guarantors of the bill of rights that has failed to be implemented; the reform of the petition of concern, which was agreed under the New Deal, New Approach agreement and has yet to be implemented and Acht na Gaeilge, which has yet to be implemented. We are their co-guarantors.

Of course, we are also the co-guarantors of the Independent Commission for Information Retrieval. This was the agreed mechanism for dealing with legacy issues. Obviously, it is complicated and needs legislation in Dublin and Westminster to happen, but over the years there have been many negotiations, agreements and details worked out. The British Government may have dragged its feet, but why do we have to wait for Britain? Why do we not begin our own drafting? Why do we not at least begin our own pre-legislative scrutiny so that we can talk about what we want to achieve? We can get the experts in as part of that pre-legislative scrutiny, as we do with other Bills, to say what is needed, to reflect on how the legislation should look

and to begin that conversation about how this will work and take one small step further away from it just being an agreement on paper. That then puts more moral responsibility and more pressure on the Government in London, and it is not sanctions. It is not aggressive moves, but simply saying that we are going ahead and we are a co-guarantor. Even something like the pre-legislative scrutiny of the legislation needed to implement the independent commission on information retrieval would be a bold step forward by us and a clear statement that we reject the British Government's proposed amnesty, the very foundation of it and all the logic behind it.

Ultimately, we need truth. The families who have lost people and who are suffering to this day need the truth. In years to come, my young daughter will be studying history books. Will she get the truth when she opens it up or will it just be more cover-ups and stories of collusion that are never fully investigated? Will it simply be the name soldier F or will it be his real name, which has been published, is out there and was named by Mr. Colum Eastwood MP on the floor of Westminster? Will those who are responsible for the crimes and the murders that are now covered up be featured and named and photographed in the book she comes to read in the future? Without truth we cannot have justice. Without justice we cannot have healing. The British Government's line that we should draw a line under the Troubles simply perverts truth, perverts justice and prevents healing. It flies in the face of everything the Good Friday Agreement was meant to achieve and it flies in the face of everything that the State is co-guarantor of.

The British Government has a strong responsibility to look at its own actions in recent times and right throughout the conflict that it has denied, covered up and sabotaged. We can talk about the Cory inquiry's hard drives being seized by MI5 and arson at the Stevens inquiry - all these deliberate attempts to cover up the truth - but I come back to us being co-guarantor and to asking what are we doing. Any movement we can take, no matter how small, on the issue of the independent commission on information retrieval will contribute to moving that on, to having that conversation about truth, justice and healing and to putting further pressure on the British Government to live up to its international commitments.

**Deputy Mairéad Farrell:** Families' quest for truth and justice is not a quest with an infinite amount of time. So many families who have had family members murdered due to British state collusion have seen the parents, partners, siblings and children of those killed pass away without the truth behind their loved ones' killings being known. There needs to be a sense of urgency about this.

This weekend marked the 50th anniversary of Bloody Sunday. Like the Minister, Deputy Coveney, I was in Derry to see the families walk the route their loved ones walked that day and one thing that struck me was that many family members who were walking that route were far too young to have been there that day.

Operation Greenwich dates from the late 1980s and early 1990s, and everyone affected at that time would now be in their 30s or older, and many now have children and grandchildren. All of those family members are affected by that trauma, the inter-generational trauma.

People have passed away but have passed on the baton for truth and justice to the next generation. Now we see grandchildren standing just as invested as those who were there on the day. The next generation are informed, educated and ready to continue the campaign for truth and justice.

The days of tea and sympathy are long gone and families are clear on this. People have

1 February 2022

rights under international law and it is time that they were met. The British state and the Irish State have obligations in this regard.

There is no longer any question as to the role of the British state in the killings of people in Ireland and the evidence of collusion by Britain is now irrefutable. We now have official Government reports which outline the role of collusion.

We have, from the report recently published, evidence that military intelligence of the British Government oversaw the importation of South African weapons to be used by loyalist paramilitary groups to kill nationalists, republicans and Catholics. Some of these weapons were used in the attack on mourners in Milltown Cemetery in 1988 where John Murray, Caoimhín Mac Brádaigh and Thomas McErlean were murdered as they defended other mourners and saved lives that day. The fact that these weapons were imported from South Africa, with British intelligence knowledge, and used in this way is grotesque.

This report also shockingly states that an assistant chief constable of the RUC, now deceased, was aware that the names of 250 Catholics that came from the British army were in the hands of the UDA. It also states that this assistant chief constable intervened to stop those people, whose names were passed to the UDA, getting a warning that their lives were in danger. Some of those 250 people were dead within months. Let the gravity of that sink in.

It is important to realise that when we hear media reports that this report shows the RUC did not pass on information, the reality of that is that people were dead within months. This was not simply a piece of information. This was people's lives, people who died and whose families' lives were destroyed.

We are now awaiting the publishing of a report by the Police Ombudsman at the start of next week which will deal with the killings of Sinn Féin members, Pat McBride and Paddy Loughran, who were murdered 30 years ago this week in the Sinn Féin centre in Belfast along with Michael Dwyer, a constituent who was in the advice centre at that time.

This week also marks the 30th anniversary of the attack on the Ormeau Road bookies which killed five people and injured seven. The reason I mention both of these is because they will be dealt with in this report. That these families have to wait 30 years for information is absolutely horrific.

What we now know - something the people of Belfast, the people of Derry, the people of the North and the people whose families were killed by British state collusion knew all along - and that there is no denying is that collusion was policy. We saw that with de Silva and we see it in the 19 killings in Operation Greenwich. This was not a coincidence. This was not a few rotten apples. This was British Government policy.

I have faith because I have faith in the families' resilience and in their courage and I know that one day the truth will out but there is a responsibility on all of us to stand with these families, to stand up to the British Government and its proposals and amnesty and to make sure that truth and justice comes about.

**Deputy Peadar Tóibín:** The names of the boys and men who were murdered by the British military on the streets of Derry 50 years ago are: Patrick Doherty, 31, Gerald Donaghey, 17, Jackie Duddy, 17, Hugh Gilmour, 17, Michael Kelly, 17, Michael McDaid, 20, Kevin McElhinney, 17, Barney McGuigan, 41, Gerard McKinney, 35, William McKinney, 26, William Nash,

19, James Wray, 22 and John Young, 17, and John Johnston, 59. The murders of these peaceful civil rights campaigners changed the course of history forever. When a government murders its own citizens who are marching for equality in broad daylight, it becomes clear that the state itself is the problem.

Aontú was proud to join with the other political parties in laying wreaths in Derry on Saturday to remember these boys and men. It still surprises me - maybe it should not - that the emotion of what happened 50 years ago still catches me with the same intensity every single time I attend a commemoration in Derry.

Irish nationalists were discriminated against by the British state in terms of housing, jobs and civil rights, and when they campaigned on the streets, they were murdered by the British state. When they sought to peacefully change the situation, they were also murdered by the British state or censored or banned from the media.

Bloody Sunday was not an isolated incident. Indeed, it followed the Ballymurphy massacre, which happened in the previous August, where the same regiment of the British army murdered ten unarmed citizens. They were: Fr. Hugh Mullan, 38, Francis Quinn, 19, Daniel Teggart, 44, Joan Connolly, 44, Noel Phillips, 19, Joseph Murphy, 41, John Laverty, 20, Joseph Corr, 43, Edward Doherty, 31, and John McKerr, 49 - all murdered by the British state in Ireland.

#### *6 o'clock*

Joan Connolly was a 44-year-old mother of eight. She was shot when she went to the aid of a young man, Noel Phillips, who himself had been shot and wounded by British soldiers. Joan was shot several times in the head and body and her injuries were so severe that part of her face was blown off. She bled to death because the British army prevented emergency medical attention from getting to her even though she cried out for hours. Her injuries were so horrific that her family struggled to identify her body, and they finally did so on the third attempt due only to the fact she had red hair. I am shocked that so few people in the South of Ireland know Joan's name. If we are honest with ourselves, one of the reasons her name is not widely known in this jurisdiction relates to the fact there has been very little political capital in her death. Her name is not thrown back and forth in this Chamber or on radio stations coming up to elections. Unfortunately, she is not known, because of her political value. It is a shocking situation.

In July 1972, five Catholics were murdered in the Springhill estate in west Belfast, again by the British army. After these murders took place, the British started to take international heat, tension and condemnation, so they changed strategy clearly and moved their murders to being undercover murders, in collusion with loyalist paramilitaries. The Glenanne gang went on to murder 120 people in a small triangle between counties Armagh and Tyrone. The father of the deputy leader of Aontú, Denise Mullen, who is a councillor in Dungannon, was murdered in front of her when she was four years of age. They went after her mother in that house and shot a number of times at her, and she fled into the fields, leaving her daughter in the house. Her daughter had to remain there without any help from the emergency services for a number of hours because the emergency services were worried the house was booby-trapped. It is an incredible situation.

On Saturday, I took part in a programme with the Ancient Order of Hibernians in which we discussed Operation Greenwich. That report is incredible. It details the murders of Gerard Casey from Rasharkin; of Eddie Fullerton in Buncrana; of Patrick Shanaghan in Castlederg,

1 February 2022

County Tyrone; of Thomas Donaghy of Kilrea, County Derry; and of Bernard O'Hagan in Magharafelt; the attempted murder of James McCorriston in Coleraine; the murder of Daniel Cassidy in Kilrea, County Derry; the attempted murder of Patrick McErlean in Dunloy, County Antrim; the murder of Malachy Carey of Ballymoney; and the murders of Robert Dalrymple, James Kelly, James McKenna and Noel O'Kane at Castlerock, County Derry. It also discusses the murders of John Burns, Moira Duddy, Joseph McDermott, James Moore, John Moyne, Stephen Mullen and Karen Thompson in the Rising Sun bar in Greysteel, County Derry. The eighth victim, Samuel Montgomery, died as a result of his injuries.

All these people were fathers, mothers, brothers and sisters, and many of them would be alive today in Ireland if it were not for the actions of the British state. Some people feel this is history but most of these families live with this every day, either through the post-traumatic stress they experience or by seeing the perpetrators of those murders living in the same communities as them. Last year, Denise Mullen received a death threat from the man who murdered her father, and she has been driving around for a year looking in her side-view mirrors to see whether somebody is following her.

I attended the 50th anniversary of the Ballymurphy massacre in August. One sentence that was repeated over and over again from the stage by the relatives who were speaking was, very simply, that the British are trying to get away with murder. It is a phrase we hear so often in our lives, but the gravity of it is shocking when we see that is the actual effect the British are trying to achieve here. The murders of Irish people in Ireland by British soldiers were the actions of a rogue state. There were no proper investigations, evidence was destroyed, there were few or no convictions and there was no accountability. These were the actions of a rogue state. In many cases, the people who carried out these murders got promotions and achieved improved careers from the British state as a result of those acts. If we are really honest, this southern State on many occasions stood idly by when those murders happened. I often think of the Dublin and Monaghan bombings and the lacklustre investigation that happened on the part of the southern State at the time in respect of finding the perpetrators. Even today in this Chamber, much of what happened is met with whataboutery. Every single family who had a loved one murdered by whichever side over the past 50 years needs to find justice and truth and to have accountability, but the whataboutery that exists, as has been seen during this debate, shows that political capital is still alive and well in the context of this debate.

The British amnesty that has been sought reflects the actions of a rogue state. It is very important that both we, as a political group here, and the Government increase the urgency and the efforts to hold the British state to account with regard to this. The British signed the Good Friday Agreement and the Stormont House Agreement, which are international treaties. They have a responsibility under international law to adhere to those treaties and agreements, and I believe wholeheartedly that we are not doing enough work to pursue the British Government to ensure it upholds those treaties. In the names of all the people I mentioned, we must redouble our efforts to hold the perpetrators of those violent crimes to account.

**Deputy Seán Haughey:** I am sharing time with Deputies O'Connor and McAuliffe.

The 50th anniversary of Bloody Sunday was marked on 30 January last. As we know, a march for civil rights in Northern Ireland took place in Derry that day. The participants marched for basic civil rights and equality, to be treated equally in a society where the minority were seen as second-class citizens by the government. The first battalion of the British army's parachute regiment opened fire on innocent civilians, killing 13 people on the day. This followed the kill-



ing of other innocent victims by the parachute regiment in Ballymurphy the previous August. These events cast a long shadow over politics in Northern Ireland and this remains evident to the present day. The hastily established Widgery inquiry found the soldiers had started firing only after they had come under attack, among other adverse findings. This was deeply offensive to the families of those killed or injured, but it demonstrates what the establishment in a so-called democratic state can do, if so minded, to arrive at a false and predetermined outcome.

The barrister David Burke, in his book published last year entitled *Kitson's Irish War: Mastermind of the Dirty War in Ireland*, outlines how Bloody Sunday and other killings of innocent civilians in Northern Ireland by British soldiers were part of a ruthless, dirty war that commenced in 1970, when brigadier Frank Kitson, a counterinsurgency veteran, was sent to Northern Ireland. Burke further outlines how Kitson organised a clandestine war against nationalists and ignored loyalist paramilitaries. How shocking is that?

The families of those who were murdered have campaigned for justice ever since. They have three basic demands, namely, a rejection of the Widgery report, an official acknowledgment of the victims' innocence and the prosecution of the soldiers involved on the day. They campaign tirelessly and have to date been successful in achieving two of their three objectives. The then British Prime Minister Tony Blair established the Saville inquiry in 1998. It totally exonerated the victims and placed the blame firmly on the British army. Subsequently, the then British Prime Minister David Cameron issued a state apology and expressed his deep sorry for what had happened. As we all know, however, the prosecution of the soldiers has, unfortunately, run into difficulty. The Public Prosecution Service for Northern Ireland announced in 2019 that only one soldier, Soldier F, would be prosecuted, but this was dropped and the matter is now before the courts.

This brings me to the appalling and unilateral decision by the British Government to bring forward legislation to prohibit future prosecutions of military veterans and ex-paramilitaries for crimes related to the Troubles and to impose a statute of limitations on Troubles-era prosecutions. This has been widely condemned, rightly so. It was condemned by the Taoiseach in Derry at the weekend, when he said the soldiers involved should face prosecution. It has been condemned by the political parties in Northern Ireland, by victims groups and their families, by several international human rights organisations, including the Council of Europe's commissioner for human rights and the United Nations special rapporteur, by Michael Posner, US Assistant Secretary of State, and by the Committee on the Administration of Justice in Northern Ireland - the list goes on.

This move essentially overturns a crucial part of the 2014 Stormont House Agreement, which was agreed by the British and Irish Governments and the political parties in Northern Ireland. For example, a commitment was given to establish an independent historical investigations unit as part of this agreement. In July of last year, talks were initiated between the parties in Northern Ireland and all of the relevant stakeholders on dealing with the legacy of the past and implementing the provisions of the Stormont House Agreement. These talks should be ongoing and the Irish Government must continue to make known to the British Government its total opposition to these proposals.

I would also like to raise another issue in this context. A range of rights-based commitments have been made in Northern Ireland, starting with the Good Friday Agreement and right up to New Decade, New Approach. This is not happening fully. For example, there has been a failure to progress a bill of rights in Northern Ireland. These objectives would give human rights

protections to the people of Northern Ireland. In New Decade, New Approach, a commitment was given to establish an *ad hoc* committee on a bill of rights in Stormont but this has run into difficulty. Various proposals in this area are being obstructed in the Executive and the Assembly, using different veto mechanisms. This is very regrettable.

What all of this clearly indicates is that we need full implementation of all aspects of the Good Friday Agreement and subsequent agreements. All of us need to work at that - the British and Irish Governments, the parties in Northern Ireland and Ministers and parliamentarians in these islands, using the bodies established under the Good Friday Agreement, and civic society. We must rededicate ourselves to implementing all of the provisions of the Good Friday Agreement.

**Deputy James O'Connor:** I am delighted to have an opportunity to make a statement on New Decade, New Approach. I was recently in Northern Ireland and I found it extraordinarily interesting getting the different perspectives of people in the Northern Ireland business community through the Ireland's Future event which I attended. I also found it extraordinarily interesting how deeply felt the frustrations are among ordinary people, often outside of political circles, from the engagement I have had with people. New Decade, New Approach enabled the restarting of the Northern Ireland Assembly, which was also key.

As a parliamentarian in Dáil Éireann, here in the Republic of Ireland, while the goings-on in Northern Ireland politics are extraordinary complex and it would be unwise of me or anyone else here to underestimate those complexities, I find myself to a degree bemused at how often threats are put forward about pulling away from the Northern Ireland Assembly. That is no way for any political party to behave on an ongoing basis, but it continues to happen in Northern Ireland. I want to express that point, which may be welcome to some in Northern Ireland, but with many politicians elected to the Northern Ireland Assembly, that case is often ignored. It is important for that to be put forward by a politician here in the Republic of Ireland.

Something else that I feel deeply passionate about is the future of Northern Ireland and where it is going to be in a decade or two decades time. What I want to see is the full implementation of the Good Friday Agreement and that the people of Northern Ireland and the Republic, as agreed through the Good Friday Agreement, have the opportunity eventually to vote on their own future and the future of this island. I feel very passionately about making sure that we enable that to happen. That is why the creation of the shared island unit is important in order to do a degree of work in regard to building relationships. As a state, we need to go a step further. As it stands, I feel hundreds of thousands of people in Northern Ireland are being denied the ability to live within the system that we have here in the Republic, which enables the pursuit of all opportunities, both economic and social. It has been a remarkable success story how well the Twenty-six Counties of the current Republic of Ireland have done and I am very keen to have that in the future for Northern Ireland. I wanted to make that point and I will leave the remainder of my time to Deputy McAuliffe.

**Deputy Paul McAuliffe:** At the weekend, this island marked the 50th anniversary of the murder of civilians in Derry on Bloody Sunday. The families and the people of Derry endured too long a campaign for the acknowledgement of truth about what happened in the name of the British Government but full justice and accountability have never been secured. This is true of most victims of the Troubles and I am today mindful of the Birmingham bombing families and the Reavey family, some of whom I have met. They and all victims are being re-traumatised by the British Government's proposed amnesty and the ending of all Troubles-related legal routes

to justice and truth. This is a breach of the Stormont House Agreement, plain and simple. It undermines the entire peace process, which relies on the British Government not acting unilaterally.

The British Government must recognise that soldiers sent to the North in the name of protecting civilians must be held to a higher standard of accountability, particularly where devastating breaches of human rights occurred. The failure of the British State and its agents to accept responsibility and to deliver justice means that true reconciliation will be difficult to achieve on this island. Like others, I call on the British Government to acknowledge and correct the wrongs perpetrated by its forces and to abandon the proposed amnesty.

It is also important to remember the victims of paramilitaries and they too must be supported. They do not have a democratic or governmental institution to pursue. Those who murdered their relatives had no democratic mandate but they are equally guilty of committing atrocities. There is a responsibility on the people who represented those paramilitaries to bring forward solutions on how truth can be delivered. Opposing a British amnesty is not enough when there are people out there and in here who have it in their gift to give victims truth and closure. If you served in a paramilitary organisation, you have a role to play in delivering justice. We in Fianna Fáil and many others who truly believe in a united and shared island can see it is obvious that a major blockage to achieving this is the unresolved hurt and carnage caused by both paramilitary and state atrocities. As time passes and victims get older, and the risk of another generation having to dedicate their lives to seeking justice looms, we need to achieve real progress.

To conclude, for the idea of a united Ireland, we need progress, yes, but more importantly for the families and those who have been left behind, we need justice.

**An Ceann Comhairle:** We move to the Rural Independent Group. I call Deputy Richard O'Donoghue, who is sharing time Deputies Michael Collins and Danny Healy-Rae.

**Deputy Richard O'Donoghue:** We are dealing with Northern Ireland and New Decade, New Approach. One of Ireland's legacy issues that I would be concerned about is trade between our country and the UK. Trade between the Republic of Ireland and Northern Ireland has surged ahead. The latest official trade figures show that exports of goods from the Republic to the North increased by almost €2.6 billion between January 2021 and the end of September 2021 compared with the same period a year earlier, while imports from the North to the Republic climbed by €2.8 billion.

By anyone's standards, this is a success. However, when looking at this a bit closer, it seems Northern Ireland is the winner here because the regulation of imports from the UK is much easier to navigate when compared with the customs in Dublin. These figures can be verified by the customs regulation figures and practices. All regulations cost consumers money. The customs union code is designed to contribute to and harmonise implementation of customs rules and procedures across the EU. The code also implies that the system should be fully electronic and the systems should have unified data flow.

I am not talking here about the Northern Ireland protocol, which the EU rejects, but about the EU's commitment to mitigate the trade disruption, which only affects Ireland. We know that Brexit happened but it was accepted there would be an easement of regulation between Ireland and the UK. Northern Ireland is getting an easement of restrictions that does not exist in the South. For example, we import cereals every day from Kellogg's in the UK from and we import

flour and bakery products. It is practically the same order every day, day after day, week after week. The delays in our ports and in customs are causing importers to move away to different countries. The result is pushing the UK to markets in Argentina, since it is easier to import and export from there. The bottom line is that the cost to us of importing produce from the UK is now higher for the hauliers, which drives inflation. That drives the prices for food and basic goods in our houses through the roof. The Government needs to ease restrictions in our ports so that people in Ireland can be fed at a reasonable cost.

**Deputy Michael Collins:** Between 1969 and 1999, approximately 3,500 people died as a result of political violence in Northern Ireland. The conflict, often referred to as the Troubles, has its origins in the 1921 division of Ireland and has reflected a struggle between different national, cultural and religious identities. There has been much discussion in the Republic about our own history, as we reach the 100th anniversary of the death of Michael Collins, a man who hailed from west Cork and successfully signed the treaty for this country, which was close to the edge at that time. I have spent the last few months making every effort possible to get a stand-alone statue of General Michael Collins in our capital, the first of its type. Instead of doors swinging open, every obstacle possible has been put before the group in an effort to stifle progress. We should honour our past heroes with pride. They did so much, but their lives were cut short before they could finish their good work. I know that the honour will be given to Michael Collins on 21 August this year at Béal na Bláth, as will celebrations at Newcestown the same evening, as the Newcestown community group makes an effort to get into the Guinness World Records, with the most people named Michael Collins to congregate at any one time. Well done to all involved.

In 1998, the UK and Irish Governments, and key Northern Ireland political parties, reached a negotiated political settlement, resulting in the Good Friday Agreement. It recognised that a change in Northern Ireland's constitutional status as part of the UK can come about only with the consent of the majority of people in Northern Ireland as well as the consent of the majority in Ireland. The agreement called for a devolved government and the transfer of specified powers from London to Belfast, with a Northern Ireland Assembly and Executive in which unionist and nationalist parties would share power.

**Deputy Danny Healy-Rae:** I am glad to get this opportunity. For those who remember the Troubles and all the people who were killed, hurt and maimed, the Good Friday Agreement is a milestone that will be appreciated forever. We cannot forget the people who were involved, including Presidents Kennedy and Clinton as well as Ted Kennedy and others from America. I thank former taoisigh, Charles Haughey and Albert Reynolds especially. That man took risks when he was Taoiseach. I do not think he ever gets the credit he really deserves. Others involved were Bertie Ahern, Gerry Adams, Martin McGuinness, John Hume and Ian Paisley.

We hear the British Government talking about granting an amnesty to police or army officials who committed heinous acts. This would rob the families of the victims of proper justice and transparency. I appeal to all those who know anything about people who have been lost, buried or disappeared to come forward. Both communities, South and North, need to work together to advance agriculture, industry, tourism and the provision of gas and electricity. Trade is important at this time.

We in Kerry appreciate northern buyers coming to buy cattle. Michael Kissane does outstanding work at Cahersiveen mart. There are also marts in Castleisland and Kenmare. Since Brexit, there are delays and extra costs for parts for special machinery. They sometimes cost

two or three times the previous amount. We have got used, over the years, to buying different types of machinery that are not available here. That avenue is completely closed off now and it creates an extra expense for people who employ people and create jobs.

**Deputy Thomas Pringle:** I note the title of the topic day, which is New Decade, New Approach. A new approach is exactly what is needed, because our current approach is not good enough and the cognitive dissonance of most of the Republic of Ireland regarding the North badly needs to be addressed. On Sunday, I, along with thousands of others, walked in remembrance on the 50th anniversary of Bloody Sunday. We paid tribute to the 26 who were shot and the 14 killed by the British Army in Derry in 1972. These people were marching for their rights when they were so brutally massacred. Devastatingly, their families are still seeking justice today.

I take this opportunity to remember those who lost their lives on that day in 1972 and express my solidarity with their families who, 50 years later, are still seeking justice. As was said by Bernadette McAliskey and Eamonn McCann from the podium afterwards, they are prepared to have their grandchildren stand to get the truth. They should not have to but they are prepared to do so. The British do not understand and have never really understood that it is the desire to see the truth that drives people to continue to march and fight for justice.

The Taoiseach said in his speech today:

Each family deserves access to a process of justice and until that processes in place families and communities will campaign and have to fight through the courts. And as time passes, that burden has already been passed to new generations.

That is exactly what was said on the podium on Sunday too. It could be seen from the number of young people who marched on Sunday. They were young people who were not even born, who remember and want to keep alive what has happened there. I believe the British Government does not fully understand that. What really shocked me on the Bloody Sunday anniversary, an awful tragedy that affected so many on this island, was the lack of coverage by the media in the South of Ireland and in general. On Sunday, only one newspaper covered the event on its front page and what was covered was not even regarding the anniversary of the event on Sunday itself, but about who was and was not there. We can no longer accept such silence and neglect. This State has failed the people in the North of Ireland time and again. This State stood idly by and watched the conflict unfold without taking necessary action to intervene. We neglected them then and we continue to do so.

We like to pretend that the British are and were neutral in the conflict, which, of course, they were not. This has allowed them to constantly hide from accepting their responsibility for the conflict. The Government in the South has allowed them to perpetrate that lie to a certain extent. There may not have been a peace process if the price was that the British had to accept a protagonist's role rather than a neutral role, but maybe the time has come for the Government to stop letting them off the hook and hold them to account. There is no doubt that we are prisoners of our own past when it comes to this issue. Successive Governments have been negligent of the North of Ireland for too long and we need to seriously reconsider the approach of this, and future, Governments. We can no longer allow the media and the Government to bury their heads in the sand when it comes to the North.

