



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

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# DÁIL ÉIREANN

*Déardaoin, 7 Aibreán 2022*

*Thursday, 7 April 2022*

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

*Paidir.*

*Prayer.*

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## Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

### Trade Agreements

1. **Deputy Louise O'Reilly** asked the Tánaiste and Minister for Enterprise, Trade and Employment the policy of his Department regarding trade agreements and trade missions to countries that have been found to be in gross violation of human rights. [18637/22]

**Deputy Louise O'Reilly:** The question is fairly straightforward. It is similar to a question I put to the Tánaiste on 30 July when I asked whether the State has a trade-at-any-cost position. I ask the Tánaiste for an update on the policy of the Department with regard to trade agreements and trade missions to countries that have been found in gross violation of human rights.

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** The promotion and protection of human rights is a foreign policy priority for the Government. We consistently raise our concerns on human rights through the most effective and appropriate channels, including bilaterally, particularly through our mission network.

The Deputy will be aware that international trade is a competence vested in the European Commission under the EU treaties, whereby the Union's negotiating strength is as a bloc of 27 member states representing some 450 million citizens. This ensures that actions, decisions and negotiations conducted by the Commission on behalf of the member states are more impactful than unilateral action by a single member state.

The EU's network of bilateral trade agreements also provides a platform for us to engage with our partners on sustainable development issues, including human rights, the environment, labour standards and trade and gender. Ireland supports the broader positive EU approach to ensure that there are strong and ambitious chapters on trade and sustainable development in free trade agreements, as part of the EU's value-based trade policy, which are consistent with international legal commitments and standards.

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Ireland continues to support the EU in its efforts in implementing a more assertive approach to the implementation of trade and sustainable development chapters of free trade agreements, which reflects our commitment to values-based trade.

The approach was emphasised in last year's EU trade policy review that Ireland endorsed. The review recognised that progress on trade and sustainability issues, including human rights, will also depend on the actions of our global partners and that trade offers a valuable conduit by which to positively influence such actions.

As a small, open economy, I am sure everyone in the House will agree that Ireland benefits immensely from our export-orientated enterprises trading across the globe. Therefore, we fully support balanced international trade and the suite of EU free trade agreements that seek to underpin this. In tandem, the primary focus of all trade missions and associated meetings is to maximise opportunities to help Irish companies to access new markets and to increase the levels of foreign direct investment into Ireland.

**Deputy Louise O'Reilly:** I thank the Tánaiste. On 30 July the Tánaiste told me the Department pursues free trade and open market policies but these policies are subordinate to Ireland's responsibility to prevent the proliferation of weapons of mass destruction, to promote regional stability and to promote and protect human rights. It is similar to the response the Tánaiste has given now. It outlines that we implement the trade elements of EU sanctions, formerly known as restrictive measures, and this is welcome. In the Russian war of aggression against Ukraine we see the value of sanctions and the value of increasing them. Advancing human rights should always be a cornerstone of our foreign policy and trade policy. How can the Tánaiste stand over trade missions such as the one he led with Enterprise Ireland to Saudi Arabia and the United Arab Emirates last November? Time and again we have seen instances of mass executions in Saudi Arabia, such as those executions carried out in March when 81 men were executed on charges such as disrupting the social fabric and national cohesion and participating in and inciting sit-ins and protests. Amnesty International has stated these acts are protected by the rights to freedom of expression, peaceful assembly and association. How can the Tánaiste stand over this?

**Deputy Leo Varadkar:** The way we structure free trade and our trade relations is on a number of tiers. We have the European Union, which is a free trade area of which we are part. It is a single market with unrestricted trade. There is a series of countries with which we have free trade agreements. Very often in these agreements there are chapters on human rights, trade and labour rights. There are the countries that fall under the WTO rules with most favoured nation status. Then there are countries against which there are sanctions. These sanctions are imposed at European level and include cases such as Russia, Venezuela and others. Of course we adhere to these sanctions. If there are sanctions, Ireland adheres to them. It is fair to say we will not be seeing trade missions to somewhere such as Russia any time soon. We have removed our Enterprise Ireland offices from there.

I do not agree with the death penalty. I voted in a referendum to prohibit it in our Constitution. I disagree with the fact that Saudi Arabia carried out those executions. It is not the only country that has the death penalty. I am pretty sure the US has probably executed more people than Saudi Arabia in recent years. I may be wrong about that but it does have a death penalty and uses it regularly. The Deputy's party leader and her party regularly go to the United States for engagements with people there, including politicians who support the death penalty. China does the same as does India. I do not support the death penalty but if we were to get to the

point where we did not engage in trade or trade missions with countries that did, we would be knocking our biggest trading partners, including the US and China, off the list. I do not think that would be a good idea.

**Deputy Louise O'Reilly:** I do not know that I would draw the same equivalence between Saudi Arabia and the United States as the Tánaiste has done. That is fair enough; that is his opinion. I am referring to what Amnesty described as acts that are protected by the rights to freedom of expression, peaceful assembly and association, in other words gross violation of human rights. I refer specifically to the trade mission the Tánaiste himself led. I am concerned about the message it sends. I understand from media reports the Tánaiste said he raised concerns when he was there but not to the extent it was written down or recorded at any of the meetings. I find this to be somewhat disturbing but I am sure the Tánaiste can put on the record of the House when it was done. We saw gross violations of human rights and then immediately following the deputy head of government led a trade mission. That sends a very poor message. Previously I asked the Tánaiste whether the Department pursues a trade-at-any-cost type of policy. I would be grateful if the Tánaiste confirms it does not. I hope it does not but when we see trade missions to places such as Saudi Arabia, and we know its involvement in Yemen, and when we see the State still trades with Israel with regard to goods from the occupied territories we need to send out a very strong message and I do not think it is being done at present.

**Deputy Leo Varadkar:** Of course we do not pursue a trade-at-any-cost policy. Part of my job and the job of the Minister for Finance is to sign off on sanctions. Regularly on my desk are statutory instruments that impose trade sanctions and investment sanctions on various countries. The Deputy would not always have been the most supportive of them, quite frankly, such as those we introduced against Russia in 2014 after its illegal invasion and occupation of Crimea. The Deputy would not be particularly supportive of the trade sanctions against Venezuela where democracy has been ended. I hope the Deputy can confirm that she does support the sanctions against Venezuela.

The Deputy misrepresented what I said on the death penalty. Obviously there is not an equivalence between the US and Saudi Arabia in this regard. We see plenty of human rights reports about the use of the death penalty in the United States, which is wrong. I would like to know whether the Deputy's party leader and party raise it on trips to the United States and whether she has documentary evidence of this. The truth is that most non-democratic governments in the world do not have very good human rights records. This applies to China, the Middle East, Palestine, many Arab countries and a lot of Africa. If it is Sinn Féin's policy that we should not do trade missions to those parts of the world it should say so because people whose jobs and businesses may be jeopardised need to know.

**An Leas-Cheann Comhairle:** Let us get back on track here. Every side has gone over time. We are going back to the time limits, unfortunately.

## **Energy Prices**

2. **Deputy Noel Greally** asked the Tánaiste and Minister for Enterprise, Trade and Employment the measures he is planning to introduce to address the impact of rising energy prices on businesses; and if he will make a statement on the matter. [18813/22]

**An Leas-Cheann Comhairle:** Deputy Naughten will be introducing this question.

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**Deputy Denis Naughten:** I thank the Leas-Cheann Comhairle for facilitating me. Focus has rightly been on families struggling with rising energy costs, which are causing serious financial hardship, but these costs are also putting great financial pressure on many businesses with regard to operational costs, transport costs and wage pressures. What active and immediate actions is the Government going to take to ease the energy cost pressures facing businesses?

**Deputy Leo Varadkar:** The invasion of Ukraine has exacerbated the inflationary pressures that Ireland and other economies were already experiencing in the wake of the supply chain disruptions brought about as a result of the pandemic. The war and the necessary introduction of sanctions against Russia is also disrupting supply chains and leading to large rises in international prices for energy, food and other commodities. The Government recognises the additional challenge these rising prices represent for households and businesses as many are still trying to recover from the effects of the Covid-19 pandemic. Ireland imports over 70% of the energy we use and the Government cannot fully insulate individuals and businesses from developments in international energy markets that are outside of our control. However, the Government has already implemented several measures to help to reduce the impact of energy price rises on enterprises and households. These include temporary reductions in excise duties charged of 20 cent per litre of petrol and 15 cent per litre of diesel. This has been of significant benefit to businesses as well as householders. We have also introduced a 2 cent per litre reduction in the excise duty levied on marked gas oil or green diesel. The estimated cost of these measures to benefit households, businesses and farmers is approximately €320 million. For hauliers, a temporary grant scheme will provide a payment of €100 per week to help mitigate the impacts of the rising price of fuel. This scheme will operate for a period of eight weeks and is valued at €18 million. There has also been a temporary targeted intervention package for the tillage sector to the value of €12.2 million in response to the impact on the agrifood sector.

My Department is working with the Department of the Environment, Climate and Communications in leading consultations with industry to learn about the specific impacts of higher costs on Irish businesses and to hear their concerns and perspectives on the appropriate and most effective tools for policy action. This follows on from a recent meeting of the enterprise forum that I convened to hear at first hand how the war in Ukraine is affecting businesses in Ireland. The three main issues raised at that meeting were the difficulties in supply chains in Europe and around the world, recent increases in the cost of raw materials and foodstuffs, and energy security and prices.

**Deputy Denis Naughten:** The Tánaiste will recall that we had very detailed conversation and debates on these specific issues back in 2017 and 2018. At the time, I pointed out that energy costs have a far higher impact on inflation in Ireland than anywhere else in the EU. This is partly a result of the subsidies to the cost of green electricity, grid connections and back-up supplies provided to existing and speculatively planned data centres, which result in no substantial employment dividend here in Ireland. As the Tánaiste will know, the Government took a decision in 2018 to stop this practice of subsidising speculative developers in respect of the electricity going into data centres. When is that going to be implemented by the Government?

**Deputy Leo Varadkar:** It is true that energy costs have greater impacts on business in Ireland. That is partly as a result of our geography. We are an island on the edge of Europe and things have to be brought here by boat and by plane before being put on trucks and trains to be transported further. It is also partly down to the way our population is distributed. Responsibility for the area of data centres falls to the Minister, Deputy Eamon Ryan. I could be wrong but my understanding is that the decision in question has been implemented. A number of months

ago, the Commission for Regulation for Utilities, CRU, heavily restricted the connection of new data centres, particularly in the Dublin area but also in all other parts of the country. I might not be 100% fully up to date on that. I am not sure that measure will have a significant impact on energy prices in itself. Data centres use approximately 10% of our electricity. From some of the commentary, you would think it was more. However, we believed the share they were using was increasing too fast and that is why those restrictions were brought in.

**Deputy Denis Naughten:** The responsibility lies with the Tánaiste's Department. It was his Department that published the report back in 2018. The reality is that we are subsidising the cost of electricity for a sector that will account for 50% of all demand by 2030.

With regard to the public service obligation, PSO, levy, the Government announced earlier this week with some fanfare that, next October, the PSO levy will be reduced to zero or that people will actually get a rebate on it. The Government has given the impression that this is something new and positive but, in fact, it is not. This measure adheres to the rules for the PSO levy because the levy was set last summer based on projected electricity costs for the following 12 months. Rather than this sleight of hand and the suggestion that this announcement represents something new and innovative, will the Tánaiste pause the PSO levy today and stop additional charges being accrued until people start getting rebates next September and October?

**Deputy Leo Varadkar:** My understanding of the operation of the PSO levy is that it is there to subsidise renewable energy and energy produced from peat. Given that the price of producing energy is now so high, it is no longer necessary. That is why it will be got rid of or become a negative levy towards the end of the year. I do not know how the timing of that works. I would have to talk to the Minister, Deputy Eamon Ryan, about that.

With regard to the data centre report, the Deputy is absolutely correct. I stand corrected on that. We are reviewing the role of data centres in enterprise policy. That review will be complete by the end of this quarter. We have engaged with EirGrid, the ESB, the CRU and the data centre sector as well as the Industrial Development Authority and Enterprise Ireland. A working group met on this issue on 21 March. The group produced a draft template guide for the revised policy and set out a work programme under which the group will draft the final revised policy statement.

## **Trade Unions**

3. **Deputy Louise O'Reilly** asked the Tánaiste and Minister for Enterprise, Trade and Employment his views on collective bargaining rights for trade unions in order to secure better pay and conditions for workers in view of his comments earlier in 2022 that workers deserve a pay rise. [18638/22]

**Deputy Louise O'Reilly:** This question is fairly straightforward. There are what could be called mixed messages from the Government. On the one hand, the Tánaiste himself is saying that workers need a pay rise but, on the other, the Head of Government is preaching wage restraint. What is the Tánaiste's view on collective bargaining rights for trade unions to allow them to secure better pay and conditions for workers in view of the comments he has made and the contradictory comments of the Taoiseach?

**Deputy Leo Varadkar:** I thank the Deputy. I have a very clear view on this. I believe there

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should be pay rises. I do not say that lightly. I say that as somebody who signed off on a 3% increase in the minimum wage only a few months ago. The Minister of State, Deputy English, has also signed off on pay increases in various different sectors. Indeed, the Government has a pay deal with our own employees, public servants, to increase pay. There are two modest pay increases this year and there may well be more. However, I also believe, as does the Taoiseach, that it is a mistake to think that pay rises will solve the problem of inflation. Pay rises will not bring down the cost of living. In fact, some pay rises may even further increase the cost of living because many businesses will have to fund those pay rises by increasing what they charge their customers for goods and services. We want pay rises but not pay rises that contribute to inflation and make the situation worse. That is why we have to look at these things in the round. I refer to pay policy, what we do in terms of tax and welfare, which is another way to increase people's disposable incomes, and what we do to reduce the cost of living with regard to things like childcare, rent, healthcare and education. My concern is that we are not looking at these matters in the round and that the issue is being approached in a piecemeal manner. That is why we are engaging with employers and unions through the Labour Employer Economic Forum, LEEF, next week and talking about how we might be able to put a bit of order on this so that people do not see any pay increases swallowed up by the highest rate of tax or rising prices. That would not be to anyone's advantage.

On collective bargaining, as the Deputy knows, our system is a voluntary State system in which the State does not seek to impose a solution on the parties to a dispute but will, where appropriate, assist them in arriving at a solution. This approach has served us well for many years. Our Constitution guarantees people the right to freedom of association, that is, the right to join a trade union or any other organisation they want to. However, it does not force people to associate if they do not wish to. That is an appropriate approach.

**Deputy Louise O'Reilly:** Along with members of Viktor Orbán's Government in Hungary, the Austrian Government and a few others, the Tánaiste is a co-signatory to a letter to the Commission seeking to water down the provisions of a draft directive aimed at ensuring that at least 70% of workers are covered by collective bargaining agreements. I may have some difficulties with how the directive is written myself but I certainly would not seek to undermine it or water it down in any way, shape or form. My question was specifically on creating the conditions for trade unions to be able to bargain collectively for their members, and indeed, for trade union recognition and trade union rights. I tend to agree with Gerry McCormack of SIPTU who, when describing the three parties in government, was very clear about it and about their attitude. He stated: "The three parties in government have a track record of supporting employer's interests above those of workers". Naturally, workers are concerned. Specifically, in relation to collective bargaining, what are the Government's plans?

**Deputy Leo Varadkar:** The Deputy is referring to a particular EU directive relating to both the minimum wage and collective bargaining. She was a bit selective in the countries she mentioned. The Deputy is correct to state that Austria and Hungary signed it, but so did most of the Nordic countries. Those countries are, in many ways, the exemplars in terms of labour rights, at least for people on the left, but the Deputy conveniently left them off her list. We are now happy with what is proposed by the European Union in that regard, because the concerns that we had have been allayed.

In relation to collective bargaining, I have established a high-level group under the auspices of the LEEF to examine the industrial relations landscape in Ireland. I met the independent chair of the group last month, who briefed me in detail on the important work being undertaken

by its members, who are currently considering the adequacy of the existing workplace relations framework. It is in need of reform if we are going to move towards that target of 70% of people being covered by collective bargaining in some way. I expect to bring a final report to Government later this year as to how we can implement the recommendations. I am very keen that we should have agreement on this report from both the employers and the unions. That is the way it will work best. If we force people to associate, we will not get agreement.

**Deputy Louise O'Reilly:** I think the best way to do it is to create the conditions for workers to organise. That involves recognition and protection for those who are seeking to bargain collectively on behalf of their members. I have stated previously that the best way for any worker to secure a pay rise is not just to join a trade union, but to be active in his or her trade union. Is it the Tánaiste's intention to move ahead with collective bargaining rights, or is he going to wait for the directive to be transposed? We have a unique opportunity now, post pandemic. As we move out of the emergency phase of the pandemic, many workers are now looking at their situation. Now would be a unique time in the history of the State for workers to get organised and to bargain for pay rises that are vitally necessary. Is it the Tánaiste's intention to wait, or will he be moving ahead with legislation to recognise and grant collective bargaining rights?

**Deputy Leo Varadkar:** If we can get agreement on the report and its recommendations from the unions and the major employers, I would not feel the need to wait for the directive. If we cannot get agreement, it probably makes sense to wait on the directive. I should say that we are introducing five new workers' rights this year, including the new public holiday which has now been passed into law. We are going to introduce legislation on statutory sick pay in the Dáil today. We are still working on the right to request remote working, which requires some work. We have enacted the new redundancy rights for people who were laid off during the pandemic. I will sign the statutory instruments on that quite soon and the scheme will be up and running. We have also got legislation to better protect workplace tips. That legislation has passed through the Seanad. It may well be that a sixth and seventh new workers' right will be introduced this year, one in relation to collective bargaining and another in relation to living wage, but both of those are works in progress.

*Question No. 4 replied to with Written Answers.*

## **Departmental Reviews**

5. **Deputy Catherine Connolly** asked the Tánaiste and Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 90 of 10 February 2022, the status of the work to revise the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy; and if he will make a statement on the matter. [18723/22]

**Deputy Catherine Connolly:** My question is specific and straight. I am asking for an update on the status of the work to review the Government statement on the role of data centres in Ireland's Enterprise Strategy.

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Damien English):** I thank Deputy Connolly for raising this issue. As I am aware that she raised it in the autumn as well, it is timely to provide the Deputy with an update. The Climate Action Plan 2021 requires my Department to review the Government statement on the role of data centres in enterprise policy, ensuring alignment with revised renewable electricity targets and

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sectoral emissions ceilings. The revised statement will set out the existing policy context and reflect the important economic and societal role of data services that became ever more apparent since the onset of the Covid-19 pandemic and remote working. Data centres securely store and manage the data which keep much of our information-based economy and society moving. These investments underpin the digital economy in which data are the key asset. However, the revised statement will also seek to ensure that demand for data centre development can be managed prudently and assist in the decarbonisation of our electricity system and deliver regional economic opportunities. It will take account of recent public consultations from EirGrid, including Shaping Our Electricity Future, and the consultation paper by the Commission for Regulation of Utilities on a proposed direction to the system operators related to data centre grid connections, which demonstrate an appropriate, timely and planned approach to managing these challenges on the part of the organisations tasked with delivering and managing our electricity grid.

As to the status of work to revise the statement, a working group of key stakeholders has been established and held its first meeting recently in mid-March. As well as my own Department, the organisations represented were the Departments of the Environment, Climate and Communications, the Taoiseach and Public Expenditure and Reform, EirGrid, ESB Networks, the Commission for Regulation of Utilities, IDA Ireland and Enterprise Ireland. Further meetings of the working group will take place over the coming months to develop the revised statement for its consideration by Government and finalisation and publication. That is on track to be completed in quarter 2 of this year.

**Deputy Catherine Connolly:** I tabled a series a of questions and generally the Tánaiste has answered me. There was hope, a deadline and a recognition that we need a strategy. That seems to be gone with this reply. It seems to be gone to never-never land. I do not have time here to go through the latest report of the Intergovernmental Panel on Climate Change that was mentioned yesterday in the Dáil. It is the final turning point. We are talking about a Government policy statement that did not consider climate and the effect of data centres on the environment whatsoever. We got a thumbs up from Grant Thornton in the analysis, which I have read in detail, which did not look at the cost to the climate and the environment as a result of the proliferation of data centres. There were more than 70 of them at the last count. According to the EirGrid consultation paper of March 2021, the current developer-led approach, where energy assets and large energy users can locate wherever they want, would not allow Ireland to reach its 2030 renewable targets.

**Deputy Damien English:** I am sorry the Deputy thinks that the Government is putting it on the never-never. To be clear, the Tánaiste responded to the Deputy in the autumn and told her that the report would be published and an updated statement provided by quarter 1 of 2022. It has slipped into quarter 2. We accept that there has been a delay with it. However, in our view, that means that the work is being done right. An updated statement will be published in quarter 2. The reason that it is being updated is because the previous statement was published in 2018, predating the Climate Action Plan 2021. That is why we are updating it. We are updating it to recognise all the issues that the Deputy has highlighted and to ensure that we are aligning enterprise policy with our climate targets.

Also, when it comes to the discussion of data centres, we need to have a detailed conversation on their role in society and the benefits they bring. The role of data centres in the economy should be assessed in the context of the total economic value they provide, and not just as an isolated economic activity. The important economic and societal role of data centres in the

provision of video calls, streaming services and other remote working technology has become ever more apparent since Covid-19. Data centres securely store and manage the data in a very effective way and in most cases, in a very energy-efficient way. They keep most of our information-based economy and society moving. These investments underpin the digital economy in which data are the key asset. To be clear, data centres are an increasingly important part of the digital and communication sectors and our core infrastructure in the remote working and digital service economy. The transition to a digital economy is well under way. It is impacting all sectors of the economy. Ireland is well positioned as a digital gateway to Europe. Data centres and the service they provide act as a hook for further investment and job creation. To be clear, each data centre generally directly employs between 30 and 50 highly-qualified workers. Also, the overall impact that they have is the provision of 20,000 direct jobs in the economy supporting the companies that are here and involved in the infrastructure.

**Deputy Catherine Connolly:** The Government is not proactively reviewing this policy. It is reviewing it now because of outrage over the lack of analysis in relation to the damage done by data centres. I fully accept that we need data centres and that they are part of the modern economy. What I do not accept is the thumbs up that was given in 2018, three years after we passed a climate action plan and one year before we declared a climate and biodiversity emergency. My difficulty is with the type of analysis that was done by Grant Thornton at the time. I do not blame Grant Thornton. It did what it was asked, but the analysis took no cognisance of what was happening in relation to the emergency. That is my difficulty. No cognisance has been taken of what has been said by EirGrid in relation to the developer-led approach of data centres, and no cognisance has been taken of the fact that this week, the Intergovernmental Panel on Climate Change has told us that we have no choice but to take action. That is my difficulty. When exactly will we have the new strategy?

**Deputy Damien English:** Maybe I have to say it for the third time. It is quarter 2 that is the target.

**Deputy Catherine Connolly:** We are in quarter 2.

**Deputy Damien English:** I think the Deputy is being a bit unfair here. She keeps referring back to a statement from 2018. We have already committed, and it is an action in the climate action plan, to review that policy and to update it. That work has begun. It will involve all of the conversations the Deputy has just touched on and all of the reasons to recognise where we are in respect of the climate change and climate adaptation measures, but also to recognise the importance of data centres in this country and how we can balance the two. That is what the report will do. The updated statement is due in quarter 2. I think we are on the same page here. Referencing what happened before 2018 is not where this report is at. This report is updating that policy so we should be able to achieve what the Deputy wants to achieve.

I am glad the Deputy recognises the importance of data centres. We have to recognise that the providers of data centres have ambitions in regard to green energy well beyond the Government's. They intend to be at 100% by 2025 and we want to work with them on that. It is a major sector in this country but it is also a major sector for our construction partners who are involved in this business all over the world and are having a major impact for Ireland. It is an area of high expertise for us, it is one that we excel in and we want to continue to do that, but in a climate-friendly way.

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## **Ceisteanna Eile - Other Questions**

### **Small and Medium Enterprises**

6. **Deputy Cormac Devlin** asked the Tánaiste and Minister for Enterprise, Trade and Employment the status of the implementation of the recommendations of the SME task force; and if he will make a statement on the matter. [18664/22]

**Acting Chairman (Deputy John Lahart):** Question No. 6 is being introduced by Deputy Lawless.

**Deputy James Lawless:** This question is on the implications of the recommendations of the small and medium enterprise task force and I ask the Tánaiste or one of his team to update me on the matter.

**Deputy Damien English:** An SME growth task force of entrepreneurs, business leaders and other stakeholders was established in September 2020 by the Tánaiste to fulfil the commitment made in the programme for Government to draw up an ambitious long-term strategic blueprint for SMEs and entrepreneurs beyond Covid-19. Between September and December 2020, the SME task force, which was assisted by four dedicated subgroups, developed a range of recommendations to build a better business and regulatory environment for our SMEs and entrepreneurs. This work was informed by the comprehensive OECD review of SME and entrepreneurship policy in Ireland of 2019, which provided a hugely informative, objective and deeply-researched evidence base on the challenges and opportunities for the SME and entrepreneurship sector in Ireland. The work of the SME task force resulted in the delivery of the SME and entrepreneurship growth plan in December 2020, which was subsequently published in January 2021.

To ensure that the substance and vision of the growth plan continued to move forward, and to facilitate further detailed analysis of its recommendations, an SME and entrepreneurship implementation group was established in early February 2021. I, along with the Minister of State with responsibility for trade promotion, digital and company regulation, Deputy Troy, chaired the implementation group on behalf of the Tánaiste. The implementation group met on six occasions between February and September last year to discuss progress on thematic areas arising from the recommendations in the SME and entrepreneurship growth plan. As part of these sessions, the implementation group invited participation from Departments and Government agencies responsible for delivery of specific actions to talk us through their plans of action.

This engagement resulted in the identification of ten priority areas where the implementation group felt that significant progress can be made in the shorter term. This list of priorities was discussed in further detail at a specially convened meeting of the SME task force last autumn. These priority areas relate to the following: access to finance; digital transformation; increasing first-time exporters; enhanced assistance for high-potential businesses; clustering and networks; SME management skills; reducing the regulatory burden on SMEs; delivery of a single portal for business information and assistance; ensuring comprehensive enterprise agency coverage for SMEs; and increased SME participation in public procurement.

**Deputy James Lawless:** I am standing in for Deputy Devlin, who is as láthair at the moment with Covid, unfortunately.

One of the items that was reviewed in the report was the export credit insurance scheme, and it is one I am particularly interested in. I believe that one of the deliverables of the task force is to look at ways to motivate the export journey for SMEs. I know the local enterprise centres have always had a focus on export growth as an opportunity for SMEs. However, there is an issue about the export credit insurance scheme. It was planned to monitor, improve and review that over the last year and going forward. However, I am not sure how that is going and I know some concerns have been raised within the industry. The Minister of State might update the House on the progress in that regard.