We know there is an appetite for change. A referendum on the reunification of this island is

1 February 2022

not far away and denial of this will not make this any less of a fact. We need to take discussions around this seriously. I do not mean discussions of flags and anthems. I mean real discussions of people, livelihoods, healthcare and housing. We know that cultural issues are important but the bones that will make up a possible united Ireland are more important. We have a unique opportunity to take the best of both regions and consider what a new, united Ireland might look like, leaving nobody behind in this. Under a united Ireland as it currently stands, unionism will have a huge voice and would probably be permanently in government with the southern conservative parties and would have a larger voice and control in a united Ireland than they do now in a failed statelet. That is a necessary outworking of the reunification of our country and I look forward to it happening, because it is only then that we can look to a day beyond that then when Irish people will decide Irish futures.

As we are here talking today about legacy issues, perhaps the Government could also look at dealing with the legacy of the heavy gang, particularly in light of the recent RTÉ documentaries about the behaviour of gardaí during the period of the Troubles, through the work of the heavy gang. It is a measure of the effect on this State that the State set up and allowed the operation with impunity of a gang of gardaí who could do what they wanted. While the State probably thought it was acceptable that it targeted republicans, we can see that the activities of the heavy gang also targeted ordinary individuals with impunity. It is an example of how, when the State compromises the rule of law, everyone loses. It would be worthwhile for the State to investigate and hold an inquiry into the operation of the heavy gang and how it impacted our society in the context of the legacy of the Troubles.

**Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** This has been quite a substantive debate and I thank the Taoiseach and all of the Deputies, from all sides of the House, who contributed to it. Over the years, many of our days in this Chamber have been spent putting on the record the facts and the outstanding questions around terrible events in the history of the conflict and the hardship that followed for so many families. It is important that those events are acknowledged as they should be. The years have left a map of heartbreak in our collective memory. Mentions of places bring a flood of tragic associations - Ballymurphy, Kingsmill, Dublin Monaghan, Birmingham, Enniskillen, Derry, Omagh.

We must remember all those who lost their lives during the Troubles, each of them leaving behind grieving families. Too many of those families have faced needless barriers that have been placed in their path as they seek truth and justice, compounding their pain. Those proposing a statute of limitations have talked about drawing a line and moving on from the past. None of these families wants to live in the past and none of us wants to leave society indefinitely in a cycle of litigating the events of the conflict but we cannot make progress on the basis of unilateral moves by one Government to end justice and accountability, a move that so clearly also risks undermining the full facts of cases coming out. We must not try to draw a heavy curtain across our past. Instead, we have a responsibility to let the light in and the truth come forward. The way we move on as a society is by ensuring and being seen to ensure that everything possible is done to address outstanding cases that never received a full and proper investigation before now. Whether the person who fired the shot that took their loved one was a soldier or a member of a paramilitary organisation, whether he or she wore a uniform or not, every family bereaved in the conflict must have access to an effective investigation and to a process of justice, regardless of the perpetrator.

It is also important to say that I have met families who have challenged us in this State, as has been mentioned this evening, to do more to facilitate justice and truth recovery for cases

where it is known or suspected that there was a significant cross-Border dimension. It is crucial to recognise and respond to that challenge and I have repeatedly said that this Government is willing to do that. We must, as a Government and a State, play our part fully in a collective approach that works for victims in all jurisdictions.

The Stormont House agreement reached in 2014 to deal with these issues is far from perfect but in truth, no perfect solution exists. Nevertheless, that agreement gave us an agreed path forward that was designed to meet the legitimate needs and expectations of victims in both jurisdictions in a way that upheld the rule of law and met our human rights obligations. We want to see such an agreed, collective approach in place and working for victims and their families. We have made clear that we are ready to engage seriously with concerns the British Government and others may have with the Stormont House agreement in order to establish an agreed way forward. The best step that could now be taken is for the British Government to withdraw its proposals for a general statute of limitations and join in good-faith engagement to find a sustainable way forward. We have made it very clear that from the Irish Government's perspective, we are ready to do that.

We must also ensure we have a vibrant, ambitious and forward-looking agenda, advancing the achievements of the Good Friday Agreement. This is why it was crucial that the NDNA agreement restored the devolved institutions after a three year absence. It is also why the Government has redoubled its efforts to implement the commitments it made at the time of NDNA, focused on working with the Executive, through the North South Ministerial Council, to deliver projects that benefit people across the island. These include greater connectivity between North and South, investing in the north west region and Border communities, supporting the Irish language in Northern Ireland and supporting reconciliation as an integral part of the peace process. Likewise, we have put forward the Shared Island initiative to bring a focus, a higher level of ambition and a genuinely inclusive approach to working on a shared future for all of us. Our focus is on harnessing the full potential of the Good Friday Agreement to improve our shared, lived experience on this island and to try to bring people together. Through investment, research and dialogue, we want to deepen civic, cultural, educational, business and political links on the island and foster closer connections and mutual understanding. The Shared Island initiative is about recognising the transformative nature of dialogue and since 2020 eight Shared Island dialogues have engaged in depth on key issues for our shared future, with civil society organisations engaging all communities and traditions.

In all of our endeavours, this Government always has been and will continue to be guided by our steadfast commitment to peace on this island. We know the achievements of the peace process must never be taken for granted. We will continue to work with both the UK Government and the Northern Executive to protect and uphold the Good Friday Agreement and its institutions in all circumstances. These institutions provide the people of Northern Ireland with a democratic voice and enable essential North-South and east-west dialogue. We face real challenges in the period ahead, including legacy issues, political tension and uncertainty, and of course, managing the outworkings of Brexit and the Northern Ireland protocol. We have learned through hard experience that peace is a process and that it requires calm and measured leadership from both Governments, the Northern Ireland Executive and political parties there. Through the decades we have made real progress and sometimes unexpected breakthroughs that have made a real, lasting and positive difference in the lives of people throughout the island. This is what people rightly expect us to do now, again. The Covid-19 pandemic reminded us of just how fundamental co-operation on this island can be, whether it was HSE ambulances

1 February 2022

in Belfast or the close communication between the Public Health Agency in Northern Ireland and NPHE in the Republic. The message was clear that we are better equipped to face the major challenges of our time when we do so collectively, together.

As a Government we will work to deliver positive change for everyone on this island by continuing to advocate for victims and survivors through the full implementation of the New Decade, New Approach agreement and by harnessing the full potential of the Good Friday Agreement to improve the lives of everyone on this island. I thank everybody for contributing constructively to the debate this evening.

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

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case: (1) Deputy Matt Carthy - to discuss the dual crises of rising input costs and decreased prices received by farmers in the pig sector; (2) Deputies Aengus Ó Snodaigh and Bríd Smith - to discuss the ongoing criminal and anti-social behaviour in the Cherry Orchard area in Dublin; (3) Deputy Christopher O'Sullivan - to discuss the future of Desmond Castle in Kinsale; (4) Deputy Paul Donnelly - to discuss plans for expansion of school places in Dublin 15 and Dublin 7 to meet demand; (5) Deputy Richard O'Donoghue - to discuss a full review of the continued trolley crisis in University Hospital Limerick; (6) Deputy Imelda Munster - to discuss the recent announcement of job losses at Hilton Foods, Drogheda; (7) Deputies Martin Kenny and Louise O'Reilly - to discuss the need to protect jobs and workers at B. Braun Hospicare Limited in Collooney, County Sligo; (8) Deputy Paul Kehoe - to discuss a compensation scheme to assist farmers with damage caused by flooding in Wexford in 2021; (9) Deputy David Stanton - to discuss the upgrade of the N25 national road between Midleton and Carrigtwohill, County Cork; (10) Deputies David Cullinane and Mairéad Farrell - to discuss the ongoing delays with the new children's hospital; (11) Deputy Neale Richmond - to discuss a two-year extension to student visas; (12) Deputy Holly Cairns - to discuss Government actions to protect and enhance wetlands for World Wetlands Day on 2 February; (13) Deputy Chris Andrews - to discuss a breakdown of the €80 million announced in funding for Irish sporting organisations; (14) Deputy Marc MacSharry - to discuss the recruitment of additional nurse specialists in neurology for Sligo University Hospital; (15) Deputy Thomas Gould - to discuss the need for a disability officer in Cork City Council; (16) Deputy Maurice Quinlivan - to discuss an update on Garda Operation Copóg, established to target the supply of drugs in Limerick; (17) Deputy Martin Browne - to discuss the decision to suspend funding for 2022 for the Cahir to Waterford N24 road project; (18) Deputy Eoin Ó Broin - to discuss the Government's proposed reforms of the judicial review system; (19) Deputy Donnchadh Ó Laoghaire - to discuss the urgent need for additional Garda resources in Douglas and Carrigaline; (20) Deputy Catherine Connolly - to discuss severe staff shortages in Galway City Council and the cancellation of some essential services; (21) Deputy Cathal Crowe - to discuss the process under way to revise DEIS categorisations in County Clare.

The matters raised by Deputies Carthy, Stanton, O'Sullivan and Connolly have been selected for discussion.



**Child and Adolescent Mental Health Service: Motion [Private Members]**

**Deputy Mark Ward:** I move:

That Dáil Éireann:

notes that:

— under the United Nations Convention on the Rights of the Child, every child has the right to the highest attainable standard of physical and mental health;

— there were 3,065 children on Child and Adolescent Mental Health Services (CAMHS) waiting lists as of October 2021, including 863 waiting greater than six months and 202 waiting greater than 12 months;

— there are particularly long CAMHS waiting lists in Community Healthcare Organisation (CHO) 4 (Kerry, North Cork, North Lee, South Lee, West Cork) and CHO 8 (Laois/Offaly, Longford/Westmeath, Louth/Meath), which accounted for 48 per cent of those waiting in Ireland in March 2021;

— in 2020, 4,905 children referred into CAMHS requiring specialist mental health care were turned away after consultation, with the referrals deemed inappropriate;

— one-in-five consultant psychiatrist posts are vacant or filled on a temporary basis, which results in a large gap in clinical oversight and quality control, with notable resignations over several years due to the unsafe conditions which understaffing has placed patients and staff in;

— there are 9,554 children on Primary Care Psychology waiting lists as of October 2021, including 6,029 waiting greater than six months and 4,272 waiting greater than 12 months;

— over 71,000 children are waiting for life changing treatment, including 19,000 waiting greater than 12 months, across occupational therapy, physiotherapy, ophthalmology, speech and language therapy, dietetics, psychology, and mental health services, which are all vital to the mental health and well-being of children; and

— the World Health Organization recommends that 12-14 per cent of health and social care expenditure is directed towards mental health services and that the agreed Sláintecare minimum target is 10 per cent, yet expenditure on mental health services remains lower than 6 per cent of the healthcare budget, with expenditure on children's mental health services as low as 1 per cent;

further notes:

— the shocking and highly troubling findings of the Maskey Look-back Review into the malpractice and substandard treatment of children under South Kerry CAMHS, which put more than 200 children at significant risk of harm and resulted in significant harm to at least 46 children who were prescribed inappropriate medications without proper follow-up and oversight;

— that the individual who uncovered this malpractice and ensured it was brought to

1 February 2022

light has since left the Health Service Executive (HSE) and claims to have been undermined and side-lined;

— the Government’s commitment to an audit of prescription practices and adherence to clinical guidelines across CAMHS State-wide;

— that more than 50 children were inappropriately placed in adult psychiatric facilities over the last two years; and

— that the outgoing Children’s Ombudsman regarded this practice as “lazy” further commenting that “we have let the idea that we do not have the resources in place rule the fact that the best interest of the child is being overrun”; and

calls on the Government to:

— protect our children’s mental health and fix our children’s mental health services;

— immediately put in place supports for the children and families affected by the malpractice in South Kerry CAMHS;

— broaden the CAMHS review to include capacity deficiencies and geographic inequalities, to examine whether persistent consultant vacancies have contributed to sub-standard care, and to review the excessive amount of referrals which are deemed inappropriate;

— immediately conduct a review, to be published, into the treatment of the South Kerry CAMHS whistleblower and the circumstances around their change in duties which led to their resignation from the service;

— tackle extreme waiting lists and clinical oversight deficiencies in children and adolescent health services by addressing the two-tier consultant contract issues which prevent the filling of consultant vacancies;

— put in place a proactive strategy for the recruitment and retention of psychologists across CAMHS;

— immediately re-appoint a National Director of Mental Health in the HSE;

— legislate to end the practice of placing children into adult psychiatric facilities;

— deliver 24/7 access to mental health services and a consistent 7-day week outpatient model for CAMHS; and

— set out a plan for achieving a minimum of 10 per cent of healthcare expenditure being directed to mental health services as agreed under Sláintecare.

We need to fix our children’s mental health services to protect our children. The shocking report into malpractice and the substandard treatment of children in south Kerry’s Child and Adolescent Mental Health Service, CAMHS, found that more than 200 children were put at significant risk of harm. At least 46 children were prescribed inappropriate medication without proper governance and suffered significant harm.

You only have to listen to the heartbreaking testimony of parents whose kids were wrongly

medicated about how they lost their personalities and their smiles.

The first thing the Government must do is immediately put in place supports for children and families effected by the malpractice in south Kerry. It needs to put in place a comprehensive care plan so that these children can get back on the road to recovery and be given the chance to reach their full potential.

Public confidence in youth mental health is at an all-time low. The Government has announced an audit of all CAMHS services across the State. I called for that audit to be carried out last April but my call fell on deaf ears. The Government has wasted eight months. The national audit must have independent oversight and it needs to be broadened. It must look at how twin deficiencies in staffing and working conditions, especially the lack of supporting multidisciplinary teams and the two-tier consultant contract, have contributed to substandard care and to vacancies across CAMHS. The audit must also answer why over 3,000 children are on waiting lists for CAMHS services, including 200 children who have been waiting for more than a year. It must answer why the quality of treatment available to a child is based on where they live and why some CHO areas are performing better than others.

In 2020, almost 5,000 referrals to CAMHS by medical experts were deemed inappropriate. What happened to those 5,000 children? I have been inundated with messages from people across the State this week who have concerns about CAMHS and who feel they have been let down by the service. One young person contacted me to say that someone is finally doing something about it. They stated that they had waited three years to start their healing and then they was rejected by CAMHS because they was not taken seriously enough or believed. They said that they were not listened to and were pushed too far. They thought the only way out of was to take their life which they attempted. They wound up in hospital and only then were they diagnosed and put on another waiting list.

That is the real life experience of a young person who was deemed inappropriate for CAMHS. It is not just CAMHS that is failing children. The failure is right across children's healthcare. At the moment, more than 9,000 children are on primary care psychology lists, of whom 4,000 have been waiting more than a year. Early intervention is key. We all know that if some of these children had got the care they needed when they needed it, it would take the pressure off CAMHS for more acute cases. There are also 71,000 children waiting for life-changing treatment including 19,000 children who have been waiting for more than 12 months for services such as occupational therapy, physiotherapy and speech and language therapy. We can all get bogged down in statistics but behind each figure is a child with dreams and ambitions who has family and friends who are impacted by the lack of care being given to that child. It is a child who has a right to be given every chance in life to reach their full potential. Successive Governments have failed these children. I have no doubt that in her response, the Minister of State will mention the amount of money that has been spent on mental health but it is not enough. It is still way behind best international practice, which recommends that 12% to 14% of the overall health budget should be spent on mental health. Sláintecare recommends a minimum of 10%. Currently, the Government is spending less than 5.5%. The Ombudsman for Children told the joint sub-committee that children's mental health is 1%. That is nowhere near good enough.

There is very little accountability for governance at the top of the HSE. That is why Sinn Féin has consistently called for the reinstatement of the office of the national director for mental health. I welcome that the Minister of State has added her voice to this call but she needs to make sure that this happens. She should be running the show and calling the shots, not the HSE.

**Deputy Pa Daly:** Families affected by CAMHS catastrophic failure of children told me that they found the report soul-destroying, that they were sick to the stomach when they learned of the harm suffered by their vulnerable children and that worse, it could have been prevented had changes been made first, after the resignation of consultants in the south-eastern service or at least shortened had the issues been addressed when they were first raised by the whistleblower. There were children who asked to self-medicate and who were a year without follow-up appointments. Those with social anxiety and chronic fatigue dosed with antipsychotic medication.

The acknowledgment of the report and the apology is a start. The 35 recommendations must be implemented without further delay. Parents need care plans immediately. They need the scope of the review to be broadened to north Kerry and beyond. Parents who need anonymity need to have that guaranteed in any redress scheme. The HSE must pay for an independent consultant or consultants to review the files and advise the parents on treatment and the harm done to their children.

As noted, the WHO says that 12% of healthcare spending should be on mental health. Here it is less than 6%. Hence the waiting lists and short staffing. We need the right resources. We need key workers, social workers, proper oversight and the ending of pay disparities between the different systems and the improvement of working conditions, offices and support staff. The capacity deficiencies and geographic inequalities also need to be addressed. In my area, there is the longest waiting list in the State. It comprises 682 children, almost half of whom have been waiting to access CAMHS for more than a year.

The motion is not a request; it is a demand. Our children deserve what it seeks.

**Deputy David Cullinane:** Time and again we see scandal in our healthcare services and time and again we see no action, accountability, consequences or change. We saw it with the Grace case, the Brandon case, CervicalCheck and now CAMHS in Kerry and the appalling way those children were treated. We know there was poor clinical oversight, mismanagement and the appalling treatment of a whistleblower who came forward. The pattern is the same. The whistleblower was thrown under the bus and there was no change or consequences for those who failed.

Take the Grace case as an example. In 1995, a complaint of sexual abuse was made by a former resident of the foster home that Grace was in. In 1996, the health authorities decided that they would remove Grace from that home but that decision was reversed by the health authorities in the same year. It was reported that:

When removed in 2009 from the foster family, Grace 'cut a sad figure' in a 'wretched' state, frail, dirty and unkempt, with health problems due to a poor diet and psychosis. Her only possession was a child's toy which she held onto 'for dear life' and to which she still clings.

Yet there was no accountability, no consequences and no change. We see it with the Brandon case. The report is unpublished but we know of horrific abuse of people in that setting. Now we see it again in CAMHS in Kerry where young people were treated so appallingly. The whistleblower was treated with disdain and was the person who paid the price. It is the same old story. No accountability at the heart of the HSE. There is no culture of accountability. We cannot continue to come into this Chamber and say we are shocked, outraged and disappointed

and then there is no change and no one is held to account. The Oireachtas must decide if it is going to deal with the culture whereby there is no accountability or transparency and no one is held to account once and for all or if it is going to continue to keep coming back to all of these crises and scandals and simply say that we are shocked. We all know we are not shocked because it happens time and again. There is a real question for the political system. We must decide once and for all that we will embrace a new culture in the Department of Health and in the HSE and that we will do our very best for all those children in CAMHS and elsewhere who have been failed by the system.

**Deputy Pearse Doherty:** Last week, I said that there should be a step change in Government policy around how we deal with children and adolescents in the context of mental health. This should be a watershed. It should be a moment in time when we say we can no longer allow our services to be so depleted and exhausted that so many people go without and those to whom services are provided receive, in some cases, services that are dangerous. However, I am not convinced that is going to be the case. I am not convinced that the Government is actually going to change direction in any way.

Deputy Cullinane rightly outlined all the other scandals, including the Grace scandal, by which we were appalled and which we thought should be watershed moments. He mentioned the Brandon report that the Minister of State, Deputy Rabbitte, wants to be published, but which she somehow cannot get the HSE to publish in order that the families can see what happened to the 18 individuals involved in that setting. If you go back years and years, you will see more and more of the same, yet we trundle on without accountability and without real change. All the people out there who depend on these services, namely, children and adolescents suffering with their mental health, are seeing that the State is letting them down in the main.

We do not provide enough money to support our services. We do not provide 24-7 services. We do not have clinical oversight at a national level of these services. My colleague, Deputy Ward, has been championing this since he was elected to this Chamber but yet again Government fails to act. I have spoken to many young people who have mental health difficulties. I have spoken to people who have been in facilities in this State due to eating disorders, anxiety and other issues. They see very clearly that more needs to be done for them and their cohort. This needs to be a time when we are not coming back here next year and saying only 1% of the health budget is provided for children's mental health or that we have 71,000 children on waiting lists for life-changing treatments, including mental health services, speech and language therapy and dietetics or that we have 3,000 children on CAMHS waiting lists. All of those are statistics of shame and there should be no more. If we are to really honour the people who surround us here tonight then we need to ensure we treat all the children of the nation equally. That means providing them with that helping hand. When they reach out for a helping hand from the State, there should be somebody or some service there to support and protect them. At this point, the service is not up to standard and in many places, it does not even exist.

**Deputy Pauline Tully:** The news about the treatment of children attending CAMHS in south Kerry was alarming but I firmly believe that the problems there are being replicated in many ways across the State, although hopefully not as seriously. The news of a nationwide audit is welcome but it needs to happen without delay. I hear from those involved with CAMHS there are issues around medication, poor management and nurse dominance and that there is a lack of training, of appropriate resources, career progression and there is a hierarchical status. I hear that there is more emphasis being put on ensuring they are covering themselves so as not to be sued than on real and necessary patient care. Children or their families are often blamed

if suggested treatment does not work. Children with a diagnosis of autism will not be admitted to CAMHS yet children with autism are 28 times more likely to consider or attempt suicide. There are also simple things like notice for an appointment not being received by a parent until the day of the appointment or the day after. This is not an isolated incident. This has happened to families attending different CAMHS in different counties.

CAMHS and mental health services in general need to be completely overhauled. I am not saying there are not excellent people working in these services. Of course there are. They do very important work and help many children but it could be done so much better and include so many more children if properly staffed and managed. Over 2,000 children and young people are on waiting lists at any given time. At the end of November there were 3,357 children waiting to be seen. Of those, 221 had been waiting for more than a year. That is leading to heightened mental health issues and costing the State multiples to address further down the line. The funding announcement in budget 2022 of €24 million for mental health services is totally inadequate. Ireland only allocated 5.1% of its health budget to mental health services. The WHO advises that should be 12%. Sinn Féin committed to an additional €113 million of new funding in our alternative budget. Mental health services are starkly underfunded. This needs to be addressed if we are to ever resolve this emergency situation and not allow it to get even worse. The Assisted Decision-Making (Capacity) Act 2015 does not allow for decision supports for people aged under 18 years. That legislation needs to be amended immediately to prepare for the reform of the Mental Health Act, which sees those aged 16 and 17 years give or withdraw consent for mental health treatment.

**Deputy Pat Buckley:** We are back again. I am delighted to speak on this and thank Deputies Ward and Daly for bringing this motion forward. It was said already there are 71,000 children waiting for life-changing treatment, including 19,000 who are waiting for more than 12 months for occupational therapy, psychotherapy, speech and language therapy and many more mental health services. I do not know when the Government is actually going to get it into its head that everybody within the mental health services must be supported. That includes staff, not just patients. We must make a serious investment in this area.

The whistleblower was also mentioned. Consider the bravery of a whistleblower to come out and say things are not being done right and people are suffering. They should be commended, not punished. It is very important that is recognised. I also put a message into the Minister of State's mailbox today regarding another whistleblower within the mental health services. I look forward to her response to that. In addition, Deputy Mairéad Farrell and I have brought forward a Protected Disclosures (Amendment) Bill. We hope the Government will support it.

A few years ago, I think it was 2018, I was doing much research on how much Governments were spending on counselling, cognitive therapy and play therapy within the mental health service. It struck me that the budget at the time was approximately €10 million whereas the moneys spent on medicine - we will call it medicine - was more than €400 million. There is a massive disparity in that regard. We have all seen what has happened in the CAMHS in south Kerry. It must be noted that there are fabulous people within the system and that the services which are practically fully resourced do work. I will always give that commendation. The problem is, however, that if we do not start investing in this, we are going to be back here again with scandal after scandal. I call on the Minister of State and the Government to support this motion and do the right thing for the people of this country.

**Deputy Imelda Munster:** CAMHS and other mental health services in this State are so

woefully underfunded that what happened in south Kerry should come as a shock to no-one. We spend 6% of our health budget on mental health. That is half the level recommended by the WHO. This needs to be increased as a matter of urgency. There are currently more than 3,000 young people awaiting appointments in a CAMHS psychiatry service. There are over 9,500 young people on a waiting list for child primary care psychology. Over 3,982 of these young people have been waiting for over a year.

In my area of Louth and Meath, the CAMHS struggles to adequately staff itself. It is difficult to recruit staff, like occupational therapists for example, because the terms offered in other areas like primary care are often better so people choose not to work in mental health services. In Louth and Meath the service only has access to inpatient beds and does not have access to day beds at all. Accessing the inpatient beds has proved increasingly difficult. We also need to provide more beds for young people with eating disorders. There has been a significant increase in cases since Covid with no plan or response to that to date.

The Government should listen to what we are calling for in the motion. It is practical measures to protect our children by fixing children's mental health services. We need to reappoint a national director of mental health in the HSE. We must scrap the appalling practice of placing children in adult facilities and ensure we have enough beds and enough resources to appropriately treat children. We also need to drastically increase mental health funding across the board by a minimum of at least 10%, as agreed under Sláintecare. We cannot have more cases of people becoming severely unwell and even dying because they cannot access services. Our children cannot continue to be treated like this. It is inhumane, unfair and it must stop. I could have told the Minister of State stories from my constituency of young children and young adults who were either turned away when they sought help or had no follow-up and no backup and sadly took their lives in the most horrific of circumstances. That has to stop. The Minister of State needs to get a grip because the HSE is such a mess. It is an absolute mess. It will never get its act together.

*7 o'clock*

For the sake of our children, the Minister of State needs to get a handle on this and put whatever direction and insistence is needed in place. She needs to do it now to protect our children. This situation is not good enough.

**Minister of State at the Department of Health (Deputy Mary Butler):** As Minister of State with responsibility for mental health, I hope I have the support of everyone in this House in working to address the challenges across our mental health system and, in particular, in child and adolescent mental health services. This was evident from the debate last Wednesday in this House when we discussed youth mental health. Of course, to the very front of our minds then, and this evening, are the disturbing and devastating revelations in the report on child and adolescent mental health services in south Kerry. The HSE has considered the report locally and nationally, acknowledged the systemic failures that occurred over a sustained period of time and accepted the recommendations.

Last Wednesday, I set out in detail the many contributory factors that led to this catalogue of failures, including an absence of clinical oversight, appropriate governance and management structures. Work is under way to implement the full suite of recommendations as a matter of priority. Of these, six have already been implemented with 13 having commenced implementation. The HSE has met with 198 of the 240 young people affected, and their families, to discuss

1 February 2022

the deficits they received in their care and to provide them with key information and referral to any necessary services and supports. This includes counselling supports and appropriate services from within child and adult mental health services. I am in close contact with the chief officer of the area to ensure that any additional supports that are required are provided. The HSE apologised to each individual at these meetings, and subsequently in writing, for any harm caused.