The Minister of State mentioned the high-performance small companies scheme. There is great opportunity within that for incubators. I know the MERITS hub in Naas in my own constituency has a lot of hot-desking and innovation and that is replicated around the country. I would be very interested in having supports for those types of activities as well.

**Deputy Damien English:** I will work backwards on the two questions. On the MERITS hub, I totally agree with the Deputy. It is a fabulous investment and I have been on that site twice at this stage. I am glad it featured in the 2019 regional enterprise plan that was launched next door to it in Kildare by the Minister, Deputy Humphreys. The new updated regional enterprise plan for the mid-east region is again focused on the importance of MERITS and benefiting from the investment in that. The Deputy will recall that additional money was allocated to the MERITS project over the last year to make sure that we completed and continued the work that is going on there. There is a great team involved in that. It is not just about serving the county of Kildare but serving the region. We are very much committed to that as a Government and as a Department, and we will work with all involved on that because there are key people involved.

The new Enterprise Ireland strategy that was launched a few months ago details the importance of developing more high potential start-ups but also an increase of 20% in the number of companies that are exporting for the first time. That was driven by the SME task force and we will continue to work with Enterprise Ireland to develop that.

There was one other question.

**Acting Chairman (Deputy John Lahart):** The Minister of State can come back to that in the second reply. I call Deputy Lawless.

**Deputy James Lawless:** Perhaps we can talk about export credit insurance on the second round.

I acknowledge the Minister of State's and the Government's support for the MERITS hub, along with others around the country. It is a particularly strong centre. It is quite a new development and received very strong support from Kildare County Council when it was launched. I want to credit Joe O'Carroll and all of the team who run the operation there. I visited it myself on a number of occasions when it was getting going. Now that is up and running and post Covid, there is a huge opportunity given that more people will work outside of the large towns and cities. These kinds of co-working innovation centres are even more important now than they ever were. I thank the Minister of State and the Government for their commitment to that. As the House is aware the Minister, Deputy Humphreys, visited not long ago. As I said, there is a great team at work there and it is a model that could be replicated elsewhere.

In his second response, the Minister of State might take the opportunity to update us on the

export credit insurance scheme.

**Deputy Damien English:** That is one I forgot to mention. There has been a review of the export credit insurance scheme under way in the Department for the last year and a half and that report is complete. While I have not had a chance to go through it yet, I believe it is either on my desk or on the way to my desk. It comes under the “access to finance” element of the SME task force. It is something we took a very serious look at because there is a strong case to be made for it but we also have a poor history in that regard, so we wanted to work through it to see if we can benefit Irish exporters by doing that. When I have a chance to look through that report, I will be happy to have a discussion with the Deputy on it in the House. It is something that I, the Minister of State, Deputy Troy, and the Tánaiste are very focused on. If it is worthwhile and if it is of benefit to Ireland, it is certainly something we will bring through under the SME task force.

### Enterprise Policy

7. **Deputy Jennifer Murnane O’Connor** asked the Tánaiste and Minister for Enterprise, Trade and Employment if he will report on the south-east regional enterprise plan; and if he will make a statement on the matter. [18808/22]

**Deputy Jennifer Murnane O’Connor:** I seek a report on the south-east regional enterprise plan launched in March.

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Robert Troy):** Regional enterprise development and sustainable local job creation continues to be a key policy priority of mine and this Government. Throughout 2021, my Department has overseen the development of nine new regional enterprise plans to 2024, including for the south east, which covers County Carlow. A key feature and strength of the regional enterprise plans is that they are developed using a bottom-up approach, which is developed by regional stakeholders who are keenly aware of the growth opportunities and vulnerabilities in their region and of the benefits of working collaboratively. Stakeholder consultation sessions attracted attendees from across industry and the public sector and higher education sectors from within the region. The sessions highlighted the high level of collaboration and ambition that exists within the region, with a strong sense of optimism prevalent despite some regional challenges.

I was pleased to launch the south-east plan in Wexford on 24 March. The new plan contains five strategic objectives and related actions to be delivered by the end of 2024 and my officials are engaging with the regional chairpersons and programme managers as implementation commences. The plan’s strategic objectives are as follows: start and grow, that is, encouraging entrepreneurship and enhancing the region’s start-up ecosystem; green growth, namely, ensuring that the green economy becomes an engine for future job creation and economic growth in the region; smart specialisation and clustering, that is, the principles of smart specialisation and clustering are critical for the region to create a resilient, inclusive, sustainable and competitive economy; innovate, that is, building on our existing research and development capacity to place innovation at the heart of the south-east economy; and placemaking, namely, developing a region that is attractive to both domestic and international visitors and communicating the benefits of living and working in the south-east, which is something the Deputy does on regular occasions.

**Deputy Jennifer Murnane O'Connor:** It is great that we are intent on developing and implementing collaborative and innovation enterprise projects in the region to support sustainable jobs. This is considerably important for Carlow and Kilkenny, especially in the context of the technological university, TU, for the south east. The creation of the TU will significantly enhance progress towards both national and regional priorities for the area, especially in the areas of access to higher education, research-informed teaching and learning, supporting enterprise and enhancing the regional development. For us to encourage entrepreneurship, start-ups and the green economy, principles of smart specialisation and clustering innovation and communicate the benefits of living and working in the south east, we must all work together.

To move to the implementation stage, we must build on the core activity of IDA Ireland, Enterprise Ireland and the local enterprise offices, LEOs. Does the Minister of State have any update on them? The south east struggles to compete in the national funding programmes, such as those provided by Science Foundation Ireland, SFI, and so on, which means we are a bit behind. We seem that bit weaker. Is there an update on that?

**Deputy Robert Troy:** A regional plan has been launched. It will be driven by Mr. Patsy Carney, the programme director, to ensure that the aspirations of the plan are realised. The Tánaiste, the Minister of State, Deputy English, and I were determined, before we launched the plan, that we wanted to have a funding stream in place to ensure that the objectives could be delivered, which is key. We have secured that funding stream. It is €180 million over the lifetime of the plan. A new fund of €5 million was launched last week. It is a priming and feasibility fund which will enable promoters and projects to come forward, carry out a feasibility study and be ready to avail of the larger tranche of funding which will come on stream later this year. I encourage Deputy Murnane O'Connor-----

**Deputy Jennifer Murnane O'Connor:** I will.

**Deputy Robert Troy:** -----to work with the promoters of projects within her county that would be of regional benefit to the south east in order that they come forward to avail of this €5 million in funding and to ensure that they are ready to access the higher funding later in the year.

**Deputy Jennifer Murnane O'Connor:** That is very welcome. I thank the Minister of State. I assure him that we in Carlow and Kilkenny will access this funding. It is important when we speak about real ambition and investment that we have proper infrastructure in place. The Minister of State indicated that when we are creating jobs and new businesses, we have to have proper roads and that Irish Water must provide water supplies and wastewater services. That needs to be looked at too.

I wish to ask the Minister of State about another matter. Under the rural development policy for 2021 to 2025, there are 152 policy measures contained in the framework plan, including one for promoting remote working hubs. The measures to support the development of social enterprise in rural areas are serious supports in terms of enterprise and jobs. Carlow County Council has worked with key stakeholders to identify further investment opportunities in order to enhance the hub offering in the county, with opportunities to enhance services that can be utilised. This process has identified three key locations of geographic importance to business communities and there is considerable demand. The way forward is sustainability in rural Ireland. What supports can we offer to support this? I will keep promoting Carlow, and I will definitely be in contact with the Minister of State about this funding.

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**Deputy Robert Troy:** The primary responsibility for the roll-out of rural hubs falls under the remit of the Department of the Minister Rural and Community Development, Deputy Humphreys. However, the previous regional enterprise development fund has supported rural hubs in other areas throughout Ireland. This new €5 million priming fund is an opportunity. If one had a specific idea in Carlow that may come forward for a regional hub, one could avail of this €5 million fund to come forward, carry out the feasibility study and be ready to avail of the funding later in the year.

The Deputy raised a point on the IDA Ireland and Enterprise Ireland. The IDA Ireland strategy launched last year provides a key commitment that 50% of all new investments will be in the regions. We want to ensure balanced regional development. Enterprise Ireland launched its new strategy earlier this year, leading in a changing world, which aligns to the Government priority to ensure balanced regional development.

**Acting Chairman (Deputy John Lahart):** We will come back to Question No. 8.

## Economic Policy

9. **Deputy Richard Bruton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the way that his Department is preparing to implement the circular economy ambitions of the Government. [18475/22]

**Deputy Richard Bruton:** When the Circular Economy, Waste Management (Amendment) and Minerals Development (Amendment) Bill 2022 was published recently, it was disappointing to discover that no obligation will be placed on other Ministers to develop a strategy. It is left to the Environmental Protection Agency, EPA, to develop a programme. The Tánaiste is very interested in seeing circular economy thinking implemented throughout the business sector. What planning is going on in his Department? Will we see strategies for key sectors emerge?

**Tánaiste and Minister for Enterprise, Trade and Employment Deputy Leo Varadkar:** I thank the Deputy for raising this important matter. The circular economy has never been more relevant as we deal with the consequences of a war in Ukraine that is giving rise to uncertainty in respect of energy supplies and prices, food supplies, inflation and the cost of living. It has also highlighted the inherent vulnerability of allowing our economies to become dependent on fossil fuels, especially when limited supplies are controlled by a small number of states. In future, consumers and businesses may not be able to rely on complex global supply chains to the extent that we do today, with more countries competing for even scarcer resources.

Deputy Bruton has taken a keen interest in the circular economy. I agree with him that the Circular Economy, Waste Management (Amendment) and Minerals Development (Amendment) Bill 2022 needs to be enacted as soon as possible to help build more resilient communities and economies.

The Department of Enterprise, Trade and Employment is implementing several initiatives to support the ambitions of the Government. We have policy responsibility for implementation of the ecodesign directive. The proposal for a sustainable products initiative that was recently brought forward by the Commission puts circularity, reparability, availability of replacement parts and product design for durability at the centre of an expanded ambition for product regula-

tions. The ecodesign regulation can significantly complement our national ambition on the circular economy and the Department will work with the Department of the Environment, Climate and Communications and relevant agencies to promote this shared objective.

Separately, the climate toolkit for business launched by the Minister for the Environment, Climate Change and Communications, Deputy Eamon Ryan, and I last year is an online calculator tool that will assist businesses, especially SMEs, in calculating their carbon footprint on the basis of simple metrics they can input in the context of energy, waste, water and travel. The Department is also working with the cement sector and other stakeholders in the context of climate action plans for 2019 and 2021 in order to increase the use of solid recovered fuels, that is, waste in the fuel sector. It is essential that our ambition to reduce non-recyclable waste and our ambition to decarbonise cement production are complementary.

**Deputy Richard Bruton:** While I welcome those general approaches, which are largely EU driven, the reality is that we have the lowest circularity rate in Europe at approximately 1.6%. The average is 11.8%. Only 10% of waste is recovered in the construction sector for any sort of useful approach. If we do not start to dig into the sectors and see what is wrong within them, we will fail. Timber use in construction is very low, even though timber is a carbon sink, whereas concrete is a huge source of carbon usage and emissions.

Some 25% of our food is wasted. We need to dig into individual sectors. I ask the Minister to look to his Department to set up sectoral initiatives and convene an approach in order that each sector will start to see how it can actively decarbonise and reduce other materials or practices that are damaging to the environment.

**Deputy Leo Varadkar:** The Deputy makes a very good suggestion. I, along with my Secretary General and officials, will certainly take it on board. We are trying to develop sectoral plans in respect of the climate action plan in order to bring down our emissions. We have responsibility to bring down emissions from industry by approximately 50% between now and 2031, especially in areas such as cement. Perhaps, it would make sense to roll the two together; what we are trying to do on climate, as well as what we are trying to do on circular economy.

The Deputy is absolutely correct in that we need to make better use of materials. We take too many materials out of the earth, we throw too much out and we do not re-use as much as we could. There are real opportunities there. Construction is one the Deputy mentions in terms of reducing waste, increasing circularity and greater use of timber. That is something we can work because responsibility has fallen to us, under Housing for All, to drive innovation in that sector. The Deputy is absolutely right. I will add it to the list of things my Department and officials need to get done.

**Deputy Richard Bruton:** Would the Government consider supporting an amendment to the Circular Economy, Waste Management (Amendment) and Minerals Development (Amendment) Bill 2022 to place an obligation on individual Ministers to report on progress on sectoral strategies under the circular economy heading? It is notably absent from the Bill, even though it is at the heart of the Climate Action and Low Carbon Development (Amendment) Act 2021. These two are indistinguishable. They are two sides of the same coin. We need to put a prod not just on this Minister, who might be enthusiastic about it, but on every Minister who could play a role.

**Deputy Leo Varadkar:** I am certainly happy to consider the amendment, if the Deputy has

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a draft in mind and wishes to pass it on to me later. I would be happy to take a look at it, run it past my officials and to talk to the Minister for the Environment, Climate Change and Communications, Deputy Eamon Ryan, about it. As is always the case with such an amendment, there is a desire to avoid creating additional obligations for Departments to produce more reports. I certainly feel some Government Departments are almost operating as factories now to produce plans, strategies and reports. They are spending a great deal of time on that aspect and not enough on implementation. Equally, though, if rigorous information obligations are not imposed on Departments, then nothing gets done. It is always a case of trying to get that balance right, but we are very much open to an amendment on the grounds suggested by Deputy Bruton.

### **Personal Injuries Assessment Board**

8. **Deputy Willie O’Dea** asked the Tánaiste and Minister for Enterprise, Trade and Employment his plans for reform of the Personal Injuries Assessment Board; and if he will make a statement on the matter. [18639/22]

**Deputy James Lawless:** This question is to ask the Minister his plans for reform of the Personal Injuries Assessment Board, PIAB, and if he will update the House on progress to date.

**Deputy Robert Troy:** The programme for Government contains a commitment to enhance and reform the role of the Personal Injuries Assessment Board, PIAB. This commitment is being given effect under action 19 of the Government’s action plan for insurance reform. In 2022, I intend to enhance and strengthen the agency to facilitate an increase in the number of personal injury claims PIAB resolves. On 9 February, I published the general scheme of the personal injuries resolution board Bill 2022.

The policy objective of this general scheme is to facilitate an increase in the number of personal injury claims that may be resolved through the board’s process and without recourse to litigation. The scheme amends the Personal Injuries Assessment Board Act 2003 in several ways: PIAB will be given a new function to offer mediation as a means of resolving a claim; it will retain claims of a wholly psychological nature, which is a new departure; it will promote public awareness and conduct public information campaigns; and it will have additional time to assess claims where an injury has yet to settle rather than releasing it to litigation. Pre-legislative scrutiny of the general scheme by the joint committee commenced on 30 March 2022. I am determined to progress this legislation to enactment in 2022 and I am confident these reforms will increase the number of personal injury claims resolved through the PIAB process.

Regarding mediation, because there have been queries regarding its benefits, mediation provides an opportunity for both parties to consider if an agreement can be reached on issues that can cause claims to proceed to litigation. Mediation is recognised as an effective dispute resolution method and is already used as a preliminary option in many different settings, including in the context of the Residential Tenancies Board, RTB, the Financial Services and Pensions Ombudsman, FSPO, and the Workplace Relations Commission, WRC. Mediation provides an opportunity for the parties to agree a mutually satisfactory resolution to personal injuries claims and avoids the potential of prolonged and expensive litigation.

**Deputy James Lawless:** The Minister of State’s reply contained some interesting ideas. I have also been reading some of his reports and statements on this issue of late. He is going in the right direction. This move towards alternative dispute resolution is very welcome. It makes

perfect sense. I am surprised to see that some commentators have frowned on mediation for some reason. Mediation is always very sensible and usually reduces court costs dramatically by avoiding matters going to trial and full hearings, which is a far more expensive approach. Equally, mediation can also help parties to see the other side's view outside an adversarial conflict situation, as would happen, for example, in a courtroom setting. Therefore, mediation is to be commended and welcomed.

The Minister of State also previously indicated he was looking at the possibility of PIAB being a quasi-judicial body, in the same way as the WRC, the RTB and other such bodies operate. I understand that perhaps the Minister of State received some advice that this was not possible. I ask him to re-examine this issue. There is a great opportunity here. Perhaps the Supreme Court's recent decision regarding the *Zalewski v. WRC* case might be of assistance in this regard. This was where the Supreme Court found that the WRC was grounded in statute and was a perfectly legitimate forum for claims. These kinds of quasi-judicial bodies can operate very well and successfully and relieve the strain on the courts while reducing costs for all. Therefore, I ask the Minister of State to keep on track with this approach because it is an interesting idea.

**Deputy Robert Troy:** While there was some support for this type of approach in reforming PIAB, strong arguments against it come from the Attorney General. This is because such an approach might impinge on the constitutional right of access to justice delivered by the courts, as well as the primacy of the courts regarding the administration of justice, particularly in respect of a body of common law. Personal injury claims may be resolved by direct settlement between the parties, a PIAB assessment or litigation. Court decisions ultimately determine matters such as liability and overall damage levels. The new and reformed PIAB model preserves the constitutional right of access to the courts. There are constitutional guarantees that a citizen has a right of access to the courts and a right to litigate.

The decision of the Supreme Court in the *Zalewski v. WRC* case provides important context for any consideration of a possible quasi-judicial role for PIAB. While the Supreme Court found the WRC to be administering justice, it also found that this was permissible under Article 37 of the Constitution, given the limits of the subject matter applicable to cases coming before the WRC. A similar argument may not be successful regarding PIAB, given that personal injury claims involve broader legal considerations that have been determined by the courts over time, rather than the statutory employment law issues which come before the WRC.

**Deputy James Lawless:** I did suspect the *Zalewski* decision might be helpful. I noticed that the Minister of State said it may give rise to a challenge. Everything may give rise to a challenge, because that is the law. I again encourage the Minister of State to pursue this approach and to consider it. There is of course a constitutional right to appeal. A constitutional right of access to the courts is imperative and that is what an appeal body is for. Decisions of the WRC can be appealed to the Labour Court and those of the RTB can be appealed to the High Court on a point of law. I think the Minister of State's own plans in this regard also included provision for an appeal on a point of law. Therefore, I do not see a constitutional right of access to the courts being denied in any way in this regard. I reiterate my comments in this regard. It is certainly worth exploring this kind of approach.

On the flip side of this argument, I will add a note of caution and I spoke about this here before. Not every applicant to PIAB and not every plaintiff in a personal injury matter is a chancer or someone out to try their luck or to try to score some money from a defendant. Most of these

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claims are grounded upon legislation governing employment, workers rights, health and safety and the environment. We do not want to return to the dark ages of the industrial revolution when children were working in factories until they died prematurely because the conditions were so abhorrent. Most of these claims are grounded on laws we have passed in this House and in the European Parliament. This has been progressive legislation. Therefore, I appeal to the Minister of State not to throw the baby out with the bathwater.

**Deputy Richard Bruton:** I congratulate the Minister of State on the progress made on this proposed legislation. PIAB fixes cases in half the time and at one twentieth of the legal cost. Therefore, it is a worthwhile venture. A worrying trend, however, has seen the number of PIAB cases accepted fall from over 50% to 37%. This suggests people are testing the courts and their willingness to implement the quantum of damages. Can the Minister of State give us any reassurance that the courts are sticking to the quantum of damages and that we will not see this decline in the use of PIAB continue?

**Deputy Robert Troy:** PIAB is actively engaged in that process and it wants to ensure that it wins its court cases and that the courts are sticking to the judicial guidelines. We will have to wait to see how this aspect turns out. Hopefully, however, it will remain the case.

Regarding Deputy Lawless's comments, I thank him for his support regarding mediation. Broadly speaking, there has been general support during pre-legislative scrutiny and even during public consultation. I share his view of PIAB as a quasi-judicial body. This has been the reason why it has taken 18 months to get to this stage. We were going backwards and forwards on this issue, and I was continually arguing with the Attorney General to try to get him to go to the next level. It was felt, however, that rather than stall the progress we are making, that we would start with this proposal and it will not prevent us from working further to enhance PIAB even more later. We want to get this legislation enacted this year because we believe it will contribute to bringing down the cost of insurance. Equally, however, I still believe there is an opportunity to go further later.

## Foreign Direct Investment

10. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Enterprise, Trade and Employment if he will outline Government plans to attract indigenous and foreign direct investment to Drogheda in 2022; and if he will make a statement on the matter. [18658/22]

**Deputy Fergus O'Dowd:** Drogheda and east Meath have experienced great population growth recently. Indeed, there has been an exponential increase in this regard. Drogheda has been designated as a regional growth centre in the national development plan, NDP, which we welcome. What plans does the Minister have to provide additional employment opportunities for people in Drogheda and east Meath? The Minister is aware that the M1 motorway is chock-a-block with traffic going from Drogheda and east Meath to Dublin every morning, from about 5.30 a.m. to 10 p.m. Thousands of people want to work at home in this regional growth centre. Can the Minister please give me an update?

**Deputy Leo Varadkar:** I thank Deputy O'Dowd for raising this question and for his ongoing advocacy for the town of Drogheda. As he is aware, it and Dundalk have been designated as growth centres on the Dublin-Belfast corridor in Project Ireland 2040. The IDA is targeting 40 investments for the mid-east region from 2021 to 2024.

*10 o'clock*

Louth is already home to 35 IDA Ireland client companies directly employing more than 4,500 people in technology, life sciences, international financial services and engineering and industrial technologies. In September 2021, ITRenew, a leader in circular cloud and sustainable data centre infrastructure announced it will create 40 jobs in Drogheda, and more recently Becton, Dickinson and Company, BD, announced the creation of 100 additional jobs with a €62 million investment to expand its production at its site in Drogheda.

Over the course of IDA Ireland's current strategy, the agency will provide 19 advanced building solutions across the country, and one of them will be in Drogheda. In June 2021, IDA Ireland acquired two land banks in County Louth, one in Drogheda and one in Dundalk, and these form part of IDA Ireland's long-term strategic plan to position Louth and the wider region to compete for foreign direct investment.

Enterprise Ireland has also supported and continues to work with six projects in County Louth, funded under the regional enterprise development fund and the Border enterprise development fund to a total of €11.5 million. The Minister of State, Deputy English, recently published a regional enterprise plan for the north east that encompasses Louth, Cavan and Monaghan. New funding of up to €180 million is being provided to back up these plans.

As I mentioned, Project Ireland 2040 identifies Drogheda as having a significant regional role to play to develop the economic potential of the Dublin-Belfast corridor and in particular the core Drogheda-Dundalk-Newry network and to promote and enhance international visibility. IDA Ireland will continue to work closely with Enterprise Ireland and our indigenous base of companies to identify synergies, enhance clusters, participate in site visits and maximise benefits for the region so that we can increase employment in Drogheda and have many more people working in and around the town rather than having to commute from it.

**Deputy Fergus O'Dowd:** While I welcome the engagement of IDA Ireland with the local chamber of commerce and the Tánaiste's visit to BD when that significant investment was announced, the fact is that we have had no spin-off from the Amazon data centre. Data centres are very important for attracting other industries and potential employers that need to be near their data. Could the Tánaiste expand on what further or other actions we can take locally to work with IDA Ireland to attract more industry in?

The commute is killing family life and destroying the quality of life locally. People are telling me they would welcome the designation of Drogheda as a regional growth centre, they would like to see more jobs. There is also a major structural deficit with the northern cross route on the back foot in terms of Government decision and local government interaction. There is a lot of concern locally that the Government is not doing enough to deal with the northern cross route or to attract more industry into our town.

**Deputy Leo Varadkar:** I thank the Deputy. There are quite a lot of data centres in my constituency too. They are a very important part of the modern economy but in reality the amount of employment they produce is quite small. The number of people actually working in them is quite low. There are a lot of people working on them during construction, but not when they are actually up and running. The spin-off from them, realistically, is quite limited.

Probably the best thing we can do for Drogheda is make use of that new IDA Ireland land bank, ideally not for data centres but for some other form of industrial development that would

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be more labour intensive and would therefore create more job opportunities for people in the town, so that more people have the opportunity to work and live in Drogheda and not have to commute. On improving the commute, the best thing we can do is promote more remote working. That has made a big difference in people's lives in terms of more time at home and with family, and less time commuting. A project the Deputy and I are both very committed to is the extension of the DART to make commuting in and out of Dublin a more pleasant experience for those who do it.

**Deputy Fergus O'Dowd:** I hear the Tánaiste. Part of the argument about data centres, and it is top priority for IDA Ireland to encourage them, is that they are supposed to be capable of attracting further ancillary employment. It is not acceptable if we attract them in but do not get the spin-off from them. Amazon is interacting very well with the local community and I laud its efforts in the community spirit it is generating. I hear what the Tánaiste is saying. Drogheda is now the largest town in Ireland, and is shortly to become a city. It is a designated growth centre. IDA Ireland is paying attention to it. My job here is to repeat and reiterate the demand locally for more employment and investment. If, in his present role, the Tánaiste can fill the 40 acres of land which IDA Ireland recently bought, I would be very happy indeed.

**Deputy Leo Varadkar:** I hear the demands and I hear the call for increased investment in Drogheda and more good job opportunities in the town in addition to the ones that are there already. That is why IDA Ireland has secured that 40-acre site. We need to get it serviced and get it ready and promote it to potential investors. These things can have a long pipeline. IDA Ireland bought that site because it and Government believe this is a really good town to invest in as a result of the quality of people who live there but due to its location relatively close to Dublin and Dublin Airport and on the Belfast-Dublin corridor. We have seen some very big investments in Dundalk in recent years and we would like to see something of that scale on the new site in Drogheda. I am certainly working towards that. We will work with the Deputy on it as well.

## Construction Industry

11. **Deputy Steven Matthews** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding the construction technology centre; the timeline for its establishment; and the role it will play as part of the wider Housing for All strategy. [18303/22]

**Deputy Marc Ó Cathasaigh:** The Department of Enterprise, Trade and Employment is working with Enterprise Ireland to establish a construction technology centre this year to bring together research, expertise and industry to look at innovation in the built environment. The urgency of this cannot be overstated. We very much need to move towards sustainable materials and construction practices. I wish to ask the Minister the position regarding the construction technology centre, the timeline for its establishment and the role it will play as part of the wider Housing for All strategy.

**Minister of State at the Department of Enterprise, Trade and Employment Deputy Damien English:** I thank the Deputy for the question. I agree with him about the urgency in this area. It is something we have been working on for a number of years. I am glad it is coming to the stage that it will be up and running very soon. The question concerns the important issue of the adoption and use of new technologies in the construction sector in the context of delivering the Government's ambitions in Housing for All as well as in energy efficiency and

decarbonisation of the built environment.

As the Deputy is aware, Housing for All is our plan to turn the aspiration of home ownership into a reality, to ensure everybody has access to sustainable, good quality housing, to give stability for renters and protection for people at risk of homelessness and to build on the work of Rebuilding Ireland. Addressing the high cost of residential construction, along with relatively low construction sector productivity and innovation is a key element in Housing for All and will be crucial for the plan to succeed. There are a range of actions in Housing for All which target the cost of construction and improving productivity and innovation levels in the sector to make sure we have a sustainable system over the next 20 or 30 years where we know we need to build over 300,000 homes.

The establishment of a construction technology centre is one of these key actions, and my Department is currently working on this with Enterprise Ireland. This initiative also supports Project Ireland 2040 and the work of the construction sector group's innovation and digital adoption sub-group. Work on the new construction technology centre is on schedule to be delivered at the end of this year. Enterprise Ireland's process to select a host organisation is now at an advanced stage.

Once established, the centre will serve as an innovation hub which will bring researchers and industry together to drive innovation and technology adoption. As a reflection of the crucial importance of improving the affordability of homes, the centre will have an initial focus on residential construction and innovation in housing. To further promote innovation in the residential construction sector, Enterprise Ireland is now offering a range of supports to these businesses, including innovation vouchers, digitalisation vouchers, innovation partnerships, lean business offers and others. The new construction technology centre, together with these schemes, will stimulate the development and adoption of new and innovative technologies, enabling builders to build better houses at a lower cost and higher speed and with greater energy efficiency.

Taken together, these initiatives will help make good on the ambition set out in the Housing for All plan to ensure that everybody has access to sustainable, good quality, well located housing to purchase or rent at an affordable price. They are very much in line with our climate targets as well. To give the Deputy an update, the call for proposals ended in March just gone.

**Deputy Marc Ó Cathasaigh:** I thank the Minister of State. On the timeline for establishment, at the outset of his contribution the Minister of State used the term "very soon" and midway through it he referred to the end of this year. He might be able to give me some additional, hard and fast timelines on that.

It strikes me that a suite of Government measures to do with housing hangs together on this. One is clearly Housing for All. Another is the climate Act, which is of central importance. The Circular Economy Bill 2021, which acknowledges and values the embodied carbon within all objects in our society but buildings in particular, is also important. There is also the town centres first initiative which is seeking to bring life back into our town centres. This will require not only new construction skills but also the revitalisation of old ones and some of those lacking in the sector. We will need the full range of skills available in order to bring properties, particularly heritage and vacant properties, back into use in our town centres.

**Deputy Damien English:** Absolutely. The Deputy has raised matters I did not have a chance to cover, but they are exactly what the construction technology centre will deal with.

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The overall aim of the centre is to identify the optimal consortium of research-performing organisations in the Irish ecosystem that will deliver productivity and sustainability for the Irish construction and built-environment sector through research, development and innovation, with a focus on skills and everything else the Deputy touched on.

The Deputy asked about the timeline for the proposal. Thankfully, the money has been set aside through Enterprise Ireland. A €5 million budget is set aside to drive this over the next couple of years. The call for proposals opened in February and closed on 4 March. It was open to all in the research community to lead on this and collaborate. On 7 March, eligibility checks and clarifications got under way. The evaluation was scheduled for March. By 25 March, it was hoped there would be presentations by the various consortia to the evaluation planning teams. The selection of the winning consortium was scheduled for early April. This could be slightly behind, but that was the plan. The preparation of documents for presentation to the Enterprise Ireland committees is scheduled for May and the proposal is to be approved sometime in June by the board of Enterprise Ireland. That means the centre should be well up and running by the end of the year.

**Deputy Marc Ó Cathasaigh:** I very much welcome that additional detail. Everybody in this House acknowledges the need to begin delivering housing at speed and scale but also in a manner that is sustainable. The three have to go together. The construction technology centre should be considering things like next-generation easy assembly and, in respect of housing units, research supporting modular construction. We should be considering new materials and the evaluation of their performance.

I referred to the town centre first policy to unlock town-centre units, particularly those above shops. In this regard, we need to consider technology associated with fire safety, acoustics and structure. There will be a need for new skills, but also a renaissance of old skills, as we try to unlock the vacant and derelict properties, particularly in town centres.

**Deputy Damien English:** The Deputy covered most of the five key industry challenges set out: productivity, affordability and cost; quality and safety; collaboration within the sector; labour shortages, skills and training; and sustainability. The Deputy referred to the town centre first initiative. I totally agree with him in this regard. There was a lot of effort on the part of several Departments to achieve a commitment to putting town centres first, following on much of the advice and guidance associated with the Scottish model, but also building on initiatives that various Departments have been trying over the past couple of years. It was a matter of bringing everybody together to really focus on town centres. There is much opportunity to develop town centres sustainably for the future.

As the Deputy mentioned, there is an option to bring vacant and over-the-shop properties back into use. Several schemes have been launched to encourage this over the past couple of years. Funding under the rent-and-repair scheme has not been drawn down to the level it should have been. In my view, it has not been promoted. However, we are considering new initiatives to encourage people to do the work required through the tax system and grants but also to remove some of the complications and clarify the regulations. A guide to putting vacant properties back into use was printed by the Department of Housing, Local Government and Heritage a couple of years ago. It is a very useful step-by-step guide for anybody with such a property. I encourage everybody to read it. We are trying to make it as easy as possible to bring the vacant properties back into use because they should be in use. In most cases, as in Tipperary and everywhere else, they are in private ownership. We are trying to unlock them in different ways.

**Deputy Donnchadh Ó Laoghaire:** The Deputy was more interested in Waterford than Tipperary, I would suggest.

### **Flexible Work Practices**

12. **Deputy Donnchadh Ó Laoghaire** asked the Tánaiste and Minister for Enterprise, Trade and Employment the measures that he will introduce to secure for workers the right to work from home when possible; and if he will make a statement on the matter. [18806/22]

**Deputy Donnchadh Ó Laoghaire:** Without robust legislation securing a legal right to work from home, workers are concerned they will be forced to return to on-site working and denied the option of remote or hybrid working. When will the Government deliver robust legislation that will secure this legal right?

**Deputy Leo Varadkar:** The right to request remote working Bill is part of a broader Government programme to make remote working a permanent feature of Ireland's workforce in a way that can benefit all - economically, socially and environmentally. Throughout the pandemic, many employers went to great lengths to give their employees as much flexibility around where they work as possible. The world of work has changed before our eyes and we want to retain some amount of remote working once Covid is firmly behind us.

In practice, employers and employees in the workplace are agreeing to arrangements that suit both sides. In most cases, this is hybrid working, with some days in the office and some at home or elsewhere. With the right to request remote working Bill, we will, for the first time, provide a legal framework around which requesting, approving or refusing a request for remote work can be based. It will also provide legal clarity to employers on their obligations for dealing with such requests.

Pre-legislative scrutiny of the general scheme commenced on 9 February. Departmental officials are scheduled to attend a further meeting on 4 May. I have already indicated that I intend to strengthen the legislation and I hope some good proposals emerge from the committee during its pre-legislative scrutiny. My Department is examining further the legal issues related to strengthening the redress provisions and the right of appeal and is taking legal advice on the matter. I have requested officials to consult union and employer representatives further in this regard over the coming weeks.

**Deputy Donnchadh Ó Laoghaire:** It has been said time and again that remote working is one of the big takeaways of Covid. We have seen its great benefits. The necessary technology existed but the cultural shift towards using it happened during Covid. Many people want to retain this. They do not want to have to commute, which can mean spending three hours per day in a car. Remote working gave workers more time at home with children. It improved the lives of workers, which in itself improved productivity. It is a win-win for all.

The draft Bill, as it stands, is not fit for purpose. It was not written with workers in mind; it was written for employers. In criminal law, reference is made to presumptions. A presumption can be rebutted but the presumption in this case seems to lie with the employer rather than the employee. The legislation grants a right of refusal to employers. To dress this legislation up as affording a right to workers while at the same time including multiple clauses to ensure they can never access the right is wrong. I understand that amendments have been proposed. Will

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the Tánaiste amend the Bill to guarantee a right to work remotely? Can he elaborate on the amendments he will be submitting?

**Deputy Leo Varadkar:** The legislation is just in draft form, as the Deputy knows. There are heads of Bill. The general scheme is currently with the committee. It is carried out hearings involving the relevant stakeholders and its members will meet my officials again on 4 May. I will make a decision once I get the report back from the committee on what it recommends by way of improvements or changes.

I am a big supporter of remote working; I am an advocate for it. It should be encouraged so long as the services provided to the public are not diminished and business performance is not adversely affected. We need to be practical also, however. Working from home cannot be an absolute right and some work cannot be done remotely. While other work can be done remotely, it cannot be done as well remotely. We need to bear in mind that the public is entitled to high-quality services. If you run a business, it is reasonable to say you want an employee to come into the office for one or two days per week. We have to get the balance right between promoting remote working and not going so far as to diminish the quality of services provided to the public or undermine business performance. That is what we are trying to balance at the moment.

**Deputy Donnchadh Ó Laoghaire:** I entirely accept that there is a need for a balance and that there are jobs that cannot be done from home. Nobody is suggesting an absolute right. Again, I return to the point that inasmuch as there is a presumption, it seems to lie more strongly with the employer than the employee. It is important that workers be well protected in this regard. While the Bill is at heads stage, there is a bit of detail.

We will be waiting for a while for the Bill to be passed. In the interim, workers are being recalled to work on-site, in several instances against their wishes. We have a cost-of-living crisis and a fuel crisis, which is enormous for commuters, yet we are forcing workers to drive to their workplaces, incurring huge costs. If work duties can be performed from home and a worker wishes to work from home, that should be supported. Will the Government, in the absence of the legislation, encourage working from home by way of advice so workers can do so? This is incredibly important in any event, particularly given the cost-of-living and fuel crises.

**Deputy Leo Varadkar:** Currently, there is no legal right to request remote working. Somebody can request it, of course, but there is no legal mechanism by which it can be done. That is what the legislation tries to achieve. I am open to strengthening it. There are already some guidelines on remote working. I believe they were published a year or so ago. The new public sector policy on remote working was agreed just in the past week or so and published by the Minister for Public Expenditure and Reform, Deputy Michael McGrath. It sets out the policy, at least for public sector workers. In reality, what I have heard is happening at workplace level in the vast majority of instances is that employers and employees are doing this for themselves and are coming up with very practical arrangements, mostly involving hybrid working and a requirement for, perhaps, everyone to be in the office on one particular day of the week, but a lot of flexibility around that.

We need to legislate for those instances where employers are being unreasonable and are not facilitating remote working where that could be done, and done well. That is what we are trying to get right. I genuinely look forward to the report from the committee when it is available to see what advice it has for us.

## **Low Pay Commission**

13. **Deputy Thomas Gould** asked the Tánaiste and Minister for Enterprise, Trade and Employment the status of the implementation of a living wage. [18771/22]

**Deputy Thomas Gould:** Can the Minister update us on the status of the implementation of a living wage? When will the Low Pay Commission report? Will the Minister commit to implementing all of the recommendations? In its considerations, is the commission considering the rising cost of living?

**Deputy Damien English:** I thank Deputy Gould for raising this issue. It is quite timely, as it turns out. In 2021, the Low Pay Commission was asked by Tánaiste to examine and make recommendations on the best approach to achieving the commitment in the programme for Government to progress to a living wage over the lifetime of the Government. The Low Pay Commission asked researchers at Maynooth University to undertake a background research report on the concept of a living wage. Last week, the commission's report and recommendations were received. Along with officials, the Tánaiste and I will now review the commission's report and recommendations. We are considering the next steps required in the progression to a living wage, such as the publication of the commission's report, an accompanying research report and the consultation on the implementation of the commission's recommendations.

While the living wage initiative is being considered, the Government will continue to be guided by the recommendations of the Low Pay Commission with regard to any future changes in the minimum wage. The Low Pay Commission is required to submit its annual recommendations on the national minimum wage to me or the Tánaiste before the third Tuesday in July this year. We are committed to progressing to a living wage over the lifetime of this Government. In doing so, we need to recognise that many businesses have been affected by the pandemic and are also facing rising costs. We need to make sure that we proceed in a way that does not adversely affect inflation or cause jobs to be lost, either in terms of the number of people employed or the number of hours worked. We are very much committed to this, as the Deputy knows.

We are also committed to a general improvement in the terms and conditions for employees throughout the country. We recognise that there is a big demand for talent and we now have an opportunity to make our labour market more attractive to secure that talent and develop skills.

**Deputy Thomas Gould:** While it is appreciated that the Low Pay Commission is considering this, it was asked to do so on 15 April 2021, some 357 days, or a week short of a year, ago. People working in shops, hospitals, supermarkets, the public and private sector on below the living wage are waiting on the report. We need to deliver a living wage for people. The crisis caused by the rising cost of living is affecting people. A living wage needs to be delivered on. There is a dire need for urgency on this matter. The Government keeps pointing out that it cannot solve the cost of living crisis, but what is it doing to prioritise the living wage? Ensuring workers are paid a living wage is something that should be done, and could be done. Last week, Mandate called for all retail staff to be paid a living wage from entry. Does the Government support this call?

**Deputy Damien English:** We have received the report of the commission. It would be wise for us to read it, go through it in detail and see what is in it before we start making comments.

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**Deputy Thomas Gould:** It is a year later.

**Deputy Damien English:** Apologies.

**Deputy Thomas Gould:** It has been a year. People have been waiting for a year.

**Deputy Damien English:** To be clear, the work is on our desk and we can complete it. There is a commitment in the programme for Government to implement it over the lifetime of the Government. I am not sure what the Deputy's party manifesto said a couple of years ago. I do not recall seeing a commitment to a living wage overnight in it, to be honest.

The approach we are taking is measured and brings together all stakeholders, with proper consultation, to determine how we can get the balance on this right. We are very much committed to it. In the meantime, there have been a number of initiatives to help with the rising cost of living affecting people. We adopted the recommendations of the Low Pay Commission on the minimum wage last summer, and they were implemented in January, with an increase of 30 cent. A range of initiatives have been announced by Government over the past couple of months, in addition to the work done in the budget, to recognise additional pressures on people and families. More commitments will be announced in the next week or two.

We recognise that there are pressures now in terms of inflation and we will deal with them. The permanent change to the living wage will involve more long-term structural changes that will have positive and negative impacts on employment, and we have to introduce them in an organised way over the next couple of years. That is what we are committed to doing. In terms of the details, the Deputy can understand that it is a positive development, but it is important that we read the report first.

**Deputy Thomas Gould:** I do not recognise it as a positive, because people are struggling right now. The Minister of State said he is taking a measured approach, but a 30 cent increase in the minimum wage was recommended by the Low Pay Commission. I am not sure if the Minister of State has any grasp on the reality of how bad the cost of living crisis is. There are increases virtually every week in the cost of electricity, fuel and food. Everything is going up in price. A month ago the Minister, Deputy McGrath, agreed to reflect on the proposals of trade unions for an inflation response in public sector pay. Has the Minister of State or the Tánaiste met the Minister to discuss the actions they think should result from these reflections? I am not sure public servants who are struggling to heat their homes and pay their bills want debate and reflection. They want action.

I spoke on radio earlier today about the housing crisis. There is not one property in Cork city or county available within the HAP threshold. We are talking about a living wage. People cannot afford to rent properties and cannot pay their bills. They are waiting on the Government to take action, but it is not delivering.

**Deputy Damien English:** I want to assure the Deputy and the House that I live in the real world, and it is the same world the Deputy lives in. He has to give up on the line he uses constantly. As Deputies, we are all engaged with people just the same as Deputy Gould is. We know exactly what is going on. The difference is that we are prepared to make decisions to help and not just keep talking. We are prepared to go into government to make changes to help in the short and long term. The Deputy's party chose, for whatever reason, not to do that. That is his business. The people who live in the real world----

**Deputy Thomas Gould:** The Minister of State should not make comments that are not true. The Minister of State just made a statement that is not true.

**Deputy Damien English:** The point I am making is that people who live in the real world, like us on this side of the House, act and make decisions and improvements. The minimum wage, for example, has increased from €8.65 in 2016 by more than 20% to €10.50 this year because we made changes, and we will continue to build on that. That is based on proper, evidence-based research involving all sectors in order to get an agreement by everybody.

**Deputy Thomas Gould:** Inflation alone will be 8% this year.

**Deputy Damien English:** It works extremely well and we will continue to make interventions.

**Deputy Thomas Gould:** That is a Central Bank figure.

**Deputy Damien English:** The Deputy obviously does not like people pointing out the reality that the real world wants actions, decisions and improvements, and for people to go into government and make decisions. That is what we are doing with the Low Pay Commission on a regular basis. We have taken every recommendation it has made over the past number years on board. The programme for Government contains a commitment to move to a living wage over the term of the Government. That is what we are doing. All of the work behind that has been done. The evidence has been gathered and decisions can now be made over the next few weeks and months.

**Deputy Donnchadh Ó Laoghaire:** I also have a question on this issue that will likely not be reached. The report is on the desk of the Minister of State and I hope it can be expedited as soon as possible. A refrain I have too often heard from the Government side of the House is that work is the best way to get out of poverty. In many instances that can be true, but for it to be true across the board work has to pay adequately, pay the bills and make more sense than other decisions. If we are not going to have a living wage while fuel, rent and childcare goes beyond people's ability to pay, then it will not be true that work is the solution to people's poverty. That is a reality. A family that is renting and trying to pay for childcare will have two-thirds of their income gone out the door before they can do anything else. That is the reality that people are living with at the minute.

**Deputy Damien English:** The Tánaiste has made it clear that over the past 18 months we in the Department have been very committed to improving the terms and conditions of all workers in this country, and have backed that up with legislation and changes. I understand that in most cases Sinn Féin supports that, and rightly so. We are leading with action. Likewise, the report of the Low Pay Commission on a living wage is on our desks and we can act on it in the weeks and months ahead.

To be very clear, work should always pay and we are very much committed to developing the standard and conditions of work, the employment legislation behind that and the ability to upskill and be able to guarantee jobs in the future. There has been a lot of investment through the education system, including Pathways to Work, our Department and the business community to develop and create long-term sustainable jobs that pay well. Reference was made to the retail sector. Many in that sector are already paying above an estimated living wage, which is a positive development. Others are not doing so and we will continue to work with them on that. It is a major sector for employment that we are happy to work with and develop as it offers op-

portunities for sustainable careers.

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

### **Energy Policy**

91. **Deputy Darren O'Rourke** asked the Minister for the Environment, Climate and Communications if he will report on the energy security review; the action that is being taken to ensure security of supply in view of the war in Ukraine; the measures that are being put in place to assist households with escalating energy costs; and if he will make a statement on the matter. [19069/22]

**Deputy Darren O'Rourke:** I ask the Minister to report on the energy security review and the action that has been taken to ensure security of supply in light of the war in Ukraine. I note the comments of the Minister for Foreign Affairs, Deputy Coveney, that he would support sanctions on Russian fossil fuels. Those are likely to have implications. What measures are being put in place to assist households with escalating fuel costs?

**Minister for the Environment, Climate and Communications (Deputy Eamon Ryan):** The Russian invasion of Ukraine in February is unprecedented in Europe in modern times. The war has, and will continue to have, significant impacts for the world, for the European Union and for Ireland. It has caused a humanitarian catastrophe, with millions of Ukrainian citizens internally and externally displaced. Efforts have been consolidated across the Government to address these emerging and urgent humanitarian issues in solidarity with the Ukrainian people.

The invasion has also impacted Europe's energy system. In particular, the Russian invasion of Ukraine has triggered a decision by the European Union to phase out its dependency on Russian gas, oil and coal imports as soon as possible. The immediate impacts of that include an effect on the price that we pay for energy. However, it will also impact where and how we source that energy and will alter how we design energy policy going forward to ensure the long-term resilience of the system.

The Government is acutely aware of rising electricity and gas prices and the consequent effect on households. This is driven by high international gas prices. Our immediate response has been to utilise the tax and social welfare system in the budget last year to counter rising costs of living for households. Additionally, in recognition of the ongoing inflationary pressures on households we have introduced a credit payment to each domestic electricity account amounting to €200. Approximately 2.1 million account holders will benefit from the payment in the coming weeks. This is one of a range of new measures as part of a €505 million package of measures announced by the Government on 10 February to mitigate the wider cost-of-living increases.

Extensive arrangements are already in place to manage any interruptions to gas, electricity and oil supplies and these are being re-examined by my Department and the relevant agencies in the context of the impacts of the war in Ukraine on international energy supplies. I hope we may be able to publish some of this energy security framework in the coming weeks to show exactly what are the measures we may have to employ to cope should there be any further dis-

ruption in supplies.

**Deputy Darren O'Rourke:** There are several levels to be considered. The first is the immediate context. We know that coming into the year, there were many amber alerts last year, the CRU security of electricity supply and the programme of actions. We know the Great Island power plant is down for several months. There are real concerns in respect of generation capacity and, obviously, in terms of security of supply, particularly now as it relates to the war in Ukraine. Do the Minister and the Government support the imposition of increased sanctions on Russia in the context of a ban on the use on fossil fuels? What are the implications of that for Ireland? Are there discussions at European level? How will we ensure we are best positioned to weather the impact of that?

**Deputy Eamon Ryan:** I thank the Deputy. We support tougher and stiffer sanctions. I have had meetings in recent weeks in Berlin and Paris with other European ministers. There have been meetings of the International Energy Agency, IEA. It held an emergency meeting last week at which we made the case for tougher sanctions. That would affect other countries in Europe far more than it would affect Ireland.

Europe has introduced sanctions on coal. That was announced yesterday by the Commission, as I understand it. That should not have a major disruptive effect on this country because Moneypoint, the largest coal user, is already switching away from Russian contracts towards Colombian coal. Similarly in terms of gas, while it would probably have a significant effect on the market price if Russian gas were to be shut off, minimal amounts of our supply come through from Russia. Our gas comes from the Corrib gas field, the UK and Norway. Very little of it comes from Russia. It would have a price implication but less so a supply one. In terms of oil, there is real concern. The International Energy Agency has prepared several detailed reports looking at the oil supply situation. Russia is one of the largest global oil exporters. There has already been a reduction in the supply of oil. An estimated 3 million barrels a day of exports are now not being put out into the market. That is why we have been doing these oil stock releases. There are implications but we can manage them.

**Deputy Darren O'Rourke:** I thank the Minister. I ask him to expand on the potential implications in the context of oil and related liquid fuels. There have been reports on the prospect of liquified natural gas, LNG, usage in the context of the energy security review. We have heard different things from different parties in government and different State agencies, whether the Commission for Regulation of Utilities, EirGrid or other agencies that have appeared at the climate committee. What is the position in respect of LNG? Is there a different position in respect of commercial LNG as compared with State-owned LNG? Is that something the Government is considering? If we end up in that position, it will be an indictment of the management of this transition.

**Deputy Eamon Ryan:** I will be dealing with questions on that issue later on. We have to be careful here. There will be certain short-term measures, such as the €200 credit that will be going onto people's bills this week. There will be medium-term responses to the crisis which include the likes of the acceleration of the retrofitting programme and the roll-out of renewables such as photovoltaic energy and other renewables projects. There are longer-term issues relating to strategic storage of gas.

Although some people are giving consideration to LNG in the context of an immediate decision, it is probably not of as much consequence or significance in the immediate crisis as some

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of the other measures, particularly with regard to oil fuels, for example, in respect of which we are more exposed, as the Deputy noted. All our oil is imported. We are fortunate in comparison with European countries that are further east and closer to Russia as a shut-off of Russian oil would have a more immediate strategic impact on them. The Whitegate refinery provides much of our diesel and gasoline and most of its crude oil products come from the west, such as from America. That means we do not have a huge volume of Russian oil in our system. However, as it is a fungible market and oil tankers can head in any direction, any supply shock on the oil markets affects every country. Probably the most immediate focus is on managing such supply shocks and we are doing that through the International Energy Agency.

## Energy Policy

92. **Deputy Bríd Smith** asked the Minister for the Environment, Climate and Communications the Government's position in respect of the siting of a liquefied natural gas terminal in Ireland; the way that such a project would be permitted in the State while at the same time meeting Ireland's Paris Agreement obligations and climate action targets announced in the climate action plan; and if he will make a statement on the matter. [19087/22]

**Deputy Bríd Smith:** The Minister was quoted in *The Irish Times* last week as making an astonishing statement in which he left open the door for the introduction of LNG or nuclear power in order to deal with this crisis. Is it his position as Minister and that of the Green Party in government to allow this country to be tied into the use of LNG, which would basically mean a reliance on another type of fossil fuel for approximately 30 years?

**Deputy Eamon Ryan:** I thank the Deputy. I will read out the formal response and then come back to her on the issue she has just raised.

**Deputy Bríd Smith:** I tabled a question on the Question Paper and I would like the Minister to answer it, rather than answering the question that is in his head.

**Deputy Eamon Ryan:** The written response I have is in answer to the Deputy's written question. If she would prefer, I will focus on the specific issue she has just raised orally. I have been involved with energy policy for approximately 20 years in this House. At various stages down through the years I have said that one should always look at all options in respect of nuclear power. I do not believe we will turn to nuclear because it is too expensive, as we have a more competitive comparative advantage with regard to our own renewable power supplies. One should never rule out options, however, as choices are always made on best energy solutions, together with the economic and environmental benefits.

Similarly, with regard to gas and liquefied natural gas, LNG, I have made my position clear over the years. We have to avoid the risk of having stranded assets. The investment, the new future, particularly in the gas sector, I see as coming in the conversion of that renewable power that we have into hydrogen supplies. Those will be the investments into the future.

Over the years we have made some very specific decisions which I believe are the correct ones and which include not proceeding with fracked gas in our country or with oil and gas exploration because of that risk of stranded assets and the climate imperative of switching away from such fossil fuels.

I reiterate what I have been saying over the years which is that we never rule out any options. One always looks at what is strategically best for the country and our people, and considers all options, but I will obviously inform the policy process with my own views.

There is an issue around gas storage in Europe at the present time and the war has changed everything. I have been talking to the Deputy's colleagues, Deputy Boyd Barrett and others, who are saying that this crisis has not been caused by the war but I believe that it has been, particularly the energy crisis aspect of it. What we have seen over the past year is that Russia has been scaling back its export of gas and increasing its own storage. We have a situation now where Europe is very low on gas storage and Russian gas storage is very high. We have to look at all options within that European framework.

**Deputy Bríd Smith:** A couple of things arise from the Minister's comments. It will come as a major surprise to many of the Minister's party members and the climate movement that he has said over the years that we have to keep all options open, including nuclear power. Over the years, what I have heard from the Minister, particularly as he considers himself a leader of the climate movement, is that we have to keep fossil fuels in the ground and that we must do this in order to reach Paris Agreement targets, to reduce our emissions and to take radical action. What the Minister is saying now is quite the reverse. He is leaving the door open to any form of power in the current climate, which he has just repeated there.