The report outlined the alarming effects of the prescribing of medications on the children and young people affected, including sedation, the production of breast milk and weight gain. I described these impacts in some detail last Wednesday. There are 35 recommendations in total in the report, including an assessment of a reconfiguration of the service. As I set out to the House previously, as part of the recommendations a full nationwide audit will be conducted of compliance with existing CAMHS operational guidelines by all CAMHS teams. I have also directed that there be an independently led prescribing audit in each of the CAMHS teams. This will cover community and inpatient teams. There will be a further independent-led audit of case files in north Kerry.

Alongside this, the HSE will commission qualitative research to identify the experiences of children, young people and their families using child and adolescent mental health services nationwide. I have directed that this three-stranded approach be subject to independent oversight. In addition, I am pleased to update the House that the Government has today committed to a non-adversarial scheme for compensation for those children, young people and families affected by the report. I will be working closely with my Department, the HSE and the Attorney General to ensure that the details of such a scheme are confirmed without delay. Many families have already been subjected to harm and considerable distress. I will do my utmost as Minister of State for mental health to reduce the potential for any further upset as this process continues.

The report is shocking and frightening and my thoughts are still very much with the children and young people affected. The systems we have in place must be fit for purpose to support the good work that we know is going on as much as to bring to light and address what harm is caused. Accountability in this context is vital. I understand that An Garda Síochána in Kerry is in receipt of the detailed and extensive final report, which will now be considered to see if there are grounds to commence a criminal investigation. While it is not appropriate to comment on HR or industrial relations matters relating to any individual, the CEO of the HSE has said that disciplinary action will be taken if appropriate.

Members will know that I have consistently sought the reinstatement of a national director for mental health post in the HSE. This is not solely a reaction to the publication of the report, but I take this opportunity to renew to the House my call seeking that this important post is reinstated to give vital strategic direction to the development and improvement of mental health services. Contrary to what Deputy Ward said about my being late to the call, he did not include a national director for mental health in his previous PMB.

**Deputy Mark Ward:** It is something I call for regularly.

**Deputy Mary Butler:** Focused mental health leadership in the HSE is needed at national director level reflecting the need to enhance and develop relevant mental health services in primary care, acute hospitals and specialist mental health services as envisaged in Sharing the Vision.



Members proposing the motion raised a range of other issues. I acknowledge that there are serious challenges to be addressed in our mental health services. However, I would like to reiterate that mental health is a priority for me and for this Government as a whole. An additional €47 million for mental health services was made available under budget 2022, bringing the total allocation to €1.149 billion and continuing the year-on-year increases in investment in mental health services since 2012. This investment is underpinned by Sharing the Vision. Members are right to say that the funding for HSE mental health services is approximately 5% to 5.5% of the budget for HSE health services. However, it must be acknowledged that this does not take into account mental health services and supports delivered or funded through other parts of the health service, or by other Departments or agencies, constituting a substantial sum of expenditure year on year.

I also noted that many of the Opposition Deputies mentioned that we should be at 12%. Yet, when they took the opportunity in their pre-budget submission the increase was €113 million, which will bring us nowhere near 12%.

**Deputy Mark Ward:** The commitment was over the lifetime of the Government.

**Deputy Mary Butler:** It would not even increase it by 1%.

**Deputy Mark Ward:** The Minister of State can quote semantics all she wants.

**Deputy Mary Butler:** There is no point in being disingenuous on this.

**Deputy Mark Ward:** Absolutely not.

**Deputy Mary Butler:** As I outlined last Wednesday, youth mental health, including child and adolescent mental health, is of critical importance. In relation to CAMHS, budget 2022 will provide for the establishment of two new CAMHS tele hubs and a dedicated €6 million is available to expand the capacity of community mental health teams nationally, with a particular emphasis on CAMHS. This includes 45 CAMHS staff, building on funding for 29 additional CAMHS staff provided in 2021 on top of a total of more than 400 new posts between 2012 and 2019. I am pleased to say the HSE completed recruitment of 53 clinical positions within CAMHS in 2021. Some 93% of consultant psychiatrists within CAMHS are filled. We have 80 whole-time equivalents in place and there is an outstanding deficit of five whole-time equivalents, including the post in Kerry.

One of my particular priorities as Minister of State has been to deal with the issue of eating disorders. Contrary to what has been said about nothing being done, a lot is being done. A total investment of €6.85 million to progress the national clinical programme on eating disorders has been made, including €3.94 million in 2021 to complete the three existing teams and three new teams, which are nearing completion. One of these is a CAMHS team. Funding allocated in 2022 will provide an additional four specialist eating disorder teams, with one of these again being dedicated for CAMHS. This will bring the total number of specialist eating disorder teams to ten and I am firmly committed to continuing to develop these services further beyond 2022.

An additional €10 million will be provided this year for initiatives aimed at increasing mental health supports in response to the Covid-19 pandemic, in particular, for children, young people and students. A further once-off €10 million for mental health will be invested to improve the experiences of individuals, including children and young people accessing specialist mental health services, in addition to community and voluntary mental supports. As part of

1 February 2022

this fund, Mental Health Ireland will distribute a total of €1 million among smaller local groups providing vital mental health supports in communities nationwide. This grant scheme was launched yesterday and I encourage any organisation with a project or proposal that meets the criteria to submit an application. The €10 million allocation has also provided for the launch today of talking therapy sessions on a no-cost basis to individuals impacted by the pandemic.

NGO partner MyMind will provide up to 16,500 counselling and psychotherapy sessions, in more than 15 languages, through a €1 million dedicated fund. The delivery of these supports is a continuation of an initiative that commenced in 2020 and was funded from the Sláintecare integration fund. As part of this project, MyMind delivered approximately 22,000 hours of counselling and psychotherapy sessions to date.

We have also expanded our digital mental health services for children and young people through the 50808 crisis text service, SpunOut, SilverCloud, Turn2Me and the national roll-out of digital cognitive behavioural therapy. There are now 14 Jigsaw sites nationally that complement its digital services. I acknowledge that we have significant challenges in our mental health services. The south Kerry CAMHS report is unflinching in setting out those challenges. While we have made much progress, I am fully committed to continuing to drive the necessary reforms across our mental health system in line with Sharing the Vision. This will be complemented by the significant work under way to overhaul our mental health legislation, which ultimately will enhance the rights and protections of people using our specialist services, including children and young people.

**An Ceann Comhairle:** The next slot is being shared by Deputies Ó Laoghaire, Carthy, Quinlivan and Mythen.

**Deputy Donnchadh Ó Laoghaire:** I commend the motion and the work of Deputy Ward, who has been an excellent advocate in terms of the issues around mental health. I echo his point that a 12% increase over the lifetime of the Government is quite ambitious. Sinn Féin's policies and this motion in terms of tackling some of these issues are also ambitious.

The report in regard to what was happening in south Kerry is deeply alarming. It is very worrying. It is the stuff of nightmares for parents. The testimonies given by some of the parents were shocking. Much of this is focused on a particular individual, but other individuals may be culpable, depending on the findings. This is a systems issue. There is no way a junior doctor should be responsible for that level of work or have that level of responsibility without adequate oversight. That is simply not good enough. This was allowed to drag on for years. The whistleblower was not treated properly and was not listened to adequately at the point of which the concerns were raised.

It is important the CAMHS review happens swiftly, that it happens across the country and that it takes a very broad view. We all wonder whether there could be similar issues in other parts of the country. In general, there is a feeling out there that our mental health services are inadequate. In my own constituency, there are 258 people waiting for CAMHS appointments, 104 of whom have been waiting more than six months, with 14 young people waiting over a year. That is the situation without even addressing whether the care they are getting is adequate. There could be issues around postponed appointments, whether people are getting adequate attention and whether they are getting adequate support from in terms of psychology and psychiatry because both are needed. Very often that is not the case. Sometimes, this is not the fault of individual consultants, therapists or whatever; it because the system is completely

overstretched. These issues are growing and there is increasing concern in regard to this area. There is an urgent need to completely transform how we deal with mental health services in this State.

**Deputy Matt Carthy:** Our health services are an embarrassment and within that our mental health services are a humiliation. I say that not as a criticism of those on the front line but to recognise that systemic failures have happened too often and are too prevalent.

In this Chamber and in this debate, we hear all of the correct things being said by Government representatives. It has ever been so. On delivery, the proof is in the experiences of children and adults. For many, the experiences are positive once they enter the system, but for far too many the experiences are marred by delays in entering the system or being denied access to that system. For others, the experience of the system has been a bad one.

The reports from Kerry CAMHS are scandalous, but they are not new. This specific incident might be new, but the story is all too familiar. There is a failure in our health services. It is brought to the attention of HSE management but nothing is done other than the ostracisation of those who brought the issue to the attention of the management. Eventually, the reports are made public and that is followed very quickly by an apology and the rhetoric “we have learned the lesson.” Nobody in the HSE management is held to account. That is the most predictable trajectory of any of these scandals. Those who failed to monitor the care being provided to children and those who failed to heed the warnings are either moved sideways or left in place, their salaries and pensions secure.

Unless and until individuals within management are held to account for their failures nothing will change. Three Government leaders came together and agreed, without any process, rationale or justification, a pay rise of more than €81,000 per annum for the Secretary General of the Department of Health. If the same leaders decided that the Government would prioritise mental health services, as Deputy Ward’s motion calls on them to do, and they were determined that there would be accountability within the HSE, then it would happen, but nothing in the Government’s remarks tonight suggest that it is up to delivering that necessary change. We are.

**Deputy Maurice Quinlivan:** There can be no denying that there are significant problems with the CAMHS system and that these need to be fixed. The recent review of south Kerry CAMHS uncovered widespread failings in the service. While the effects on some of these children were horrific, the fact that there were failings is no surprise to anybody. If we really want to cherish all the children of the nation equally, we can start by ensuring that children and adolescents have access to the vital services they need around mental health. This is not being delivered when one considers that there are thousands of children waiting for treatments of various types.

I welcome the Taoiseach’s recent confirmation that there will be a full audit nationwide of compliance with CAMHS operation guidelines. However, this audit should be extended to include geographic inequalities and capacity deficiencies. The geographic inequalities are clear for all to see. As of October 2021, in CHO 3, which is in the constituency of Limerick that I represent, the number of patients aged under 18 waiting for psychology treatment for in excess of one year was 36% of the total. In CHO 6, it was 3%. The people of the mid-west deserve better. One third of children in need of psychology treatment are waiting more than one year. Let that sink in. It is shocking. These are young people in their formative years. Without early intervention, issues will escalate. One year is a very long time to go without necessary treat-

1 February 2022

ment. We should all be cognisant that, globally, suicide is the fourth leading cause of death among children between the ages of 14 to 19. We have had too little investment in mental health services. CAMHS does not have the resources to deal with the numbers of young people who are desperately seeking help and support. The vacancies, particularly in the field of psychology, must be filled. In other countries, psychology is considered a basic service.

The time for apologies is over. It is high time to tackle the extreme waiting lists and take meaningful steps to address children's mental health services. In its two budgets, this Government could have increased the amount of the health budget assigned to mental health, but it did not do nearly enough. As stated by colleagues, Sinn Féin's alternative budget called for an investment of €113 million in CAMHS. We need, at least, 10% of the health budget assigned to mental health services, as recommended in Sláintecare.

Sinn Féin has called for 24-7 access to mental health services. One such de-escalation unit will be trialled in Limerick. I cannot wait for that service to start in the second half of this year. It will provide for the triaging of mental health contacts by a team of paramedics, gardaí and a mental health expert. A similar scheme in Belfast, introduced by my party colleague, Órlaithí Flynn, MLA, has proven to be successful. If the Limerick trial proves to be successful, and I am confident it will, such a de-escalation model should be made available as a priority to all CHO areas across the state.

I cannot speak for other areas, but I can say that in Limerick the volunteer mental health organisations do a phenomenal job. Too often, they are the ones dealing with out-of-hours crises. It should not have to be this way. It is high time for the Government to step up and commit to mental health services for children and adolescents and to increase capacity and ensure sufficient expert staff are available so children no longer have to wait one year for vital apportionments.

**Deputy Johnny Mythen:** The fall-out of what happened recently in our CAMHS service cannot be understated. It was the worst nightmare one could imagine. My thoughts are with the children and families directly affected. It is difficult enough to reach out for help. People now have to deal with the mistrust caused by what has happened. This will have long-term implications. The State must provide a rounded and thorough response and wraparound care packages for the young people involved and their families. We need to be mindful too of those who are watching this unfold. Young people and their families may now be very wary about seeking help. We need to restore confidence so that they will know they will get the professional support to meet their mental health needs.

It is important to recognise that we have many good people working in our mental health services who, despite the inadequate resources and dysfunctional system, provide a very caring service for our young people. The manner in which CAMHS is currently operating means its work is largely unsustainable. We have heard here about the frequency of professional burnout, as happened in my own county of Wexford in 2018 when Dr. Kieran Moore, a specialist consultant paediatric psychiatrist stated: "What the team is being asked to do is absolutely unsafe and unfair for children." It is clear these conditions relate to the staffing recruitment and retention issues. We need more resourcing. We also need to change the national structure of our child and adolescent mental health services, CAMHS, to confront these issues. The State-wide CAMHS review needs to include capacity deficiencies, geographical inequalities and whether persistent consultant vacancies have contributed to inadequate care and the excessive amount of referrals. For example, 4,905 children in 2020 were deemed inappropriate. The significant

workforce challenges in psychology with insufficient graduates to fill posts need to be addressed. We need to plan to achieve a minimum of 10% of healthcare budget being directed to mental health services, as agreed under *Sláintecare*. That level at present is less than 6%. In my own county of Wexford, that would help to fund an out-of-hours CAMHS service. The last time I asked about plans for that, the HSE said there were no immediate plans for a seven-day service in Wexford. Is that still the case? If it is, the Minister of State needs to intervene and direct the HSE to plan for an out-of-hours service in the county.

Many of the cases of mental distress in the young people with whom I deal happen in the evening, after dark, or at the weekend. They need to have somewhere to go rather than the emergency department. They need to have access to care after 5 o'clock. Let the Kerry CAMHS tragedy be a catalyst for real change in the national structure of CAMHS, which is failing our most vulnerable citizens. I thank Deputy Ward for leading on this matter and I urge every Deputy in the House to support the motion.

**Deputy Duncan Smith:** I commend the motion. I also commend Deputy Ward, in particular, for his ongoing work in this area. He certainly does not just pop up when issues hit the news. He consistently raises the need for improvements to mental health services. Fair play to him.

Referrals to child and adolescent mental health services in Ireland increased by more than 40%, from approximately 12,800 in 2011 to 18,100 in 2019. Unfortunately, our services have not increased to match that. At any time, more than 3,000 children and young people are on waiting lists for CAMHS. The Minister of State with responsibility for mental health and older people confirmed that of the 18,000 children expected to be referred to CAMHS in 2020, only 11,000 were expected to be seen. That means we were unable to reach 7,000 people who were referred in 2020, a time when the pandemic hit and we all knew and could see the impact on young people and their mental health was becoming more severe and profound.

In replies I and my colleagues have received to parliamentary questions, the HSE has stated that waiting lists are due to a lack of availability of specialist CAMHS clinicians. Current vacancies and difficulties in recruiting in an international context can impact on waiting times in various areas. This is the root of it and we cannot get proper answers to the issue. Why are we unable to hire and retain clinicians at all levels in our psychiatric services to ensure we have a functioning service? Why are vacancies unfilled not only for months but sometimes for years? As I have asked in other parliamentary questions, why do we have competitions and interview panels for roles for which no one is successful, which means the HSE has to re-advertise the role? This is the fundamental question that needs to be answered and addressed. We all know many people who entered third level to study nursing, medicine or some sort of care degree. We have a vibrant third level sector in this area. Where are our graduates going? Are they staying in the service or are they leaving? If they are leaving, why are they leaving? Is it down to the cost of housing, the cost of living or the wages and salaries in our health service? Is it down to the work practices in our health service or a lack of confidence in our CAMHS? Do people who qualify and desperately want to work in mental health decide they will not work in CAMHS because they know what it is like? Perhaps those people think that some CAMHS are working and others are not but they are not going to be able to practise the type of clinical mental health service they want to practise in an Irish context. These are the fundamental questions. The answers can be painful for the institutions of our country, the Government, the HSE and our third level institutions but those questions need to be answered.

1 February 2022

Having all these vacancies, year after year, is leading to these waiting lists. It means that children and young adolescents are left bereft of the support they need. We really need to get serious about recruitment and retention. We cannot just throw it out there. We need to get to the root of the problem. We need real answers to parliamentary questions. We need honesty from the Government and once we have that, we can look at the reasons. We feel we know the reasons but where are the numbers? Where are our graduates going? How many people are leaving midstream? How many are leaving because they are not getting the promotions they need? How many are leaving because they are whistleblowers? They may not have come to the Government, Opposition Deputies or their local politicians but may have gone to managers and been told to go away, that there is nothing to see here. We need the answers to these questions.

Most CAMHS still operate Monday to Friday, 9 a.m. to 5 p.m. or 5.30 p.m. That is outdated and must end. The only people who receive 24-7 mental healthcare in this country are the most profound, severe cases of young people who are being treated in the few inpatient residential beds we have. We do not want to see our young people having to be treated in long-stay inpatient residential care but some are there because they have to be. Some are there because they did not have early intervention care. They have been on waiting lists too long and their mental health has deteriorated because they have not received the care to which they are entitled, need and have asked for. We touched on this issue when we heard statements on young people's mental health in the Chamber last week. Part of the reason we have more presentations is not because people's mental health is worse now than it was ten or 20 years ago. It is because people are talking about it more and have the confidence to say to their parents, peer group or whoever it may be that they are struggling and need help. That is to be commended. However, if we keep going the way we are, with waiting lists like this and situations like the one that happened in south Kerry CAMHS, people will be less inclined to come forward. They will keep their problems to themselves because they cannot face being left outside and not getting the care they require or, worst of all, they cannot face opening themselves up, exposing their vulnerability and asking to be cared for only to get poor care that is ultimately going to damage them. That is why this is such a chronic failure. These young people got into the system. They were supposed to be cared for and were not. They were supposed to get the treatment they deserved and was their right but they did not.

Parents and carers were, and are, second guessing whether they can engage with the services now, debating whether they have the trust in the services. They must have that trust. We need to make it clear that advocacy on behalf of young people with mental health issues is more important than ever. Parents and carers need to have confidence. They must know that if they get their children into the service, they can ask every question under the sun of the person who is giving that care. It does not matter how senior the consultant or doctor. They must ask questions about medication and get second opinions. No question is too stupid; every one is vitally important. We need now, unfortunately, to hold to account all our professionals in this area. The days of blind trust in our medical professionals are gone because of cases such as the one in south Kerry CAMHS. It should not have to be that way but it is.

The Minister of State last week voiced her support for a national director of mental health. I would like to know if any progress has been made. What has the Minister said, if the Minister of State has had any conversations with him? Is he back from his trip and has the Minister of State put this issue to him? If we had a national director of mental health, it would not help every person going through the system or trying to get into the system at the moment but it would be a statement of intent from this Government as to how important are our mental health ser-

vices. I believe the Minister of State in that regard. She speaks with real integrity and passion on the issue and I believe her when she says she wants such a role. She is the Minister of State with responsibility for mental health. If this does not happen, we need to know why. If we get this role in place, we will have a figurehead and we can drive on and deliver the cultural and systemic change we need in our child and adult mental health services. I commend the motion again and thank Deputy Ward.

**Deputy Róisín Shortall:** I commend Deputy Ward on bringing this motion to the House. It is comprehensive, detailed and timely and I urge the Government to support it if it has not already indicated its position.

Having listened to the Minister of State's contribution a short while ago, a couple of issues arise. I will pick up on the final point made by Deputy Duncan Smith about the Minister of State's call for a national director for mental health. It is scandalous that there is not a national director for mental health. The Minister of State said she made that call several times. She is the Minister with responsibility for this issue. Is the senior Minister not listening to that call? Is that role not valued by the Government? It should not be the case that the Minister of State is making the call. Given that she has political responsibility for this area, she should be insisting on it happening now rather than it being a call in the wilderness. People in positions like that in the Department need to stand up because this matter is too serious. The Minister of State needs to ensure that what she is demanding is responded to. That needs to happen.

I will pick up on a few other points the Minister of State made. She noted that this report being referred to the Garda. My heart sinks when I hear that because it happens all the time. Major reports about various scandals come out and are referred to the Garda. We heard yesterday about the report into the Grace case, which was referred to the Garda. That involved an appalling litany of failure and no action is being taken by the Garda, so it has come to a dead end. We also have the Brandon report and without impacting on that too much, the same thing has happened. It has been referred to the Garda, so we await what will happen with it. We do not hold our breath when these reports are sent to the Garda.

A step that comes long before matters are referred to the Garda is the proper management of people who work in senior positions in the health service and ensuring those who are paid to manage do so and are accountable for their work. There is a big distinction between management and administration. Sometimes, when we have large numbers of managers in different organisations, especially State organisations, they are engaged in administration rather than management. Management is about accountability at the end of the day. We organise our health services in such a way that there is not accountability. That is what we do, as has been recognised for some time.

A very important element of the Sláintecare work involved looking at those elements of our health service and the HSE that are dysfunctional and result in people who depend on the State to provide good quality health services being let down. A basic requirement in any developed country is to have in place a properly functioning public health service. Why is it that our health service does not work well?

There are approximately 113,000 staff in the HSE, including a considerable number of managers. Managers are important and I am not disrespecting them but they have to manage and be held to account for their roles. Another feature of the HSE, one which has been identified and talked about for a long time, is the way in which it is structured. An organisation with 130,000

1 February 2022

staff and a budget of €20 billion, which is bigger than those of several Government Departments combined, will not be responsive and agile unless it is properly structured.

Constantly now, when there is a crisis, we have Mr. Paul Reid coming on the airwaves to address and apologise for it and talk about a systems' failure. That is just not good enough. This has been identified very clearly in the work done in the Sláintecare committee. It made a clear recommendation on the need to restructure the HSE on a regional basis in order that we end this ridiculous scenario of community organisations doing one thing and acute hospitals doing another. They have their own budgets and there is no co-ordination or proper management of that. That is why a recommendation was made to establish six regional bodies within the HSE to combine the work of the acute hospitals and community sector under one management structure with a single budget. That is how we drive a system that ensures money is spent in the right place and gets the right results. Unfortunately, that restructuring has been resisted by senior people in the HSE and the Department of Health. That has to be addressed and must happen. It is the reason we are dealing with many of these problems.

This is not just about structures. It is about ensuring that when we have a regionally based management structure within the HSE, senior managers are legally accountable for their jobs. It is all very well to say matters will be referred to the Garda or the CEO will take disciplinary action if required - "if appropriate" was, I believe, the term he used. There is no provision for that in contracts at the moment. That is why we do not get the kind of accountability that is required for senior people to do their jobs properly.

Part and parcel of that recommendation from the Sláintecare committee on having a regional structure is having legal accountability built into the system so that either at senior administrative management level or senior clinical management level, there is statutory accountability for the provision of services and spending of budgets. That must happen. If there is a serious problem in the north west, senior management in the north west must respond to and account for it and there must be consequences for them if things go wrong and they do not do their job properly.

Another essential part of this is that resources must be allocated on the basis of need. We talk about the postcode lottery. It is just crazy at the moment. Three of the community health-care organisations account for much more than 50% - the figure is something like 80% - of the waiting lists for child and adult services. The way funding and resources are provided is entirely *ad hoc*. I queried this with senior management because there is a very long waiting list for a particular service in the area I represent on the north side of Dublin. I compared it with Dún Laoghaire, for example, where the waiting list was a fraction of what it was in CHO 9. I was told that Dún Laoghaire had a much smaller population. That does not make any sense. Resources have to be allocated on the basis of need, that is, population need, socioeconomic profiling, age profiling and rurality, for example. We must allocate resources on the basis of need. Unless we do that, the system is run on the basis of chance.

Unfortunately, in spite of everybody talking about being shocked at what the Maskey report revealed, the reality is that we could have a similar shocking report about any of our health services in any part of the country. We do not know what is going on because the HSE is a big, amorphous body and we cannot identify what is happening. Are resources adequate to meet existing needs? Is there an issue with management or human resources in those areas? Why is it not functioning? We cannot answer those questions at the moment.



We should, of course, allocating adequate resources to mental health services. Contrary to what the Taoiseach said, we do not allocate adequate resources. It should be at least 10% of the health budget. We have clearly failed children in south Kerry in this matter. However, the reality is that we are failing children and others in disability services and failing older people in services because there is not adequate management or adequate targeted resources.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** We now have People Before Profit. Deputy Gino Kenny is sharing with Deputy Boyd Barrett. Deputy Barry is not joining us.

**Deputy Gino Kenny:** I move amendment No. 1:

A. To insert the following after “attainable standard of physical and mental health”:

“by ensuring that they are not being overmedicated due to shortages in staff across CAMHS, Primary Care and Early Intervention teams”

B. To delete the words “broaden the CAMHS review to include” and substitute the following:

“ensure the CAMHS review is independent and is broadened to include”

C. To delete the words “immediately conduct a review” up to and including “resignation from the service;” and substitute the following:

“— immediately conduct an independent review, to be published, into the treatment of the South Kerry CAMHS whistleblower and the circumstances around their change in duties which led to their resignation from the service and also into any other whistleblowers in CAMHS;”

D. To delete the words “across CAMHS” after “put in place a proactive strategy for the recruitment and retention of psychologists” and substitute the following:

“, speech and language therapists and occupational therapists across CAMHS, Early Intervention teams and Primary Care”

E. To insert the following after “mental health services as agreed under Sláintecare”:

“— invest in the National Educational Psychological Service to ensure every school has a psychology team; and

— support those studying psychology, speech and language therapy and occupational therapy by removing fees for their primary degrees and post graduate studies and paying for their placements”.

I commend Deputy Ward on his continuing work on mental health care. While we support the motion, we have also tabled an amendment and it is my understanding that Sinn Féin will accept it.