I find it contradictory, however, that his colleague, Deputy Hourigan, who is sitting in the Chamber now, has put forward a Bill to ban LNG facilities in the future. It is almost as if the Minister is saying that we may have to put up with one facility at Shannon, or possibly a State-led one, but in the future we are not going to have them. We need clarity from the Minister as to his position on this. It is unfair to the movement and to the Deputies in this House, who, like the Minister, are passionate and concerned about climate change, to have to try to figure out what the official position of the Government and of the Minister is in tying this country to a fossil fuel future.

**Deputy Eamon Ryan:** Over the years, I have always made perfectly clear the importance of looking at every option and not being afraid of debate. Debate is, in fact, the most important and rigorous thing that one needs in order to assess all of the options. If one goes into such a debate saying that one will never discuss nuclear or gas storage in any format whatsoever, how will we then arrive at an informed debate and make the case that this is the correct way to go?

As I said, the war has changed everything in that we are going to switch away from that Russian gas. To put the debate in that wider context, that is a very significant issue in Europe where a very significant percentage of up to a half of gas use is coming from that source. Making the switch will be difficult. Different countries will have different approaches. Some countries, such as Germany, seem to be looking at the introduction of new energy terminals. I believe we will be in a different position because, as I said, the physics of the gas network we are connected to, with the UK and Norwegian gas and our own gas supply, puts us in a very different position from other countries.

There are a whole variety of different aspects to that, including the fact we do not have gas storage on the island. We have always said we are willing to discuss the likes of gas storage in the Kinsale gas field, salt caverns or other possible options. We said we will look at those options in an energy security review. That is what we are doing and in that context, we cannot look at the options while saying that we are never going to consider one or the other.

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**Deputy Bríd Smith:** With all due respect to the Minister, and it is not my intention to insult him as I love debate and this is part of that debate, he has changed his position fundamentally by saying that we will leave the door open to LNG and to other forms of gas storage importation and the possibility of nuclear power. This is an extraordinary position that the Minister is presenting as a Green Party leader and a Minister for the Environment, Climate and Communications with responsibility for energy in a climate disaster. We will not even reach the target set by this Dáil in the Bill that was passed and we will not reach the Paris Agreement targets if we go down the road that is being argued by the Minister.

The Minister is misleading the public by saying this is connected with the war in Ukraine. We do not rely on Russian gas. For the next ten years, 27% of our supply will be coming from Corrib and the remaining 73% through the Moffat interconnector, which the Minister just acknowledged is mainly Norwegian and British gas coming from the North Sea. To twist this whole debate around to the Ukrainian disaster is not fair and is misleading the public. Can the Minister repeat for me again, please, what the official Government position is on the creation of an LNG terminal and the location of such a terminal in this country, and the possibility of nuclear power? Please focus on the LNG question?

**Deputy Eamon Ryan:** It is set out in the programme for Government, which we are now pursuing by carrying out the energy security study. I must return to the first key point as to the cause of this current crisis in high gas prices.

**Deputy Bríd Smith:** I am not talking about prices but supply.

**Deputy Eamon Ryan:** Prices are one of the crises that we have to address-----

**Deputy Bríd Smith:** I did not ask the Minister about prices; I asked about supply.

**Deputy Eamon Ryan:** -----and this debate is on whether the price crisis is connected to the war. Yes or no? It is fundamentally important to look at all of the options and at what is happening, and that we get clarity on that. There are a number of complex factors involved here related to how we came out of the Covid-19 pandemic, and so on, but what is happening in Russia and Ukraine is central to why our customers and our households are facing very high bills at the present time. I say that because it is part of the analysis that one has to take into account when looking at how we develop energy policy into the future. Ignoring that reality would not serve our people.

## Broadband Infrastructure

93. **Deputy Darren O'Rourke** asked the Minister for the Environment, Climate and Communications if he will report on the roll-out of the national broadband plan; the number of premises that were passed and connected as of 31 March 2022; the way that he plans to accelerate the delivery of the plan; and if he will make a statement on the matter. [19070/22]

**Deputy Darren O'Rourke:** Gabhaim buíochas leis an gCathaoirleach Gníomhach. The British Government published its own energy security strategy last night and it is very ambitious in respect of the ramping up and delivery of renewables, which is something that needs to be factored in to our own energy security review.

This question is about the roll-out of the national broadband plan and the number of prem-

ises that have been passed. Some 60,000 premises were to be connected by the end of January, which was then pushed out to the end of March. How many premises were connected by the end of March?

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth):** I thank the Cathaoirleach Gníomhach and the Deputy. The national broadband plan, NBP, State-led intervention will be delivered by National Broadband Ireland, NBI, under a contract to roll out a high-speed and future-proofed broadband network within the intervention area which covers 1.1 million people living and working in the more than 554,000 premises, including almost 100,000 businesses and farms along with some 679 schools.

Despite the unprecedented challenges presented by the Covid-19 pandemic, NBI has made steady progress on delivery of the new high-speed fibre broadband network under the NBP. I am advised by NBI that as of a April 2022 more than 316,000 premises have now been surveyed and over 166,000 premises are under construction or complete across 26 counties. I am further advised that almost 62,000 premises are now available to order or pre-order a high-speed broadband connection across 22 counties, with more than 41,000 premises passed across 19 counties and available for immediate connection.

In addition to the premises completed, build is under way on more than 124,800 premises, demonstrating the project is reaching scale. NBI has confirmed that more than 9,200 premises have been connected as of 1 April and this is increasing on a daily basis. To date, the level of connections is in line with projections and some areas are exceeding targets.

The Department has worked with NBI to agree an updated interim remedial plan which recalibrates the targets for 2022 to take account of the knock-on effects of the Covid-19 pandemic and other delays to the programme, with a revised target of 102,000 premises passed by the end of January 2023, which is the end of the contract year three. It remains the Government's ambition to roll out the national broadband plan State-led intervention as quickly as possible. The Department continues to engage with NBI to explore the feasibility of accelerating aspects of the NBP roll-out in order to establish the possibility of bringing forward to an earlier date premises currently scheduled in years six and seven of the current plan. The primary focus, however, must be on addressing the delays that have arisen and ensuring that the build programme gets back on track and is building momentum month on month.

**Deputy Darren O'Rourke:** There were a lot of figures in the Minister of State's response and I noted some of them. Importantly, the original target for the end of January 2022 was 115,000 premises. That was reduced to 60,000 a number of months ago. By the end of January, about 35,000 houses were passed. NBI told us at the end of January that by the end of March it would be back on track and would hit that 60,000 target. Now the Minister of State tells the Dáil that, instead of 60,000, NBI passed approximately 42,000 premises between the end of January and the start of April, so it is passing about 3,200 premises a month. At that rate it will not make 60,000 by the end of the year. The Minister of State referred to another target, 102,000 by the end of January of next year. The original target for the start of next year was 205,000. This project has been reducing its ambition and is missing even that reduced ambition. I would be sending up a flare at this stage if I were the Minister of State.

**Deputy Ossian Smyth:** The Deputy is right that the project is behind where it should be at this stage, at the end of year two. The ambition, or the agreed remedial plan, is to double the

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output of connections in this year compared with the number last year to reach 102,000 by the end of the year. The project is not where it should be. Part of the remedial plan was to discuss the reasons for the delay. Some of those reasons are simply the fault of NBI. It can blame its contractor but it is still responsible for what its subcontractor, Eir, which it works with, does. One of the reasons is the pandemic. Although we thought the delays in the original waves of the pandemic would be over, Omicron, of course, took out many staff. That delayed things but it is not the entire story. Some of those delays are the fault of NBI, and it will be charged penalties for that. I have worked with NBI and, in the past month, have met both the chair of NBI and the chair of Eir. I will continue to do that. We reformed the mobile phone and broadband task force in order that we could co-operate with the local authorities. I believe and am assured that we are now converging and getting back on track, that a lot of the issues they had have now been resolved and that the project is now picking up, accelerating and reaching pace.

**Deputy Darren O'Rourke:** The important element is the number of premises passed. That is the real metric. People can avail of broadband when it is available to them. The pre-order and under-construction elements are just a distraction, but it is important there is a pipeline in that regard. Can the Minister of State outline what sanctions there are? Are they just for NBI or are they for Eir too? Eir has a responsibility for its make-ready process. I know there are problems within the system. What sanctions are there? Are they kicking in and, if so, to what extent? If not, when will they kick in and at what cost? What assurance is there that the project is getting back on track?

**Deputy Ossian Smyth:** The project contract includes a schedule of when things have to happen. It also includes a service level agreement, SLA, for the quality of service that has to be provided. Therefore, if NBI's network goes down for a period, it gets charged a penalty fee. If it cannot pass the number of homes it is meant to pass according to the schedule, it gets charged. Those amounts of money are deducted from the payments it gets from each home it passes.

**Deputy Darren O'Rourke:** How much is that?

**Deputy Ossian Smyth:** NBI gets money only when it has passed a home. It sees deductions from those payments where there are penalties in place for what it has failed to deliver, so there are-----

**Deputy Darren O'Rourke:** How much has NBI been fined so far?

**Deputy Ossian Smyth:** The money is taken out of the payments NBI is due. In the same way money is taken out of one's salary, the payments due to NBI are taken out. If the Deputy looks at the total amount of money paid in subsidy and divides it by the number of homes connected, he will see that we have paid out only 5% or so of the total cost of this project. That is reflective of the number of homes passed. NBI gets money when it does work.

## Energy Policy

94. **Deputy Cathal Berry** asked the Minister for the Environment, Climate and Communications the measures he has taken to enhance Ireland's energy security for the next 12 months; and if he will make a statement on the matter. [19071/22]

**Deputy Cathal Berry:** I listened intently to the Minister's response to Deputy O'Rourke in

respect of energy security. Perhaps my question is almost a follow-on from that. Specifically, will the Minister outline his plan to enhance Ireland's energy security over the next 12 months?

**Deputy Eamon Ryan:** The immediate-term key is that we continue to monitor international gas and oil energy markets and to consult with our EU and international partners on appropriate measures, if necessary, to ensure energy security in light of Russia's invasion of Ukraine. The European Commission is engaging with other countries to ensure sufficient and timely supply of natural gas to the EU from diverse sources across the globe in order to avoid supply shocks, including those that could result from disruptions.

Nationally, my Department is liaising closely with those State bodies that have statutory roles in respect of energy security and emergency management, including the National Oil Reserves Agency, which is responsible for maintaining Ireland's strategic oil stocks; the Commission for Regulation of Utilities, which oversees emergency planning for gas and electricity; Gas Networks Ireland, which is responsible for emergency planning of the natural gas network; and EirGrid, whose roles include planning for and managing the electricity system during emergencies, and which works closely with ESB Networks, which has statutory responsibility for managing the electricity distribution system. The existing arrangements are being examined by my Department and the relevant agencies to see if they require any modification to deal with the specific challenges posed to energy security by the war in Ukraine.

In addition, the National Cyber Security Centre is currently operating at a heightened state of preparedness in response to recent cyber incidents and the ongoing Russian invasion of Ukraine. The National Cyber Security Centre is in ongoing contact with its counterparts in the EU, the UK, the US and other countries to share information and to monitor possible threats. The National Cyber Security Centre continues to work closely with the Defence Forces and the Garda Síochána and is in frequent contact with operators of critical infrastructure and services to monitor for possible malicious cyber activity.

**Deputy Cathal Berry:** I thank the Minister for his detailed response. I agree with him that we will be okay in short term. It is reassuring to hear that there is a lot of work going on behind the scenes. We are fortunate to be facing into the summer now, which should take a bit of pressure off the system. My concern is, post-Hallowe'en, in six months' time, when we will face into the next winter, whether we will be able to ride out that storm. I thank the Minister for confirming that an energy security review is ongoing. Perhaps he could expand on that slightly. Who is taking the lead on that review? Is there any deadline for its completion? Will the report be published?

**Deputy Eamon Ryan:** Our Department is taking the lead on this. The Secretary General has set up a special energy security review group, which is meeting weekly. We expect to be able to publish a more detailed framework analysis to inform the public, other Departments and industry in the coming days or weeks. That analysis will look at a variety of aspects to this. We also need to look at further specific measures to help consumers, particularly with debt management, and some of the regulatory approaches we can take to help people through this difficult period. As I said earlier, we need to look at ways in which we can accelerate the development of our own renewable power supplies, promoting energy efficiency and looking at the more medium- and long-term energy security aspects. I have had two meetings in the past two or three weeks with the International Energy Agency, which has a central role in respect of the markets, particularly the oil markets, which are probably one of the areas most at risk for us because of the Russian crisis. As I said to Deputy O'Rourke earlier, there is a shortfall of something like 3

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million barrels a day in international markets because the Russian exports cannot get access to markets as readily as before. That is why we have been engaged in all stock releases-----

**An Leas-Cheann Comhairle:** Minister, you are way over time.

**Deputy Eamon Ryan:** -----while working with the IEA on that market security issue.

**Deputy Cathal Berry:** Excellent. It is very reassuring to hear that response. Following on from the Minister's response to Deputy O'Rourke, he mentioned the potential import ban on Russian fossil fuels.

*11 o'clock*

I very much agree with the Government's position of that. I think that most Deputies in the Chamber would too. I thank the Minister for reassuring us that we should be okay from a coal and a natural gas point of view. He did mention that oil is our Achilles heel, for obvious geographical reasons. Perhaps the Minister could outline where we are in respect of a strategic oil reserve here in this country. He mentioned the National Oil Reserves Agency, NORA, in response to me. Could he outline if we have 90 days of supply? Where is it located? Is it all in Cork, or are some of the reserves in different European countries? Will we have access to that in extremes?

**Deputy Eamon Ryan:** The Deputy is right that we went into this crisis in good stead because the National Oil Reserves Agency to my mind has done a very good job. We have a lot of stock. We have a 90-day stock that we are required to have under International Energy Agency rules. The majority of that is held within the island. We have even looked at some of the security aspects of that over the past ten to 15 years, while recognising that the national distribution system is not just one distribution system, but has regional characteristics. Whitegate in Cork is a very strong centre because it is our main processing plant and is our only refinery.

On the Dublin market and the distribution from the Dublin area, I remember when I was in office 12 or 15 years ago, that was one of the strategic issues that we had to consider. Much work has been done to try to improve our stocks storage system on a national level such that if there is a disruption, we can balance it and manage it regionally. In the first release of stocks, we did some 220,000 barrels of oil as part of that. That was our fair share of the IEA process. That was ticketed in Denmark, but-----

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

**Deputy Eamon Ryan:** -----some of those stocks may end up back on the Irish market as physical stocks. I think that we are well served by NORA. In my experience, it has been giving good, timely advice on this crisis-----

**An Leas-Cheann Comhairle:** The Minister should note that we are over time.

**Deputy Eamon Ryan:** -----and their presence is a reassurance.

## **Post Office Network**

95. **Deputy Marian Harkin** asked the Minister for the Environment, Climate and Communications the specific concrete measures that will be taken by the Government and An Post

to ensure the viability of the post office network, particularly given the new contract for postmasters which is due to start in January 2023. [18219/22]

**Deputy Marian Harkin:** What specific concrete measures are being taken or will be taken by the Government and by An Post to ensure the viability of the post office network? The context in which I ask that question, as the Minister is well aware, is that recently there was a meeting of the Irish Postmasters Union, IPU, at which there was overwhelming support for industrial action. They are balloting their members and they expect a result by the end of April. Therefore, this is a crisis situation. That is the context of my question.

**Minister of State at the Department of the Environment, Climate and Communications (Deputy Hildegard Naughton):** The Government is committed to a sustainable An Post and post office network as a key component of the economic and social infrastructure throughout Ireland. An Post is a commercial State body with a mandate to act commercially and a statutory responsibility for the State's postal service and the post office network. In addition, Irish post offices are typically independent businesses that are run by postmasters.

I have met the new chairperson of An Post and the chief executive and they fully understand the Government position. They assured me that a sustainable, viable and customer-focused post office network is a key strategic priority for the company. The company has assured me there are no plans for a consolidation outside of the terms of the transformation programme that was agreed with the Irish Postmasters Union in 2018 and that there will be no compulsory closures of post offices.

The transformation programme was impacted by the Covid-19 pandemic. I worked with An Post and introduced the pandemic recovery fund in 2021, which was worth €8.5 million over an 18-month period. This commenced on 1 July 2021 and will continue until the end of this year. I fully recognise the importance of the high value and high quality post office network to our citizens right across the country, as well as the central and trusted role of postmasters in our communities. An Post, including through the post office network provides important services to its customers and it is contracted to provide key Government services to citizens.

The work on an interdepartmental group, which was established to consider the feasibility of the new Government services, is being considered at present and I am committed to the sustainable network. While decisions relating to the network are matters for the board and the management of the company, they continue to engage with the IPU on operational matters. The Government is committed to ensuring that An Post continues to play a vital role.

I have requested officials in my Department to engage with the company, with other Departments and with key stakeholders to explore all options, in line with this commitment.

**Deputy Marian Harkin:** I heard what the Minister of State said. She said that the Government is committed to a sustainable post office network. The next thing she said was that she met representatives of An Post and that they fully understand the Government's position. The Minister of State probably has clarified it a bit there but why has she not met the Irish postmasters? The sentence the Minister of State just uttered struck fear into my heart when she said that there will be no compulsory closures. We know that but if postmasters cannot make a living, there will be nobody to run the post offices. While there will be no person from An Post and no Minister coming down to close the post offices, if they are not viable or do not have enough services or if postmasters are not earning a decent living, they will close.

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The Minister of State's interdepartmental group was supposed to report last July. We have heard nothing, so there is no progress. That is why they are looking at industrial action. This is last gasp stuff.

**Deputy Hildegarde Naughton:** I have met the Irish Postmasters Union on several occasions. I spoke at the IPU annual conference last October. My Department engages in weekly meetings on the viability of the post office network throughout the country. The Deputy can be assured that it is a high priority for me, as Minister of State with responsibility in this area, to ensure that we have a viable and sustainable post office network. As I said, weekly meetings take place and nothing is being ruled in or out in relation to consideration around this. That includes financial supports.

I am acutely aware of the valuable importance of the post office network. We have seen it in action right throughout the pandemic. We saw the huge support and service that it provided within communities up and down the country. It is critical and is a priority for me. The Deputy can be assured that everything has been done within my Department, while working with other Departments, around supporting the network.

**Deputy Marian Harkin:** I do not doubt that the Minister of State wants to see a sustainable post office network. My issue is not with her personally. It is with how this is being done, or, how it is not being done. We have a situation where next year, postmasters will be basically relying on payment for transactions. Has the Government looked at a public service obligation, PSO, levy?

Why has the interdepartmental group, which was supposed to report last July, still not reported? It is now nine months after it was supposed to report. What is happening? What progress is being made? Postmasters are at the end of their tether. I have met them from all over my constituency, in counties Leitrim, Roscommon, Sligo and Donegal. These are ordinary people who are going to work every day and who want to provide a service. The Minister of State told us what a brilliant service it was during Covid-19. Yet, these people are genuinely concerned that this time next year, some of them will not be there. We will have councillors and Deputies, including myself, asking that a post office will not be closed but if we do not have postmasters to run them and if they cannot make a living, we will have no Post Offices.

**Deputy Hildegarde Naughton:** I thank the Deputy. As for the interdepartmental group, that report is under active consideration within the Department. I also am acutely aware that there are a number of issues that we need to consider as a Government. As I said, my Department is doing that on a weekly basis around the future sustainable viability of the network. The questions the Deputy is asking are exactly what is under consideration within my Department, both with officials in my Department and with others.

The Deputy can be assured of this, as I have said to the IPU previously, as well as in my engagements with the CEO of An Post and with the chairperson of the board with the responsibility to ensure that we have a sustainable post office network right throughout the country. The Deputy can be assured that that work is ongoing. I am aware of the issues she has raised on the transformation payments that will end at the end of this year. Some €8.5 million was secured through my work working with An Post last year. I am therefore acutely aware of the issues. The Deputy can be assured that work is ongoing and that I am aware of the issues around ensuring that we have a viable network.

## **Ceisteanna Eile - Other Questions**

### **Recycling Policy**

96. **Deputy Neasa Hourigan** asked the Minister for the Environment, Climate and Communications his views on how quickly the food sector will be enabled to remove single-use plastic; if the circular economy Bill can be strengthened further in relation to different types and uses of plastics; and if he will make a statement on the matter. [18849/22]

**Deputy Neasa Hourigan:** I would like to ask the Minister of State, Deputy Ossian Smyth, his views on how quickly the food sector will be enabled to remove single-use plastics and if the circular economy Bill can be strengthened further in relation to different types and uses of plastics.

**Deputy Ossian Smyth:** I thank Deputy Hourigan for her question. The policy document, A Waste Action Plan for a Circular Economy, which was published in 2020 commits to substantially reducing waste from packaging and single-use plastic items over its five-year lifetime. Steps include a deposit return scheme for plastic bottles and aluminium cans; the introduction of a levy on disposable coffee cups and other measures to encourage the use of reusable cups before an eventual ban on disposable cups altogether; supports to increase the use of recycled materials in packaging; and measures to significantly reduce single-use plastic items such as non-medical wet wipes, hotel toiletries and packaged condiments. This builds on the measures already taken since the transposition of the EU's single-use plastics directive in July last year.

The Circular Economy, Waste Management (Amendment) and Minerals Development (Amendment) Bill 2022 includes powers to introduce new environmental levies on single-use items. These levies will work in a similar way to the plastic bag levy, with the proceeds ring fenced in a circular economy fund for projects relating to environmental objectives. The various levies will be introduced incrementally, with the initial focus on the introduction of levies on disposable hot drinks cups this year. The objective of the new levies is not to raise revenue. Indeed, the aim of introducing them is to encourage the use of reusable alternatives in order that the consumer never incurs the levy in the first place. To support this development and to further reduce any costs associated with the levy on consumers and businesses, I intend to specifically target a portion of the income from the new environmental levies towards projects and schemes that will increase the availability of reusable products and packaging.

**Deputy Neasa Hourigan:** I thank the Minister of State for his response. Single-use plastics represent one of our biggest environmental challenges and their rapid increase in production has overwhelmed our world's ability to recognise the problem. The price we now pay for whatever small convenience single-use plastics provided to us by the food sector has led to a throwaway culture where we now see plastic everywhere, on our streets and in our rivers and seas. Single-use plastics account for nearly half of all the plastic we produce every year and many of these items originate in our coffee shops and convenience stores. They include water bottles, straws, cups and utensils which have a lifespan of just hours, or even minutes, but they continue to exist for hundreds of years afterwards. Much of this is unnecessary and there

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already are better alternatives available at a similar cost. This does not just affect urban areas like my own. Anyone who walks even the smallest rural boreen will see ditches full of plastic waste around the country.

I very much appreciate how A Waste Action Plan for a Circular Economy represents a step change in our approach to waste in Ireland and moving to minimise the amount of waste generated but the food sector in particular and plastic producers themselves must be held responsible for the products and packaging they create. Recycling alone will never solve this problem and the sector must undergo a fundamental shift in how it brings its products to people.

**Deputy Ossian Smyth:** Last July, with the single-use plastics directive, ten of the most common single-use plastic items that wash up on beaches, including plastic knives, forks, plates and earbuds, were banned. That was done on an EU-wide basis. I went into a shop a week later to make sure they were not on the shelves and they were not, so these things actually work.

The deposit return scheme focuses on one particular type of plastic, namely, polyethylene terephthalate, known as PET, which is the clear plastic used for bottles but it can be expanded to other types. When we get this working for PET and aluminium, I will certainly be looking at other types of plastics including high density polyethylene, HDPE, for example, which is used to make milk cartons.

Better than recycling is avoiding the use of these materials altogether. In some major supermarkets it is now possible to refill bottles with orange juice, for example, and some smaller producers have no packaging whatsoever. There are some specialist shops that allow customers to bring their own packaging to be refilled and I would like to see that becoming the norm in supermarkets too. Yesterday I was invited to visit a café on Pearse Street called Bread, which has eliminated the use of disposable cups already, off its own bat. The café is making money out of it because it makes sense for businesses not to be paying for waste to be removed.

**Deputy Neasa Hourigan:** As an inner city representative, I would like to touch on a related but very important topic, which is the privatisation of waste collection services. It simply has not worked and I would like to see the re-municipalisation of waste collection services. In my constituency of Dublin Central, this would mean bringing waste collection back under the control of Dublin City Council, with the aim of providing a much-improved service. I am thinking in particular about terraced housing and streets that are quite constrained and the possible use of collective waste services. I am regularly contacted by constituents about this issue and particularly about problems they are having with private waste collection services. These problems include service providers not collecting waste when they should, collecting late at night or not at all, as well as the inadequate plastic bags that the companies provide, which are left outside people's homes for collection, being opened by wildlife, including gulls and foxes. The list of issues goes on and on and we need to fundamentally rethink the consequences of the privatisation model for this important service. We need to begin to move towards publicly-provided waste collection services that deal with households in all situations.

**Deputy Richard Bruton:** On Deputy Hourigan's point as to whether the Minister of State is willing to strengthen the Circular Economy, Waste Management (Amendment) and Minerals Development (Amendment) Bill 2022, I agree that we need a fundamental shift in a series of sectors, including the food sector, but there is no provision in the Bill for imposing any responsibility on Ministers other than the Minister for the Environment, Climate and Communications, or the EPA, to develop these strategies. I raised this earlier with the Minister for Enter-

prise, Trade and Employment and there seemed to be at least a willingness there to consider it and that is an important sector.

There is no alignment of the Circular Economy, Waste Management (Amendment) and Minerals Development (Amendment) Bill 2022 to the climate action plan. The Bill is not aligned or on the same reporting cycle. Would the Minister of State consider those changes which are fundamental to the way this will work?

**Deputy Ossian Smyth:** I am planning to bring in a number of amendments to the Bill on Committee Stage and am absolutely open to discussing those in committee or beforehand. I am also happy to look at any suggestions from Deputy Bruton, particularly with regard to whether other Ministers or the Environmental Protection Agency, EPA, should have certain requirements.

Regarding the privatisation of waste collection, that issue is being discussed actively in Dublin City Council. I am not entirely sure what is going on there but I know that councillors are coming to a view on it and I will be following that with interest. The CCTV measures that are included in the circular economy Bill will not just apply in rural beauty spots. They will also apply in inner city areas which have ongoing, severe problems with dumping, including the north inner city. There is a particular problem with waste management in apartment blocks. How do we manage shared facilities and make sure people are sorting their waste properly? How do we manage waste collection for people who do not have driveways or who lived in terraced houses and must leave bags on the street, which are being ripped apart? We need to look at examples from other countries with similar topology and layout of architecture, learn from them and do it right.

### **Renewable Energy Generation**

97. **Deputy Steven Matthews** asked the Minister for the Environment, Climate and Communications the steps he will take to ensure citizen engagement with offshore wind energy projects in Ireland; and if he will make a statement on the matter. [18847/22]

**An Leas-Cheann Comhairle:** Deputy Ó Cathasaigh is to introduce the next question.

**Deputy Marc Ó Cathasaigh:** I am asking this question on behalf of my colleague, Deputy Matthews. The question relates to an issue affecting the constituencies of the Minister and the Ministers of State, Deputy Matthews's constituency in Wicklow, as well as Wexford, my own constituency of Waterford and around the coast into Cork. I am referring to the large-scale development of offshore wind. What steps will the Minister take to ensure citizen engagement with offshore wind energy projects and will he make a statement on the matter?

**Deputy Eamon Ryan:** Citizen engagement is at the heart of Ireland's energy and climate transformation. Local coastal communities will be central to the decision-making processes of community engagement initiatives as part of Ireland's offshore renewable energy journey.

The Maritime Area Planning Act 2021 provides the legal underpinning to an entirely new marine planning system which will enable the realisation of our offshore renewable energy ambition by establishing a well-regulated and inclusive consenting process, with comprehensive environmental assessments and consultations, to enable meaningful community engagement.

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Work on a revised offshore renewable energy development plan, which will provide an evidence base for the identification of areas most suitable for the sustainable development of offshore renewable energy, has been initiated by my Department. As part of that process, my Department established an advisory group to facilitate the development of the plan and participation in the spatial planning process by all relevant stakeholders from the economic, environmental and social pillars.

I had the privilege of participating in the first national climate stakeholder forum last month, attended by over 120 delegates who discussed various issues including engagement by them. My Department has also recently completed a public consultation on the draft terms and conditions for the first offshore wind auction under the renewable electricity support scheme, RESS, which will support offshore wind development in Ireland. Projects successful at auction will be required to make significant community benefit contributions from an early stage in the life cycle of an offshore wind project. There has been a significant response from local communities and my Department is now carefully considering all submissions before issuing a formal response later this year.

**Deputy Marc Ó Cathasaigh:** The south and east coasts will be the next step in terms of unlocking offshore renewables. Hopefully with the development of floating offshore technology the west coast will begin to open up. There is no two ways about it; these projects will have a visual impact. There are people in my community, just as there are people in the communities of the Minister and of Deputy Matthews, who are legitimately concerned about the visual impact and concerned about other environmental impacts. I realise there is an onus on the companies to engage with communities. We have to talk about citizen engagement but we also have to talk about community benefit and do so in a real way. We have to feel as though we are deriving benefit from this, as an island and as an economy, and not just that the profits are being levied by large companies. There is a role in Government communications to get the message across on the scale of the challenge and the scale of the opportunity.

**Deputy Eamon Ryan:** I agree with Deputy Ó Cathasaigh. There are a number of areas where we have to accelerate the roll-out of the climate solutions to meet our climate targets. The debate last night showed this. This is with regard to switching to heat our homes, sustainable mobility and offshore renewable energy. The Government is establishing a number of task forces to look to see how we manage this, particularly in the next three years. With regard to offshore renewables it will be about making sure we complete the auctioning, consenting and planning permission and that contracts are started for the first phase of projects. They are relevant projects that we have been in planning for up to ten years. Not all may progress but I expect a significant number to do so. This group of projects will be central in terms of the arrival in the middle of this decade; in 2026 and 2027. The second phase will be the development of more projects as we move farther into southern and western waters and start floating offshore projects. They will also have to be consented through the auction process in time for us to meet our 2030 target of 5 GW.

**Deputy Marc Ó Cathasaigh:** I thank the Minister. He is speaking about overreaching national targets, and of course we must think about these, particularly in the context of the carbon budgets passed last night. There is a flip side of the coin which is not strictly related but is very closely related. Last night there was a public meeting in Clonea-Power, County Waterford. A large group of local residents came together to voice their concerns about a very large solar project in the region of 145 acres. I could not be at the meeting but I have heard there was significant community concern about a visual impact and an industrial impact. The residents did

not necessarily see the community deriving benefit. I think back to the Covid communications we had. They were so good in ensuring we had community buy-in and everybody understood the scale of the challenge and was prepared to play their part. We need a communications strategy of this order so people understand the scale of the challenge and feel as though they are deriving community benefit from these projects.

**Deputy Alan Farrell:** I completely agree with Deputy Ó Cathasaigh, particularly his opening remarks. To me this is about empowering communities to feel ownership of such projects, particularly with regard to the benefit that communities can gain. In the context of Deputy Matthews's question, ensuring citizen engagement in these processes is paramount. I echo what Deputy Ó Cathasaigh said on the benefits and how we can instill it in communities during the planning process for these projects.

**Deputy Eamon Ryan:** I agree with both Deputies. I was giving the framework of what we are looking to do. Within that, however, it is critical that in the planning application process there is real public consultation and that it is an open, transparent and engaged process. Not every project will get planning permission. It is critical that there are community benefits and that all of the revenue does not just accrue to private developers. It is critical the State has a central role in the transmission network planning. There are revenues to the State from this. There will be further community benefit in a variety of ways. The operation and maintenance of these facilities will see a complete turnaround in Irish ports throughout the country. These will be typically smaller ports where it will bring economic life and jobs to them. There will be larger deployment ports in Cork, Shannon and Rosslare. They have huge industrial development potential, not only in the deployment of these turbines but also using the power when it comes back in. This includes the area of Dublin. It will become a regional balanced-development economic opportunity, particularly for the south east, south west, west and north west, as I said in the Chamber yesterday.

In this consultation, we have to make sure that what we do is within our environmental constraints and that we manage this carefully, particularly in terms of bird life and other marine life. We can get this balance right. We happen to have one of the windiest areas in the world. Our sea area is seven times our land area and the scale there gives us opportunities to optimise for local communities, as well as economic security for the country.

*Questions Nos. 98 and 99 replied to with Written Answers.*

### **Climate Change Policy**

100. **Deputy Alan Farrell** asked the Minister for the Environment, Climate and Communications if an update will be provided on the work of the national climate stakeholder forum; and if he will make a statement on the matter. [18871/22]

**Deputy Alan Farrell:** My question relates to the climate stakeholder forum which the Minister has already referenced. I ask him to go into further detail on the work of the forum.

**Deputy Eamon Ryan:** I had the privilege of participating in the national climate stakeholder forum on 22 March this year. The forum was chaired by Professor Alan Barrett, director of the ESRI, and focused on realising the opportunities presented by the transition to carbon neutrality in a fair and equitable manner. The forum comprised a series of one-day delibera-

tive workshops attended by more than 120 delegates, who discussed four priority areas where we aim to accelerate activity, as I said earlier. The areas were offshore renewables, retrofitting, sustainable mobility, including active transport and modal shift, as well as in the engagement, communications and climate literacy part that we need to get right in this regard. I received recommendations from each workshop. My Department will produce a short report on these recommendations that will inform the next climate action plan and sectoral policies. It is my intention that national climate stakeholder forum will meet three times each year. I will invite Government colleagues and Members of the Oireachtas to the next two events planned for later this year, where they will be offered the opportunity to hear from stakeholders to discuss the recommendations emerging from the March event and explore how we can deliver on them.

**Deputy Alan Farrell:** I thank the Minister. He will agree the forum is a critical component of establishing policy in this area. I certainly believe it will be very beneficial to the House, particularly to Members of the Oireachtas who have an interest in being invited. I am very pleased the Minister mentioned that at the next opportunity, this will occur. My desire is that the report the Minister mentioned, which will be created on foot of the meeting last month, would be made public. I am not sure if this is something the Minister intends to do but I am sure my colleagues and I would benefit from it being made available, particularly to the Oireachtas committee.

**Deputy Eamon Ryan:** It absolutely makes sense for us to make it public. This is part of the answer to the question asked earlier about how we consult. This is an example of consultation and it is at the early stage. Before we have even established these task forces to accelerate delivery on some of the key areas, we are working in a partnership approach. We listen to the NGO community, trade unions and the business community and get them involved and engaged. What we have to do is beyond compare in terms of the scale and speed of change. One reason the four areas were picked for discussion is that they are the areas where some of the task forces to accelerate our activity will be focused and concentrated. I was there for most of the day. I had to slip out to come here for a vote. Other than that, I was able to go from one workshop to another. I can say with regard to the level of engagement that Irish people want to be good at this. If we approach it in this open way, whereby we listen and it is not presumptive, and whereby consultation is not a tick-box exercise after the fact but that stakeholders are involved from the beginning, this is what will work.

**Deputy Alan Farrell:** I thank the Minister. I completely agree. People want to have ownership of the processes into which we are entering in terms of a reduction on the reliance on fossil fuels and all of the associated energy sources we are now exploring. One of the areas in which a great deal of engagement with the public is required was mentioned by Deputy Ó Cathasaigh in the context of a prior question. I refer to solar energy generation and the knock-on effects and impacts it has on farms in particular. Ideally, we should not put solar arrays on viable farmland, but, having said that, we will put them wherever is appropriate. There are concerns. These engagements and fora are very important, as is what flows from them. I welcome the Minister's comments on the publication of those documents, which will be very informative on an ongoing basis.

**Deputy Eamon Ryan:** No one is forcing anyone to take on any of these measures. With regard to the likes of a solar farm, the landowner would obviously first have to decide to make an application. The success of such applications will be governed by grid connections and proximity to the transmission or distribution system as much as by anything else. The connection cost will probably be the key arbiter as to which projects are economic. With regard to

something that Deputy Ó Cathasaigh said at a public meeting of concerned local people in his constituency last night, we will obviously have to look into matters such as visual impacts or other consequences for neighbours. We have to get this right but we can also see that we cannot just keep going at the current pace. It is not only that we have to act fast because we are in a climate crisis. There was an earlier question on energy security. Almost 70% of our energy is imported, which puts us at risk. That is a real fundamental strategic risk for us as a people. The more we can use our own resources, the more secure we will be.

**An Leas-Cheann Comhairle:** Táimid thar am agus caithfimid bogadh ar aghaidh ach cuirim fáilte roimh na mic léinn thuas staighre. Tá sé tráthúil go bhfuilimid i mbun cainte faoi athrú aeráide agus cúrsaí fuinnimh.

*Question No. 101 replied to with Written Answers.*

### **Wind Energy Generation**

102. **Deputy Neasa Hourigan** asked the Minister for the Environment, Climate and Communications the steps he is taking to ensure Ireland delivers on the 5 GW target for offshore wind; if Ireland needs to be even more ambitious in order to support Europe weaning itself off fossil fuels; and if he will make a statement on the matter. [18848/22]

**Deputy Neasa Hourigan:** The Minister touched on this issue in some of his replies to previous questions, but I will ask him about the steps he is taking to ensure Ireland delivers on its 5 GW target for offshore wind energy. Should we be even more ambitious to support Europe in weaning itself off of fossil fuels?

**Deputy Eamon Ryan:** We are being ambitious. We have to achieve what was set out in the programme for Government, that is, at least 5 GW of offshore wind energy generation by 2030. The programme for Government commits to developing a longer-term plan to harness the estimated 30 GW of wind energy that could potentially be tapped into in our Atlantic waters.

The Maritime Area Planning Act 2021 provides the legal underpinning for this new planning and development system, which will balance the harnessing of our offshore potential with the protection of our environment. On 25 April, the application window for maritime area consent, MAC, applications under the new marine planning regime will open for a set of pre-qualified projects. The first MACs are expected to be granted in the second half of this year. In tandem, my Department is designing a pathway, based on consultation feedback, for a second batch of projects to progress through the new consenting system upon the establishment of the maritime area regulatory authority early next year. Work on a revised offshore renewable energy development plan is currently in progress. This plan will set out the pathway for the development of offshore renewable energy beyond 2030.

As I have said, we are establishing a cross-departmental offshore wind delivery task force to drive delivery. Its work will include identifying the supporting infrastructure we will need and supply chain opportunities for Ireland's offshore wind industry.

The case for ambition in this area is that we are not the only one in this business now. We are actually playing catch-up with some other countries. The UK has already deployed approximately 14 GW of offshore generating capacity and just announced yesterday that it is

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accelerating its ambition and raising its target from 40 GW by 2030 to 50 GW. Our German colleagues are out in the North Sea already. Because of Germany's need to switch away from Russian gas, it is planning to increase its target from 30 GW by 2030 to 70 GW. Belgium has also revised its plan and is now aiming for 8 GW rather than 2 GW by 2030. I am just making the point that we are in the north-west European regional electricity market. Cables, turbines and so on will all have to be shipped to these various different countries so we have to be quick and ambitious if we are to be part of that shift and change.

**Deputy Neasa Hourigan:** I thank the Minister for his reply. It is encouraging to hear of the volumes we are now generating in the context of what our European neighbours are doing. Ireland is well positioned in Europe to be a leading light in this regard. Of course, we should have been moving on this years ago and ramping up over the last decade. Our offshore wind resources are by far enough to comfortably satisfy our electricity needs. The Minister will be aware of several industry insiders who have argued that we should increase our ambition even further. Given the number of projects at various stages of planning at this point in time and the potential total capacity of 29 GW or 30 GW, which the Minister mentioned, it seems that the target of 5 GW by 2030 could perhaps be increased. The current target represents the minimum of what we would do if we were serious about tackling the climate crisis, securing Ireland's energy future and protecting ourselves against the geopolitical threats on the European Continent we are living with at the moment. The past few months have shown that we need to look at this matter through that prism.

**Deputy Eamon Ryan:** We could be more ambitious, and we need to be. The real issue is delivery. One of the ways to deliver is through regional co-operation. I mentioned that many other European countries are now involved in a massive expansion of offshore wind plant. It is not just happening in Europe, but also in America, Asia and everywhere else because it is one of the cheapest and best sources of power we have. We happen to hold the presidency of the North Seas Energy Cooperation group this year. This is a group of nine countries that have signed a memorandum of understanding on working collectively to tap into this offshore resource. I hope that we will be able to get the UK included in that group. It was in the group originally, before Brexit. It is important that the UK is also part of our regional plans. Part of the planning in this respect should involve common organised procurement systems for shipping, cabling, turbines and electrolyzers to generate hydrogen from this energy when it gets to shore. I am working with my German, French and other European colleagues in the North Seas Energy Cooperation group to see how that can be managed to aid in this acceleration.

**Deputy Neasa Hourigan:** I will touch on the issue of LNG. As a source of energy, it is not particularly cost-effective and it would be economically short-sighted to introduce it. We should also consider the impacts on communities of unconventional gas extraction methods such as fracking and the impacts on communities where LNG terminals are located, which is an issue we very rarely talk about in this country. The industry is very dangerous and polluting to the local area. Multiple studies, including studies by Gas Networks Ireland and EirGrid, have found the existing gas infrastructure to be capable of meeting future demand, even in the event of extreme supply disruption. LNG terminals would also be a significantly costly investment in a fuel we are planning to rapidly phase out. Does the new European agreement with the US create a difficulty for the Government's current position on this matter? Will the Minister make a statement on his current position on LNG infrastructure?

**Deputy Richard Bruton:** The Minister will be aware that there has been lively debate on this matter within the Joint Committee on Environment and Climate Action under its Chairman,

Deputy Leddin. I would like to ask the Minister a couple of questions. When does he believe it will be appropriate to have a protected auction for floating wind energy generation capacity? When does he think it would be appropriate for Ireland to develop a hydrogen strategy? What is his view on the attitude of the Commission for Regulation of Utilities, CRU, which has indicated that LNG could be part of a strategy to develop a hydrogen sector and that we should not close our minds to it?

**Deputy Alan Farrell:** Following on from some of Deputy Hourigan's remarks, I have a query on the supply chain after 2030. Notwithstanding what certain industry experts have said, it is abundantly clear that a target of 5 GW is achievable, if difficult. However, given the competition we will face in the race to obtain the necessary components for the offshore wind energy sector post 2030, should we start looking at incentivising the creation of a domestic industry to supply this sector? How would we do that? Has the Minister considered the matter?

**Deputy Eamon Ryan:** I will try to answer those various questions in the short time I have. In response to Deputy Hourigan, I can say that the EU-US agreement does not impinge on us or force us in any direction. We have to make our own strategic decisions based on our own energy modelling and assessment. We always work in European co-operation, but in gas we are separated in effect from the European grid gas connection system because we are on the far side of the UK.

On Deputy Bruton's question on the auction for the protected quota for floating offshore wind, in some ways it comes to his second question. I expect that that will come in phase 2. As I mentioned earlier, the first phase is the relevant project. I expect that the auction process for the second phase will be up and running, if not completed, within the lifetime of this Government. That is the sort of scale we need to be able to deliver before the end of the decade, and it must be before the end of the decade. We can and should be much more ambitious. We will need to progress the hydrogen strategy this year. It is a very complex area that is evolving. The best analysis I have is that industrial applications will probably be received first. It is a question of whether we convert to hydrogen or ammonia. There are various other mechanisms. It could be an export opportunity for the country. The exact mechanism in that and the exact mechanism of the gas network, including how it is transmitted and stored, is the subject of the hydrogen review and the wider energy security review.

Lastly, in response to Deputy Farrell, I agree with him that the supply chain option for us, when we move to that floating offshore wind, is where it really scales up. I expect that the deep sea ports, including those in Cork, Shannon Foynes, Belfast and Derry, and other ports where there is large energy infrastructure and deep-water harbour facilities, are where we should be looking - the task force will be looking at it - at the manufacturing as well as deployment as a major industrial opportunity for our country.

*Question No.103 replied to with Written Answers.*

### **Renewable Energy Generation**

104. **Deputy Darren O'Rourke** asked the Minister for the Environment, Climate and Communications the additional resources that are being provided to the Commission for Regulation of Utilities and EirGrid to account for the increased workload as a result of offshore wind developments; the discussions he has held with the Minister for Housing, Local Government and

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Heritage on the need to provide extra resources to An Bord Pleanála for the same reason; the number of additional staff provided to each for this reason to date; and if he will make a statement on the matter. [18801/22]

**Deputy Darren O'Rourke:** I ask the Minister what additional resources are being provided to the Commission for Regulation of Utilities, CRU, and EirGrid to account for the increased workload as a result of offshore wind developments and other developments; and the discussions he has held with the Minister for Housing, Local Government and Heritage on the need to provide extra resources to An Bord Pleanála for the same reason. It continues on the theme from my last question. We have heard from many agencies and stakeholders about the deficits in human resources.

**Deputy Eamon Ryan:** The Deputy is absolutely right to question this, because the very centre point of us delivering everything else is ensuring that we have the resources within particular State agencies to deliver. On that basis, officials from my Department have been engaging with the Department of Housing, Local Government and Heritage with respect to the level of staffing required by An Bord Pleanála to process applications for renewable energy, both onshore and offshore, with a view to ensuring that there is sufficient and appropriate expertise in place to meet the State's ambitions in respect of the roll-out of renewable energy projects. These discussions are ongoing and will continue over the course of the current quarter. The CRU has submitted its strategic plan for 2022 to 2024, which includes a workforce plan to increase the workforce by 74 over the next three years to ensure it can deliver on its objectives, including programme for Government commitments in relation to off-shore renewable energy. My consent and that of my colleague, the Minister for Public Expenditure and Reform, is needed for the workforce plan and official-level engagement has been expedited to secure approval. Third, EirGrid has been appointed the operator and asset owner of Ireland's offshore electricity transmission system, with ownership resting with EirGrid at all stages of the phased transition, regardless of whether the grid has been developed by individual renewable energy projects or EirGrid. As a commercial State company, the resourcing required to deliver on EirGrid's mandate is a matter for the board and management of the company. I expect and see EirGrid expanding its operations to meet the requirements of this leap we need to make.

**Deputy Darren O'Rourke:** I will start where the Minister finished, on EirGrid. I must say that concerns have been raised both publically and privately. There have been media reports in recent weeks. There are real concerns about EirGrid's capacity to deliver on what it needs to deliver on. In terms of the grid connections, it is not even fit to tell us when it will deliver on what it is committing to deliver on. It will be the end of this year before it gives us a timeline on its 48 projects. It is saying very publically that there is nothing to see here and that EirGrid is in control. Everybody else in any way closely connected with the organisation, including the people leaving it on a daily basis, is saying that there are deep concerns and it is not across its brief. That is a major concern. I ask the Minister to address that point specifically in his response.

**Deputy Eamon Ryan:** I do not agree. My experience of EirGrid, having engaged with the company for over 15 years, is that it is absolutely across its brief. It is highly capable, professional and has real expertise in terms of how we develop the transmission system and how we manage this incredibly complex project - this variable supply and demand balancing system. I look at the variety of projects which EirGrid has delivered over the years, including the east-west interconnector. There are projects progressing at the moment right across our transmission system. I refer to the Shaping Our Electricity Future plan. I think the consultation that was

done on that is best in class in terms of bringing the public with us, as we discussed earlier. EirGrid has learnt the hard way over the years how to start getting that right. I see the management, executives and board of the company being well placed to do it. It does not have some of the restrictions that some of the State companies have. If I was really focusing on where this crunch issue about resources is, I think it is in getting additional staff to CRU and An Bord Pleanála. Those two organisations are dependent on the Department of Public Expenditure and Reform signing off on some of the approvals. If I am really focusing on where I will put my pressure on, it is to get those organisations additional staff, the same way that we staffed up our own Department and the Sustainable Energy Authority of Ireland, SEAI.

**Deputy Darren O'Rourke:** That is where I want to go next. We heard from the CRU that it plans to bring in 74 additional staff. We were out at Dublin Airport on Monday, so we are aware of the challenges involved in recruiting staff in the current climate. We are talking about a specific cohort of people. Do we even have the capacity within the State at this point to fill those 74 positions? First, will there be agreement from Government to deliver them and how quickly can they be delivered? On An Bord Pleanála, the Minister is aware that Wind Energy Ireland, amongst others, has said that the average decision time for a planning appeal is 60 weeks. The average decision time for strategic infrastructure developments is 69 weeks. That is evidence of a broken system. It does not work and it will not deliver to the type and scale required. What specific measures, including additional staff, is the Minister looking for and when will they be delivered?

**Deputy Eamon Ryan:** I will be going to the Department of Public Expenditure and Reform looking for delivery on the sort of numbers that CRU is looking for in its strategic plan. I think we will be able to recruit people, because there are a lot of people with energy expertise in our country. We need to see movement from the private sector into the regulatory sector. I think that has to be managed appropriately. There is a fairly wide and deep pool of people in this country with real expertise. With regard to An Bord Pleanála, that is obviously a matter for the Minister for Housing, Local Government and Heritage. I spoke to him recently on this issue and he has confirmed that there are plans to scale up the organisation. It is a difficult market. The organisation will be looking for planners and ecologists. There is a real tightness. This is a critical issue not just for our renewables industry but also for housing, because An Bord Pleanála is one of the real bottlenecks. Part of the problem there is probably that An Bord Pleanála is tied up in judicial reviews, with many decisions being reviewed. The planning reform being carried out by the Office of the Attorney General to help modernise, update and improve the planning legislation will help An Bord Pleanála manage the resources that it has, but it needs additional resources urgently.

### **North-South Interconnector**

105. **Deputy Matt Carthy** asked the Minister for the Environment, Climate and Communications when he expects to receive the findings of a review into the north-south interconnector; and when such findings will be published. [17911/22]

**Deputy Matt Carthy:** My question relates to the review into the north-south interconnector. When will the review be completed and when will the report be provided and published? That is not to say that I have any confidence that the review is going to deliver the type of assessment that is required, because the terms of reference have been so narrow. However, I

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would like an update from the Minister in respect of the interconnector project more broadly.

**Deputy Eamon Ryan:** The North-South interconnector is critical to improving the efficient operation of the all-island integrated single electricity market and increasing security of electricity supply in Ireland and Northern Ireland. It will also facilitate the achievement of the goal of generating up to 80% of our electricity from renewable sources by 2030. A resilient and well-connected energy infrastructure is vital for Ireland's economic well-being and the ability to respond to the future needs of energy consumers.

The option of undergrounding the North-South interconnector has been comprehensively assessed on several occasions. Most recently, the key finding from the international expert commission's report of October 2018 was that an overhead line remains the most appropriate option for this critical electricity infrastructure. Notwithstanding this, I decided to commission a further short review to assess if the overall finding from the 2018 report remains valid. Formal procurement of international experts in electricity grid infrastructure was completed last September. The international experts are continuing their work on the report, which has taken longer than expected, but I hope to receive it shortly.

I am interested to have a discussion. I said earlier that we always look at all options and discuss all energy matters. I would be very interested to hear what Sinn Féin sees, both North and South, as the timelines, the urgency and the preferred models. I have a real fear, across a whole variety of different areas, that we might lose what was seen as one of the significant developments of the last two decades, which was an all-island energy approach and a single electricity market. I fear that if we do not quickly build the scale of interconnection that we need, we will not see industrial development in the North and we will not see economic opportunities, particularly in those Border counties that are most in need and would most benefit from an integrated, synchronised transmission system which can deliver power locally to the people and to the industries that employ people in those areas. This is a critical economic issue, north and south of the Border.

**Deputy Matt Carthy:** For the avoidance of any doubt, I want to see the development of the North-South interconnector but I want it to happen in a way that has public acceptance. Here is the irony of the situation: had the Minister listened to the communities and to the expert advice the last time he was in government, I believe the North-South interconnector would be completed by now. Instead, we have had a decade of wasted opportunity because that principle of public acceptance that is so crucial was not heeded. In Belgium, for example, the ALEGrO project is happening underground precisely because of that principle of public acceptance being heeded.

The Minister mentioned in response to an earlier question that EirGrid has learned from previous mistakes. I believe it has learned from its experiences regarding the North-South interconnector but it has learned everywhere except on the route of the North-South interconnector. EirGrid has decided to bull-headedly pursue a strategy that is leading it directly into conflict with local communities. What I am asking the Minister is whether he is prioritising the completion of this project or prioritising adherence to the stated objectives of EirGrid. If he prioritises the former, what he will actually do is commission a real analysis of how we deliver this project in a way in which communities, society, businesses and this House can be unanimous in seeing the project delivered.

**Deputy Eamon Ryan:** It is almost 18 years since we started looking at this. I was a mem-

ber of the relevant joint committee at the time, and we met with EirGrid and started looking at all of these options. If, as the Deputy says, his preferred option is underground DC cable connectivity, it seems to me that one of the aspects, one of the key truths around that, is that it would see no development in Armagh, Tyrone, Cavan, Monaghan and other Border areas. It would not actually be part of an electricity grid system which could then be used for industrial development and for getting a balanced, strong network. There is always the underlying question of what this connection is for. To my mind, it is a core spine of our key electricity system. I understand the issue of listening to the public, getting environmental planning consent and trying to bring everyone with us, but, in the end, politics sometimes comes down to hard decisions. Do we want to see economic development of the Border region or would it be fair to see it just as a transfer zone between Dublin and Belfast, where all the economic activity takes place?