We have spoken about mental health care numerous times. It is extremely important regardless of age, particularly given what has happened in the past two years which have been a challenging time for everybody. Trust is the primary concern of people who use CAMHS services. It is the most important issue when a young person uses the CAMHS services. Intervention and advice are key at this time because the young person has to seek advice and intervention.

Trust is the central axis of a relationship between a medical professional and a child or a person in any age group.

The situation in Kerry crossed the Rubicon because it was probably the most serious of breach of trust that can happen. Inappropriate prescribing of medications to children is as serious as it gets. Many people will be asking questions, for example, whether this practice is taking place in other CAMHS services. I hope it is not but obviously the review will look at that.

The review has to be completely independent of the HSE. I see the Minister of State, Deputy Butler, is nodding, which is good. It must be completely independent of the HSE because for too long in this State the HSE and other civic bodies have investigated themselves. That is not good. Whistleblowers in other areas of the health service, particularly CAMHS, should be protected. They have done a public service in relation to misdemeanours that occur in all spheres of life. It is important that people can come forward, highlight what is going on in a service and express concerns about it.

Last week, I raised with the Minister for State a point related to the Joint Committee on the Future of Mental Health Care, which produced a report in 2018. One of its main recommendations was on the overmedication of children. This is a serious situation in the State. If we drill down through that, we find this was done to compensate for the lack of professional services for the children in question. That cannot continue because it undermines the services that children are trying to find. These are important policies that need to be addressed. We all want the best for our children, particularly at vulnerable times in their lives when early professional intervention is key. The policy of overmedicating children is extremely detrimental, not only to the child but also to their families.

**Deputy Richard Boyd Barrett:** I thank Deputies Ward and Daly for their timely and good motion to address the scandal that arose from, but is in no way limited to, what happened in CAMHS in Kerry. As Deputy Gino Kenny said, we have tabled an amendment that does not take anything from the motion but adds a few additional refinements. Specifically, it sets out that the review of CAMHS has to be independent, as Deputy Kenny said; that the cases of other whistleblowers and instances of whistleblowers being sidelined, victimised and witch-hunted, including cases that I am aware of, are investigated; that in having a proactive recruitment and retention strategy for psychologists, which is critical, we also have speech and language and occupational therapists across CAMHS, as well as early intervention teams and primary care services which either do not exist or are massively understaffed; that we set up a psychology team in every school as there are currently few if any psychology services; that we remove all fees and financial obstacles to the qualification of people who are studying for degrees, master's degrees or doctorates in areas such as psychology, speech and language therapy and occupational therapy; and that there is proper funding for psychiatry, higher degrees and so on, which is an issue I have raised on multiple occasions. We have a chronic shortage of these staff across early intervention teams, primary care and the CAMHS teams. That is at the root of this scandal. Yet, we are doing the insane thing of making it as difficult as possible for people who want to become qualified in psychology, with doctorates or master's degrees, or in occupational therapy, speech and language therapy or psychiatry. We are making it as difficult as we possibly can for them to get qualified. What sort of insanity is that? We have said again and again that those fees, financial obstacles and the necessary funding for those courses need to be put in place.

Forty-six children have had their mental health and well-being badly damaged by the very services that were supposed to protect, help and support them. That is a scandal but what is

shocking, as everybody knows, is that this is not limited to north Kerry. This is a particularly horrendous incident which has had terrible consequences for families and children. Yet, the problem was well known by the Government, the HSE and Oireachtas committees. Indeed, it was flagged in 2006 in the brilliant A Vision for Change document. Its proposals were brought forward 16 years ago and never implemented. In fact, they were effectively watered down with the Sharing the Vision document because we could not implement the state-of-the-art strategy set out in 2006. If we had implemented it, we would not have had the problem we had in north Kerry and the problem we are seeing right across the services.

In April 2021, and I am sure I was not alone in doing so, I asked the following parliamentary question to the Minister for Health, Deputy Stephen Donnelly. It says a lot. I asked the Minister “if he will order a general review of the use and overuse of psychiatric medication in children across all CAMHS and primary care health services and in particular to review the way a lack of resources for alternative approaches is driving the overuse of medication given the concern in relation to the rapid rise in the use of psychiatric drugs in children”. I asked that question in April 2021. The Minister did not answer the question but bounced it. He said that it was essentially not for him to answer. When I asked him to conduct a general review, he bounced it on to the HSE so that they could look at itself. I got an answer at the end of June, two months later, in which the HSE ignored the request for a general review across all of CAMHS and muttered at the end that it would discuss the issue of overmedication with the CAMHS team in the College of Psychiatrists of Ireland. Did they discuss it? I bet they did not. I bet that was absolute horse crap. The HSE also said it would make efforts on the clinical governance issues. I want to know exactly what efforts it made after it answered that question because I bet the answer is “none”. The HSE did not want to admit what was going on, as also happened in the case of Dr. Singh and many others. It was covering up for the fact that the service was massively under-resourced and managers were trying to deny the reality. The reality is that it compensated for the lack of resources for the CAMHS teams, the primary care teams, the early interventions and the lack of psychology services in schools colleges and so on with the overmedication of children. That is happening on a widespread basis and anyone who said anything was told to shut up or get out. That is what was going on. We have to get to the bottom of this very fast or more children will be damaged.

**Deputy Verona Murphy:** I thank Sinn Féin for bringing forward this motion. This is an opportune time to review the entire CAMHS system from top to bottom. I first note that our CAMHS team in Wexford does a remarkable job. It has no control over the deficits in staffing levels and what I am going to say is by no means a criticism of it. In fact, we have excellent staff; we simply do not have enough of them. We are understaffed, under-resourced and under pressure. County Wexford is still without a paediatric dietician, which I have brought up numerous times on the floor of this House. The incidence of anorexia in our children and adolescents is growing. It is a dreadful scenario for families to endure and watch their children deplete their bodies of food. They watch their children die of starvation, in effect, unable to access the care that is required to cure them of anorexia. It is curable but it needs intervention. The system simply does not work if the required staff are not available. A dietician is the support that is required for CAMHS in Wexford - not 0.5 of one but a full whole-time equivalent dietician.

The Luas, Dublin Bus or Irish Rail would be in chaos every morning if we did not have enough drivers. A schoolroom would struggle to function if it did not have enough teachers and our ambulance service would fail if we did not have enough crew members. Yet when we do

1 February 2022

not have the right staffing levels in CAMHS it does not hit the headlines like it would for these services. My discussions with GPs indicate that they are referring children to CAMHS and some are not deemed in need of urgent attention. That means that children and adolescents are going untreated, often resulting in them ending up in accident and emergency after attempting to take their own lives. Surely if a GP refers a child or adolescent they deem in urgent need of mental health care, they should receive that attention.

As has been noted many times tonight, in 2019 the staffing levels in the mental health services showed a deficit of 2,600 staff. That was 2,600 fewer staff than recommended in A Vision for Change. We need to deliver a service that is fit for purpose and at the moment we just do not have that. There are too many anomalies, too many people missing off the team and a lack of consultants. There is no dietician or in-house bed unit in Wexford, no beds in Waterford for minors and no 24-hour service in Wexford. It took a long time to recruit a badly-needed child psychologist for the service in Wexford and children and their families were exposed for years because of that.

What I had hoped to hear is that there is a willingness to examine, from top to bottom, all relevant issues surrounding the services and how they can be improved. The Minister of State has said that. I know that she, like me, is passionate about delivering mental health services that improve our children's lives and give them a future. I feel sorry for her this evening because her line Minister is in Dubai with the Secretary General of the Department of Health, both of whom should be here responding to what has gone wrong. The head of the HSE is making excuses on radio and excuses is what they are. There has to be accountability. We have reports from stakeholders who know about these things, such as Mental Health Reform, but the recommendations that have been made over the years have never been implemented because the HSE knows best. We now see the result of that and it most certainly is not what I would call best practice.

It is also not good enough that the Minister of State, as a new Minister who has no real fault in this, is taking the fall. I ask that she assert herself and not allow that to happen. There has to be accountability for those who are paid to take it. Being in Dubai when we are in the throes of a very serious mental health crisis is not what I would call either accountability or responsibility. I am very disappointed that that is the level of seriousness shown by our senior Minister in the Department of Health and his Secretary General. It is very disappointing.

Given the day that is in it, I want to mention the leaving certificate. The decision by Cabinet today has brought to bear very serious mental health pressures on at least 70,000 students. We will debate that further during the week.

**Deputy Peadar Tóibín:** Aontú is supporting this motion. The only problem I have is that if the motion is passed but the necessary investment is not put into services, there will be no beds for children within the system in this State. We need to have enough child psychiatric beds to admit children into. Otherwise it is not going to work for the children on the ground. We need to ensure that all children under the age of 18 have access to urgent emergency mental health services and that they are given access to an age-appropriate specialist, 24-7. At present they do not have that and many children are going into adult emergency departments where there is usually only a consultant in adult care to provide the service to them.

We also need to talk very seriously about funding. The World Health Organization advises that a state put 12% of its overall health budget into mental health. We are not even achieving half of that currently. Even in the middle of a pandemic when such pressures were being put on

people's mental health, we only invested 5.1% of our health budget in mental health. Today in *The Irish Times*, a consultant child psychiatrist, Dr. Ian Kelleher, warned how dire the situation is. He stated:

There should be 100 specialist Camhs teams in Ireland. [Right now] There are only 73. Looking within the individual teams, many are grossly understaffed, some working with just one-quarter of the recommended level of staffing. Clinicians are stretched to the limit trying to keep up with urgent referrals and provide quality care.

This is somebody from the front line. With such a shockingly low level of funding, it is only a matter of time before a disaster happens. We are creating the recipes for crises such as the one that happened in Kerry. Unless the Government gets real with regard to the shortfall in investment, we are not going to see any change.

I was also told today that 16 and 17 year-old patients are ending up in adult emergency departments and there are no specific services for them. That needs to be looked at because there is a world of difference between the services needed by 16 and 17 year-olds and adults. The environments in which they are treated need to be different as well and must be suited to their needs.

This situation has been made worse by the pandemic. It is incredible that it is two years since the start of the Covid crisis and we still do not have official, trustworthy statistics on the rates of suicide and self-harm in this State. I understand that the suicide rates are collected from coroner court decisions on what happened in certain cases but surely the Government itself has carried out research into what is happening with regard to suicide rates across the country. Is the Government carrying out specific research into the levels of suicidality and suicide in this State as a result of the pandemic?

*8 o'clock*

If it is not, is there a plan to do so? Is there a plan to understand the exact cost to the lives of young people, in particular, in terms of what happened in the past while?

A survey was carried out on 195 psychiatrists of the College of Psychiatrists in Ireland in May and June 2020 which found there was a 64% reported increase in referrals for self-harm and suicidal ideation. There was evidence of increased lethality of self-harm in at least one hospital. The Government needs to provide an update. This goes back to the request our party has made to it numerous times for a full investigation of what happened during the crisis and its effects on society. We need a start date for that investigation about which the Government is giving a nebulous promise.

Funding shortfalls are a political choice. They do not happen by accident. One will never see more investment in mental health on the front page of a Fine Gael election manifesto, but might see tax cuts for upper-income earners. Until mental health becomes a political priority for all the Government parties, we will not see change. I urge the Government to get real on political priorities.

**Deputy Richard O'Donoghue:** I will start by thanking the Minister of State, Deputy Butler, for coming to the Dromcollogher respite centre in County Limerick and taking the time to speak to the management, staff and volunteers who make the centre such a brilliant place. Some 51 people contributed to this debate last week. It was one of the most heartbreaking debates

we have seen.

It was very sad to see the defeat on so many politicians as they made their contributions on yet another HSE inadequacy. Will we see more of this behaviour and practice by professionals? Where are the safeguards and the governance for the practices? Where does the buck stop? The indignity suffered by the young adolescents must be the last.

The Taoiseach said that it was not a staffing issue during the debate last week. In any sector one works, including mental health or hospital sectors, management is responsible for the care given out. Management is responsible for staff morale and the due care of people under its control. I have asked for help from the Minister and Ministers of State on more than one occasion to help me sort out the problems that management has not addressed in University Hospital Limerick, UHL, pre-Covid, during Covid and since Covid has been dropped.

The management is not able to control the consultants. People take up beds in the hospital for four or five days while waiting for a scan. We see the stuff being done on a day-care basis in the private hospital system in which people are in and out in one day. The problem is the consultants do not meet the patients for four or five days and hold up the valuable beds for people who are sick, but it comes back to management. Management has no control. I ask the Minister of State to help me sort out UHL.

**Deputy Danny Healy-Rae:** I am glad to get the opportunity to speak and I thank Sinn Féin. I will start by apologising to the parents and those lovely boys and girls who were harmed and not treated properly by the HSE. Those youngsters and parents did nothing wrong. I have to reiterate that they did absolutely nothing wrong. They sought help and did not get it. Some 1,332 children were not dealt with properly. Were it not for locum doctor consultant psychologist, Dr. Ankur Sharma, who raised the alarm about multiple medications to young mental health patients, how much longer would this have gone on?

One would think that when there was only a locum and not a senior consultant in place, management would have been more hands-on and managed what was going on. Paul Reid, who suggested there would be criminal investigations, should include himself. He gets approximately €420,000 and all he does is read out figures on the television every night. Any public relations person could do that. His job should be to monitor every last thing going on in the HSE on the ground.

The Irish Medical Council will draw up a report. Will it be influenced by the HSE? I have heard too often from hardworking nurses and carers who are afraid to open their mouths about any inadequacies in the HSE in the hospitals or any of the care facilities. Why are they afraid? They would be ostracised or maybe lose their jobs and they still work hard. That is very wrong and that culture must be rooted out and stopped, because that is what is going on. Even GPs are afraid to speak out. The HSE stumbles from one fiasco to another.

**Deputy Michael Healy-Rae:** I thank Deputy Ward and Sinn Féin for their work on this matter which is, of course, excellent. I ask the Minister of State to ensure that the vacancy for the lead child consultant psychiatrist is put in place. Surely be to God, we can get someone to fill that very important role. We have to ensure proper oversight, governance and clarity in dealing with these matters to ensure the likes of the situation we had in CAMHS in County Kerry will never happen again.

I gave Friday, Saturday and Sunday to meet with parents, not just of the 46 children, but

other parents who were in the initial trawl and are still not happy with the investigation to date, nor with the way the situations of their children have been handled. I deal with those cases, case by case, as they have come to me in the past and as they still come to me. My office and I hear harrowing stories from people who have sought access to mental health services but have been unable to do so. Then we have the situation of the people who did reach out, got the service and then the service we provided harmed their beautiful and vulnerable children. It is an outrage of enormous proportions.

The problem we have going forward is around how we will, first, put right the wrong done to those children who in the HSE's words have been damaged. How will we restore confidence to other parents that in the future their beautiful children will not be afraid to access mental health services through CAMHS throughout the country? What will we do to make sure the parents not just in County Kerry, but throughout Ireland, will have confidence restored in the service? If one was the parent of a child who had troubles, how could one feel confident going to the HSE to ask for help?

When it comes to dealing with mental health, it is so important we make the services available. In County Kerry, on a continuous basis, we try to ensure we have proper services available. There is a lack, in particular, of a co-ordinated national system to resolve the crisis situations when they arise.

**Deputy Michael Collins:** Mental health must become a national priority, as our country must face up to a crisis beyond any other we have ever had. The Rural Independent Group's pre-budget submission sought increased funding of at least €85 million for mental health services this year to deal with the emerging mental health crisis. The increased allocation by this Government is only half that of our proposals. It is no wonder we have a crisis in mental health in this country.

Throughout the country, many individuals have severely struggled to access basic support even before the pandemic, but we have no doubt Covid-19 has adversely affected the physical and mental well-being of many more people. Both my staff and I hear many harrowing stories daily from those who sought to access mental health services but, shockingly, had been unable to do so. I may ask why but the answer is simple. In 2021, only 5.1% of the total health budget went towards mental health in Ireland. By way of comparison, 13% of the health budget in the UK went to mental health. The Government is great at launching glossy action plans and strategies but this is less than 5% of the work. Ninety-five per cent is getting the job done by funding the services and providing the resources.

One of the most harrowing scenes in life is attending the funeral of someone who commits suicide. The upset it causes the family, friends and community takes a considerable time to recover from and in some cases, they may never recover. I sincerely wish I had the formula to end this crisis, which is growing in my community at an alarming rate. I plead with people to show love, care and compassion to one another, talk to people who may be struggling as it may be them today and could well be oneself tomorrow, and extend the hand of friendship to try and ease the burden of pain so many carry at this time.

Mental health issues have no age boundaries. No matter what your age, it strikes and can bring anyone to his or her knees quickly. During the latter part of 2021, we heard from hospital consultants about the emerging tsunami of distressed young people presenting in crisis to the paediatric hospitals and the paediatric emergency departments due to mental health-related ill-

1 February 2022

nesses. However, hospital consultants also warned it was not possible to provide appropriate urgent in-patient care to children and adolescents due to the severe lack of beds for this group of patients. The Irish Hospital Consultants Association also stated that the number of adult psychiatry beds available for acute admissions had been reduced to the point where there were frequently no beds available at night in many of the community healthcare organisations. The association said this is causing an ongoing patient safety issue.

**Deputy Catherine Connolly:** The Acting Chairman might clarify the position regarding my amendment. I tabled it today.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** After we dispose of amendment No. 1, we will be in a position to deal with your amendment.

**Deputy Catherine Connolly:** The Minister of State, Deputy Butler, might indicate if she is intends to accept that amendment. It is a request from the Mental Health Commission to give it supervision and regulatory powers in relation to community facilities, which is one of the problems here. I went straight to the Mental Health Commission website to see what it had been saying about the issue. Of course, it could not say anything about it because it does not have regulatory authority.

**Deputy Mary Butler:** I will be accepting it and it will be included in the legislation that is coming this year. It is an important part of it. I thank Deputy Connolly for raising that.

**Deputy Catherine Connolly:** I thank the Minister of State, who is accepting that. I will not waste my time praising the Minister of State, Deputy Butler, but it is beyond endurance that the senior Minister is not here.

I thank Sinn Féin for using its Private Members' time but I asked the Government to put it on the agenda. This report has implications for all of the CAMHS throughout the country and if we cannot see fit to discuss that, of itself, as a subject, and to look at the findings of this report and see what we are learning from it, as I stated on the previous occasion, we might as well resign.

I have only been here since 2016 and I have been given to serious moments of despair, not at the problems we face but at our failure to take action, and report after report. I am old enough to know about Planning for the Future, which was in the 1980s. Then we had A Vision for Change and then Sharing the Vision. Of course, we had the update on the legislation. All of the time, we have the most serious difficulties on the ground.

The Minister of State might update us tonight on the monitoring because I never had any faith, even in myself not to mention all other politicians, in the implementation of reports. That is why we need an independent outside organisation to monitor and tell us about Sharing the Vision. I am still stuck with A Vision for Change because to me it was a perfect document. Where the imperfection came was in the failure to implement it. As I said, the implementation body sat for two to three years and then was disbanded; it did such a good job. Hopefully, this implementation body will do the same.

I looked to the Mental Health Commission to see what it said. In 2017, it expressed concerns about CAMHS in inpatient units. The commission has regulatory power over that. It also pointed out that CAMHS has had to provide services for mild and moderate mental distress due to the lack of primary care psychology facilities. Of course, a primary care strategy was



rolled out 20 years ago but never implemented. It would have taken some of the pressure off. Children are inappropriately being referred to the CAMHS units and then, when they are there, amongst many other things, they are being inappropriately treated.

While I have a few minutes, I will go back to the report's findings. I have difficulty with the words "essentially independent", but the effects were so bad that they transcend my problems with "essentially independent". I have no idea why the following statement of finding is included, "No extreme or catastrophic harm had occurred in the 1,332 cases considered between July ... and April". This is catastrophic harm, as set out at findings 2, 3 and 4, but yet we are being told that. To me, that is Health Service Executive speak. I have never seen it in it. The Health Service Executive was instrumental in producing this report, notwithstanding the sterling work of the independent chair.

The report goes on to tell us that:

227 children managed by ... [a non-consultant doctor] where the diagnosis and/or treatment exposed them to the risk of significant harm by way of one or more of the following: sedation, emotional and cognitive blunting, growth disturbance and serious weight changes, metabolic and endocrine disturbance, and psychological distress. ...

3. 13 other children were found to have been unnecessarily exposed to a risk of harm under the care of other doctors in the service.

4. There was clear evidence of significant harm [but they feel obliged to tell us it was not catastrophic] ... to 46 children in the files that were reviewed.

They gave out a list of them and various things have been said.

That is a review following an internal audit. I am not sure why the triggers did not take off at that point to do an audit of all the CAMHS throughout the country, both community and inpatient services. Surely that would have been an obvious thing to do.

If we look at that report - I will work backwards in the time I have - we see three consultants left in the past year. This independent review tells us, "It is of concern that we have learnt that three consultants in the County MHS Area A have tendered their resignation in the last year."

I had so many points marked out to go through methodically but I will not get the chance to do that. A governance group was set up in 2019. They raised concerns. Concerns were raised as long ago as 2016. There was diagnostic concerns and treatment concerns. There was the role of the private agencies in providing temporary doctors. There were family queries. The very concerned families did their best to raise their concerns, and were ignored. Phone calls were ignored etc. All that is set out. The maximum risk was set out, when they did a risk assessment, in relation to the vacancy. The risk was 25 out of 25.

What jumps out at me here is that there were good staff on the ground, who tried to bring concerns to the attention of management and nothing was acted on. We have one specific whistleblower and I would like the Minister of State to tell me tonight what review has been done in relation to how he was treated. If we are utterly reliant on a whistleblower, be it he or she, and we treat him or her so badly, it is impossible to have faith in the system.

I have to say publicly I am not one bit impressed with the comments from the CEO of the Health Service Executive in relation to this matter. National managers were aware that there

were problems in south Kerry. That means the CEO, Mr. Reid, had to be aware as well. If he was not, then he should be asking how he is not being alerted to it. Then we have a Minister of State being repeatedly sent in here to face all of this. It is totally unacceptable to deal with us like that.

In relation to the language being used, there is a particular method that they use - I forget the four letters of it. The independent chairperson finds useful the analogy of traffic congestion and cars being backed up on a road and on a motorway in relation to the analysis of clinical cases and a backlog with clinical cases. I picked that out specifically because, to me, that is what has happened with language. Language, when I look at this and all of the governance documents, means nothing. When a courageous person comes forward, his or her life is made a misery. I had the privilege in a previous life of working as a psychologist for the health board, and I must say, the service even in the bad times was 40 times better because at least language used to mean something.

Let us turn to the Mental Health Commission and the themed reports produced by Dr. Finnerty. I understand she is now undertaking an examination of south Kerry as well. She has repeatedly highlighted for all Deputies to see the difficulties in respect of mental health generally, and specifically in regard to Covid, the badly designed buildings about which we need to take action as a Dáil. In regard to mental health and the drugs that are prescribed, the physical health of the person suffering from mental health issues is utterly neglected. She has highlighted year after year in themed reports that physical health is utterly neglected and that people suffering from mental health problems die 15 to 20 years before their time. Year after year, this has been pointed out to us. I do not blame the Ministers of State. My point is we know all this information, so my sense of frustration is intensified with each session of statements in the House. I thank Sinn Féin for tabling this debate but it should be the Ministers of State, or the Minister for Health, laying out this report before us and inviting us to examine what will happen as a result of it, as opposed to us being grateful to Sinn Féin for using its Private Members' time for it.

How many draft reports are sitting in the various offices of Tusla and the Health Service Executive throughout the country as we speak, where whistleblowers have bravely come forward, a report has been produced and the word "draft" remains on it *ad nauseam*? Are the Ministers of State aware of how many there are? If they could check, that would be helpful. I refer to brave and courageous people coming forward, some of them managers and others doctors and nurses. They go to all this trouble and then the draft report remains with Tusla at its board or somewhere within the HSE, and Ministers of State have to come to the House and face the fire, as opposed to there being a proactive system that highlights problems and learns from them, not in a punitive fashion but before we get to the punitive stage. Someone should be held responsible for this.

**Minister of State at the Department of Health (Deputy Frankie Feighan):** I thank the Deputies for their contributions on this very important issue, and Deputy Ward in particular, who tabled the motion, which the Government will not oppose.

We all have children and young people in our lives, whether as part of our family, among our friends or in our community. Along with our relatives, friends and community, we take special care of them and attend to their needs. We want to protect and guide our children and equip them for the challenges of life ahead. As parents, we want the best for them, and when we look for help, we put our trust in those who help us. Unfortunately, in the case of the children and

adolescent mental health services in south Kerry, that trust was broken. The report identified failings at multiple levels, in regard to how medications were prescribed but also to how the service was managed. It is important that there be accountability at individual and systemic level. Individual accountability is subject to due process and I cannot comment on individual cases, but systemic responsibility is something that can and will be addressed. My colleague the Minister of State, Deputy Butler, is working closely with the HSE to ensure all 35 recommendations of the Maskey report will be implemented as soon as possible. Six are already complete and 13 have commenced implementation. Fortnightly updates on progress have also been sought. As the Minister of State noted, in addition to a national audit of compliance with existing operational guidelines among all CAMHS teams, an independent-led audit of prescribing practices among all teams, community and acute, will be carried out. I hope that in doing so, we can give some assurances to families that their children are safe and are receiving the appropriate care.

The issue of recruitment and the filling of posts is a perennial concern. It has to be acknowledged this is an international issue, common to many other health services and not specific to the HSE. However, we can do better. A total of 93% of consultant psychiatrist posts in CAMHS are filled, but the Maskey report has illustrated how unfilled posts can lead to serious systemic issues that can directly affect children and young people in contact with services. We have collectively to find ways to ensure our services are managed and delivered in line with high standards, issues with recruitment notwithstanding.

The report was stark in its findings and comprehensive in its recommendations. It did not shy away from difficult matters. The HSE has acknowledged its culpability in this regard and is committed to implementing the recommendations of this report. The Minister of State, Deputy Butler, has met many of the committed staff in mental health services throughout the country. I am sure they share our concerns for the families affected and want to deliver the best for children and young people in their care. An apology has been given to all the children and young people involved and representatives of the HSE have met 198 of the families. Although it is no consolation, it is a start to the process of making amends to right the wrongs that have so carelessly been allowed to happen for such a sustained period. In this context, as the Minister of State highlighted, the Government has committed to a non-adversarial scheme of compensation for those affected, with details to be confirmed.