**Deputy Matt Carthy:** I would suggest, in the first instance, that the Minister does not have the audacity to talk about economic development in the Border region considering his actions in regard to the N2 in an area where we have no public transport. This is not just about what Sinn Féin says. The independent review that the Minister has cited described undergrounding the North-South interconnector as a credible option. It made other determinations on other evaluations as to whether or not the process should be put overhead or underground. Here is the problem: we are now entering into a situation where EirGrid is going to be in direct confrontation with landowners and local communities and, in my view, that is going to lead to significant further delays. The Minister recalled that it is 18 years, almost two decades, since this project was first mooted. EirGrid has taken a particularly pig-headed approach, as I said, but Deputy Ryan is the Minister. He is the person who can actually carry out a full appraisal as to whether or not an underground option is feasible. In my view, it absolutely is. If the Minister had in a previous position undertaken that work, as I said, we would be in a much better position today and would perhaps even have seen delivery of this integral piece of infrastructure.

**Deputy Darren O'Rourke:** I want to come in on that point. We should never have ended up here, and that is my firm opinion. A central tenet of EirGrid's current plan is community engagement and the Minister points towards learning the lessons of the past. We can see it in Grid West, on which there was huge confrontation and resistance, and that is going underground for the Connacht project. This is a matter of procedural justice and EirGrid is just being belligerently pigheaded in this regard. The most recent review is the latest example of it.

**Deputy Alan Farrell:** My contribution has nothing to do with the constituency politics or even the party politics of this. I can only talk about my own experience with the connection that came through Rush back in 2010. I can tell the House that political careers were created on it and then, on the back of the decision, political careers ended at the next local elections because people got it wrong. What troubles me about this discussion, and I remember reading up on it a number of years ago, is that the sector will determine what is the most appropriate means of getting the energy from A to B but we have constant bickering at a local level, with people telling others "This is the way it should be". In Rush in north County Dublin, everybody wanted it overground and, as I said, careers were created on the back of it. It went underground and not a peep out of the community has occurred since, which is probably the most important message I have for this debate.

**Deputy Eamon Ryan:** We need to get this right. We need to get it right in energy terms and we need to get it right in economic terms. I want to flag my real concern that, because we have not been able to get agreement, there is real potential for a fissure and it will be the North of Ireland which will suffer and the Border counties. That is not what we want to see.

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In response to Deputy Carthy, I have every interest in seeing balanced regional development and seeing counties Monaghan and Cavan and every county in the North survive. I was very proud and pleased in my previous existence as energy Minister to be able to help to set up the all-island electricity market. I believe we will not effectively meet our climate targets except if we work on an all-island basis. We are at real risk of losing that. We are at real risk of not seeing economic development in that region because-----

**Deputy Matt Carthy:** Because of the Minister's actions.

**An Ceann Comhairle:** Order please.

**Deputy Eamon Ryan:** As I said, the Deputy may be in a position some day where those Government decisions have to be taken. I do not think that in those circumstances he would see the civil servants or the public officials as pig-headed. I think they are looking to deliver the best projects for the public good.

**Deputy Matt Carthy:** It has been held up for 20 years.

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

**Deputy Eamon Ryan:** My fear is that that may not be possible because we cannot get political agreement on doing anything. That is the real issue that we have to be concerned with. It is the politics of this that we have to get right, as well as the energy analysis.

**Deputy Matt Carthy:** The Minister will not engage.

### **Offshore Renewable Energy Development Plan**

106. **Deputy Donnchadh Ó Laoghaire** asked the Minister for the Environment, Climate and Communications if he has engaged with organisations in County Cork on the potential for floating offshore wind there. [18854/22]

*12 o'clock*

**Deputy Donnchadh Ó Laoghaire:** If I was to make a specific ask at this point, it would be for a dedicated discussion with the Minister. The potential for offshore wind in Cork is enormous in terms of reducing emissions but also in terms of creating jobs. However, we have to ensure that the skills are there on the ground in order that Cork can become a world leader in offshore wind and especially floating offshore wind. To do that, we need to do the work now to ensure the skills are in place and we are not bringing them in from elsewhere. We do not have time for a dedicated discussion now. However, would it be possible to have such a discussion with the Minister, at some stage, on how we can ensure that Cork and its harbour can become the world leader that they should be in offshore wind and floating offshore wind?

**Deputy Eamon Ryan:** I appreciate the chance. We discussed it yesterday when we were talking about carbon budgets. I will explain why Cork Harbour will be essential to this economic opportunity. First, many of our energy assets are there. We have the Whitegate refinery and the power stations in Aghada and Whitegate. Most of our big pharmaceutical industries are there, which are large energy users. We have very strong grid connections. However, more than anything else, we have a world-class deep-sea water port of 11 m or 12 m at the quayside.

The scale of this offshore is beyond compare. One needs quaysides which can take up to 1,500 tonne pieces of metal to be brought out to sea, these are very large machines, such as the old Verolme dockyard, the marine nitrate site and Ringaskiddy, where investment is being made in the port facilities and investment is being made further inland. The new chair of the Port of Cork is someone with a real energy expertise background, which will help place the port at the centre of this.

I met with Cork Chamber of Commerce last year. A variety of different people are interested in the area. Companies are already investing in the likes of hydrogen facilities, which will be the energy of the future. However, this has to come from Cork, in terms of its sensitive planning and sensitive environmental considerations, very important special areas of conservation, SAC, and so on. By working with the Cork chamber, the Port of Cork and with the industrial interests there, we can make this a huge economic opportunity for the people of Cork. I will happily meet the Deputy separately to discuss it.

*Is féidir teacht ar Cheisteanna Scríofa ar [www.oireachtas.ie](http://www.oireachtas.ie).*

*Written Answers are published on the Oireachtas website.*

### **Visit of Presiding Officer of Scottish Parliament**

**An Ceann Comhairle:** Sula dtéimid ar aghaidh leis an gcéad phíosa gnó eile, on behalf of the House, I extend a very warm welcome to Her Excellency, Ms Alison Johnstone, who is the presiding officer of the Scottish Parliament. Through her, we send our good wishes to our many friends in Holyrood. It is great to have her with us.

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

**Deputy Pearse Doherty:** Táimid ag foghlaim inniu go bhfuil ardú 6.7% tagtha ar phraghsanna le bliain anuas agus go bhfuil praghsanna fuinnimh ag dul suas níos mó, thart ar 47%. Tá níos mó ná dúbailt tagtha ar chostais ola théimh le bliain anuas. Tá na hoibríthe agus teaghlaigh ar fud an Stáit ag fulaingt mar gheall ar chostais mhaireachtála. Caithfidh an Rialtas dul i ngleic leis seo. Ba chóir go mbeadh sé ag tógáil an ualaigh throm seo atá ar theaghlaigh ach ní hé sin atá beartaithe. Is é an rud atá beartaithe ag an Rialtas seo ná go mbeidh praghsanna ag ardú níos mó, mar gheall ar cháin charbóin a ghearradh ar an bhfuinneamh seo, taobh istigh de chúpla seachtain. Caithfear stop a chur leis seo.

Yesterday, my party leader pressed the Taoiseach on the need for further measures in the form of an emergency budget to tackle the cost-of-living crisis. We have been consistent in that call for some time. It would appear that the Tánaiste's Government has turned its face against this at a time when workers and families are really struggling. This morning's consumer price index shows that prices have risen by more than 6.7% in the past year, with energy prices increasing by 47%. The price of home heating oil has gone up by a staggering 127%. It is more than double. The cost-of-living crisis demands an urgent and comprehensive response from Government.

We acknowledge that households cannot be fully insulated from all of the prices increases we are seeing, but we know that Government can and must do more. That is what we heard

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from the Economic and Social Research Institute, ESRI, last month. It is what we heard from the Central Bank just yesterday, when it said there is headroom for Government to act. Instead, it remains intent on pushing ahead with carbon tax increases, hikes next month and increasing energy prices, when efforts should be focused on reducing them.

Three weeks ago, the Minister for Finance categorically ruled out any further measures to support workers and families until the October budget. At that time, I said that he was out of touch with the realities households were facing and that his position lacked credibility. Now, it seems that Government is changing its position. At least, that is what is reported from utterances from the Tánaiste and from the Taoiseach last night that the carbon tax increases will be offset with other measures, despite the Minister for Finance having ruled this out.

However, we have seen no details. The carbon tax hike should not go ahead. Government should not push up the price of home heating oil, which has already more than doubled in the past year, or of gas. Efforts should be made to reduce the price of home heating oil and of other fuels, not to increase it, but we need a more comprehensive package.

We have called for a range of effective measures that would be targeted at workers and families. We have called for the Government to work with the Commission, as far back as November, to reduce the VAT on domestic energy bills to zero for a period of time. The Tánaiste and his Government rejected the proposal at the time but they have now changed their position and only began this work a couple of weeks ago. However, his Government is still ruling out reducing the VAT to zero on energy bills, even if the Commission gives it the flexibility to do so.

We have called on Government to extend the fuel allowance by six weeks. We have called for social welfare rates to be increased, in line with inflation, in order that the most vulnerable in our society will not experience that sharp drop in living standards. Will the Tánaiste consider that proposal?

We have called on Government to remove excise duty on home heating oil, as families struggle with a cost that has risen by more than double in the past year to try to keep themselves, their family and their children, warm in their homes. We have also called for cost-of-living cash payments directed at low- and middle-income earners and supports for those who struggle with unaffordable rents.

There is a need for an emergency budget. That need is clear and it is now. Will Government change course? Will it scrap the carbon tax increase it plans in the coming three weeks? Will it commit to an emergency budget in response to the cost-of-living crisis?

**The Tánaiste:** As the House will be aware, the Central Statistics Office, CSO, figures that came out today indicate that the annual inflation rate is now at 6.9%. It is estimated it will rise to approximately 8% later in the year, before falling off towards the end of the year and into next year. That will come as no surprise to anyone in this House, nor will it come as any surprise to people who have been experiencing the price increases in their everyday lives.

What the CSO is confirming today is what people have been experiencing over the past three to six months. We know that from the increase in the price at the pumps. We know it from the increase people are seeing in their utility bills. We know it from the increase people are seeing in their grocery bills. It is impacting on family and household budgets. It is also impacting on the cost of doing business. Government acknowledges that.

That is why we have acted already to help ease the burden of rising prices. The Deputy acknowledged in his contribution that no government can fully offset the cost of rising prices but we can offset it substantially. That is what Government has done through a tax and welfare package in the last budget to increase the pension and welfare rates and reduce income taxes for people on middle incomes, something the Deputy's party has opposed and continues to oppose.

People now see the €200 coming off their electricity bill. That has started to take effect. There has been a €125 fuel allowance increase for those most vulnerable houses because it is important we target what we are doing towards those who need it the most. We have had the biggest cut in excise duty ever with 20 cent taken off petrol and 15 cent taken off diesel, which more than reversed the carbon tax increases that occurred in recent years on petrol and diesel, as well as special measures for hauliers, tillage farmers and others in society.

There has already been a substantial response from Government to help people with the burden of rising costs, worth between €1 billion and €2 billion, depending on how one calculates it. That is not small and is much greater than has been done by other governments throughout Europe. However, we acknowledge that more needs to be done, given that prices continue to rise. We do not want to chase every price increase with an action that is not sustainable or credible. We want to look at it in the round, both in the next budget and before it.

With regard to the carbon tax increase due in May, it is important to say that does not apply to petrol, diesel or electricity. It applies to home heating oil and will add approximately €20 to the cost of filling a full tank with home heating oil and it will affect gas. It will increase the cost of gas by approximately €1.50 per month. If one does not have €20, it is a lot of money. If one does not have €1.50, it is a lot of money. We will bring in measures before May to offset that increase. It is important to be honest about the scale of that increase. From some of the commentary, one would think that carbon tax is somehow responsible for all, most or even much of the increases people are experiencing. That is not the case. This will add about €20 to the cost of a tank of oil to heat a house and about €1.50 to gas bills, and we will offset that.

Regarding the Deputy's proposed solution of reducing VAT, which he has asked us to consider, we will of course consider that approach. Currently, however, that is not possible. We had an engagement with the European Commission. The Taoiseach and the Minister for Finance have had it. We already have a discretionary VAT rate in Ireland. We have one of the lowest VAT rates on energy in Europe. We are already down to the lowest possible rate in respect of excise on petrol and diesel. If we were to try to do what the Deputy is proposing now, it would not be possible because it is not lawful or legal. If we were to reduce the VAT rate to 12%, if that were possible, we would then have to put it back up to 23% because of the way the VAT directive is structured. In opposition, Deputies have the convenience of making proposals and promises that cannot be implemented. What the Deputy is proposing now, at least, cannot be implemented.

**Deputy Pearse Doherty:** What that sums up is that the Tánaiste, as leader of his party, is completely out of touch. We at least have a bit of confidence that some of his backbenchers understand some of the pressures families are under. The proposal we put to him back in November was to engage with the European Commission to get the flexibility to reduce the VAT rate to 0%. The Tánaiste's Government and Minister of Finance did nothing. This issue was first raised when a letter was sent to the European Commission on 10 March. The Government sat on its hands as prices continued to increase and put pressure on families. This Government simply did not, and does not, get what is happening out there. We have seen the cost of home

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heating oil increase by 127% in the last year. Yet the plan this Government has regarding the price of home heating oil is to increase it by another €20 on 1 May. That is simply madness, and it is driving people to the breaking point.

We put forward not just one or two measures to the Government. We need a suite of measures to deal with the issues raised by the cost-of-living crisis. The Tánaiste's Government has allowed rents to go out of control. We need targeted measures which will reduce costs for those renting. Social welfare recipients, who are on fixed incomes, have seen an increase of just over 2% in those rates, while inflation has increased by 6.7%. Will the Tánaiste commit to introducing a social welfare package? We need a mini-budget and a Government that gets it and is willing to respond swiftly to these pressures.

**The Tánaiste:** No matter what response I gave to Deputy Doherty just now, his answer was going to be what he said. It is his catch cry-----

**Deputy Pearse Doherty:** Those are the facts.

**The Tánaiste:** -----and his standard line. No matter what anybody says to him, he is going to say they are out of touch and do not get it. Of course we get it. As I speak, €200 is coming off people's electricity bills because we understand the burden people face from increased energy costs, albeit ones caused by factors outside of our control. This is why we have had the biggest cut in excise duties on petrol and diesel ever-----

**Deputy Pearse Doherty:** Why is the Government putting up the price of home heating oil?

**The Tánaiste:** -----with 20 cent taken off petrol and 15 cent taken off diesel.

**An Ceann Comhairle:** Deputies, please.

**The Tánaiste:** It is why we increased the fuel allowance. It is why we had a pension increase in the budget.

**Deputy Pearse Doherty:** It is why the Government is increasing the price of home heating oil and gas.

**The Tánaiste:** It is why we reduced income taxes for middle-income people, despite opposition from the Deputy's party. That we have acted in that way is evidence of the fact we get it. More than €1 billion is being used to reduce the cost of living for people, but we are not in a position to chase every increase and to fully compensate people for every increase.

**Deputy Matt Carthy:** Stop introducing-----

**The Tánaiste:** We must be honest about this aspect.

**Deputy Pearse Doherty:** The Government is bringing in the increases.

**The Tánaiste:** Regarding engagement with the European Commission, there has been on-going engagement on this matter by the Taoiseach and by the Minister for Finance.

**Deputy Pearse Doherty:** On 10 March.

**The Tánaiste:** The reality is that the proposal the Deputy is and has been making-----

**Deputy Pearse Doherty:** The Government sat on its hands.

**The Tánaiste:** -----is in breach of the European VAT directive and the European excise directive.

**Deputy Pearse Doherty:** That is not true.

**An Ceann Comhairle:** Deputy Doherty, please.

**Deputy Pearse Doherty:** The Tánaiste is misleading the Dáil.

**The Tánaiste:** The reason Deputy Doherty cannot let me finish-----

**An Ceann Comhairle:** Please, Deputy Doherty, let the Tánaiste speak.

**The Tánaiste:** The reason he will not let me speak and he continues to try to shout me down is that he does not want the Irish people to know-----

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

**The Tánaiste:** -----what a fake he is and that he keeps making proposals he knows cannot be implemented. That shows me he does not get it-----

**Deputy Pearse Doherty:** Check the record. The Tánaiste is a disgrace. Check the record. He is misleading the Dáil.

**The Tánaiste:** -----and he will not listen to what I have to say because he does not want people to get him.

**Deputy Pearse Doherty:** Check the record. We asked the Government to engage with the European Commission, but it refused to do so for months as families were under pressure.

**An Ceann Comhairle:** Deputy Doherty, please, resume your seat.

**Deputy Pearse Doherty:** Check the record and stop misleading the Dáil.

**An Ceann Comhairle:** Resume your seat, Deputy Doherty, please. Please treat the House with some respect and adhere to-----

**Deputy Pearse Doherty:** I will not allow the Tánaiste to mislead the Dáil-----

**An Ceann Comhairle:** Please, treat the House with some respect. I call Deputy Bacik.

**Deputy Ivana Bacik:** The Economic and Social Research Institute, ESRI, revealed today that inflation has surged to a 22-year high of 6.7%. The Central Bank of Ireland has projected that inflation is set to continue rising. Households are already squeezed financially and look set to be even further squeezed by this rise in inflation, given the rising costs of fuel, food and other commodities. As ever, these price rises and this increase in inflation will hit those on lowest incomes the hardest.

The Labour Party, however, believes the State can take action to address the hardships so many households are now facing. The reality is that for too long we have been a low-wage republic. We are saying that Ireland needs a pay rise. Far too many workers are on low pay. Ireland has one of the highest rates of low pay in Europe and the OECD, with 23% of people on low rates of pay. This is compounded by the rising cost of living. It is especially the case in Dublin, where we are seeing out-of-control rents and high costs for goods and services, as

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well as for early years education and childcare, which is leaving many households struggling to make ends meet and even to heat their homes and to put food on their tables. The Labour Party believes the best way to address this issue is to seek a way to increase take-home pay for working people and families. One way we can do this is to strengthen employees' power to negotiate pay rates and salaries and conditions with their employers. As a lifelong trade unionist, I believe we need to strengthen collective-bargaining rights and the ability of workers to negotiate these improved pay rates and conditions to ensure real and sustainable increases in income.

The State can also examine the national minimum wage. It is still only €10.50 per hour and this is significantly below the living wage figure of €12.90 per hour. We believe that a targeted emergency increase in the minimum wage would be one way of addressing the serious squeeze that the increases in the cost of living and the rising rate of inflation is putting on so many households on low incomes. People need a living-wage income. At the very minimum, they need an increase in the national minimum wage rate. We also believe that we must then set a pathway to achieving a genuine living wage rate.

Indeed, I note that the programme for Government of this Government promises to "Progress to a living wage over the lifetime of the Government", which means there is a *de facto* deadline of February 2025. Yet we have seen no movement to deliver on this promise. We have drafted a Bill that would change the mandate of the statutory Low Pay Commission and give us a genuine and effective pathway to achieving a real living wage rate. Therefore, we are calling first for an emergency increase in the national minimum wage rate of at least 30 cent an hour, to bring it up to €10.80 per hour. We are also seeking a pathway to achieving a genuine living income for those households being most affected and most squeezed and suffering the most hardships as the result of rising inflation and prices.

**The Tánaiste:** I agree with Deputy Bacik on a number of points but differ with her on a few others. It is absolutely correct to say that the cost of living impacts those on the lowest incomes the most. If we look at the data from the Central Statistics Office, CSO, however, the differential is not as wide as people may think. The most recent data produced by the CSO, and it is a little out of date, indicates that the rising cost of living impacts people in the lowest-income households, perhaps of the order 6% or 7%, while for middle-income households the equivalent rate is 5% or 6%. It is not as great a difference as people may believe it to be. That is why the Government decided we needed universal and targeted measures. Middle-income people, working people and people not on welfare are also struggling to pay the bills and to deal with increased utility costs. Even though we received criticism from people for doing it, I stand over the decision to take €200 off everyone's electricity bill, because even people on modest incomes and middle incomes are also struggling with their bills. If we only implement targeted measures, then working and middle-income people will lose out and that is wrong. That is why we need a combination of universal measures that benefits everyone, as well as targeted measures for those most affected.

Regarding wages, in Ireland they are approximately 36% higher than the OECD or EU average. As is often the case with statistics, it depends on how things are measured. Our minimum wage is the third, fourth or fifth highest in the OECD. If we compare what people are paid like-for-like, such as teachers, nurses, gardaí and construction workers, then Irish pay rates are higher than those in the UK and much higher than the OECD or EU average. When we adjust for the higher cost of living, that pretty much cancels that out. It can only really be argued that we are a low-pay economy based on relativities, and that is a particular way of working things out, in that because somebody in Microsoft is paid a fortune, that means we have relatively low

pay. However, when we compare like with like, it is a much more complex picture and, as is often the case with statistics, it depends on how they are used. Certainly, compared to the average of our peers, wages are about 36% higher. Our minimum wage is one of the highest in the world. I acknowledge that has to be offset against the fact that we have a higher cost of living and also by the fact that we have lower payroll taxes on people on lower and middle incomes than other countries do. Relativities can be used to prove almost anything and, therefore, can be misleading. The increase in the national minimum wage this year was lower than the rate of inflation. However, looking back over previous years, we have increased the national minimum wage well ahead of the rate of inflation. I think it has gone up by about 25% in the past five or six years. Inflation has not risen by 26% in the past five or six years. It is closer to 10%. With the exception of this year, we have had national minimum wage increases greater than inflation.

**Deputy Ivana Bacik:** I will agree with the Tánaiste on one thing, which is that statistics can be used in all sorts of ways. Relativities are important. When one quotes statistics on wages, the key issue for everyone feeling it in their pockets is purchasing power, the actual relativity between take-home pay and the cost of living. Let us not forget that in Ireland we are paying for many things that other European countries provide for free, such as early years education and care and healthcare, particularly for children. We have higher costs for education and in many sectors than in other countries. The minimum wage has only increased by €1.35 in the last six years despite faster economic growth and higher inflation. We are clearly seeing a national minimum wage that has not kept pace with inflation. That has really caused a particularly difficult and tough squeeze on those households that are most in need and suffering most as we see the spiralling rate of inflation.

**The Tánaiste:** I agree that the best way to examine the situation is using purchasing power parity. That is fair. Irish people are paying more on average than our peers in Europe or across the OECD. We do have a higher cost of living and that needs to be factored in. What I do not think we should do is use relativities, because they can distort the picture. A small number of people who are paid an awful lot of money in the multinationals can move the average. It is misleading to use relativities of that nature. I agree that a fair comparison is purchasing power parity.

On the national minimum wage, I will check up on this. I acknowledge that the increase this year is less than the rate of inflation. I am pretty sure if the Deputy looks back over the last three, four or five years and takes it in the round, that the national minimum wage has increased ahead of the rate of inflation but I will double check that. On the living wage, I have finally got the report from the Low Pay Commission. The Minister of State, Deputy English, and I will consider it over the recess and will come back with a plan to move Ireland towards a living wage as committed in the programme for Government.

**Deputy Joan Collins:** Would the Tánaiste agree that the most recent report from the Intergovernmental Panel on Climate Change, IPCC, has not got the attention it deserves due to the desperate situation in Ukraine and concerns about the cost of energy and security of supply? This report makes for alarming reading. It is another serious wake-up call. The world is nowhere near on track to limit global warming to 1.5°C by 2050. There is not a hope that will be met. In fact, the evidence points to a 3°C rise by the end of this century. We are heading towards catastrophic levels of warming with mass extinctions and the likely end of civilisation as we know it. Introducing the report, the UN Secretary General António Guterres said that countries and businesses were lying. “Lying” is a strong word. It is an extraordinary statement but unfortunately it is true. That includes Ireland and Europe.

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It is now time to recognise that extreme climate change cannot be averted, never mind limited, as long as the current socioeconomic system of capitalism remains in place. It is a system where eight men have as much wealth as 50% of the poorest world population; where in the course of a deadly pandemic the already super-rich 1% got richer while the 99% got poorer; and where production takes place for the profit of the few as opposed to the needs of the many. This represents a world gone badly wrong.

The IPCC report calls for transformational change. We need not just a transition to a more sustainable world; we need a just transformation to a sustainable, healthy and just world. Instead of the mayhem of the market, we need to use the resources of the planet, which are limited, to meet the needs of all the people in a sustainable and healthy environment. People like me on the left have been arguing for such a transformation for far too long. Time is running out and the window to a better future is closing. We need to start a discussion about the transformation we need and how to go about achieving it. Capitalism offers only empty promises and at best half measures, too little, too late. It is time to stop the pretence. We need to get real. Does the Tánaiste agree it is time for real transformational change?

**The Tánaiste:** I thank the Deputy. I certainly agree with her initial statement that the IPCC report that came out the other day did not get the attention it deserved. It was very alarming, quite frankly, to read the summary, which I did. The Deputy is correct in her analysis that the war in Ukraine, the pandemic that still rages around the world, and the shocking rise in the cost of living meant it did not get the kind of attention it deserved. Sometimes when we are managing crises such as the war in Ukraine, the rising cost of living and the pandemic, we can lose sight of the mega-crisis which is climate change and the impact it is going to have and is already having on people.

I think the “blame capitalism” analysis is too simplistic. If we look at the state-planned economies like the Chinese economy, they are producing quite a lot of emissions which are rising very rapidly. Economies that were developed under socialist systems such as the former Soviet economies, Russia, for example, and North Korea, they are very much based on heavy industry and are really all about pumping coal, steel and all the rest of it. I think that is too simplistic. One good thing about capitalism is that it does tend to innovate and develop the kind of technologies that will allow us to deal with climate change. Technologies such as green hydrogen, offshore wind and carbon capture storage are all being developed and funded by capitalists, not by people who have different ideologies. I think that capitalist versus socialist thing is far too simplistic and far too ideological.

I agree that we need systems change. I remember saying a couple of years ago that if we were to achieve our climate targets and reduce emissions by what we had hoped we would reduce them by, we would need to shut down the economy and send everyone home. We pretty much did that during the pandemic and our emissions only went down by 6% or 7%. What that says to me is that we need systems change. We need to change the way we produce our energy, stop fossil fuels, and move to renewables and hydrogen. That is what we are doing but it will take time. We need to change our transport and food systems. We need to change the way we heat our homes. Systems change cannot be done overnight. It will take a generation to do it. We cannot just shut down the way things are. People still need to be able to live their everyday and normal lives. It will take a generation to go from fossil fuels to renewables, in my view. In the meantime, we have to live our lives.

**Deputy Joan Collins:** People cannot live their lives at the moment. People in the Third

World cannot live their lives at the moment. People in this country are finding it very difficult to live their lives at the moment with the cost of living and the systems in place for climate change.