The Minister of State acknowledged we face serious challenges in developing our mental health services, and part of that development will involve looking back, identifying failures and learning from them. We must also look forward, however, identify what works well, build on progress and expand services. We have a robust national mental health policy in place through *Sharing the Vision*, with the national implementation monitoring committee at its heart. As the Minister of State mentioned, we therefore have a strong policy framework that is fit for the future, to develop and deliver a modern and human rights-based mental health system. This will be complemented by *Connecting for Life*, the strategy for suicide prevention. We have established a trend of increasing budgets, with significant funding available for new developments year on year. This is not just a sign of the priority the Government places on mental health but is a recognition of the value placed on mental health by our society, something that is especially true as we find ourselves in the tail end of a pandemic that has put us all under unprecedented pressure.

I acknowledge also the significant progress being made on the legislative front in regard to updating and amending the Mental Health Act 2001. This will bring a rights-based approach to our mental health law and enhance the protections and safeguards for children and young

people accessing specialist mental health services. With a modern legislative framework, a ten-year strategy and a record of investment, we have a good basis for progress in the years ahead to develop mental health services. In the context of mental health, the pandemic accelerated other modernisations such as telehealth, including text message lines and online and remote counselling and services, innovations that can undoubtedly benefit our young people. While social media can be misused for nefarious purposes, as a colleague said last week, our pandemic might have been much worse in terms of our isolation from one another without social media and the connections it brought. That is why it is important our mental health services can develop, in line with a blended-care approach, quality-assured online options for a tech-savvy, young population. In wrapping up this evening's debate on the motion, I want to once again acknowledge the impact of the Maskey report. Not one word of the report has been changed or redacted and it is exactly as Dr. Maskey reported. I urge that use be made of the information line 1800 742 800, which is open from 8 a.m. to 8 p.m., seven days a week, for anyone affected by the report. Any young person who has concerns, or their family, should seek help without delay. The wide range of care services available provide real help that makes a real difference to many young people on a daily basis.

I know the Minister of State, Deputy Butler, has heard, as I have, what fellow Deputies have said this evening. The challenges in the delivery of mental health services are well acknowledged. Importantly, progress has been made and these developments will be built upon to ensure that the fundamental improvements that are needed across our mental health system are achieved.

**Deputy Brian Stanley:** The motion calls on the Government and the HSE to address the crisis in mental health and disability services for young people and children. We know this is a growing problem, unfortunately. The services have been at breaking point for too long and patients simply are not getting the timely and quality care and intervention that they need and deserve.

Last week, the issues in south Kerry child and adolescent mental health services, CAMHS, dominated the news, with more than 240 children found to be exposed to a risk of significant harm due to poor monitoring and insufficient funding. There is also a lack of accountability in various parts of the HSE senior management. I want to say to the two Ministers of State present that this needs to change. There has to be a system of accountability.

We have seen similar problems across the State in regard to child services. I received figures from the Department of Health which outline totally unacceptable child waiting times for child disability and mental health services in County Laois. Some children are waiting over five years for occupational therapy, or five years and three months to be exact. Imagine that. The boat is missed at that stage. A total of 1,158 children are on the occupational therapy waiting list and 51 children are waiting for physiotherapy, which has an average 32-week waiting list, with some waiting over three years. Speech and language has 237 on the waiting list, with the longest waiting list there being over six months, when we know how important this is to mental health. The worst is that there are 85 children waiting for psychological services, with some waiting up to 48 weeks. The Minister of State and I both know the importance of early intervention with regard to psychology. Families are experiencing huge delays in trying to get psychological assessments before they can even get their children into the system and then onto a waiting list. If we do not have timely, early intervention, it will lead to serious delays and developmental problems that continue into later life, as has been well established.

We continue to see a failure by the Government and the HSE to build front-line services. This is what matters to people, in particular families and children. There needs to be an immediate focus on filling those gaps in front-line services. I know we cannot flick a light switch but we can start planning. If we are not recruiting people into those disciplines, we need to start that recruitment. For God's sake, in the Minister of State's term in office, will she try to get some level of accountability in the HSE in regard to matters like this? The situation with child and adolescent mental health services needs to be addressed urgently.

**Deputy Martin Browne:** What we have seen in south Kerry recently indicated the challenges facing young people in securing the appropriate mental health services in a system that has not been designed around their needs. The lack of resources and the poor roll-out of mental health supports in general, but particularly for young people, has been well known for some time. It has been made worse by a lack of urgency on the part of the Government, which says it is difficult to find the psychologists, occupational therapists, speech and language therapists and so on that the HSE South East told me last week are being sought in my constituency. This is what happens when, for decades, understaffing and under-resourcing have made it an unattractive prospect. It is a problem of the Government's own making.

We see the State relying on the community and voluntary sector to make up for the shortfall in counselling and therapy services by expecting them to be able to provide their wonderful services for either no funding or for low level, short-term funding at best. We saw astonishing mixed messages about the Jigsaw service in Thurles. We saw how the thousands of people who turned out on the streets of Clonmel to demand that St. Michael's be retained were ignored. Yet, the Government says it is taken aback by recent events. Give me a break. It is blinkers and ear plugs they have had for the last couple of years.

Last week, I spoke in the House about a 16-year-old girl who is looking for the opportunity to feed into improving mental health services because she was left feeling abandoned. Another person, a mother from Tipperary, told my office that, in her view, her local CAMHS service had an over-reliance on the prescribing of medication to her daughter. There was no referral to counselling, just medication. When they tried to get back in contact with CAMHS about easing the medication for a number of reasons, their calls were not returned for two months. If immediate medication is seen as the stopgap measure that they must revert to until counselling and psychology services are available, then children are continuing to be failed.

In the same health area at end of last year, of the 414 waiting for child psychology services, 32% were waiting more than a year, so there is a clear capacity issue. However, in CHO 5, which includes south Tipperary, the number waiting a year or more, while still too high, is far lower than in the north of the county, so the availability of services is a postcode lottery. This is no way to be treating our children.

All of this has been watched over by this Government and previous ones with the familiar faces that we see on the benches opposite. That is why we are calling for the broadening of the CAMHS review to include capacity deficiencies and geographic inequalities, and to look at whether persistent consultant vacancies have contributed to substandard care. We are also calling for a proactive strategy for the recruitment and retention of psychologists across CAMHS and for the immediate appointment of a national director of mental health in the HSE. The current situation is failing thousands of children and thousands of adults who simply cannot get the support and treatment they need.

1 February 2022

I commend Deputy Mark Ward on bringing forward the motion.

**Deputy Mark Ward:** I thank all the Members who have contributed to this lively and emotive debate tonight. I also want to acknowledge both Ministers of State for staying for the whole of the debate because that does not happen all of the time. I thank Deputy Daly and Daniel Curtin from Deputy Cullinane's office for helping to draft the motion this week. We will be accepting the amendments that have been put down by other Deputies because they add to the motion rather than detracting from it.

It is all well and good that the Government is not opposing the motion but it needs to support it and it needs to put in place all of the measures that Sinn Féin is calling for. It has been a Government tactic over the last while to not oppose motions and to let them go through, which means the Government does not have to vote against them. In particular, it is a tactic the Government has been using on recent Sinn Féin motions or Bills. However, this is on children's mental health. The people will see through this if everything in the Sinn Féin motion is not implemented. If things do not start moving in the right direction, they will see this as gamesmanship and brinkmanship, and just allowing something to go through. They need to see the Government committing to what we have put into this motion because, if it does not, the public will not be forgiving.

The first thing we need to do, and the Government has committed to this, is to get things in place for those children who were affected in south Kerry. We need to put a comprehensive care plan in place, whatever it takes, in order that these children get the services they need immediately and they can start getting themselves and their families back on the road to recovery.

One of the things I did not get a chance to touch on in my earlier contribution relates to the draconian practice of putting children into adult mental health facilities, although I spoke about this in the debate with the Minister of State last week. On the back of this motion, the Government is saying it will support legislation to stop that. I am letting the Minister of State know that at the Joint Sub-Committee on Mental Health, on the mental health legislation, I will be tabling amendments and seeking the support of the Minister of State on that. I will work with the Minister of State and I will offer to put safeguards in place to stop this happening. There is a way around this. I am not saying it is the fault of the Minister of State. My understanding is that the reason this is not being legislated for is because it protects the Government and the State from any recourse people have if children end up going into adult facilities. Plain and simple, this loophole must be closed. I also acknowledge the non-adversarial scheme for compensation, which is welcome. We need to learn from the mistakes of the past, such as CervicalCheck. It did not work out as everybody thought it would work out. This non-adversarial scheme became very adversarial. We need to learn from its mistakes and make sure that this is a comprehensive, easy-to-access scheme for all the families involved.

The Minister of State made a point about Private Members' business in the past and said that we did not include the national clinical director. I did a Google search. It was definitely in our Private Members' business on emergency response with regard to Covid. It was also in our pre-budget submission. It is something that we have been calling for for a long time. There are other matters in the motion that we need to look at, which were mentioned by other Members. We have to look at how whistle-blowers are treated. We need to encourage them to come forward if there is a problem. We hope to get to a stage where there are no problems, but, in the meantime, we need to put in place something in order that whistle-blowers feel comfortable about coming forward and they are not pushed to the side or out of the service. These are

a couple of things that we will look to do.

Amendment agreed to.

**Acting Chairman (Deputy Marc Ó Cathasaigh):** There is nobody from the Independent Group to move amendment No. 2, so I cannot deal with that. I will move to the question regarding the motion.

Amendment No. 2 not moved.

Motion, as amended, agreed to.

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

### **Education Schemes**

55. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education the status of the roll-out of the expansion of delivering equality of opportunity in schools, DEIS, as committed to in budget 2022. [4817/22]

**Deputy Donnchadh Ó Laoghaire:** The expansion of DEIS and the additional funding in 2022 was welcome. We have heard little about it or how the review or expansion are progressing since. I have written to the Minister's Department six times since last summer, looking for a meeting to discuss this, and have raised it at the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science, and through other channels. Will the Minister provide an update of the timeline for when schools can be expected to benefit from this additional funding?

**Minister for Education (Deputy Norma Foley):** Budget 2022 has provided for an allocation of €18 million for 2022 and €32 million for 2023 to extend the delivery of DEIS programme to further schools with the highest levels of disadvantage. This package represents an increase of more than 20% on the €150 million already allocated by my Department to provide supports for schools in the DEIS programme. The programme currently supports 884 schools. The additional funding provided in budget 2022 will allow for the extension of the programme to additional schools from September 2022.

This year's package follows an extensive body of work that was undertaken by the DEIS technical group on the development of a model to identify the concentrated levels of disadvantage of schools. The DEIS identification process, under DEIS Plan 2017, 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 to develop the refined DEIS identification. The key data sources used in the DEIS identification process are the Department of Education primary online database and post-primary online databases, and CSO data from the national census of population as represented in the Pobal HP index for small areas, which is a method of measuring the relative affluence or disadvantage of a particular geographical area.

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 when it is applied. During the process to refine the DEIS identification model, as is general practice in the Department, the Department has consulted with education partners, including school management and national parent representative bodies and unions, on the technical aspects of the refinement of the DEIS identification model. The purpose of this engagement 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 also to ensure there is a full understanding of the refined model and its potential application. There will be further engagement with relevant stakeholders in advance of the implementation of the refined DEIS identification model.

The programme for Government sets out a commitment to complete the new DEIS identification model, ensuring the extension of DEIS status to schools that are identified as being suitable.

**Deputy Donnchadh Ó Laoghaire:** I thank the Minister. Will she confirm that this will happen in September 2022? This is around the time that schools traditionally prepare their staff and schedules. They need this information quickly if they are going to benefit from a DEIS designation. I have raised this matter in the past. In the previous DEIS allocation around, there was a significant missed opportunity for DEIS band 2 schools that could have gained, relating to home school, community liaison, school completion measures and so on, but that did not do so. The Minister has identified some of the stakeholders. There is also some wisdom and some observations from Opposition spokespersons. They have not been engaged with despite more than six requests on my part. I understand that the criteria have now been set. Is that the case? Many of us had observations to inform the criteria. Some of the stakeholders that the Minister identified were not asked their views about all of this either, as I understand it. Whom did she consult? Are the criteria now set? If not, will she inform me of that?

**Deputy Norma Foley:** We intend to be in a position to roll out the DEIS model for 2022. We have an ambition programme of funding being made available for it. It was a considerable achievement that, for budget 2022, there was €18 million available, rising to €32 million in 2023, with the explicit intention of enhancing or extending the DEIS model in our schools. A greater number of schools will be included in the DEIS scheme. Extensive work has been undertaken. There has been engagement with stakeholders, as I have outlined to the Deputy. At every stage I welcome the thoughts of Opposition Deputies. The Deputy is welcome to make those thoughts known to me. Regarding this specific engagement, I believe that my Department has communicated to him that, as we come towards the finalisation of the programme, we will consult with all of the stakeholders once again, including Opposition spokespersons.

**Deputy Donnchadh Ó Laoghaire:** I welcome that. I received that communication today. I hope that happens. The basis on which that engagement will happen depends on where the process is. Are the criteria finalised? Can the Minister tell me that? That would have been an area that the Opposition might have hoped to offer constructive thoughts on. I am not sure I can think of a single Deputy who does not want to see DEIS expanded, who does not support the programme or does not want to see it deliver what it can. I do not know if there is a single Deputy who would not have welcomed what happened in the budget but we want to make sure that every school that deserves it has the best chance. We know there were issues with the previous criteria. The criteria did not, for example, take into account rent supplement, and the housing assistance payment, HAP, did not even exist at the time. There are all sorts of issues.



It is not always the case that the profile of the students match the immediate physical area. In urban areas there can be schools cheek by jowl that are quite different. There can be big differences between schools even though they are within the same community. We would have liked to inform the criteria. I have a direct question for the Minister and I would like her to answer it directly and clearly. Is the criteria finalised?

**Deputy Norma Foley:** Again, to confirm to the Deputy, the process of refining the DEIS identification model has been a consequence of and is reliant on the engagement of a variety of stakeholders, as I have already outlined, including school management, national parent representative bodies, unions and so on, particularly with regard to the technical aspects of the refinement. In advance of completion and implementation of the DEIS identification model there will be further engagement with relevant stakeholders. As I have outlined to Deputy Ó Laoghaire, there will be an opportunity, as we near the end of the process, to engage with Opposition spokespersons also.

**Deputy Donnchadh Ó Laoghaire:** Is it finalised?

### **Educational Reform**

56. **Deputy Paul Murphy** asked the Minister for Education if she will respond to the call by a union (details supplied) for open access to third level education; if she plans to abolish the leaving certificate; if she will engage with the Minister for Further and Higher Education, Research, Innovation and Science to develop open access to third level education; and if she will make a statement on the matter. [4697/22]

**Deputy Norma Foley:** I thank Deputy Murphy for his question. I watched much of the discussion this evening on “Six One”. In the main, students asked for clarity regarding leaving certificate 2022 and they acknowledged they have received that. In fact, the students asked for four things when I met them. The second thing they asked was that there would be additional changes made to the exam papers and we have provided for that. They also raised the issue of grade inflation in terms of the class of 2022 competing with the class of 2021 and we have addressed that issue for them. They also raised the issue of accredited grades, but as I have already explained, we are not in a position to offer accredited grades this year because one in four students does not have data related to the junior cycle. Those data are important because they are used for comparability or standardisation for students.

It is fair to say that the reaction of students today has been varied. The views of parents and others around the table are also varied. I have met with all of those around the table, including parents, students, teaching unions and management bodies, have listened to them and heard what they had to say.

Specifically on the four points that were raised by the students, I have gone as far as I possibly can to ensure they are presented with what they have asked me to do for them. I am in a position to deliver on three of their requests but the fourth one, for reasons I have outlined, cannot be delivered because of an absence of data. We are not in a position to provide for accredited grades this year in a similar fashion to last year. If Deputy Murphy heard the news this evening, he would recognise that many of the students accepted that the absence of data is an issue.

**Deputy Paul Murphy:** I do not buy it and the important point is the students will not buy

it. They will not buy the idea that the Minister listened and that she and the Government did everything that was possible. A full 67% of students in a very widely shared and participated in survey by the students union said they did not want a traditional leaving certificate exam but the Government is pushing ahead with a traditional exam, with a couple of tinkering changes around the edges. That is all it is and that is cold comfort to the students. We know that even in a normal, non-Covid year, around 57% of students report suffering mental or physical illness due to the stress. Add in the experience of Covid, the fear of getting Covid and of missing exams and we are talking about horrendous, unnecessary pressure this year. I will make the point again that it is not necessary. It is an artificial shortage. Why not put the investment in to ensure there is a third level place for anyone who wants to avail of it?

**Deputy Norma Foley:** To the Deputy's suggestion that we are just ploughing on I would say, far from it. He should take time to study what has been put in place in terms of these exams in June. It is very clear the exams in June are very different from what has been offered previously. For example, students studying maths would traditionally have had ten questions to answer but there is such significant choice now that they only have to answer six on paper one and paper two. On the higher level English paper two there are three very significant bodies of study. Rather than answering three questions, students will only answer two. Those changes are across all sections, including the oral exams. In the Spanish oral exam, for example, students would have had to prepare for five role plays but this year they will only have to prepare for three. Likewise, with Irish where they would have had 20 sraith pictiúr, they now have ten. These significant changes are across the system and are an acknowledgement of what the students actually asked for. They asked that additional changes would be made to the papers and that has been achieved. They also raised the question of grade inflation and a commitment has been given that the grade inflation for 2022 will be on a par with 2021. In terms of the accredited grades, I have not heard Deputy Murphy propose any alternative. We have said there is an absence of data so it cannot be as fair as the system we were in a position to operate last year.

**Deputy Paul Murphy:** That the Minister would say this is very different and there are significant changes speaks to a profound lack of vision by the Government because the basis of the system is exactly the same. For students, their perception of how they are going to do in their leaving certificate all rests on one or two exams in subjects including maths, English and Irish, in the oral and the aural exams. The Department is tinkering around the edges in terms of exactly what is on the exam papers but that is it. All the pressure builds up onto those couple of weeks of exams at the end of 18 years of educational experience. The alternative is really clear. It is to open access to third level education, to put the investment in, to use the temporary and part-time staff that already exist in our third level institutions, to add the extra 25,000 places we need, to say we have open access to third level education, just as we currently have open access to second level education, and to do away with this unnecessary rat race.

**Deputy Norma Foley:** I have to be very clear that the question of access to higher education is a policy matter which is not under my remit but under the remit of my colleague, the Minister for Further and Higher Education, Research, Innovation and Science. I am aware it is a key objective of that Department to ensure there is access into either further or higher education for each person who wishes to pursue educational options at third level.

Regarding the leaving certificate, what is being offered this year is different. Again, I have not heard Deputy Murphy reference how he would propose to offer accredited grades given-----

**Deputy Paul Murphy:** I have nothing against accredited grades.

**Deputy Norma Foley:** I am just making the point the Deputy said-----

**Deputy Paul Murphy:** The alternative is open access.

**Deputy Norma Foley:** -----very clearly that we have not answered the needs of students, but I am saying we specifically went through each of the four issues that were raised by students. They asked for clarity, greater choice and that we would address the issues of grade inflation and accredited grades. We were able to address three out of four of those issues for them, but because of an absence of data, we were not able to address the fourth one. We have made sufficient and significant changes to the papers to accommodate the students going forward.

### **State Examinations**

57. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if she will secure a choice for the leaving certificate 2022 between calculated grades and written exams to ensure fairness for the class of 2022; and if she will make a statement on the matter. [4818/22]

**Deputy Donnchadh Ó Laoghaire:** Tonight leaving certificate students and their families are hurt, frustrated and angry. I have received many emails, phone calls and messages and, to be honest, many students are absolutely gutted. They made it very clear the disruption to learning, the stress and anxiety, and the challenges in covering the course have been so significant that a hybrid model was the only way to ensure fairness, and I agree.

*9 o'clock*

The disruption to learning and the challenges in covering the course have been so significant that they felt, and I agree, that a hybrid model was the only way to ensure fairness. Instead, last night, via leaks in the media, which in itself shows some disrespect, they were told that their views had not been listened to and had been disregarded. Why has the Minister not taken on what students have said and offered the choice that was delivered successfully last year?

**Deputy Norma Foley:** In recent weeks, I have attended a meeting with the advisory group on State examinations, which has representatives of students, parents, teachers, managerial bodies, the further and higher education sector, and the State Examinations Commission, SEC. Following on from this meeting, I met with the members of the advisory group on a bilateral basis and also had further engagement with each of them thereafter. I have listened carefully to what each of these stakeholders has had to say and examined each of their points.

Following consideration of this matter by the Government today, I announced the decision to operate an examinations approach for the leaving certificate in 2022, with significant further adjustments to the examinations; and to provide students with a commitment that the overall results of the leaving certificate in 2022 will not be lower than in 2021. As the Deputy may be aware, it would not have been possible to run accredited grades in the same manner as last year, as junior cycle data was unavailable for one in four students.

The further extensive changes I have announced to the examination papers, over and above those announced in August 2021, means that candidates have greater choice in the papers; have fewer questions to answer and still have the same amount of time as in a normal year to complete the examination. For example, in both mathematics papers, instead of having to answer all ten questions, candidates will only have to answer six. This is in addition to previously an-

nounced changes such as the running of the oral examinations and music practical over the first week of the Easter break.

Timeframes for certain assessment elements of the leaving certificate applied examinations have also been pushed out. Schools were also reminded of the flexibilities regarding the dates for completion and authentication of examination coursework. I have also confirmed that junior cycle examinations will take place this summer. Adjustments to the assessment arrangements for junior cycle were published in August 2021 and provide for more teaching time in schools. They include a reduction in the number of classroom-based assessments to be completed, the removal of the requirement to complete assessment tasks and adjustments to the requirements in coursework and practical performance tests.

I believe the decision that has been made will provide leaving certificate students of 2022 with an opportunity for their learning and attainment at the end of their post-primary education to be assessed and will enable them to progress to the next stage of their lives. It also provides the certainty and clarity in this matter that had been requested.

**Deputy Donnchadh Ó Laoghaire:** We will take it that the Minister agreed that it was warranted to look at the hybrid model. I will take that at face value given that the Minister had meetings around it and she explored it. The reasons that have been advanced against the hybrid model first assume that the leaving certificate is itself equitable in a given year, but that is not true. It is not entirely without merits but it has significant flaws. The other argument was that grade inflation would be too high. Today this has been turned on its head by the Government. Before now, the only people talking about it as a problem for this year's cohort were members of the Opposition. The other issue relates to standardisation. I do not believe that was insurmountable. I wrote to the Minister last week outlining solutions for the quarter of the students for whom we do not have a baseline - we have a baseline for three quarters of them - and how we could fill in that quarter. I do not believe that any of these obstacles was the problem. I believe there was a view within the Department that the idea that the leaving certificate could be changed was gathering too much steam and that we needed to draw a line under it and get back to the leaving certificate as usual. I think this was the wrong approach.

**Deputy Norma Foley:** As I outlined, I have engaged with all the stakeholders, including parents, students, teachers and school management bodies. I have listened to the proposals they put on the table and evaluated each one of them. They were primarily around making additional changes to the written papers - the exams as we know them - and I answered that. Substantial additional changes have been made to the papers. I was also asked to consider grade inflation. I am amazed that the only people the Deputy heard speaking about grade inflation were from the Opposition. In fact, grade inflation was raised by many people around the table, including students. I have addressed the issue of grade inflation.

The matter of accredited grades was also raised. We did look at it. It is important that there be comparability or standardisation as part of the accredited grades process. It is important that the data available are the data belonging to the students, as was the case last year, because that is the fairest. Because of the absence of data, we were not in a position for accredited grades to be as fair as they were last year to the class of 2021.

**Deputy Donnchadh Ó Laoghaire:** Standardisation applies to the class cohort when you are trying to fill in a gap to achieve a baseline. It is not that the lack of individual results for that student, if it can be filled in, affects that individual student, but the Minister knows that.

The point I am making on grade inflation is that until today the Government was presenting grade inflation as a reason not to do it, whereas the Minister has now built in a form of grade inflation. Maybe that is a mitigation that is needed with the model she has chosen but that was not an argument that was being advanced by anyone about this cohort except the Opposition and students.

Additional choice in the papers could have been accommodated with the hybrid model. I see no reason you could not have the written exam with additional choices in the paper. The problem is that teachers do not teach the course in the same way and schools did not experience Covid in the same way. All schools had to close but the impact of those closures was affected by factors such as access to devices. Some schools would have had different absences of teachers and students. State examinations cannot tailor the choices of individual students to take into account their different circumstances.

**Deputy Norma Foley:** What has been set out today is that there will be additional choice which means there is greater time and less content required to be studied to take these exams in June. We are not just talking about the written exams but also the orals and practical exams. There have been accommodations along the line there. That was a chief consideration for the students and one they raised consistently around the table. They felt that the class of 2022 could not compete with the class of 2021 because of grade inflation. A concession was rightly made to acknowledge that grade inflation for the class of 2022 would be on a par with that of 2021.

On accredited grades, at the heart of it, the students wanted it to be fair. To afford students accredited grades would not be as fair as I would like when we do not have the data that are necessary for standardisation or comparability.

### **School Accommodation**

58. **Deputy Seán Canney** asked the Minister for Education the status of progress with the proposed amalgamation of a school (details supplied) and the development of another school in Tuam, County Galway; and if she will make a statement on the matter. [5197/22]

**Deputy Seán Canney:** What progress has been made on the plans to develop the new single campus for a newly amalgamated national school in Tuam, County Galway? What progress has been made on the Educate Together national school, which is seeking a permanent home? It is in its seventh year in existence in the town and is doing very well.

**Deputy Norma Foley:** I am pleased to advise the Deputy that a project for the schools to which he refers has recently been approved. The single project will provide for the construction of a 41-classroom primary school for Trinity National School as well as the development of an eight-classroom primary school for Tuam Educate Together National School on the same site. Special education needs classes are also being provided for both schools.

I can also confirm that the project for Trinity National School will facilitate the amalgamation to which he refers. Trinity National School is an amalgamation of three schools; namely, Presentation Primary School, Scoil Mhuire Mercy Primary School and St. Patrick's Primary School.

The amalgamation took place from 1 September 2019 and the three schools' existing build-

ings are continuing to be used until the new amalgamated school is provided. The Department will be devolving the delivery of this project to Galway and Roscommon Education and Training Board, ETB. The next step in the progression of this project through the architectural planning process is for Galway and Roscommon ETB to enter into a service level agreement with the Department. The execution of the service level agreement is currently under way. Once this is in place, Galway and Roscommon ETB will proceed with the appointment of a design team to progress the project through design, planning and construction in due course.

I thank Galway and Roscommon ETB for taking on the management and delivery of this campus project. This project will involve a very significant investment in the provision of new and very modern school facilities in Tuam and is very welcome.

**Deputy Seán Canney:** I thank the Minister for that very positive news for Tuam. It is great news that the Educate Together school will receive a new facility on the same campus as Trinity National School and both schools will be delivered as one project. It is important for the town of Tuam. It is also important for the town's development that we have this single campus because then we can look after some of the transportation needs, including the inner relief road required in the town. This is now being devolved. Will the Minister estimate how many years it will be before we see the ribbon being cut on this facility which is, as she says, badly needed for the town?

**Deputy Norma Foley:** I thank the Deputy. I agree with him this is a very significant and positive development and an ambitious project for the town and rightly so. The single project will provide, as I have said, for the construction of a 41-classroom primary school for Trinity national school as well as the development of an eight-classroom primary school for Tuam Educate Together national school together on the same site. The timeline for the completion of the campus projects progressed together as a single project should not be expected to be any different from an equivalent single major building project that is not on a campus. However, at least until such time as the statutory consent process has been completed it is not possible at this stage to provide a timeline for the completion of the project, but it is my expectation that the service level agreement will be progressed as a matter of priority.

**Deputy Seán Canney:** I also acknowledge the Archdiocese of Tuam for its work in facilitating this project to take place. It is important also to acknowledge the work of the Minister's predecessor, Deputy McHugh, who set the train in motion in getting what the Minister herself rightly described as a fantastic new education facility for Tuam. It is very important as well that we move to the design stage as quickly as possible because Galway County Council has plans to do some roads and modify some works in terms of traffic management within the town. As the town is now growing substantially it is important we do it in a co-ordinated way so we are not spending money on roads that become dysfunctional when the schools are built. I also believe it will add to our cohort of secondary schools and be feeders to them, including Presentation College Currylea, Scoil Bhríde Mercy Secondary School, St. Jarlath's College and of course the Archbishop McHale College. All of them are progressing well and I compliment the Department on all the support it has given to educational facilities in Tuam.

**Deputy Norma Foley:** I thank the Deputy. I acknowledge the commendation of the patrons. There has been a very strong collaborative and co-operative approach taken here and that is very important. In all sectors of society and most notably in the education sector, we can achieve great things when we enter into the spirit of collaboration and co-operation. This is an excellent example of patrons coming together, of there being a very clear and defined

ambition for education in Tuam and because of the collective engagement and the generosity of everyone involved in the process, ensuring that we can develop what will really be an ambitious, positive and significant development in education for Tuam. It is a development that looks to the future with ambition for education in the area. I support the Deputy's very positive comments.

### **School Transport**

59. **Deputy Mattie McGrath** asked the Minister for Education the progress made by the steering group in reviewing the school transport scheme; the changes that have been made to the scheme to date; and if the group has examined the possibility of issuing school bus tickets earlier than at present, for example in July, which would allow for concessionary tickets to be processed before the school term resumes in order that parents can make alternative travel arrangements if necessary. [5182/22]

**An Leas-Cheann Comhairle:** As for the last Priority Question, I call Deputy Danny Healy-Rae.

**Deputy Danny Healy-Rae:** I ask the Minister to outline the progress made by the steering group in reviewing the school transport scheme. What changes have been made to the scheme to date? Has the group examined the possibility of issuing school bus tickets earlier than at present such as in July, for example? This would allow for concessionary tickets to be processed before the school term resumes in order that parents can make alternative travel arrangements if they have to.

It may be construed that I have a conflict of interest because we, that is, my late father Jackie Healy-Rae and I, operated a small school bus transport service since 1956. I have to declare that.

**Deputy Norma Foley:** I thank the Deputy for raising the question. The school transport scheme is a significant operation managed by Bus Éireann on behalf of the Department. In the current school year more than 121,400 children, including more than 15,500 children with special educational needs, are transported on a daily basis to primary and post-primary schools throughout the country at a cost of over €289 million in 2021.

The Department commenced a review of the school transport scheme in February 2021. The review is being conducted with a view to examining the current scheme, its broader effectiveness and sustainability, and to ensure that it serves students and their families adequately. Following commencement of this review the steering group presented me with an interim report on eligibility with an examination of issues for mainstream pupils relating to the nearest and next nearest school. Following consideration of this report, I approved the extension of temporary alleviation measures in the current school year for transport for post-primary students who are otherwise eligible for school transport but are attending their second-nearest school rather than their nearest school.

Wider considerations relating to operation of the scheme are now taking place in the next phase of the review which is currently under way. As part of this phase of the review, the Department is currently conducting an extensive stakeholder engagement process. The Department will be listening to the views specifically of parents and guardians, students, the education

1 February 2022

partners and other relevant stakeholders through the use of surveys, focus groups and meetings, as well as inviting written submissions. The Department is inviting stakeholders to share their views and opinions so that they may be considered as part of the assessment and in informing policy on the future operation of the scheme.

The steering group will continue to report to me on an interim basis as the review progresses. This is an important body of work but it is also important that I receive those interim reports because it allows me to progress, as I did previously for this school year, on actions that can be taken. The work continues with the widest possible level of engagement.

**Deputy Danny Healy-Rae:** I thank the Minister very much for her reply. There are a number of issues I have to raise with her.

On the medical card, it only covers pupils on the bus to the nearest school. If that school is full they must pay to go to their next-nearest school.

Many bus operators have asked me to raise the rule that prevents drivers from working beyond the age of 70 years. These 70-year-olds go on to drive tour buses, for instance, around the Ring of Kerry with full bus loads. What they are saying is if Bus Éireann provided a doctor to check their health yearly that would be no problem. I am asking the Minister to review that rule.

**An Leas-Cheann Comhairle:** Go raibh maith agat.

**Deputy Danny Healy-Rae:** I also want to mention the 20-year rule that prevents buses when they reach 20 years of age-----

**An Leas-Cheann Comhairle:** The Deputy will get a chance to come back in.

**Deputy Norma Foley:** I thank the Deputy for the points he raised. On some of them, for example the 70 years of age rule, that is something that is across the public sector and not unique to this operation here.

In many of the issues he raises, this requires a wide and all-encompassing review of the system to ensure it is serving the students and their families. This year we introduced the eligibility for students who were not necessarily attending their nearest school but their second-nearest school. We have done that because there is an acknowledgement that there is a difficulty for students for a variety of reasons, in terms of accessing their second-nearest school. There is a broader context here as well. We are looking at efficiencies in terms of travel, in terms of utilising the transport service and making it as readily available as possible so that it is freeing up families in terms of the commitment of taking children to school.

**Deputy Danny Healy-Rae:** I thank the Minister. Again, I ask her to change that 70 years of age rule because bus operators are having severe difficulty in getting qualified drivers. We are throwing good drivers onto the rubbish heap.

On the 20-year rule for buses, if a bus passes the commercial vehicle roadworthiness test, CRVT - and those tests are rigorous - then it should be allowed. This is happening in other jurisdictions like the UK and the North of Ireland. There is another rule. Years ago, when rural schools were closed, a promise was made at that time that children would be brought to the central school. To start a new run, there has to be ten children. People in rural Ireland may not have the opportunity to provide ten children. They have one, two or three children, and their



neighbours might have two or three, but if they do not have ten children they cannot start the run. That is very unfortunate in light of the promise that was given when the local school was closed that children would be taken free of charge to the central school. That is not happening in many cases.

**Deputy Norma Foley:** I appreciate the points raised by the Deputy because I appreciate the importance of the school transport system, especially in rural constituencies such as ours. I was, therefore, very clear that there needed to be a review of the system as it currently stands. I ensured that the review began, which it did in a timely fashion, and that interim recommendations were made to me. I have actioned those recommendations. The Deputy has raised different points, but it is important that everybody gets the opportunity to flag particular issues. We are currently engaging with parents, students, all stakeholders and anybody who wants to make a submission. Those submissions are being evaluated, as are all the points being raised, to ensure that the school transport system as we know it meets the needs and demands of students and their families. All issues will be addressed.

**Deputy Danny Healy-Rae:** Can most operators make submissions?

**Deputy Norma Foley:** Yes, there is an openness for submissions.

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

*Question No. 60 replied to with Written Answers.*

### **State Examinations**

61. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if she will clarify the arrangements that will be made for the junior certificate 2022 that recognise the disruption that students have faced; and if she will make a statement on the matter. [4822/22]

**Deputy Donnchadh Ó Laoghaire:** The other element of today's considerations relates to the junior certificate. Junior certificate students feel rather forgotten by the Department. Today's announcement barely made reference to them. The Minister's statement this afternoon referenced that junior cycle exams would run in June as normal. She has already acknowledged that the situation has been anything but normal for leaving certificate students. Surely, it has been nothing like normal for the past few years for third-year students too. In fact, every single year of their school education has been disrupted. What is being done to recognise that disruption?

**Deputy Norma Foley:** I am very aware of the disruption experienced by students who are due to take their junior cycle examinations this year. The State Examinations Commission, SEC, with my Department, has been progressing planning for these examinations in consultation with, as I have previously outlined, the advisory group on planning for the State examinations, which has met on a number of occasions to consider this matter. As I previously said, I also met with this group on a bilateral basis over recent weeks.

Following consideration of this matter by the Government, today I announced decisions regarding this year's leaving certificate and junior cycle examinations. I was happy to confirm

that the junior cycle examinations will take place this summer for the first time since 2019 having been cancelled in 2020 and 2021 on foot of public health advice due to the impact of Covid-19. I was strongly of the view that these examinations should proceed this year. This year is the first year that all of the new subject specifications for junior cycle will be assessed by the SEC. A number of adjustments to the assessment arrangements for junior cycle have been published to take account of the impact of Covid and will provide for more teaching time in schools.

As part of the junior cycle, students normally complete a number of classroom-based assessments, CBAs, which have been reduced by 50%. The school also has autonomy in dealing with the CBAs regarding when they will be completed by students, with some exceptions. As CBAs are school-based assessments, schools have been advised that there are flexibilities in the windows for completion of the CBAs in light of particular circumstances within an individual school. The assessment task, which is usually assessed and marked by the SEC, will not be assessed in 2022 in the relevant subjects. Instead, the written examination will account for 100% of the marks, giving further time within the schools. Adjustments have been made to the requirements for practicals and coursework in subjects including, for example, music, home economics, art and technologies. No changes have been made to the other aspects of the examinations as these are already specific and very significant changes to their format. It is a recognition of the importance of running the exam for the first time in three years.

**Deputy Donnchadh Ó Laoghaire:** I agree with having the examinations. That was my position any time I was asked but if everything had moved up a division, the approach taken for the leaving certificate would have been an appropriate solution to the junior certificate. It is very disappointing that no further adjustments have been made to the junior certificate papers. Leaving certificate students have understandably been prioritised for teaching substitutes, notwithstanding the absences that still exist, which are very considerable, according to the Irish Second-Level Students Union survey. Junior certificate students were some of the last to return to school buildings. If I recall correctly, they were out until well into April last year. None of the changes take into account the increased levels of absence and the very lengthy school closures. Why have there been no new changes to relieve the pressure on junior certificate students?

By way of observation, I mentioned the contact I received from students, families and some teachers regarding the leaving certificate. It was actually teachers, most of all, who contacted me about the junior certificate. I am quite disappointed on behalf of their students.

**Deputy Norma Foley:** I will be clear that 2022 is the first year that all the new subject specifications for junior cycle will be assessed by the SEC. Those specifications provide for a very flexible and wide-realm approach in respect of questions and options being made available to students. A number of significant adjustments have been made. I know from my own experience that the requirement that a number of CBAs take place for a subject is quite a time constraint within the classroom. Those have, therefore, been cut by 50%. The assessment task, another task that is time demanding within the classroom and the experience of what can be provided from a teaching and learning point of view, has been done away with this year. These are very significant and progressive steps forward. Other amendments have been made. For example, adjustments have been made to the requirements for practicals and coursework in particular subjects, such as music, home economics, art and technologies. It is important to recognise that there have been adjustments and changes to provide greater flexibility for junior cycle students.

**Deputy Donnchadh Ó Laoghaire:** I am aware of the changes to the CBAs but I do not see the consistency. I am disappointed that the Minister has not gone further in respect of the leaving certificate but, if we are to be consistent and we are acknowledging that the time lost to leaving certificate students was such that it required adjustments to the papers, why is it not the case that the time lost requires changes to be made to the junior certificate papers? Junior certificate students have experienced arguably more disruption due to school closures, amounting to almost four months last year. They are probably getting less priority for substitution this year. There were significant amounts of self-isolation, including among students. Why is the Minister not taking the same approach? Why is she not making changes to the junior certificate papers so those students have additional choice? It is a simple question of consistency. If it is worth it for the leaving certificate, why not for the junior certificate?

**Deputy Norma Foley:** It is important to reiterate that there have been changes, amendments and alterations to the paper. The papers have been tailored to meet the needs of the class of 2022. I will again specifically reference, as somebody who has worked in the area, that it is a considerable benefit that the number of CBAs has been reduced by 50%. To address the time issue raised by the Deputy, I know it is also a considerable benefit that the assessment task no longer takes place. The adjustments that have been made to practicals, including those for music, home economics, art and technologies, are of significant benefit.

It is also important to acknowledge that the junior cycle examination papers are completed in a booklet format, with students required to answer all questions. The papers are designed to assess the subject specifications in an integrated way, reflecting the way in which teachers' expertise is used to plan for delivering the subjects using integrated strands and elements. Any adjustments made to these papers at this stage would make them fundamentally different from expectations and what students are expecting. They would be more likely to disadvantage rather than benefit students, while acknowledging yet again that there have been significant alterations to, and tailoring of, the papers to meet the needs of the class of 2022.

### **State Examinations**

62. **Deputy Jennifer Murnane O'Connor** asked the Minister for Education her plans to support a hybrid leaving certificate for 2022; and if she will make a statement on the matter. [4664/22]

**Deputy Jennifer Murnane O'Connor:** My question is about the hybrid leaving certificate for 2022 students. The students and parents who contacted me today are so disappointed that the Minister has ruled it out. What are her plans now to reform the leaving certificate?

**Deputy Norma Foley:** As already outlined to the House, in recent weeks I attended a meeting with the advisory group on State examinations, which is representative of students, parents, teachers, managerial bodies, the further and higher education sector and the State Examinations Commission. Following on from this meeting, I met with the members of the advisory group on a one-to-one or bilateral basis and also had further engagement with each of them thereafter. I listened carefully to what each of these stakeholders had to say and examined each of their points.

Following consideration of this matter by the Government today, I announced the decision to operate an examinations approach for the leaving certificate class of 2022, with significant

1 February 2022

further adjustments to the examinations and to provide students with a commitment that the overall results of leaving certificate 2022 will not be lower than in 2021. As the Deputy may be aware, it would not have been possible to run accredited grades in the same manner as had been done last year as junior cycle data was unavailable for 25%, or one in four, of our students.

The further extensive changes I have announced to the examination papers over and above those announced in August 2021 mean that candidates have greater choice in the papers, have less questions to answer and still have the same amount of time as in a normal year to complete the examination. For example, as I have previously outlined, in mathematics, where students would traditionally have ten questions to answer, they now have only six. This is in addition to previously announced changes such as the running of the oral examinations and music practical over the first week of the Easter break.

Timeframes for certain assessment elements of the leaving certificate applied examinations have also been pushed out. Schools were also reminded of the flexibilities regarding the dates for completion and authentication of examination coursework. I have also confirmed that junior cycle examinations will take place this summer, which I think is also important. Adjustments to the assessment arrangements for junior cycle were published previously and provide for more teaching time in schools. As I outlined earlier, they include a reduction in the number of classroom-based assessments, the removal of the requirement to complete the assessment tasks and adjustments to the requirements in coursework and practical performance tests.

I believe that the decision will provide the junior cycle and leaving certificate students of 2022 with an opportunity for their learning and attainment at the end of their post-primary education to be assessed and to enable them to progress.

**Deputy Jennifer Murnane O'Connor:** I thank the Minister. I am intensely aware of the interruption experienced by students due to take their leaving certificate examination this year. The level of stress as they awaited certainty about this year's examinations was felt by all of us. I appreciate that the Minister has made great changes to the examinations, but these students have missed an entire year of a two-year programme. I am really worried about students' mental health. It is time we reformed the leaving certificate and the steps to do that must occur now.

I am aware that arrangements have been made in conjunction with the State Examinations Commission to put in place numerous measures to take account of disruptions and challenges caused by the pandemic, including revised dates for coursework or oral examinations, but are provisions being made for students who cannot sit the examinations due to Covid-19 or long Covid?

**Deputy Norma Foley:** I reiterate that we are all very conscious of the difficulties of the past two years for the education sector and for wider society, but most specifically in this instance for our students. As I have previously outlined to the House, I have engaged with students, parents, teachers and school management bodies. The were four key points consistently raised by students, including the necessity to have clarity, which we have provided today. We were in a position to do that earlier this year than was achieved last year. The second point was that they would have greater choice in the examination papers. As I have outlined to the Deputy, we have achieved that for them. There is a significantly different examination being experienced by students in 2022 than was experienced by those in 2018 or 2019.

The issue of grade inflation was a key point highlighted by students. Again, I have given the

commitment today that the grade inflation of 2021 will be on a par for the class of 2022. On the accredited grades process and the issues around that, we did do work on that. There is an issue around the fact that one in four students do not have the junior cycle data.

**Deputy Jennifer Murnane O'Connor:** I want to ask the Minister about supports. What supports will be offered to students with long-term illnesses that might prevent them from sitting the examination on the assigned date? A student with epilepsy who experiences a medical emergency such as a seizure immediately before or during the examination and is unable to complete that examination, should be given the opportunity to re-sit the examination within the same examination cycle or before such time as the CAO offers issue. Such a provision has been introduced in recent years for students who experience a bereavement during their examinations. Stress and anxiety can be more acute during the leaving certificate examination cycle for a student with long-term illness such as epilepsy, Crohn's disease or cancer. They have the heightened anxiety and worry about being unable to complete their examination. Is their only option to repeat the examination a year later? What supports can the Minister look at for these students? For those in fifth year anxiously watching this space and waiting to hear how the examination will take place next year, what challenges will be there for them?

**Deputy Alan Farrell:** I, too, want to raise the matter of supports. The Minister will be aware of the committee report of a number of months ago which highlighted the inevitable additional supports that would be required for students after Covid. It highlights the necessity for us to put in place enhanced mental health supports, particularly in our schools. I understand that is occurring at third level, but it is also eminently necessary at second level. The Minister has made a difficult decision under very difficult circumstances so as not to have to bring in measures such as profiling, which clearly was not desired in the committee or in this House.

As stated earlier by my colleague, Deputy Bruton, it is necessary for us to re-evaluate the leaving certificate as it currently stands in terms of continuous examination and ensuring that that terminal examination is not a one-day event.

**Deputy Norma Foley:** I thank the Deputies. On Deputy Murnane O'Connor's specific question with regard to the accommodation for students who have a significant illness, a bereavement or are impacted by Covid, it may have escaped the Deputy but I did announce some time ago that there is a contingency second sitting of the examination, which will take place immediately after the first sitting of the examination. This is for exceptional cases such as a medical issue pertaining to a student, a bereavement or an issue pertaining to Covid.

I appreciate the points that have been raised in regard to the need to support the students in all aspects of their lives. Deputies will be aware that earlier this year we launched the Covid learning and support scheme for schools, which is not only a support scheme with additional hours and additional teaching resources for academic learning, but also for well-being initiatives within our schools. On the issue of senior cycle reform, I am enormously committed to senior cycle reform. It is something that we will be progressing. My objective is to ensure that we maximise the potential of all of our students and the assessment of their various skill sets, and provide pathways for them.

## School Accommodation

63. **Deputy Alan Farrell** asked the Minister for Education if she will provide an update on efforts to develop facilities at a school (details supplied) in County Dublin to meet growing demand in the years ahead; and if she will make a statement on the matter. [4610/22]

**Deputy Alan Farrell:** This question relates to one of the fastest growing communities in the country, namely, Dublin 15, Swords and Balbriggan and, in particular, the provision of school facilities in Swords.

**Deputy Norma Foley:** As the Deputy will no doubt be aware, there has been significant growth in post-primary student numbers in the Swords area in recent years. Across the Swords school planning area, total post-primary enrolments have increased by over 800 pupils since 2011. Enrolments at Fingal Community College have grown by over 300 in that same time-frame and additional accommodation was provided at the school in 2015 and 2016 in order to address the increased pupil numbers.

In the context of further increasing pupil numbers at Fingal Community College the school submitted an application for capital funding under my Department's additional school accommodation scheme. An interim solution to meet the needs of the school was put in place. However, as part of the assessment process for an additional school accommodation application my officials consider not just the existing enrolments at the school, but also anticipated future needs in order to make full and appropriate provision for both current and future students. To anticipate school place requirements, my Department uses a geographical information system, utilising statistical models, child benefit data, school enrolment figures, information on residential development activity, Project Ireland 2040 population and housing targets and other relevant data. The most recent projections of post-primary school place requirements in the Swords school planning area show continued growth in requirements over the coming years.

Having considered the existing accommodation at the school relative to both current and long-term needs in the area, it was determined that there should be significant additional permanent accommodation provision at Fingal Community College. However, the school site is extremely constrained and this presents significant challenges in delivering the required volume of accommodation. In that context, my Department is working to formulate an appropriate long-term plan to meet the needs of the school and deliver the required accommodation in consultation with the school's patron, Dublin and Dún Laoghaire Education and Training Board, ETB. A number of potential options are being explored in this regard and the Deputy will appreciate that to identify the optimum solution for this school, it is necessary to undertake a full and thorough technical appraisal of these options, which takes some time. Pending the delivery of this long-term solution, the Department will continue to work with Dublin and Dún Laoghaire ETB as school patron to ensure any necessary interim accommodation requirements are met.

**Deputy Alan Farrell:** I thank the Minister for her comprehensive response. I am pleased to hear the level of detail the Department has gone into in its planning for additional accommodation at the school and a long-term solution. For the benefit of the other Deputies present, when one thinks about a secondary school one thinks about large yards, perhaps a couple of football pitches and things like that. This school has a basketball court and that is it. There are 880 students on site. They have been there since 1985 and, through no fault of anyone, the site was overdeveloped and it is as simple as that.

I welcome the Government's capital plan for 2019 to 2022, which identified 45 schools and left no constituency untouched, or no county at least. Swords has benefited from a brand new 1,000-pupil school, Swords Community College, which is now fully completed and occupied up to fourth year. It is important for us to identify that this site is bang in the middle of the community. It is ideal for schooling but, unfortunately, the school has expanded beyond its boundaries. The outside recreational space for students is bordering on unhealthy.

**Deputy Norma Foley:** I appreciate the case that the Deputy makes. I recognise the necessity for the area. The key issue is that the school site is extremely constrained, as the Deputy identified. That is presenting considerable challenges in delivering the required volume of accommodation necessary for the school. It is a tribute to the school that it is growing. The Department is heavily committed to working to formulate an appropriate long-term solution to meet the accommodation needs of the school. We are doing that. I acknowledge the co-operation of the school's patron, Dublin and Dún Laoghaire ETB. A number of different, appropriate options are being explored. The Deputy will appreciate that, for every option, there needs to be a considered evaluation and that is a time constraint. I assure the Deputy that priority is being given to this matter.

**Deputy Alan Farrell:** I thank the Minister and completely understand her position. To put the matter in context again, in the census that will be completed later this year, Swords is expected to exceed 50,000 residents. Fingal County Council has long projected that by the end of the 2030s the population will be over 100,000 and, therefore, this sort of planning and the level of detail the Minister has outlined is entirely necessary. I commend her and the Department on all the work they are doing.

Other schools have benefited from expansions in recent years. There is also the new school in the form of Swords Community College in the north west of the community. There is a growing demand for diversity in education, particularly as that relates to Gaelcholáistí. There are two Gaelscoileanna in the community but there is no Gaelcholáiste, and that is an issue I will come back to in the future. I thank the Minister for dealing with the question.

**Deputy Cathal Crowe:** I wish to mention something briefly along the lines of what the previous speaker has said.

**An Leas-Cheann Comhairle:** Is it related to this question?

**Deputy Cathal Crowe:** It is. There is a similar school, Lissycasey National School, in my constituency. I was there on Monday morning with local Councillor P.J. Kelly. Accommodation has been green-lighted but the needs do not stop there. There is a need for a sensory garden and additional parking. I believe the matter is before the Department and I ask the Minister to try to expedite it.

**An Leas-Cheann Comhairle:** That contribution was not on the same question.

**Deputy Cathal Crowe:** It was linked to the question. It referred to the same issue in a different county.

**Deputy Norma Foley:** I thank the Deputies. I appreciate their points and the acknowledgement there is an absolute commitment on the part of the Department to the advancement of the school Deputy Farrell mentioned.

1 February 2022

On the point raised by Deputy Crowe, I can confirm the school to which he referred has been approved for a project under the Department's additional accommodation scheme. The project will provide for one mainstream classroom and a two-classroom special educational needs base. I am also pleased to inform the Deputy that the Department approved this project to proceed to construction in May of 2021. The project is currently on site. The school has recently submitted a request for additional funding for the project to provide a sensory garden, hard play and soft play areas and six car parking spaces. I am pleased to inform the Deputy of our agreement in principle to provide the additional funding in question, subject to agreement being reached on the costs associated with the proposal. My officials have written to the school to seek further information and clarification on the cost of these additions, including whether cost-saving measures can be achieved.

**Deputy Cathal Crowe:** That is fantastic. I thank the Minister.

### **Disadvantaged Status**

64. **Deputy Pearse Doherty** asked the Minister for Education when the additional schools added to the DEIS programme will be published; and if she will make a statement on the matter. [4712/22]

**Deputy Pearse Doherty:** In my own constituency and especially in west Donegal, I regularly engage with principals and boards of management of schools in the DEIS scheme. Despite being an area of deprivation by all accounts and statistics, the 2017 DEIS review excluded some primary and post-primary schools in my area that should not have been excluded. As part of the budget, the Minister announced a 20% increase in the allocation of funding to extend the DEIS programme to further schools with the highest levels of disadvantage, and that is badly needed. In what month will schools know if they are to be added to the DEIS programme? When will that be published?