To my mind, the vote last night did not reflect the debate that happened on carbon budgets. I am fundamentally putting to the Tánaiste that we need that transformational change. It is not me saying it but the UN Secretary General. That means tackling the massive profits of these energy companies, and tackling the wealth of that 1% of the richest people. It means tackling the dividends giving out to shareholders with governments intervening to take that money from their pockets and putting it into carbon change. We know people on low to middle incomes will not be able to afford the €25,000 for retrofitting. Therefore, those people are paying for the wealthy to get retrofitting and not them. We know that retrofitting is one of the key factors that could change people's lives as regards carbon emissions.

**The Tánaiste:** I understand where the Deputy is coming from but I am just not sure what she is suggesting we do in practical terms. We have a really ambitious retrofit programme which is very much under way. The constraint there is not money. We will find it difficult to spend the money we have allocated towards retrofitting that comes from carbon taxes paid by businesses as well as households. Those businesses that produce the most carbon pay the most. However, the difficulty we will run into with retrofitting is having the skills and staff to make it happen; it is not a financial issue. If we took all the dividends in the world, they would not create an extra plumber or provide us with the additional capacity we need.

**Deputy Joan Collins:** The Government has had years-----

**The Tánaiste:** I understand the Deputy's passion on climate action and I believe you are sincere on it. Not everyone in this House is but the Deputy is. I would love to know what she would do tomorrow to allow us to reduce our emissions suddenly and dramatically. You cannot replace everyone's car and all the heating systems in the country overnight, and you cannot just turn off all power stations. It will take a generation to make these changes happen and it will have to involve a combination of mitigation and-----

*(Interruptions).*

**An Ceann Comhairle:** We cannot have a conversation about it across the House.

**Deputy Mattie McGrath:** I welcome Councillor Frankie Daly, from Limerick, and his guests to the Visitors Gallery. It is nice to see guests back here again.

Irish electricity prices are the fourth most expensive in the EU. They are 23% above the EU average. Only Germany, Denmark and Belgium beat us. It is price gouging and it is a despicable attack on all our citizens, who feel hopeless and hapless. Inflation, as we note today, is at a 22-year high. The Government's inaction is startling. The issue is affecting every sector of Irish society, including farmers, business owners, families and charity organisations. Everyone is feeling the pinch. It is totally unsustainable. Our Government owns 95% of the ESB, which made a profit of €200 million last year and paid a dividend to the Minister for Finance of €120 million. Swift action is needed by the Government — it does not seem to be coming — to insist that the ESB cease ripping off consumers. A price cap on profits is needed and the Government can no longer bury its head in the sand. I plead with the Tánaiste. We cannot do this to our people.

Does the Government believe a State-owned electricity company should be making record

profits when most consumers can barely afford to heat their homes? Some cannot afford to do so. Will the Government use its power and influence over how the ESB is gouging to reverse the latest price hikes? We have heard all the Irish electricity suppliers, including Electric Ireland, blame rising natural gas prices globally for record increases. However, the facts do not support this contention. For instance, figures emerged last October showing that many ESB power plants earned profits of between €132,000 and €138,000 per hour at different times during July and September of last year. Generators that I have mentioned were trying to buy electricity from the ESB.

Household electricity costs rose by 70% in 2021. This was before any mention of the desperate and despicable war in Ukraine, so the Government should stop hiding behind that Trojan horse. This is a perfect storm that the Government has created. We are blaming everything on the Ukraine conflict, as horrific as it is.

Bord Gáis recently announced further hikes of 27%. It has already been estimated that those hikes have added between €1,000 and €1,500 to the bill in every person's home. This is just not sustainable. I have raised this matter on numerous occasions and have written to the Taoiseach about it. I might as well have written to Santy Claus or the Easter Bunny, who is coming next week, for all the good it did me. Again, I urge the Government in the strongest possible terms to take swift action and direct the ESB to stop ripping off customers and place a cap on all profits generated in Ireland. This is necessary to ensure immediate reductions for all electricity customers. Direct Government intervention is needed. The Government should not stand idly by and promise something in October. It is not doing anything. It is supposed to represent the people and look after their interests but it is not. It is allowing the ESB to do what it wants.

**The Tánaiste:** It is absolutely the case that the ESB is a very profitable State-owned company. It generates very significant profits each year. It may well be the case that it will generate larger profits this year than in previous years. It is important to put on the record of the House what it does with its profits. Its profits form part of its balance sheet. With them, it invests in the grid to make sure we can bring power to all parts of the country and empower job creation and economic development. It also invests in renewables, which is the long-term solution to the energy-security problems and price instability we have. The profits do get reinvested. A good chunk of the profits come back to the State. They come back to the Exchequer through the corporation tax on profits that the company pays and the dividend to the State. We use that money. It goes into the Government's coffers. We use it to do things like increasing the fuel allowance and taking the €200 off people's electricity bills.

**Deputy Mattie McGrath:** A three-card trick.

**The Tánaiste:** That is where the money goes. It is open to the Government to take a bigger dividend if it sees the ESB is making windfall or excessive profits and give it back to people, be it in the form of the fuel allowance or further reductions to bills.

**Deputy Mattie McGrath:** I salute all the ESB crews and acknowledge their hard work, especially during storms or outages. Where is the Commission for Regulation of Utilities? What is its role? Is there just a fancy brass plaque on the wall, posh sheets and a board of members of a quango? It is standing idly by. It is useless, toothless and fruitless. That is what they are. The Tánaiste said "if it sees the ESB..." Everyone can see the ESB is fleecing people. How long is the Tánaiste going to wait to find out? You try to raise a family and you will see.

Low-usage charges must also be examined and scrapped by the Minister, Deputy Eamon Ryan. Those who are making every effort to cut their electricity usage are being charged more for doing so. The Government really wants to penalise and punish the people. It is doing it every hour of every day and every second of every minute. It is punishing the people. The Tánaiste just said the Government gets the money back in from the ESB and spends it. What does it do? It gave Mr. Holohan a job in Trinity, with €187,000, that he never applied for, that no one advertised and that he is probably not fit for, and Paul Reid and many more people. People are sick and tired of the monkeys on their backs. The monkeys are sitting opposite — I do not mean anything personal to anyone — and the people are sick and tired of being harangued and downtrodden. They are going to rise up because they will not put up with this. They cannot afford to live.

**An Ceann Comhairle:** We should not question the undoubted capacity and abilities of Dr. Tony Holohan.

**Deputy Mattie McGrath:** A great job. A special job for him.

**An Ceann Comhairle:** Let us not-----

**Deputy Mattie McGrath:** Well, I question it.

**An Ceann Comhairle:** Let us not cast any aspersions-----

**Deputy Mattie McGrath:** I thank the Ceann Comhairle for his advice but I question it.

**An Ceann Comhairle:** -----on the man's ability.

**Deputy Mattie McGrath:** A job for life and a pension as well.

**The Tánaiste:** Fundamentally, what drives the price of electricity in Ireland is the price of gas internationally. We make most of our electricity from gas and that is what determines the price point. The wholesale price of gas, which used to be 60p per therm, is now nearly £3 per therm. Therefore, we have seen an almost-fivefold increase in the cost of gas in international markets. Thankfully, we are not seeing a fivefold increase in electricity prices.

**Deputy Mattie McGrath:** Not far away from it.

**The Tánaiste:** We would be having a very different conversation if we were in that position today. What we see-----

**Deputy Mattie McGrath:** It is coming.

**The Tánaiste:** -----across Europe, including in Northern Ireland and Britain, are price increases in the region of 30% to 40%. Unfortunately, Ireland is no different. We are not immune from the dramatic rise in the price of gas that is happening internationally. We totally acknowledge the impact it is having on household budgets and the cost of doing business, and that is why we are trying to act. People will see the €200 coming off their bill-----

**Deputy Mattie McGrath:** Minus VAT.

**The Tánaiste:** We have reduced excise. It is in addition to VAT. It €200 when the VAT is included, to be exact. Of course, we are examining other measures and things that we might do to help in the future.

## **Gnó na Dála - Business of Dáil**

**An Ceann Comhairle:** For the information of the House, I wish to advise the House that our Superintendent, Ms Teresa Doolan, has tendered her resignation and will be leaving the service here to move to the Department of Justice. On behalf of Members, I wish her well.

**Deputy Mattie McGrath:** Hear, hear.

**An Ceann Comhairle:** I thank her for the outstanding, diligent and committed work she did here. She was a lady of the utmost integrity, ability and dedication. We are sorry to see her go. I certainly am. We wish her well in the future. It is significant that in the 100 years of this House's existence, she has been the first female Superintendent.

**Deputy Mattie McGrath:** She did a good job.

**An Ceann Comhairle:** She did an outstandingly good job.

Mr. Noel Murphy is going to take on the responsibilities of Superintendent. Noel is in the voting lobby. He is very well known and very well liked and is highly respected by all the parliamentary community, not least for the outstanding work he has been doing in committees, including the Committee on Foreign Affairs and Defence, and the North-South parliamentary body. We wish him well in the duties he is taking on. The position of Captain will be occupied until further notice by Liam O'Brien, formerly of the communications unit. He has spent the past two years working in the Superintendent's department. We are grateful both of them are making themselves available to help us with these particular responsibilities and we wish them well. We will give a round of applause.

We will go on to questions on promised legislation and whatever you are having yourself.

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

**Deputy Pearse Doherty:** On behalf of Sinn Féin, I also want to wish Teresa well and thank her for her years of service to all of us in this House. I wish Noel and Liam well in their new posts.

Today, some 84,000 people over the age of 75 are languishing on hospital waiting lists, an increase of 80% since 2014. The Government cannot blame the pandemic on this because before we knew about Covid, these lists were rising rapidly, by a shocking 10% per year. More than 25,000 people over the age of 75 are waiting a year for a first hospital consultation. Hospital overcrowding is now at record levels. Emergency departments are overflowing. We should all bear in mind the shocking fact that 4,500 people aged over 75 have been waiting in emergency departments for over 24 hours thus far this year. The CEO of the HSE said yesterday that the Government waiting list plan is already challenged by this overcrowding. What is the Government going to do to tackle the lengthy waiting lists and deliver timely health care for our older citizens who it is clearly failing?

**The Tánaiste:** At the outset, I want to join with the Ceann Comhairle in offering my thanks

and congratulations to Teresa Doolan. I worked with her in the Department of the Taoiseach, over here in the Oireachtas. She now moves across St. Stephen's Green to the Department of Justice. I wish her and the new officers taking up their roles the best.

If I may, I would like to take this opportunity to, on behalf of the Government, express our condolences to the friends and family of Oleksandr Zavhorodniy, a 45-year-old Ukrainian man who lived in Ireland for the past 20 years and worked in Aldi in Sandyford. He lived in Stillorgan and sadly lost his life defending his home country of Ukraine from Russian attack. I want to express our condolences to his friends and family on his death and acknowledge his bravery in going to Ukraine to fight for his country. He fell as a hero on the battlefield.

Regarding the question raised by the Deputy, I acknowledge that waiting lists for healthcare in Ireland are far too long and have been for a long time, long before the pandemic and the cyberattack. In the past few weeks, the HSE published a waiting list action plan that sets out in detail the actions that will be taken to reduce waiting lists. We are confident that, through its implementation, we will see the tide turn before the end of the year and start seeing waiting times falling. It is to be hoped we can action that plan, make it happen and see the tide turn before the end of the year.

**Deputy Aodhán Ó Riordáin:** I join with the Tánaiste in congratulating Teresa and wishing Noel and Liam the very best in their new roles.

We are led to believe it will be six months until the Government produces a budget. I think the Tánaiste will agree with me that over the course of the pandemic it was proven that when the Government needs to or feels it can intervene in a swift fashion, it can do so. The Tánaiste knows there is a cost of living crisis and we are welcoming refugees from Ukraine who deserve and need our support. Surely the Government must recognise that we cannot wait six months to have a budget. We need an emergency budget. Can he commit to having such a budget between now and the summer? Is it his intention to wait six months? Families cannot wait six months for the type of intervention that is now needed.

**The Tánaiste:** I thank the Deputy. The budget happens in October every year, and will happen in October this year. The demand for a mini or emergency budget has to me elements of sloganeering. Taking action does not require us to have a budget. People will know that during the pandemic we introduced the pandemic unemployment payment, which cost €9 billion. We did not have a mini-budget for that. We implemented the employment wage subsidy scheme to save jobs. We did not have a mini-budget for that. We have already taken €200 off people's electricity bills and brought about the biggest cuts ever to petrol and diesel prices. We did all of that without a mini-budget. It is not the case that an emergency budget or a mini-budget is required for a Government to take action. We can do that anyway. We have done that to date in responding to the emergency of the pandemic and the refugee and cost of living crises.

**Deputy Róisín Shortall:** On behalf of the Social Democrats, I thank Teresa Doolan for her service and congratulate Liam and Noel on their new appointments.

Yesterday, the Committee on Health discovered that a business case for the implementation of regional health areas, RHAs, was presented to Cabinet on Tuesday. This is obviously a central element of Sláintecare. Three options were set out. The first was to do nothing, the second was to take a minimalist approach which, as we know, is favoured by Robert Watt, and the third was to implement Sláintecare, have a leaner and more effective centre to the HSE and devolve

power, responsibility and decision-making to the six regions. Can the Tánaiste clarify which of those three options the Cabinet decided on? It was suggested to us yesterday by Robert Watt that the Cabinet came down in favour of the minimalist approach. Can he clarify whether the Government will implement Sláintecare or take a minimalist approach?

**The Tánaiste:** I thank the Deputy. I am not sure I would characterise the three options presented in the same way as she did. I would have to read the Sláintecare report again to remind myself exactly how prescriptive the report was in terms of how the regional health areas should be structured. I heard the Deputy say on the radio that she did not think they should be a recreation of health boards, an option that would involve boards, CEOs and all of the rest.

**Deputy Róisín Shortall:** No.

**The Tánaiste:** We have not gone for that. Rather, we have gone for something in between, which is establishing regional health areas within the HSE on an administrative basis with the intention of devolving power and budget to them. That is the plan.

**Deputy Róisín Shortall:** That is minimalist.

**Deputy Richard Boyd Barrett:** I also offer my thanks and best wishes to Teresa Doolan, and my best wishes to Liam and Noel in their new jobs.

The Government has committed to supporting artists, in particular after Covid-19. I am glad the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media is in the Chamber. I wrote to her on Tuesday about the plight of 20 artists in a studio on Richmond Road near Drumcondra. They have been there for about 20 years and to their shock, on 8 February bailiffs from a receiver came to the studios and told them they had to get out. It would appear that the receivers had no idea that the artists had paid rent, had contracts with a landlord and had been there for 20 years. They and I are asking the Minister for urgent intervention to support them. They will be evicted from their studios and will be homeless unless intervention and support is offered.

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** That letter has to be brought to my attention. I will read it this afternoon when I go back to the Department and will refer back to the Deputy as soon as possible.

**Deputy Peter Fitzpatrick:** On behalf of the Regional Group, I wish Teresa Doolan the best of luck in the Department of Justice. When I became a Deputy 11 years ago, Noel Murphy was the first person to introduce me to the Dáil. I would like to wish him and Liam the best of luck.

The Government announced that a new national energy upgrade scheme will offer increased grant levels of up to 50% of the cost of a typical deep retrofit to a B2 home energy standard. He said the target is to retrofit 500,000 homes to a B2 home energy standard by 2030. This is about 30% of the homes in the State. People need more information, updates and communication. How do people qualify for the scheme? People want to know who will do the work and when it will start. The scheme is being administered by the SEAI. It is a fantastic scheme, but can the Tánaiste give us more information?

**The Tánaiste:** I thank the Deputy. The plan is to have a hassle-free home energy upgrade scheme. One-stop shops are being established to take the stress and hassle out of the process so that people can get this work done quickly. At the moment, there are two one-stop shops registered but there are another two that will be approved shortly, bringing us to four. There

are a further 15 companies in the middle of the application process. We anticipate in the relatively near future having approximately 19 one-stop shops around the country up and running to which people can go to get all the information they need. It is a great programme. The only constraint on getting it done will not be money or interest, it will be finding skilled workers to carry out the work.

**Deputy Michael Collins:** On behalf of the Rural Independent Group, I too wish Teresa Doolan the very best in her new role, as well as wishing Noel and Liam the very best in working with us going forward. I welcome Councillor Frankie Daly from Limerick, and the students from Limerick, to the House.

There is a massive issue in respect of passports. I presume that, like me, every Deputy, their constituency offices and staff are inundated with requests to get passports for people. For the past two years, people were unable to take a break or go on holiday. In some cases, infant children are now unable to get a passport for 40 days. If there is a small problem, the process goes on for two months. It is very unfair. Some people have cancelled their holidays. In one way, I cannot blame the Minister for Foreign Affairs for this problem because he has been very helpful with many cases, but there is a lack of staff in the Passport Office and that needs to be corrected. I would appreciate the Tánaiste addressing this matter.

**The Tánaiste:** I thank the Deputy. This is a significant issue coming through my constituency office as well as his. I presume all Deputies have the same experience. The situation with renewals is actually now pretty good. Renewals are happening quite fast. There are significant delays, however, with new passports and passports for children, particularly foreign-born children. Some of that is down to the work that has to be done before the passport can be approved. What has happened in simple terms is there has been a huge surge in passport applications and passport renewals. The staff of the Passport Office are working very hard. There are more of them than there used to be. There has been a big increase in staff. We are actually now producing more passports every week than ever was the case before but the pent-up demand or snap-back demand, if one likes, from the pandemic has put us in a difficult position in terms of both passports and work permits. We are putting lots of extra staff into those areas and we will get over the backlog at some point.

**Deputy Michael McNamara:** Last year a special envoy position was created especially for Katherine Zappone. There may well have been merit in the position and she may well have been a suitably qualified candidate - unparalleled, according to some - but the issue was a lack of competition and transparency in the use of taxpayers' money. The Tánaiste stated it was a mistake. This year, a professorship was created for Dr. Tony Holohan. There may well be merit in the professorship and he may well be a suitably or uniquely qualified candidate but there is a similar lack of transparency and openness in the use of taxpayers' money. The only difference I can see between the two situations is that the new position of Dr. Holohan, if he goes ahead with it, will cost the Exchequer 14 times more than the position of Katherine Zappone. At least the Tánaiste's colleague, the Minister for Foreign Affairs, took ownership of the issue of the position for Katherine Zappone. The Minister for Health seems to be a passenger in what is happening in his Department. Is the Tánaiste happy for this appointment to go ahead without an open competition and funded by taxpayers' money?

**The Tánaiste:** The new role of the Chief Medical Officer is an open-ended secondment funded by the Department of Health. Dr. Holohan is being seconded to Trinity College Dublin under the same terms and conditions as his existing contract. Secondments between organisa-

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tions are a regular and common feature across the civil and public service to encourage inter-departmental and inter-agency co-operation and the sharing of knowledge and skills across the public service.

**Deputy Michael McNamara:** Trinity College Dublin is not in the public service.

**The Tánaiste:** I think all present will acknowledge that it would have been far preferable if the full details around the secondment had been put in the public domain at the outset. That should have been done. I know the Minister for Public Expenditure and Reform, Deputy Michael McGrath, is not satisfied with how this has been done and he is engaging with the Department of Health on it at the moment. That is not in any way casting aspersions on Dr. Holohan - I know the Deputy did not do so either - who is an excellent public servant, or on the fact that Trinity College Dublin is creating this post. It is important, however, to follow procedures. The Minister, Deputy Michael McGrath is pursuing the matter.

**Deputy Michael McNamara:** Is the Tánaiste happy for it to proceed?

**Deputy Jennifer Murnane O'Connor:** It has been three months since there was a free bed in St. Luke's General Hospital, Kilkenny. I am receiving calls from families regarding older people being discharged because of overcrowding. The other issue that is coming up is that some doctors now are actually not seeing their patients. Some are being sent down to the accident and emergency department in Kilkenny. I had a lady in my office the other day. She has three children under the age of three and was in the hospital in Kilkenny for hours. She said the staff could not have been nicer and everyone was very helpful but the concern remains. Sláintecare was to transform the health service. What is happening in that regard? The reality on the ground is that there are significant issues. I know everyone is doing his or her best but we need to see what else can be done on this issue.

**The Tánaiste:** I am sorry to hear of the experiences that the Deputy's constituents are having in St. Luke's General Hospital, Kilkenny. It is a very good hospital most of the time but has suffered from increased overcrowding in recent years. The best thing I can do is to inform the Minister, Deputy Stephen Donnelly, that the matter was raised in the House today and ask him to speak to the Deputy directly.

**Deputy Richard Bruton:** I add my voice to those wishing Teresa, Noel and Liam well. I have the privilege of representing two of them, so I pass on particularly good wishes to them.

I welcome the offsetting measures the Tánaiste has indicated in the context of the May increase in carbon tax. I ask him to look at other measures that could be implemented far more effectively than the bogus and unsustainable zero VAT rate that has been called for. The measures are sustainable and entirely consistent with our climate obligations. One example I ask him to consider is obliging all utilities to give consumers timely notice of upcoming opportunities to switch, as well as including a QR code on all bills to make it easy to make comparisons and see exactly how one's personal situation could be delivered more cheaply. In addition, there should be a curb on so-called dropped calls. More than 50% of calls from people trying to make changes to their arrangements fall away because there is simply no one to answer the calls.

**The Tánaiste:** We are examining some of those options at the moment, both in terms of putting people on preferential tariffs, doing what the Deputy suggested in respect of switching, and the move to time-of-day pricing. The truth is energy prices will go up and down in the course of the coming couple of years. The thing that can be most helpful to people are the kind

of sustainable solutions he mentioned - making sure people get proper notice of increases, making sure they know how to switch and making it easy to do so. Many people do not switch and, therefore, do not get the best value. We are also considering moving to things like an auto-enrol opt-out system for time-of-day pricing, which can help to bring down bills by a lot.

**Deputy Chris Andrews:** As the Tánaiste will be aware, planning permission has been granted for the former Irish Glass Bottle Company site in Ringsend and preparatory works have already started, although they have stalled. The planning permission means that 900 public and affordable homes must be delivered on the site. For residents in Ringsend and Pearse Street who have been on the housing list for many years, it is essential that public homes are delivered on the site rather than on the other side of the city. Dublin City Council management has indicated the prices of homes there will range from €600,000 to €700,000 per unit. Obviously, that is not affordable. Can the Tánaiste assure the community that there will be both public and affordable homes delivered on this key site?

**The Tánaiste:** I am afraid I am not up to date with the detailed plans for the site but I will ask the Minister, Deputy Darragh O'Brien, to revert to the Deputy on it.

**Deputy Brendan Griffin:** I refer to the ongoing atrocious situation in Ukraine. I commend the Ceann Comhairle on his initiative in inviting President Zelenskyy to address the joint sitting of the Houses yesterday. It was a momentous and worthwhile occasion. Further to the remarks yesterday of President Zelenskyy, what additional leadership can Ireland show in respect of this situation? Will we be pushing for further sanctions against Russia to try to help bring this awful conflict to a conclusion? Will we be considering following the lead of Lithuania in terms of its expulsion of its Russian ambassador? Will we revisit that decision? Are there other measures, further to what we are already doing, that we, as a country, can take to try to help the people of Ukraine?

**The Tánaiste:** I echo the Deputy's remarks in respect of Ukraine and our need to support the Ukrainian people in their battle against Russian aggression. One of the main things we are doing is putting together a deeper and tighter set of sanctions to be imposed on Russia. That is the fifth package of sanctions and it is currently under development. The Minister, Deputy Coveney, is very involved in that. We are also going to provide increased humanitarian and financial aid to Ukraine and, through the European Union, are providing military aid through the peace fund, which will also continue.

*1 o'clock*

**Deputy Pádraig O'Sullivan:** I am glad the Tánaiste is present. Given that he is a former Minister for Health, he may be able to provide some insight on the ongoing difficulties about rare diseases and orphan drugs, and, in particular, the commitment in the programme for Government for a successor to the national rare disease plan.

In addition, I am also interested in the publication - this has not yet happened - of the Mazars report, which will hopefully give us some insight into the health technology assessment process and how we are lacking on that side. That report was put together in late 2019 or early 2020 and is sitting somewhere on a desk gathering dust. I raise this matter in the context of the drug Luxturna, which could possibly benefit four people in the country, three of whom are children who will inevitably end up blind unless they receive doses of that necessary drug. Can the Tánaiste provide any insight regarding the publication of the rare disease plan and comment on

the availability of Luxturna?

**The Tánaiste:** I thank the Deputy for his question. It is important that we should improve our performance when it comes to licensing and reimbursing new medicines. We have fallen behind many of peer countries in that regard. It is not right or fair that patients in Ireland cannot get a medicine that they would be able to get via the NHS in Britain or in similar health services elsewhere. We need to up our game in that regard. Many of these medicines were invented and are being produced in Ireland. It is, therefore, a bit strange for us to encourage pharmaceutical companies to invest here and for us then not to purchase their products. It is something the Government is working on. We are providing additional funds this year for new medicines. Some 20 to 30 new medicines have been approved this year so far, which is what one would usually see in a full year. The situation is improving.

I do not have an update on the particular medicine the Deputy mentioned. I will ask the Minister for Health to provide an update on that and also on the publication of the two reports.

**Deputy Gino Kenny:** I raise an issue today with the Tánaiste and perhaps the Minister of State, Deputy Rabbitte, who is present, may be in a better position to answer this question. It relates to the progressing disability services for children and young people. A number of families in my constituency and outside it have raised the lack of services with me. These families have children with Down's syndrome. They have painted a very stark picture in respect of the interventions they were meant to receive. The Minister of State will be aware that these children have not got those interventions for the past couple of years. These are the basic services required for any child's development. I refer to speech and language therapy, physiotherapy and occupational therapy. If we cannot provide for the most vulnerable children, then there is something very wrong not only with the Government but also with the whole system.

**Minister of State at the Department of Health (Deputy Anne Rabbitte):** I thank the Deputy for asking that question. For the past two years the Government has provided way more the amount of money required. We have been extremely successful in our budgets. The Deputy is correct in that the progressing disability services for children and young people, in its current format, is not meeting the needs of children. That is why I am engaging with parent forums. I have travelled around the country to hear about what is happening first-hand and to try to understand how exactly we can break down the barriers in order that the money gets directly to the children and that services are delivered. I plan to continue doing this over the next six months. It is a direct intervention by me. I am asking and pleading with the HSE to join me in engaging with these forums and to be part of the solution in understanding where the barriers lie.

**Deputy Johnny Guirke:** I thank the Ceann Comhairle. A public meeting was held in Meath the other night regarding the lack of services for children with disabilities. One woman spoke about her ongoing fight for basic services for her child from childhood into adulthood for the past 23 years. Another child was diagnosed with autism on the day of the meeting and the parent wondered if she will she be fighting the same battle and dealing with the same concerns in 20 years' time.