**Deputy Norma Foley:** I appreciate the case the Deputy has made. There are similar cases throughout the country. As I said earlier, budget 2022 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. As the Deputy has acknowledged, this package represents an increase of over 20% on the €150 million already allocated by my Department to provide supports for schools in the DEIS programme. The DEIS programme currently supports 884 schools. The additional funding provided in budget 2022 will allow for the extension of the programme to additional schools from September 2022.

This year's package follows an extensive body of work which has been undertaken by the DEIS technical group on the development of a model to identify the concentrated levels of disadvantage of schools. The DEIS identification process under the DEIS plan 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 to develop the refined DEIS identification. The key data sources are the Department of Education primary online database, the post-primary online databases and Central Statistics Office data from the national census of population as represented in the Pobal HP index for small areas, which is a method of measuring the relative affluence or disadvantage of a particular geographical area.

It is important to note that schools are not required to apply for inclusion in the DEIS pro-



gramme and that all schools will be considered under the refined model when it is applied. During the process to refine the DEIS identification model, and as is general practice in the Department, my Department has consulted school management, national parent representative bodies and unions on the technical aspects of the refinement of the DEIS identification model. The purpose of this engagement is to ensure, 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. There will be further engagement with relevant stakeholders in advance of the implementation of the refined DEIS identification model.

**Deputy Pearse Doherty:** My question is quite simple. When are the schools going to know whether they are in or out of the expanded DEIS programme? That is what principals are asking me. Principals in secondary schools are saying they need to do workforce planning and look at what we are offering schools. They cannot be told in July or August whether they are in a DEIS category or not. I have been raising the issues of Pobalscoil Ghaoth Dobhair, Scoil Rann Na Feirste, Scoil Naisiúnta Gort An Choirce and Scoil Naisiúnta Mhín Teineadh Dé since 2017 because they should never have been left out of the DEIS programme. They are in areas where the deprivation scores are level 10. The schools are rural and isolated in nature. We need to undo the wrong that was done at that time.

Leaving that to one side, my question is quite simple. Perhaps the Minister does not know the answer and if she does not, I ask that she lets me know that is the case. Does the Department know what timeframe and target it is working towards? When will it be able to notify a school that it is now a DEIS school as a result of the 20% expansion?

**Deputy Norma Foley:** I thank the Deputy. I want to be clear that the progression, enhancement and expansion of the DEIS model to as many schools as possible has been a chief objective of my Ministry. It is a significant undertaking by the Department of Education to have secured €18 million for 2022 and €32 million for 2023 to advance that objective clearly for the types of schools the Deputy has referenced. Such schools are spread throughout the country. I am conscious of that and I know that. I have clearly said to the Deputy it is my intention that the new DEIS programme, including the schools that will be added to DEIS status, will be operational from September 2022. I am currently working towards that target. I am confident we will reach that target and it will be operational for September 2022.

**Deputy Pearse Doherty:** Of course it is going to be operational in September 2022. We have known that since last year when the budget was allocated for this year. We knew that. When are the schools going to be notified? Is the Minister saying they will be notified on the eve of it becoming operational or are they going to be notified in August or perhaps July, June or April? Does she know when schools are going to be notified? Schools have to plan and they need to know now whether they fall under a DEIS category, which changes the workforce they will be able to look at next year. Schools are planning at this stage, particularly secondary schools for the options that will be available for students.

Does the Department know when that will be published? I am not referring to when it becomes operational; we all know that is happening in September. When will schools be notified that they are either in or out? I appreciate the work. I am glad the Minister has secured that funding. I know there is work to be done but this was agreed in October and it is now February. Are we going to be waiting a number of months? Can the Minister give us perhaps not a date

but a month, at least, when schools will be notified of this issue?

**An Leas-Cheann Comhairle:** Before the Minister comes in, a number of Deputies have indicated. It is difficult for other Members who are waiting if I let everybody in all over again on a question they have not tabled. Deputy O'Connor might be very brief.

**Deputy James O'Connor:** I appreciate that, a Leas-Cheann Comhairle.

**An Leas-Cheann Comhairle:** There are Deputies waiting who have tabled questions. It is at the discretion of the Chair.

**Deputy James O'Connor:** Tuigim, a Leas-Cheann Comhairle. Go raibh maith agat.

I broadly support some of the points that were made by Deputy Doherty to say this is an enormously important issue. Under the current criteria, it is an enormous problem, particularly in the east Cork area with reference to Youghal. It faces enormous economic hardship but is not being included in DEIS, which is of huge interest to local schools. I have met with many of the local principals. I would appreciate if the Minister would look at broadening the economic criteria in this particular area.

**Deputy Cathal Crowe:** I thank the Minister. It is good that a review is under way and that we have an action plan ahead of us. It is important that schools now are in a position to submit data. I know of several schools in County Clare and throughout the country that have carried out a census and socioeconomic profiles such as Ennis Educate Together National School, St. Joseph's Community College, Kilkee, and Holy Family Senior National School. They have their data but have not gone into the Department. We could move this quicker. I implore the Minister to look at that.

**Deputy Norma Foley:** As I mentioned earlier, the funding package that was identified of €18 million for 2022 and €32 million for 2023 is to facilitate this being up and running in our schools in September 2022. Our schools will be given ample time. It is my intention to ensure that schools are informed in such time as to allow them to plan for the coming school year.

In advance of any announcements, the Department will engage further with relevant stakeholders. It is important that the process is clear, open, transparent and easily understood. Coming from this sector myself, I am very aware it is also important that schools need significant time for planning. I assure the Deputy that sufficiently in advance of September 2022, which will be the implementation period-----

**Deputy Pearse Doherty:** Which month?

**Deputy Norma Foley:** -----schools will be informed of their inclusion in the DEIS model. Again, in terms of points that have been raised, it is important to point out that schools are not required to apply for inclusion in the DEIS programme, and that all schools will be considered under the refined model.

## State Examinations

65. **Deputy Ruairí Ó Murchú** asked the Minister for Education when a decision will be made in relation to the 2022 leaving certificate; and if she will make a statement on the matter.

[4827/22]

**Deputy Ruairí Ó Murchú:** There has already been much talk regarding the 2022 leaving certificate examination. Deputy Ó Laoghaire and others have put on the record where we stand with regard to the fact that the hybrid version is the only viable solution students and their parents wanted to hear about. They are dealing with a huge level of stress. What engagement was there in trying to deliver it?

**Deputy Norma Foley:** In recent weeks, I attended a meeting with the advisory group on State examinations, which has representatives of students, parents, teachers, managerial bodies, the further and higher education sector and the State Examinations Commission. As I previously outlined, following on from this meeting, I met with the members of the advisory group on a one-to-one and bilateral basis and had further engagement with each of them thereafter. I listened carefully to what each of these stakeholders had to say and examined each of their points.

Following consideration of this matter by Government today, I announced the decision to operate an examinations approach for leaving certificate in 2022, with significant further adjustments to the examinations, and to provide students with a commitment that the overall results of leaving certificate 2022 will not be lower than in 2021.

As the Deputy may be aware, it would not have been possible to run accredited grades in the same manner as last year because junior cycle data were unavailable for one in four of our students. The further extensive changes I have announced to the examination papers, over and above those announced in August 2021, mean that candidates have greater choice in the papers, fewer questions to answer and still have the same time as in a normal year to complete the examination. Various examples can be given. For the Spanish oral, rather than having five presentations to prepare for in terms of role play, they will only have three. In the sraith pictiúr in Irish, where they would normally have 20 to prepare for, they now have ten. This is, of course, a significant change to the examinations as students would have known them and an accommodation of issues that have been raised by them.

Timeframes for certain assessment elements of the leaving certificate applied examinations have been also pushed out. Schools were also reminded of the flexibilities regarding the dates for completion and authentication of examination course work. Importantly, I also confirmed that junior cycle examinations will take place this summer. Adjustments to the assessment arrangements for junior cycle were published in August 2021 and provide for more teaching time in schools. They include a reduction in the number of CBAs to be completed, the removal of the requirement to complete assessment tasks and adjustments to the requirements in course work and practical performance tests. I believe the decision will provide the junior cycle and leaving certificate students of 2022 with an opportunity for their learning and attainment at the end.

**Deputy Ruairí Ó Murchú:** It is not the first time that reply has been read out this evening. The Minister talked about three out of four of the asks having been delivered upon but, as I said earlier, the most important one for an awful lot of students and parents has not been delivered. That has been said, however. I do not expect to get a different answer from anybody else.

Those mitigations the Minister talked about with regard to the examination are necessary considering the difficulties. Deputy Ó Laoghaire and others spoke about the fact that not ev-

1 February 2022

everybody has the same 24 hours and not everybody had the same school year or two-year period. People have been out due to sickness. Teachers have been out and it has an impact. There are probably students who can put a couple of sample papers in front of them and get six A1s but that is not everybody.

The fear we also have is that the Department is absolutely committed to maintaining the leaving certificate and we are not going to see a sign of reform. Could the Minister give me an answer regarding what the reforms are and the planned timeline?

**Deputy Norma Foley:** I must point out to the Deputy that if an answer given the first time is honest, fair and accurate, it will be the same answer I give him the second and, indeed, third and fourth time. If it is a truthful answer first time, it will remain a truthful answer. I have given a truthful answer in this House as regards my engagements, the deliberations concerning leaving certificate 2022 and the junior cycle, engagements I had with the advisory group, parents, students and teachers, the issues that were raised with me by students, in particular, where they asked for clarity and for greater choice in their examinations, which we delivered upon today. I outlined for the Deputy earlier what they were.

Issues of grade inflation were raised by many around the table at the advisory group, which I delivered upon today. Issues regarding accredited grades were raised. I very clearly pointed out to this House in an honest answer the difficulty in that we could not implement accredited grades this year in a similar and fair fashion to how that was implemented last year. For that reason, I maintain the answers I gave the first, second and, indeed, third time

**An Leas-Cheann Comhairle:** I am repeating the times again. The Deputy has one minute.

**Deputy Ruairí Ó Murchú:** I thank the Minister. I have no difficulty that she is repeating the answer. I accept some of it. The bit I do not accept is that it was impossible to come up with a solution in this regard. The other question I put related to the fear that students are being short-changed at this point by not being offered the hybrid model. I accept those other necessary mitigations are occurring. The fear is that the Department is wedded to the leaving certificate as is, however, and that the reform that is necessary, which everyone across this House accepts should happen, will not happen, and that is the reason we are in a situation where the hybrid model is not in place.

We all know a significant number of students have not done the junior certificate. I will be clear. Deputy Danny Healy-Rae spoke earlier about full disclosure. My son is doing the leaving certificate. I would probably be a lot happier if he was a bit more stressed about it, but a large number of kids are stressed and we should be trying to deliver for them. Reform into the future is the only thing that will work.

**Deputy Norma Foley:** I want to be clear that the reason the hybrid model or accredited grades aspect is not being implemented this year is that when a teacher provides an estimated mark, he or she does so because he or she knows his or her student.

*10 o'clock*

He or she does not know the student in another class whom the teacher has not taught. It is important that there is comparability between the students in a national examination. To achieve that comparability, as I have outlined earlier, we relied upon the junior cycle data belonging to the class of that year group. One in four of the class of 2022 does not have those

data. Therefore, we were not in a position to provide the accredited grades in as fair a manner as was provided to the students last year. That is the honest reason as to what has transpired.

I want to be clear that I am committed to senior cycle reform. I am conscious that we need to find a mechanism that can assess the various talents, abilities and skill sets of our students in the widest possible manner. That needs to be incorporated into senior cycle, as indeed does the maximum potential for students going forward to choose whatever pathway they might wish to choose. I am completely committed to it.

### **Curaclam Scoile**

66. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Oideachais cén uair a dhéanfar cinneadh maidir le na curaclaim nua Gaeilge don ardeist; an bhfuil i gceist aici déanamh cinnte go mbeidh sé tarraingteach do mhic léinn le Gaeilge líofa an curaclam is dúslánaí a leanacht; agus an ndéanfaidh sí ráiteas ina thaobh. [4636/22]

**Deputy Éamon Ó Cuív:** Mar is eol don Aire, tá an-bhuairt ar thuismitheoirí le gasúir ag a bhfuil Gaeilge mhaith mar tá scéal ann go mbeidh dhá churaclam Gaeilge ann ach nach mbeidh buntáiste dá laghad ann dóibh siúd a dhéanann an ceann is dúshlánaí. Cén uair a dhéanfar an cinneadh seo? Cén uair a chuirfear deireadh leis an tseafóid seo go mbeadh dhá churaclam ann agus na marcanna céanna as an gceann éasca agus a bheadh as an gceann deacair?

**Deputy Norma Foley:** Gabhaim buíochas leis an Teachta. Dúnadh le déanaí comhairliúchán leis an gComhairle Náisiúnta Curaclaim agus Measúnachta, CNCM, ar dhréacht-sonraíochtaí nua do Ghaeilge na hardteistiméireachta. Tá forbairt reatha na ndrúacht-sonraíochtaí do Ghaeilge na hardteistiméireachta mar chuid den timthriall leanúnach athbhreithnithe agus athfhorbartha curaclaim.

As the Deputy is aware, the public consultation aspect of his process recently concluded. It deals with the new draft specifications for leaving certificate Irish. The current development of draft specifications for leaving certificate Irish is part of the ongoing cycle of curriculum review and redevelopment. As the Deputy will be aware, the National Council for Curriculum and Assessment, NCCA, opened the consultation process. In response to stakeholder concerns and requests, it extended the closing date at the end of November 2021. To support stakeholder participation, the NCCA employed a wide range of consultation tools, including an online survey, bilateral and focus group meetings and written submissions. The NCCA is conducting a detailed analysis of all feedback that is received. It is hoped that an interim consultation report will be presented to the NCCA council in June. A report on early enactment of Irish at junior cycle is also due to be presented to the NCCA council shortly. I look forward to the outcomes of these processes in due course.

**Deputy Éamon Ó Cuív:** Will the Minister confirm to me tonight that in no way could we wind up in a situation whereby there would be two curricula for Irish, with one being much more difficult and challenging than the other; that the marks for both curricula will be the same; and that this would also count for the same for the points for CAO entrance? While I know that is not directly the Minister's responsibility, presumably there is co-ordination between the Minister and the Minister for Further and Higher Education, Research, Innovation and Science. This would avoid a total farce of a situation whereby there are two curricula that are totally different, with one being harder than the other and there being no advantage to doing the hard

1 February 2022

curriculum. Who would bother doing it, under those circumstances? Certainly, I would not have encouraged my children to do it when they were doing the leaving certificate, even though Irish was our home language.

**Deputy Norma Foley:** I thank the Deputy. I know that he has a particular and passionate interest in this. He have raised it on an ongoing basis with me. With all due respect, it has been raised by the Leas-Cheann Comhairle and indeed by others here. I wish to acknowledge that there has been considerable engagement via the consultation process. For example, the NCCA has received some 740 responses in the online survey, as well as 240 written submissions. In addition, the NCCA hosted 13 focus group meetings in which there were 275 participants. Some eight bilateral meetings were held, and 19 individual interviews were held with teachers. Therefore, there has been significant engagement. That engagement is important because it will inform the ultimate decision that is made. To respect that process, it is important that I allow the analysis of that feedback, as well as the varied views, I have no doubt, that have been offered. We should allow that to be completed.

**Deputy Éamon Ó Cuív:** We have to have a system that will stop all the time-wasting by the ridiculous propositions that are being put forward by bodies charged with making sensible decisions. I, therefore, think that in this case we are in an exceptional circumstance. That is why I am asking the Minister to intervene and put to bed the proposition that there would be two courses, with one harder than the other, but the same marks and credits would be given for both. I cannot believe how much money we spent on all this consultation now, on what seems to me to be one of the most utterly ridiculous propositions I have ever heard. It should have been dismissed outright from the very beginning as a non-starter.

**Deputy Pádraig O'Sullivan:** Teastaíonn uaim tacú leis an méid atá á rá ag an Teachta Ó Cuív. Ba cheart dúinn daltaí a mhealladh chun an t-ábhar a thógáil ar an leibhéal is airde gur féidir leo, seachas labhairt faoi T1 agus T2 a bheith ar chomhchéim ó thaobh pointí de. Ba cheart dúinn deireadh a chur leis an ráiméis mar gheall ar T1 agus T2 a bheith ar chomhchéim. Má chaithfimid pointí bónais a thabhairt don chaighdeán níos airde, caithfimid déileáil leis sin láithreach.

**Deputy Norma Foley:** I need to say that it is important in every sector, including in the education sector, that the widest realm of people who are involved in the process have an opportunity to put and to record their views and their thoughts. I accept the passionately and sincerely held views that have been articulated by both Deputies here. However, it is important, in the interest of fairness and the interests of the process, that all views and all shades of views would be facilitated in having their voices heard. That is exactly what this consultation process has been about, namely, facilitating similarities of views as well as dissimilarity of views. I have no doubt that there will be competing views expressed here via this process. I accept that the publication of the conclusion of this process needs to be done as a matter of priority. It will be done. However, it is important that the considered views of everybody who engaged - and the Deputies will can see that it has been a huge engagement by people - would be given due consideration.

**An Leas-Cheann Comhairle:** I would like to let Deputies know that we are approaching the end of the session. We will fit one in more question.

## **School Accommodation**

67. **Deputy Joan Collins** asked the Minister for Education the way in which she will address the issue of the lack of autism classes in Dublin 12 (details supplied). [4129/22]

**Deputy Joan Collins:** First, I welcome the fact that the autism class in St. Damien's National School was opened recently, after the Minister intervened. I know that the autism community welcomes that. I want to ask the Minister how she will address the issue of the lack of autism classes in Dublin 12. Dublin 12 does not have enough autism classes. I ask the Minister about the position in respect of Drimnagh Castle Primary School and Drimnagh Castle Secondary School, Loreto College Crumlin Road, Holy Spirit Junior Primary School, Greenhills, Marist Primary School and Scoil Úna Naofa.

**Minister of State at the Department of Education (Deputy Josepha Madigan):** I thank Deputy Joan Collins for her questions. Before I get into the specifics of Dublin 12, it is important when we are talking about special education to acknowledge the amount of significant progress that we have made. For example, since 2011, we have increased special classes by 386% in this country. This year, we have 2,118 special classes in Ireland. We also have 126 special schools.

In Dublin 12 specifically, we have 21 primary special classes, including two early intervention classes. We have six post-primary special classes, four of which are new this year. Obviously, there is ongoing engagement with schools as well. It is always open to a school to seek to open a special class through the National Council for Special Education.

One of the things that I have been doing over this year and last year is making sure that there is a streamlined approach and a targeted approach in relation to the opening of special classes. It is important to me, as the Minister of State with responsibility for special education, that no child goes without a special class. In that regard, it is important to say as well that the majority of schools in Dublin 12 the Deputy references have opened a special class. Sometimes we trigger the section 37A mechanism to compel a school to open a special class in specific circumstances, but generally most special classes are opened without the need to do that. We would always try to collaborate rather than coerce a school into opening a special class. There are grants available for this purpose. For example, there is €6,500 available to schools for furniture and general equipment if they want to open a special class. This also relates to the inclusive culture we are trying to make sure is progressed when talking about children with additional needs.

**Deputy Joan Collins:** I take on board the point that there has been a huge increase. That is very welcome and it was needed from the point of view of autistic children. However, the fact of the matter is that children in Dublin 12 are still leaving the community to go to school and there are still children with no school places. There are two special classes in Scoil Íosagáin but they are full and cannot take any more children. There is a backlog of pupils wanting to get into the autism classes in that school. We have a situation in the Assumption secondary school because the feeder school is Drimnagh primary, which has no autism classes, so these children have nowhere to go. There is a need to look at the schools again and possibly encourage them to open the autism classes because they are badly needed.

**Deputy Josepha Madigan:** We will always endeavour to open a special class in a school where the children live in the locality because we do not want them to travel unless they absolutely have to. It is in the Constitution that education is a right. That is not always possible in the locality but we will endeavour to do that. The National Council for Special Education,

1 February 2022

NCSE, did an on-site inspection in Drimnagh Castle Primary and in fairness, it has legitimate reasons for not having the classes as it does not actually have the capacity. There is land attached to the school but it is not owned by the patron. The NCSE also tells me that there is sufficient capacity for the current demand. However, the projected demand is a different matter and that is where the NCSE and the Department do a lot of work in anticipating capacity and needs in the future. Holy Spirit Senior Primary School is opening a special class in 2022-23, as is Scoil Úna Naofa. We have also opened Our Lady of Hope, which is a new special school. We opened two special schools this year but that is a new school that opened in Crumlin. It is also important to stress that all new schools built from last year on will automatically provide SEN facilities, which will be critical going into the future.

**Deputy Joan Collins:** I have been in contact with the campaign for ASD units in Dublin 12. The Minister of State has also met those parents. They are saying that parents are still coming to them saying their children have had to leave the area and there are no school places in the area. Does the Minister of State know where the boys are to go if there is no feeder into Drimnagh Castle? As I said, Scoil Íosagáin says it is full. There is a backlog of children wanting to get into the autism classes and it has no room for them. That is obviously an issue if it is feeding into that school and there is no access to it. I welcome the fact that the Holy Spirit and Scoil Úna Naofa are opening classes in 2022-23. Drimnagh Castle is quite a big campus area and there is a lot of green space around it. The land outside the castle does not belong to the school but within it there is room and there are green areas.

**Deputy Josepha Madigan:** I appreciate the Deputy's comments. As I said, that land is not owned by the school itself. I understand from the NCSE that the nearby schools will be able to meet the demand for this age cohort. Drimnagh Castle is a senior boys' primary school and I understand there is capacity and that we can meet that demand in the surrounding area. If the Deputy has specific issues she wants to discuss she can talk to me, the NCSE or the Department and I can follow up on that. Most of the special educational needs organisations, SENOs, will be engaging with families and schools to make sure there are no gaps and that no child is left without a place. I am determined, as is the Minister for Education, Deputy Foley, to ensure we have sufficient placements for all our children with additional needs throughout the country, not just in Dublin 12. We are endeavouring to do that on a daily basis.

*Written Answers are published on the Oireachtas website.*

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

### **Pigmeat Sector**

**Deputy Matt Carthy:** I welcome the fact that the Minister for Agriculture, Food and the Marine is here. It is good to see a senior Minister taking a Topical Issue matter. I hope his presence is a recognition of the importance of the pig sector and the crisis it faces. The pig sector in Ireland is a vital component of our rural economy, albeit one that is often under-recognised. Almost 10,000 jobs are directly and indirectly supported by the sector. There are 1,675 pig farms across the State, 1,108 of which have five pigs or fewer. The pig sector is the third largest agrifood sector in the country and exports of pigmeat alone were worth over €893 million in 2020. The industry is concentrated in particular parts of the country, my constituency of



Cavan-Monaghan being a prime example, and it is an integral part of the local economy in those regions. Put simply, if the pig sector is in trouble so too are those rural economies, and the sector is in big trouble. It has been hit hard by what I have heard described as a perfect storm of crises. Any one of those crises would have been a calamity but together they represent an existential threat, unless real action is forthcoming.

In the first instance, Brexit has had a devastating impact. Britain is the industry's most important export market and exports there are down 14% since Brexit. Transport costs have militated against any real prospect of sourcing alternative markets. Input costs have also gone through the roof. The cost of feeds such as barley and wheat has increased by 50% and increases in energy costs have hit hard. I spoke to one pig farmer today whose gas bill has increased from €10,000 a month to €40,000 per month, while electricity price hikes are also having a severe impact. Input costs are going up and factory prices are falling. To compound the situation, the capacity of processing plants is at a crisis point due to staff shortages. This results in delays in getting pigs to factories and every day delayed means further increased costs. If those delays result in pigs becoming out of specification there is a further cost of up to €50 per animal. In essence, we have insufficient slaughter capacity, which means farmers are paying more to feed pigs for which they receive less. There is an immediate cash flow crisis but it did not happen overnight.

Many Deputies have been raising this not only here but also in the Assembly because there is a North-South aspect to this issue. I acknowledge that the Department established a pig sector round table early last year. Clearly there has been plenty of talk about the crisis the sector is facing but action is now required because we simply cannot wait for transport costs to decrease or for the new deadline for veterinary alignment with Britain. We need action in the first instance on the staffing crisis in the processing plants. The Minister previously referenced his engagements with the Department of Enterprise, Trade and Employment regarding permits and reported progress but pig farmers are telling me they have not seen evidence of that progress. I ask the Minister to outline what is causing that delay. Can he assure us that there will be physical evidence of an increased workforce in the coming days? I also note that the Minister has engaged with banks and the Strategic Banking Corporation of Ireland, SBCI. I ask him to explain what the outcomes of that will be. Will there be increased funding to the SBCI ring-fenced for the pig sector? Will there be relaxed conditions in order that farmers who have already been denied finance by their banks will be supported? Farmers tell me they are being refused finance, especially due to the volatility, for the alleviation of which we are encouraging them to take the loans in the first place. Will the Department ensure all levies being imposed on these farmers are suspended for the duration of this crisis?

Considering the impact of Brexit, will the Government deliver direct supports via the Brexit adjustment reserve? If the reserve cannot be used for this sector at this time, it is difficult to see how any farmer will ever be able to secure funding from it.

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** I thank Deputy Carthy for raising this important and immediate issue. The continued development of the pig meat sector is a real priority for me, given the pivotal role the industry plays in the national economic context, which the Deputy outlined in terms of it being the third-largest grossing sector in the agrifood sector. It supports approximately 8,000 jobs which span production, slaughter, processing, feed manufacture and services.

Our pig farmers have always been remarkably resilient but I am acutely aware of the chal-

1 February 2022

lenges they face at present. The sector throughout the EU has faced significant challenges in 2021 including the impact of African swine fever in a number of member states and consequential loss of third-country markets. Obviously, this has had a knock-on effect on supply and prices within the Single Market.

The average price paid for pigs in Ireland has fallen in recent months, in line with trends throughout the EU. The 2021 average price was more than 8% lower than that of 2020 and as of 23 January, the average price for grade E pigs came in at €140 per 100 kg, which is more than 8% lower than the same week last year. However, this is still well above the EU average price.

At the recent AGRIFISH Council, I clearly expressed my concerns about the difficulties facing the Irish pig meat sector both in terms of the ongoing impact of increases in fuel, fertiliser and energy prices over recent times, which put margins under further significant pressure, and the sustained nature of the difficulties experienced on the pig meat market. I sought the rapid deployment by the Commission of appropriate solutions on both issues.

I recently met with farmers from the Irish Farmers Association, IFA, pig committee to discuss these concerns. Following this, the Minister of State, Deputy Heydon, and I met the main banks to discuss the current challenges in the pig meat sector and the importance of their ongoing support. The importance of the sector and its overall resilience were emphasised, as well as the importance of the banks' support to their customers through the current downturn in the business cycle. The key message was that farmers experiencing cash flow difficulties should engage with the banks as soon as possible in order to discuss options. The banks made it clear that they remain committed to supporting their customers in the period ahead.

Separately, the Minister of State, Deputy Heydon, and I met with the Strategic Banking Corporation of Ireland to discuss the Brexit impact loan scheme and the Covid-19 credit guarantee scheme, both of which are financed by the Department of Agriculture, Food and the Marine, in partnership with the Department of Enterprise, Trade and Employment. These finance schemes can be used for working capital finance and include features which address the current financial needs of pig farmers.

We are all aware of the cyclical nature of the commodity markets which for the pig sector at this time is compounded by rising input costs. Pig farmers are being squeezed at both ends. During this period, maximum flexibility of financial matters is central to ensure the ongoing viability in the pig sector. I will also shortly engage with and discuss the matter with members of the feed industry as well.

The Minister of State, Deputy Heydon, chaired the pig round table last week and had a further detailed discussion with all the stakeholders, including farm representatives, banks and the processing and feed industries on the current difficulties facing pig farmers, arising both from the lower market prices and the significant increase in input costs, which are likely to continue for at least the first half of this year.

In terms of State supports, Bord Bia outlined the significant efforts being made to promote quality-assured Irish pig meat in the domestic and export markets and Teagasc outlined the dedicated advisory supports being provided to pig farmers. My Department and I continue to monitor the market situation very closely and are examining possible measures to assist in supporting farmers through the significant market disturbance.

I deeply understand the considerable challenges faced by our pig farmers and the significant

stress they are under. I will continue to engage with them over what I know will be a challenging period ahead and seek to support them through that.

**Deputy Matt Carthy:** I saw reported in one media outlet that in 1986, what pig farmers were receiving equated to €1.40 per kilo. Today, 36 years later, they get €1.42, which puts in very stark terms the broader challenge faced by this sector, like many of our other agricultural sectors. I welcome the initiatives the Minister has taken to date, but we now require clear resolve in terms of how we can allow our farmers to get over this crisis and flourish into the future.

The Minister did not mention the issues pertaining to the workforce in the processing sector. He has outlined that 2,000 staff will come into the sector. The big question is when that will happen. It will make a difference but it needs to happen quickly.

The second point is on the SBCI. Will measures be put in place for those farmers who have already been in contact with their banks but have been shown the door in order that they have a realistic prospect of returning there? What measures has the Minister discussed with them?

The Minister spoke about what he raised at the AGRIFISH Council. Can we point to anything productive coming from that which says this will allow the situation to be resolved?

I will return to the point I made about the Brexit reserve fund. It was the story of Irish agriculture, by and large, that allowed us to be successful in making the case for the fund in the first place and for Ireland to have a significant portion of it. To date, farmers have not received any direct supports. This is a clear example of a sector that has been impacted by Brexit and would benefit from that fund. Is the Minister open to examining whether the Brexit reserve fund can be used in this instance? Will he expedite efforts to secure and deliver funding from that mechanism?

**Deputy Charlie McConalogue:** I thank Deputy Carthy for the constructive way he has raised this issue with the focus being on how we can support pig farmers at a very difficult time. I have been engaging with the Department of Enterprise, Trade and Employment and the Minister of State, Deputy English, in particular, about the workforce. We will work to try to expedite the capacity for workforce permits for the processing sector, which is very important and has been under pressure.

With regard to the SBCI and loans, I explored the option of a potential separate pig fund or a new scheme for pigs. However, from meeting with banks and the SBCI, it is clear that the Brexit loan scheme is in place and the Covid credit guarantee scheme is available and they apply to pig farmers here. They provide an 80% State-backed guarantee of the loan funding and therefore, lower interest rates and unsecured credit of up to €500,000. Those schemes are very much in place and there is no limit to the amount of funding available through them. Both of them are open for pig farmers to apply and the banks are being very clear with farmers on that. Lower interest rates and unsecured credit are provided. That support mechanism is there.

With regard to the Brexit adjustment reserve or other measures, I will explore all options. Obviously, there is the issue of state aid. Capacity for any schemes would have to be led and provided for at European level for anything of significance to be available to the sector. I will continue to raise it and engage with the Commissioner and the Commission on that. They committed to exploring it and closely monitoring the situation, but I will be raising it again. I will be in Strasbourg for the EU Council meeting this weekend and will raise it once more.

1 February 2022

Like Deputy Carthy, I am very much aware of the pressure and stress facing farmers here. Agriculture is a difficult industry, but of all the sectors within it, I often look at the pig sector and wonder at the stresses and strains associated with its cyclical nature. This is an example of a significant cyclical impact. When one is at the low end, it is very unclear when one will come out of it. I want to work with farmers to support them through this period.

## Road Projects

**Deputy David Stanton:** I thank the Ceann Comhairle's office for selecting this matter and the Minister of State, Deputy James Browne, for being here to respond to this issue regarding the N25 between Midleton and Carrigtwohill. This particular stretch of road is one of the busiest in the country. There are 30,000 vehicle movements per day on it. It is also extremely dangerous and the local authority is worried about the danger posed by this road. There are medians on it, grade junctions and residences going straight onto the road. It is bumper-to-bumper traffic at 100 km/h and 30,000 vehicles per day. That is the first point: the issue of safety and lives being put at risk. There have been a number of accidents on that road already.

The second point I want to make on why this road should be upgraded is that there is a very large industrial site on the roadway at Ballyadam that has been lying idle for the past 12 years. Amgen was to go in there 12 years ago. That did not happen. It has been lying idle for 12 years now and it is fully serviced. It is one of the few sites in the Munster region of this scale and size, but it cannot be used because the road network is totally inadequate. If you exit the site, you have to go down to Midleton to come back to Carrigtwohill. The head of IDA Ireland, Mr. Martin Shanahan, was in with us last week at the Joint Committee on Enterprise, Trade and Employment and he agreed with me this is a major problem. Therefore, there are jobs now going begging because of this road as well.

The third reason is we all know there is a housing crisis. There is a plan that has been worked on for quite a number of years and is quite advanced to build 5,000 houses in the area. That is now at risk. The Minister of State can imagine that number of houses. Transport Infrastructure Ireland, TII, has objected to planning applications that have been lodged because the road is inadequate.

We have a situation where we have a very unsafe road, we have a very large industrial site lying idle for 12 years, and we now have thousands of houses being put at risk and being objected to by TII because the Department is refusing to fund the road.

Consultants were appointed to carry out feasibility studies on this on 21 January 2020. I think Deputy Christopher O'Sullivan was the mayor at the time. A lot of work has been done. There has been €1.3 million spent on this feasibility study. That is now at risk. That is gone. By the time this comes back again, all that work might have to start again. There have been two sets of public consultations. They were about to announce the preferred route and start on the compulsory purchase order, CPO, and they were told there was no more money and to stop everything.

A total of €100 million has been expended already on the industrial site I spoke about. The Department of Housing, Local Government and Heritage has spent €4.5 million on the housing. All this is now at risk and there has been no explanation. I wrote to the Minister for Transport, Deputy Ryan, about a month ago. I did not get an acknowledgement or a response, which I am

very disappointed about.

This is extremely serious for our area. There are lives, safety, jobs and housing at risk. I would like to know why this is happening. The Minister of State has come in to address this matter and I thank him for being here. The local authority officials are completely flummoxed because they put a pile of work into this over the past four years. The county councillors are worried about it and I am very concerned about life and limb and safety on this road. There have been a number of fatal accidents on it already. Given the speed of the traffic, the way the road junctions are arranged is lethal. There will be a pile-up some evening and there will be many people killed.

This work is well advanced. A great deal of money has been spent. That money will now go to waste unless the Minister changes his mind, engages on this and allows the next phase to go ahead, which is to announce the preferred route and start the CPO process. That will not cost a whole lot of money. Let us move the project on and, eventually, maybe in four or five years' time, we might see some work there. My worry now is nothing might happen for another ten years.

**Minister of State at the Department of Justice (Deputy James Browne):** I thank Deputy Stanton for raising this important matter on the urgent need for the upgrade of the N25 national road between Midleton and Carrigwohill, County Cork. It is not the first time the Deputy has raised it. He has been raising it consistently with the Minister.

The Minister for Transport has responsibility for overall policy and Exchequer funding in relation to the national roads programme. Once funding arrangements have been put in place with Transport Infrastructure Ireland, TII, under the Roads Acts 1993-2015, and in line with the national development plan, NDP, the planning, design, improvement and upgrading of individual national roads is a matter for TII in conjunction with the local authorities concerned. TII ultimately delivers the national roads programme in line with Project Ireland 2040, the national planning framework and the national development plan.

In the new national development plan launched in October 2021, approximately €5.1 billion is earmarked for new national road projects to 2030. This funding will enable improved regional accessibility throughout the country as well as compact growth, which are key national strategic outcomes. The funding will provide for the development of numerous national road projects, including the completion of projects that are already at construction stage and those close to it, as well as the development of a number of others. The N25 Carrigwohill to Midleton project is included in the list of projects to be evaluated for potential prioritisation during the period covered by the national development plan.

Due to the fact the greater portion of the national development plan funding for road projects becomes available in the second half of the decade, there is a constraint on the funding available for new projects this year. However, most national road projects in the national development plan will continue to be progressed in 2022. Projects such as the N25 Carrigwohill to Midleton that do not have the required funding to progress this year remain part of projects for consideration in the national development plan and will be considered for funding next year.

Technical advisers have completed their assessment of the route options for the N25 project and have determined the preferred solution. Improvements to crossings over this very busy section of the N25, to enhance active travel, are being considered as part of the scheme. Given

1 February 2022

funding constraints as referred to earlier, TII was unable to provide an allocation for this project in 2022. Progression and potential prioritisation of the project to design and development of the business case for decision gate 1 under the public spending code will therefore not be possible this year. The delivery programme for the project will be kept under review for next year and considered in terms of the overall funding envelope available to TII.

**Deputy David Stanton:** I thank the Minister of State for his response. TII has written to me to tell me, “Due to limited funding available ... and the many competing demands for that funding, we are unable to provide a grant allocation to enable the project to advance in the current year”, and further details on the grant allocation process can be found in the road allocation grants, which I have looked at. This came out of the blue at the end of the year, that funding was not available. The local authority expected the funding to be made available. That did not happen.

I stress the urgency of the safety aspects of this road. If you travel on this road some evenings and some mornings, which are extremely busy, you take your life in your hands. There are cars travelling at 100 km/h bumper to bumper and there are other cars trying to get in and they cannot. The slip roads are too short. There are median junctions where people are trying to cross and there are people trying to come out of their houses onto this road. It is very dangerous.

There is no short-term solution here but I am very concerned that this is now being put on the long finger. It is said we may be considered for funding next year. That is not good enough. On top of that, we also have a site sitting there for 12 years, with which IDA Ireland states it cannot do anything, and we have thousands of houses at risk, with TII itself objecting to the housing going ahead. One half of the Administration does not seem to be talking to the other. The Department of Housing, Local Government and Heritage is promoting housing and giving local infrastructure housing activation fund, LIHAF, funding to the tune of €4.5 million, and people put in planning applications in good faith thinking this road project will happen to enable them to get onto the roadway. We also have a railway at the other end, which is very welcome. There will be a great deal of money put into it to electrify it, which is very welcome, and we have cycleways, which also might be at risk because of this.

I ask the Minister, if he is listening out there somewhere, to have another look at this and to let the project advance to the next stage. It does not cost that much to allow it to go to the next stage, but to delay it now and to stop it creates a concern, and the local authority is concerned as well, that this might be stopped indefinitely with no progress in sight. I thank the Minister of State for listening to me.

**Deputy James Browne:** I thank Deputy Stanton for raising the important issue of the funding of the N25, to upgrade it between Carrigtwohill and Midleton. In particular, the Deputy raises the important concerns around safety, employment and housing. I will certainly bring the Deputy's concerns to the Minister's attention.

As I mentioned, the N25 Carrigtwohill to Midleton project remains on the list of projects included in the national development plan. Approximately, €616 million of Exchequer capital funds have been provided to TII for national roads in 2022. In line with the national development plan and Government policy, TII is allocating national road funding to local authorities for 2022 in a manner that seeks to achieve the following key outcomes: protection and renewal of the existing national road network; progression of major projects in or near construction;

progression of major projects that are pre-construction but well advanced in the development pipeline; and prioritisation of any remaining funds for projects that provide for local bypasses and compact growth in Ireland's towns and villages.

## **Heritage Sites**

**Deputy Christopher O'Sullivan:** It is first important to describe Desmond Castle, although I will not do it justice. It is a stunning work of old architecture, a 500-year-old castle tower built by the FitzGerald family and located in the heart of historic Kinsale. Kinsale is a terrific town with so much going for it. It is a tourism destination that is well known as a foodie attraction. History is very important to the town. It has bucketloads of history and has been the site of many historic events. Desmond Castle is at the heart of everything historic in Kinsale. It is a seaside town with a rich maritime history, and this was the old customs house many hundreds of years ago. It is also known as the French Prison because it was used to house French prisoners during the Napoleonic Wars, and most recently it was a popular wine museum, until approximately four years ago. At that time, the Office of Public Works, OPW, decided to close the building and that is where the problems began. There has been structural and water damage because it has been closed. There has been no heating in the building, which has led to further damage within the structure. This stunning building of such significance is deteriorating in front of our eyes and the OPW needs to intervene.

Kinsale History Society, an active and terrific group that values the town's heritage and history, has a plan for a programme of remedial works, first and foremost, to repair the castle and prevent any further damage. Second, and this is probably the key element of the group's plan, it wants to turn this fantastic building into an interpretative centre for the famous Battle of Kinsale of 1601. This building is of such importance and would be such a good fit because it was used as a centre for the Spanish forces during that famous battle. We all know the significance of the Battle of Kinsale, a turning point in Irish history. Many historians describe it as the beginning of the end of Gaelic culture and contend it was one of the major events that led to the eventual plantation of Ulster.

I urge the Minister of State with responsibility for the OPW, and the Department of Public Expenditure and Reform, to see the value in turning the building into an interpretative centre. It would be a perfect fit for Kinsale, which is both a successful foodie and tourism town and, importantly, an historic town. We have seen the success of Charlesfort, which is one of the flagship centres of the OPW, and this would be a perfect historic complement to that. I urge the Minister of State, Deputy O'Donovan, to do everything possible to ensure action will be taken in order that Desmond Castle will be turned into an interpretative centre.

**Deputy James Browne:** I thank the Deputy for raising this important issue of the future of Desmond Castle in Kinsale, a beautiful town I have visited on a number of occasions. His passion for the heritage and culture of that part of County Cork is well known. I am taking this matter on behalf of the Minister of State with responsibility for the OPW, Deputy O'Donovan.

Desmond Castle in Kinsale, which is also known as the French Prison, is one of more than 700 national monuments throughout the country that are conserved, maintained and managed by the OPW. As the Deputy will be aware, the castle is closed at the moment for conservation works and has not been accessible to the public since the end of 2017. When it was open for visitors, it operated as a town centre seasonal site during the summer months and was managed

1 February 2022

by OPW staff in conjunction with the other major national monument site in Kinsale, namely, Charlesfort. The latter attracts approximately 100,000 visitors each year, so the importance of these locations to the local community and economy is well recognised.

Desmond Castle was built by the Earl of Desmond around the year 1500 and is a fine example of an urban tower house, with a three-storey keep and storehouses to the rear. It has had many uses over the years. It was originally built as a customs house to meet the international trade coming into Kinsale by sea. It served as a prison for some time in the 18th century and was an ordnance store supplying the local English garrison in Charlesfort during the Battle of Kinsale of 1601. It then served as a local workhouse during the Great Famine of the mid-1840s. By the early decades of the 20th century, however, the castle had fallen into decay, before it was taken over by the then Commissioners of Public Works and declared a national monument in 1938. The varied nature of its history has to some degree caused confusion about the site and why it is noteworthy. In recent times, the castle was home to an historic wine collection, and while this was an interesting exhibition and linked in to Kinsale's reputation as a food tourism location, it did not really work to copper-fasten a strong, historic context and theme for the castle.

The site is currently closed because extensive conservation works are required and the castle was considered a risk to visitors if kept open. Due to water penetration issues, the building requires a full programme of fabric repair and refurbishment works. Several surveys have been completed on the building, including a mechanical, electrical and digital survey and a full building fabric report. The works needed to deal with the water penetration issues have also been identified. This is a multi-phased and complex repair project and the OPW is now seeking to appoint an external conservation architect for the entire repair and refurbishment programme, from preliminary design to handover. Scoping documents are being prepared for the procurement and appointment of the external conservation architect. An interpretation consultant will also be brought on board to undertake the design of the public interface when all conservation works have been completed. Given the castle is a national monument, the consent of the Minister for Housing, Local Government and Heritage will be required for all repair and conservation works.

**Deputy Christopher O'Sullivan:** I thank the Minister of State for his comprehensive response, which contained a good chunk of interesting history on the castle's previous uses. I take from the reply that there is a plan to repair and conserve the building, given scoping documents are being prepared. That work should be carried out fairly rapidly because the castle has been closed for four years and people are concerned about its structure.

I reiterate the point Kinsale History Society wants me to make regarding its vision for the use of this building as an interpretative centre commemorating the world-famous Battle of Kinsale of 1601, such a famous event in both Irish and wider European history in terms of the impact it had Europe-wide. There is a fantastic opportunity here to enhance Kinsale as a tourism town and the gourmet capital of Ireland, a reputation it has rightly earned. As an incredibly attractive and historic destination, too, there is a great opportunity for us to create something in Desmond Castle with an interpretative centre on the Battle of Kinsale of 1601 to complement the already-incredible attraction of Charlesfort, which, as the Minister of State mentioned, attracts 100,000 visitors per year. Will either the Minister of State with responsibility for the OPW or departmental officials meet the Kinsale History Society to at least discuss the group's proposals for the castle?



**Deputy James Browne:** I again thank the Deputy for raising this important matter of the future of Desmond Castle in Kinsale. As I said, this is a complex project with several elements, all of which will have to come together when work starts on the site. Appointing the specialist design team is the first step in the process, which has begun. While it was anticipated the repair and conservation project would be well advanced at this stage, the impact of the pandemic on work programmes and the redirection of internal resources cannot be overstated. Work has commenced on assembling the full design team, however, and I assure the Deputy progress is being made.

As for the question on engagement, I will bring his concerns to the Minister of State, although I am sure all necessary engagements will be carried out. The OPW expects the repair works contract will be carried out by external contractors, with particular conservation elements undertaken by the OPW's skilled workforce. The target is to have the full design process under way and potentially completed by this year. The OPW appreciates the importance of the castle locally and it is not ideal that the property has remained closed to visitors. The completion of the design phase of the project was also impacted by the pandemic, as I stated, and the OPW's internal resources came under pressure. However, the OPW sees an opportunity to consider the site afresh, with a view to interpreting its varied history and bringing it to the attention of more visitors to the region. The design phase of the project, therefore, will bring a new focus on the history of the property, with the 1601 rebellion perhaps being a central theme that can be explored.

I thank Deputy Christopher O'Sullivan for raising this important matter. I will relay all of the Deputy's comments to the Minister of State with responsibility for the OPW.

### **Local Authorities**

**Deputy Catherine Connolly:** I thank the Minister of State, Deputy Browne, for standing in, although I am not sure why the relevant Minister is not here.

This is a serious issue in regard to Galway city, a city that has been designated as one of the five cities to grow its population by 50%, yet here am I, raising the matter as a Topical Issue to draw attention to the crisis in Galway. We know from councillors' reports and from press reports that there is a staff crisis. That staff crisis seems to have arisen for a number of reasons. First, there is a legacy issue and, second, there seems to be a cap, although it is difficult to actually work out whether the problem is with the Department of Public Expenditure and Reform setting a cap. Then, there seem to be management issues in regard to not extending a temporary panel.

The upshot is that we now have a situation where there is over a 10% vacancy rate in a city that has a budget of €103 million and serious plans. All councillors in the area received a presentation lately, Regenerating Galway city up to 2030, which I have with me. It sets out ambitious plans for public and private development of up to €4 billion, yet we cannot continue a service that was brilliant at collecting bulky services at a time when bringing people on board is extremely important.

Galway people have always shown the way. What do management in Galway do in a crisis? They cut the bulky service and they cut the sweeping of the city. I do not know where the problem is. I have tried to find out and I was there myself for a long time. It seems to me that,

1 February 2022

with a budget of €103 million in a city that is growing all the time, there is something seriously wrong where we have a paper report telling us this. The director of services said the council had an over-dependency on the contract system because that was the only option, but they are trying to get the Department to agree to a new headcount. He said they are having difficulty engaging with the Department and that they have been talking to them for a year and a half. I presume that is both Departments or is it just the Department of Public Expenditure and Reform? The chief executive said cuts to services were temporary and that they were in the process of recruiting general operatives.

With regard to general operatives, which must be the easiest part of the solution, there was a panel. Towards the end of January, that panel was not renewed and the general operatives who were on temporary contracts were let go. Rather than extending the panel for a particular period until we got permanent general operatives, the wise management let them go and decided to have a gap in service.

I could go on but I will not. I hope the Minister of State has a response that makes some sense as to where the solution to this problem is and the role of both Departments, the Department of Public Expenditure and Reform and the Department of Housing, Local Government and Heritage.

**Deputy James Browne:** I thank Deputy Connolly for raising the important issue of staff shortages in Galway City Council which have led to the cancellation of some essential services in the city. I would like to clarify that under section 159 of the Local Government Act 2001, the chief executive is responsible for staffing and organisational arrangements necessary for carrying out the functions of the local authority. I am aware that Galway City Council has some current staffing gaps which have been exacerbated by the impact of the Covid-19 Omicron variant. However, the number of staff unavailable due to Covid-19 is reducing. In addition, there are other staffing gaps deriving from the natural rotation of staff. I understand that active recruitment is ongoing, with a view to filling the immediate gaps in the next two weeks.

With regard to staffing numbers generally, Galway City Council staff numbers reached their lowest level at 418.5 full-time equivalents in 2015 and, since that time, there has been a managed upward trend, reaching 504.4 full-time equivalents by the end of 2020. There will continue to be gradual increases in staff numbers over the next few years to reflect the new skills required within the sector.

Local authorities will be undertaking a new strategic workforce planning exercise, which will focus on strategic priorities, deployment of current staff to deliver key priorities and the identification of skills gaps going forward which will be required to meet the strategic priorities. An ambitious local authority people strategy was launched in 2018 and sets the strategic human resources agenda for the period 2019 to 2024.

Across all schemes and funding sources, my Department provided €57.2 million in 2019 and €82 million in 2020 to Galway city. The increase year on year is due to the Covid support provided to the local government sector since the start of the pandemic. The allocation to Galway City Council from local property tax, LPT, for 2022 is €6.7 million, of which €4.3 million is for the authority's own discretionary purposes, with the remainder used to fund the provision of housing services in the city. It is relevant in this context that the elected members of Galway City Council have had the option over the past eight years to increase the LPT rate if additional income is necessary. As with all budgetary matters, such decisions are reserved functions of

councillors. In that time, Galway city has never applied any local variation to the LPT rate.

As has been the case since the outset of the Covid-19 pandemic, my Department will continue to engage regularly and constructively with the local government sector and with individual local authorities on the impacts of the pandemic.

**Deputy Catherine Connolly:** I am not sure which Department the Minister of State is representing.

**Deputy James Browne:** I am representing the Department of Housing, Local Government and Heritage.

**Deputy Catherine Connolly:** Perhaps the Department of Public Expenditure and Reform should be here. There is something seriously wrong when we get an answer that they have not increased or decreased the property tax. That is an unacceptable answer. What we have is management, the CEO, who is on a substantial salary, and the director telling us they need approval if they are going to take on new staff. There is a simple and straight answer to that. If the Minister of State is not able to give it, he should just tell us that.

When I get an answer like this, I point out that I spent 17 years on the council and know exactly what powers local authorities have. We have a city manager saying the city council does not have the approval of the Department, or at least the director of services is saying that. We then have a practical matter like a panel for general operatives that was not extended so we could have avoided this break in service. One of the answers given was that they need the approval of the Department even for an addition to the employment of general operatives. I find that very hard to accept because I understand it is only above a certain grade and a certain salary that they need the approval of the Department. Will the Minister of State clarify that for me tonight? Does the city council need the approval of either Department in regard to extending a panel for general operatives so there is no gap in services or taking on extra general operatives or both? Does that need the approval of the Department?

Generally, does the Minister of State think it is acceptable for a city like Galway, destined to be the city on the western side that will balance the development of Dublin, which is out of control, to be struggling to provide basic services, something as basic as the collection of a bulky service which the people of Galway have come to use and trust? Is that acceptable? How are we going to tease this out? We have this presentation from the management in regard to the amount of duties and obligations they have and the staff they need. We then have an answer like this from the Department. Something is seriously amiss.

**Deputy James Browne:** Unfortunately, I do not have a specific answer on the need for approval by a Department in regard to extending panels or hiring specific staff, but I will bring that to the attention of the Minister for Housing, Local Government and Heritage and endeavour to get an answer for the Deputy.

I will finish with an important point which, bearing in mind the concerns raised, puts the situation into context. Since the onset of the Covid-19 pandemic has presented challenges to local authorities in respect of the delivery of services, in recent weeks, in line with trends among the general population, local authorities have experienced heightened disruption due to the transmissibility of the Covid-19 Omicron variant, meaning that a number of staff were unavailable for work. With the ongoing return to the Galway City Council workforce of staff affected by Covid-19 and new staff taking up duty in the impacted departments of the council shortly,

1 February 2022

the temporary disruption to two services out of the significant range of services provided by the council will be resolved in the coming days.

Cuireadh an Dáil ar athló ag 11 p.m. go dtí 9.12 a.m., Dé Céadaoin, an 2 Feabhra 2022.

The Dáil adjourned at 11 p.m. until 9.12 a.m. on Wednesday, 2 February 2022.