Another matter discussed at the meeting was the number of vacancies in the disability network for Meath and Louth. There has been a vacancy for a paediatric psychiatrist there for more than 14 years. Surely that is not good enough. When will these vacancies be filled.

**Deputy Anne Rabbitte:** This issue is not unique to the Deputy's area; it is right across the

country. I was in Cork on Tuesday night with Deputy O'Sullivan. On the psychologist post, I introduced the post of assistant psychologist. This is the first time that we have had a commitment from the HSE on that grade. The news in that regard was announced here three weeks ago. That is the start of the process in addressing the waiting list of people waiting to see psychologists.

On the issue of children progressing from their late teens into adulthood, transition planning is being put in place at present. I am working with the Minister for Education, Deputy Foley, and the Minister of State, Deputy Madigan, to ensure that there will be a proper care pathway in order that those families will be correctly directed all the way through the process. Work in this regard is ongoing.

**Deputy Jennifer Carroll MacNeill:** My question is similar to those of Deputies Guirke and Gino Kenny. Enormous funding has been put in place by the Government to deliver these services but they are not being delivered by the HSE. That is an ongoing difficulty. I thank the Minister of State for her help and support in my constituency, where I am raising matters relating to early intervention and trying to get Ballyowen Meadows Special School to offer to do a second early intervention class. I have, however, not received any responses from the HSE. This is hard to understand. Earlier, I participated in the first meeting of the specially dedicated Joint Committee on Autism. It is great that it has been established, but the HSE needs to respond to our ongoing questions about delivery of services. I am aware of the work that the Minister of State is doing but I use this opportunity to ask her to urge the HSE to step up and to get the area assessments done in my constituency, provide the extra early intervention class and respond to the ongoing questions from special schools when they are looking for help?

**Deputy Anne Rabbitte:** I thank the Deputy for raising this issue. I also thank her for giving us the opportunity to discuss the matter last night. Since I met with the Deputy yesterday evening, we have made arrangements to facilitate a meeting at that school at which representatives of the HSE will be present. When schools and the likes of the Rainbow Club in Cork are coming forward and stating that they have the ability and capacity to recruit, we should be working with them. We know that there is a problem with recruitment within the HSE. It is amazing that we do not have that challenge with other organisations. In that context, we have to wonder as to why the HSE is not able to recruit people. I will work with the Deputy on this issue.

I also take this opportunity to wish the new Joint Committee on Autism the very best of luck. It is an extremely important structure to have in place and it will give Members of both Houses a good opportunity to work on this issue. We need to work across Government, and across the various Departments, in a collaborative way in order to arrive at solutions.

**Deputy Aindrias Moynihan:** The programme for Government is very clear in its aims for equality and it also sets out strong ambitions on increasing participation in sport, including the prioritising of increasing female participation. Women's rugby has experienced a turbulent time recently. Last week, Ballincollig Rugby Football Club outlined its shock and disappointment that the steps to grant the club All-Ireland League, AIL, senior club status was stopped at the Munster AGM. The club has outlined very understandable frustration and disappointment that equality is still something that needs to be fought for and that not all Munster rugby players are considered equal. The rules at the moment mean that one club out of the 60 AIL clubs does not have senior status. The reason for that is down to the gender of the players on the team. Is the Tánaiste aware of this situation and can engagement take place with the rugby authorities to ensure that all players are considered equal and that whatever rules need to be changed will

be changed?

**The Tánaiste:** I thank the Deputy for raising this important matter. This is a matter for Munster Rugby and the IRFU, as the national governing body, but I would ask them both to reflect on the decision they have made in respect of this matter and to review it. Neither the Government nor the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media have any role in this. It is important that we respect the autonomy of national governing bodies to run their sports. However, equality in sport is Government policy. Ministers want to achieve a sporting landscape where women have an equal opportunity to achieve their potential, while enjoying lifelong involvement in sport. With that in mind and while respecting their autonomy, we ask both Munster Rugby and the IRFU to think again.

**Deputy Colm Burke:** At a meeting of the Joint Committee on Health yesterday, the Secretary General of the Department of Health, Mr. Robert Watt, confirmed that it is not intended to appoint a new chair to the medical consultants contract negotiations. The chair who was there, Marguerite Bolger, was appointed to the High Court last September. Seven months later, we still have no chair. There are 838 consulting vacancies at present around the country and no progress has made in getting consultants appointed. In addition, there has been no progress in the negotiations. Was the decision not to appoint a new chairperson taken by the Government. What is the intention with regard to progressing these negotiations in order to ensure that we have an attractive contract for people who want to work in Ireland but who believe that the current terms on offer are not suitable in the context of either their experience or of how they want to work in the Irish health system?

**The Tánaiste:** There has been no Government decision on this *per se*. Talks were convened under an independent chair. They went on for some time. That independent chair has now been appointed to the courts. Unfortunately, those talks were not successful. It is now intended, therefore, that the Government will re-engage in the coming weeks with the Irish Medical Organisation and the Irish Hospital Consultants Association with the revised offer. I hope they will accept it. I think most Members of the House would agree that €252,000 a year is not a bad salary. That is what is on offer. Some modifications to that will be offered, which I hope consultants will find acceptable.

The figure of 800 vacancies is a little misleading. Most of those positions are filled by locums or people on temporary contracts. The impression is sometimes given that a vacant post means that nobody is there doing the job. That is not the case. In any walk of life or any business, there will be people whose positions involve temporary contracts or who operate on a locum basis.

**An Ceann Comhairle:** Last but by no means least is Deputy Munster.

**Deputy Imelda Munster:** I wish to raise the non-existence of paediatric ophthalmology services in Drogheda and the entire south Louth area. More than 2,000 schoolchildren still have not received appointments since last September. That includes children with conditions such as strabismus. There are no appointments and no follow-ups. There is only one ophthalmologist in Dundalk, who is seeing a restricted number of as few as six to seven children each day. It looks like there has been a complete abandonment of children who need and use these services. Can the Tánaiste indicate what is being done to ensure that these services are resumed as a matter of urgency? Is this the HSE's failure to prioritise recruitment? If so, is that being addressed urgently? We heard earlier of other cases in which the HSE does not appear to be prioritising

recruitment, although there is, as I am sure the Tánaiste would agree, a massive problem with it.

**The Tánaiste:** I thank the Deputy for raising this issue. Deputy O'Dowd has raised it as well. I do not have an up-to-date note on it, and I do not want to give the Deputy information that might be misleading. I will inform the Minister for Health, Deputy Donnelly, that she raised the matter as a priority and ask him to provide her with a report directly.

*Cuireadh an Dáil ar fionraí ar 1.13 p.m. agus cuireadh tús leis arís ar 1.52 p.m.*

*Sitting suspended at 1.13 p.m. and resumed at 1.52 p.m.*

### **Electoral Reform Bill 2022: Second Stage (Resumed)**

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

**Deputy John Lahart:** I am glad the Minister is here. I compliment him again on his industriousness since he became Minister. He has piled really constructive Bills into the House and passed them. He has been flexible in accepting meaningful and sensible amendments and suggestions when they come forward, either from his own side or from the Opposition. I can spend an hour speaking on this, as I am sure any Deputy could, so I will narrow the focus.

There is a lovely council official called Sean McNally who used to call to my door in pre-Covid days, usually during the summer, after working hours, to check the register. As the Minister knows, that has not happened in a few years. I was in touch with the local residents' association in the last months. It had formed a new executive and checked the register. This is for the officials who are listening. Five of the six people newly elected to the executive, who wanted to work on behalf of the residents' association, were not registered. They would not have had the opportunity and there was not a register check over the preceding period. We are dealing, as the Minister knows from the Custom House, with a seriously outdated electoral register. That is the first point I want to make and reinforce, which has probably been made already. That happened through no fault of their own. There was a significant change and turnover in houses in that estate over the three-year period.

How will we tackle apartments and access to apartments? I would say to the officials who are taking notes and to the Minister that canvassing is part and parcel of the electoral process here. The more gated and sealed-off developments we have, the more inaccessible they are, and it becomes impossible to reach constituents. How do census enumerators in Dublin get in to check these apartments and obtain the information that is so valuable for planning? Many of these developments are managed and pay maintenance fees. There is very little recourse to the local authority, but they have recourse to the national Government. It is simply impossible to reach these people in these closed, electronically gated apartment complexes. We need to find some way to enable politicians of all hues to exercise their democratic right in seeking the votes of the public and to enable these people to have their democratic right to exercise their franchise at election time.

We take many things for granted. There is a term that I use in the warmest possible sense, though I know some people use it pejoratively, "foreigners". I notice in local elections that a substantial number of central and eastern European and non-European residents in Ireland who are entitled to vote in local elections are simply not aware of that right, because the State keeps

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them in the dark. It never makes any effort to inform them that they are entitled to cast a vote, at least locally, which we need to change. A couple of thousand people in my constituency do not even recognise that they have the franchise. That is a big job for the electoral commission. Language is clearly an issue there. Information needs to be produced in multilingual formats. It is also a matter of just bothering to let people know that they can cast a vote and have a say in the locality.

We take voting for granted here. A Russian friend of mine came here in the 2000s, settled, became a citizen and was very excited to cast their first vote. My friend expressed surprise after filling out the ballot paper that we use a pencil, which is provided to mark the register. It took a second for the penny to drop with me. The implication was that if you marked the numbers 1, 2 and 3, down to 10 or 12, with a pencil, it was possible to erase that. That was the culture from which my friend had come. That would never have struck an Irish person. It could be an off-putting thing for non-Irish people who become citizens here as part of the new Irish. Someone told me that when others exercise their franchise on the ballot paper, if they just vote 1, 2 and 3, they fill all the other boxes with an X to ensure that no one else can interfere with the preferences in those boxes. We take many things for granted. We live in a liberal democracy, which has been protected so well. That is why we did not embrace electronic voting. Are we not glad, in light of interference with elections across the globe by Russia, that we did not embrace electronic voting? I wonder where we would be now.

These are simple things that we take for granted. I hope there has been outreach to different communities to get their views on what it is like for them to vote or not vote in Ireland, or what their experience of the democratic process is and their suggestions about it. The Electoral Reform Bill 2022 is vital. I remember watching the movie “Brexit” on a Saturday.

*2 o'clock*

I recall watching it the following day again, when all the allegations, facts and evidence provided at that time - and the different rules and laws - indicated that campaign organisers were harvesting massive amounts of people’s personal data and utilising it to target them to vote in particular ways. I cannot prove it, but I have a sense from the last election that the harvesting of data is not unknown in Ireland. The targeting of voters based on that harvested data is certainly not unknown, but it was not regulated against.

When we were in opposition, our party leader and I used to have the odd robust exchange about electoral posters, corrugated board and all that kind of thing. He is very convinced of the need for postering as part of the electoral process. I agree that people need to know who they are voting for. I do not favour the continental approach of having a billboard in every town on which everybody slaps up posters and it just becomes a blancmange of stuff, but we need to restrict the numbers and look at those rules.

Our colleague, Deputy Lawless, drafted a very good Bill on transparency, not French-style censorship, when we were in opposition. The entire House embraced it. The adoption of much of its content would be a very useful thing to consider as part of this debate on the Bill before the House.

**Deputy Patricia Ryan:** There is a broad consensus across this House that this Bill is long overdue. My colleague, an Teachta Ó Broin, informs me there has been significant pre-legislative scrutiny of it at committee level. This is important legislation. It is clear that our electoral

system, and the register of electors, is in dire need of modernisation.

This Bill will see the creation of an independent electoral commission and better regulation of online advertising and the use of online platforms during elections. This Bill provides an opportunity to create a fairer electoral system and to have an electoral register that accurately reflects the electorate. However, it is a missed opportunity to lower the voting age to 16 for local and European elections. The establishment of the electoral commission is a positive step, but it is too restrictive that the chairperson of this new body must be a former judge. While the chairperson may need legal expertise, it need not necessarily be judicial experience.

Like much of our work in this House, the success of this legislation will depend on the availability of funding to underpin its intentions. I ask the Minister to set out plans to ensure this legislation is successful. We must ensure that the needs of those who feel most excluded from our electoral process are addressed. We all have areas in our constituencies where voter turnout is below 20%. We have all met people on the doors whose first language is not Irish or English and who do not know whether they are entitled to vote. We all know people with different abilities who may not know they can apply for postal votes or move to a more accessible polling station. We must engage proactively with marginalised groups including, but not limited to, women, people of colour, lesbian, gay, bisexual, transgender and intersex, LGBTI+ people, members of the Traveller and Roma communities, migrants, young people, people with disabilities and people from disadvantaged socioeconomic backgrounds. Our current postal and proxy voting system is too restrictive. We should look to other European countries and bring ourselves more in line with them.

I will raise the matter of the recent Seanad by-election. Voting in the constituency was limited to just under 68,000 graduates of Trinity College Dublin. The total number of ballots returned was 13,500, which amounts to a turnout of just under 20%. In 2013, the Irish people voted to keep the Seanad. Many were lured by vague promises of reform. It is almost ten years on and nothing has been done. Reform is possible, even without constitutional change. The current system is undemocratic and needs to be addressed.

**An Leas-Cheann Comhairle:** For the benefit of Members listening, we are moving very quickly through this debate. I know that some Members were very keen to speak on this matter. They will miss their opportunity to do so if they do not show up.

**Deputy Sorca Clarke:** It is very important to recognise the significant work that has been undertaken by the Minister, the Department and the committee as regards the drafting of this Bill. It is wide-ranging and challenging area, given the level of structural change. That is why it is such important legislation.

There have been many calls for many years for real, substantive change that delivers a much more efficient approach to the basis of our democracy, which is our electoral system. It is important we do that but it is also important we get it right. One of the major factors is the need for a pathway to electoral inclusion for those most disenfranchised from our electoral process, including addressing the barriers to participating in the electoral system and safeguarding equality of access and outcome. Our forms of decision-making need to better reflect the population they represent. This means equal diversity of men and women throughout the country from various backgrounds, including those from marginalised communities. It includes young people, disabled people and people from ethnic minority backgrounds. I am concerned that there appears to be a lack of acknowledgement of the importance of that inclusion in this Bill.

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It has been a long-standing Sinn Féin commitment to lower the voting age to 16, as has been tried and tested in other jurisdictions. Not only will that be a positive influence on the political system, it will also encourage young people of all backgrounds to get active and get voting as early as possible. Representation of women in politics remains unacceptably low. The under-representation of women at any level, and the lack of women's voices at decision-making tables, results in a democratic deficit. Women's experiences and participation are vital to political life and democracy. We cannot afford election cycles to pass us by before we see greater parity in representation.

Some unease has also been expressed by NGOs involved in policy advocacy. They are concerned that the definition of "political purposes" might be too restrictive. While I agree that there need to be strong rules regarding external influences on our electoral processes, we must also balance robust protection and not limiting the ability of NGOs and others to do legitimate policy advocacy work

Would the Minister like to take his chat outside? I can hear him talking and it is very disruptive.

**An Leas-Cheann Comhairle:** I ask the Deputy to go through the Chair.

**Deputy Sorca Clarke:** I also note the committee, in its pre-legislative scrutiny report, recommended that the electoral commission be funded through non-voted expenditure to maintain its independence and autonomy, with an increased budget to be made available in election years. This is important, as is local authorities being adequately funded, resourced and staffed to allow them to carry out any additional requirements.

As I said, it is important that we get this right. It is also important to recognise the work that has gone into this Bill, but we cannot allow under-resourcing to be the reason that much-needed overhaul and change do not happen.

**Deputy Darragh O'Brien:** The Deputy can give me a copy of her script if she likes, if she thinks I missed any of it.

**An Leas-Cheann Comhairle:** No. We will conduct the business with dignity and through the Chair.

**Deputy Emer Higgins:** This is exciting and reforming legislation that will bring about the most significant development in Irish electoral law since 1997. The Bill has the potential to transform our electoral registration process. It will modernise our register of electors and, more importantly, will empower more people to become more active participants in democracy. The Joint Committee on Housing, Local Government and Heritage, of which I am a member, spent a significant amount of time discussing and debating this Bill. During the committee's pre-legislative scrutiny, we heard from many different witnesses, from academics and political scientists to political strategists and social media companies, as well as those who hold social media platforms to account, and interest groups that encourage better diversity in politics. I thank all those witnesses for their very informed and expert contributions. I also commend the Minister, the Minister of State, Deputy Noonan, and their officials on all the work and consideration that has gone into this Bill.

The one thing all the witnesses and all the Oireachtas committee members have in common is that we value living in a free, fair democracy and we want to keep it that way. Before I was a

Deputy, I spent my annual leave travelling around with my backpack on my shoulder. I found myself in Fiji during a military coup, in Palestine during heightened conflict and in Kosovo when it was building up a brand new democracy. I saw real-life experiences of other countries fighting for a free and fair political system and for just governance. It ingrained in me considerable respect for our own democracy and a real sense of responsibility to help protect it and never to take it for granted. That is why it is so important that we protect our democracy from outside interference, be that foreign money or foreign technologies, such as bots, which can create undue influence.

An issue which I have concerns about is that this Bill regulates online political advertising only in the run-up to the election. It only applies to that three-week period of the election cycle, which is a small window. I do not believe that provision goes far enough. I believe we need to regulate online political advertising year round. Politics has changed in recent decades. Social media platforms have replaced makeshift platforms on the back of trucks that used to be outside church gates. The media and social media now play significant roles in political campaigns. Gone are the days when campaigning would stop when you became elected. All of us in this Chamber know all too well that we have transitioned to a continuous campaign cycle. Social media is a constant tool in political offices. That is why it is so important that we regulate online political advertising year round. We need to do that because not to do it represents too big a threat to our democracy. I do not believe there is any place in a free or fair democracy for online bots, for politically motivated anonymous online accounts, for data brokers to be used by political parties or for illegal data harvesting by politicians. These issues need to be addressed.

It was very disappointing that when we invited the general secretaries of political parties to discuss issues that were relevant to this legislation before our committee, not all parties cooperated. Political parties receive State funding and should, at the very least, engage in these political matters in an entirely appropriate way. I previously put my feelings about that on the record and I want to do so again.

In terms of voter education, which this legislation commits to, there is a good opportunity for an education or information campaign about the single transferable vote system. Many people still struggle with our system and this is a good opportunity for us and our commission to carry out an information campaign not just in schools but also in the media on what exactly the single transferable vote system is. It is a complex system but it is something we should all be aware of because, after all, we only have one vote. That vote is one of the most important powers that each of us has as a citizen of Ireland. It is important that everybody knows exactly how they are casting their vote and how the system works. I welcome the educational aspect of the legislation.

I also support the provisions to modernise the register of electors and to simplify the registration process. The proposal is to simplify the forms and create an online option for registration. I know that is something on which South Dublin County Council has been leading the way. Creating a rolling, continuously updated electoral register and a single national electoral register database would completely streamline the process. A move to a system of identification verification using personal public service numbers would provide transparency and security. Reform of the system of electoral registration has been on the agenda of Governments, political parties and other stakeholders for more than a decade. It has been advocated for by many experts. It is important that this legislation takes the steps to achieve that reform. Future-proofing is important and it is great to see that has been baked into the legislation.

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This Bill has great potential to transform our electoral system. It is vital that we are legislating in a way that is forward looking and that we create legislation that can flex and adapt as we, as a society, continue to modernise.

On a final and somewhat nerdy note, and as someone who has spent many a long, cold day in a count centre, the excitement of a tally is something that is unique to us in Ireland. Tallymen not only bring their experience in terms of transparency but can actually catalyse a recount. The information that our tally people are providing can become the reason for a recount and the reason errors are rectified. We want to make sure we minimise errors. There is no provision in law for tallying. From the perspective of transparency, I urge the Minister to ask the electoral commission to provide a set of rules around tallying to allow a certain amount of tally people into each count so we can harvest that data and ensure the open and transparent democracy we have spoken about. If the commission did that, the Minister would have the power to bring in a statutory instrument to give us the regulation that we, our parties and our volunteers need.

**Deputy Thomas Pringle:** I am grateful for the opportunity to speak on this important Bill. There is no doubt that this Bill is long awaited. Establishing an electoral commission has been on the policy agenda since 2007. I support its establishment and I know there has been broad support for its establishment. However, despite this, legislation must not be rushed through the House and we must allow for thorough and adequate scrutiny of this Bill. I recognise the urgency of addressing the issues that are addressed in this Bill but we have to make sure we get this right.

We all know that the electoral register is incomplete and completely inaccurate. There is no doubt that there are serious issues with duplication. It has been established that the electoral register is inflated and this needs to be addressed. The amount of duplication on the electoral register at the moment is incredible, so much so that the number of names on the register actually exceeds the population eligible to vote due to duplication as well as due to double counting and counting those who are no longer at their previous addresses. Much of that is a result of the abolition of revenue collectors from local authorities because in the past, those collectors prepared the register and knew everybody in the area. They knew who people were and knew their families. They did the business. They have not been available for the past eight or nine years because their jobs have been done away with and the register has suffered as a result. I know there have been some attempts to recover what has been lost in that regard but it is a difficult situation and needs to be addressed. The role of the councils in preparing the register needs to be maintained and the councils need to be supported to ensure the right staff are available to make it happen.

The duplication is not only a serious problem in itself but it also contributes to inaccurate turnout reporting with turnout being under-reported due to the inflated register. If the electorate does not reflect the general population, there is a risk that politicians will pay greater attention to the policy needs of those who have voted rather than those who have abstained. That is an issue that is plain to be seen.

Other problems that have been identified include a complex registration process, poor maintenance of the register and voters being turned away from polling stations due to not being on the register. The establishment of an electoral commission to address these issues would be very welcome in order to ensure fair and accurate elections.

There is also a major problem in the fact that there has been no comprehensive research

conducted into the extent of the problem at a national level. I hope the new electoral commission will have a research role in properly looking into the extent of the issues with the electoral register.

There is also an issue around conduct at elections. Perhaps there is a role for the commission in investigating conduct. The report stated there have been very few prosecutions in Ireland for electoral fraud. That is true because it is very difficult to gather evidence. It is not that fraud does not exist; it is just difficult to get the evidence to pursue a prosecution. I could outline ten or 15 different examples off the top of my head. I know of one electoral booth where five minutes after a vote had opened, 15 or 20 people had voted. No one had gone into the booth. Those votes were cast on behalf of people who were not available to vote on the day. The local people knew that, marked their papers and voted on their behalf. I know of a litany of other issues relating to postal votes and so forth. There are issues with what happens in that regard. The problem is the difficulty in pursuing accusations of voter fraud. That needs to be addressed because overall faith in the electoral system must be supported and strengthened.

I sometimes wonder whether the things parties do around postal votes and other things in the run-up to elections are necessary. A lot of is intended to make party operatives feel important and that something is happening, whether it makes a difference to an election or not. At local election level, where ten or 12 votes can have an impact, it could make a difference. When I was first elected in 1999, 14 more votes would have re-elected a Fianna Fáil candidate, meaning I would not have been elected.

**Deputy Darragh O'Brien:** I am not sure how I feel about that.

**Deputy Thomas Pringle:** Maybe the Minister is thinking that is something that should be addressed.

**Deputy Darragh O'Brien:** The system works, though.

**Deputy Thomas Pringle:** That is how fine it was - 14 votes. Fraud can make a very big difference in these kinds of things. Maybe it should have been 114 votes in reality but we will never know now.

**Deputy Darragh O'Brien:** The most important thing is that the Deputy is here now.

**Deputy Thomas Pringle:** That is it. I am here to stay. Regarding the management of the register, research has shown that there is public confidence in local authorities managing the register due to the practical benefits of local knowledge. I would agree with that. The committee recommended an oversight role for the electoral commission in the management of the electoral register and I agree that an oversight role of local authorities' management would be sufficient. The councils have the role now and they should continue with it. However, what is required to properly manage and address the issues with the register is a centralised voter registration process. I hope that how to go about establishing a centralised voter registration process will be the main focus of the electoral commission following its establishment.

The Bill aims to address these challenges by providing for a rolling register and the use of PPS numbers to verify the identity of electors in the registration process. I welcome the introduction of a rolling register that can be updated throughout the year. That will go a long way towards dealing with some of the problems with the existing register. I recall instances where council staff were locked out of Garda stations during registration courts. That is happening

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regularly too. This is stuff that cannot be pursued and it is very difficult to get a prosecution. I welcome the introduction of a rolling register rather than the current system of publishing a draft register in November and a final register in February. This would be a much better system and would ensure a more accurate register. However, I have serious concerns about requiring a PPS number to register to vote. Everyone resident in this country should be entitled to vote. As the Irish Council for Civil Liberties stated in its submission:

The right of eligible persons to participate in the democratic process through casting ballots in elections and referenda is one of the most basic fundamental democratic freedoms ... Eligibility to vote does not require a PPSN and therefore to require a PPSN in order to register to exercise this right is fundamentally undemocratic.

It must be emphasised that the sharing of PPS number data cannot be a compulsory requirement. I understand that much needs to be done in addressing duplication issues and that the requirement of a PPS number would be a quick and easy way to do this. However, this does not mean that this is the approach that should be taken. It should be the role of the electoral commission to look at different ways to tidy up the register, such as creating a list of eligible IDs and a requirement of proof of address. Tying someone's right to vote to the possession of a PPS number is undemocratic and poses potential privacy issues. As well as this, it rules out many people in this country who do not possess PPS numbers, particularly members of marginalised groups.

I also support the ICCL's position that individuals should not be forced to prove or disclose their personal illness or disability in order to justify access to postal voting. This requirement should be removed and everyone should be entitled to a postal vote if they can prove they need it.

An extremely important aspect that should be included in this Bill is the protection of the right to freedom of association and expression for civil society groups. Everyone in this Chamber has engaged and worked closely with advocacy groups and we all know how incredibly important they are. I have worked with many community groups and civil society organisations in my many years as a politician. The work they undertake is extensive. The role they play in our society cannot be overstated. Unfortunately, as a consequence of the extension of the Electoral Act 1997, advocacy groups have been faced with the unintended consequence of their advocacy work being classed as having "political purposes". The term "political purposes" is hugely problematic as has a very wide interpretation. This definition does not efficiently distinguish between the campaigns of politicians and the everyday work of advocacy groups. I cannot emphasise enough that this must be addressed in the legislation going forward. I ask the Minister to look at that and see if something can be done. "Political purposes" is taken to mean having an opinion on any political policies or engaging on policy issues, which encompasses many community and civil society groups. I understand that the purpose of the Electoral Act was to protect the integrity of elections but this definition has prohibited many advocacy groups from accepting any substantial domestic donations or grants to assist their work and has prohibited any international funding. This Bill is a clear opportunity to amend the incredibly problematic definition of "political purposes" and we must grab this opportunity to do so. The Electoral Act seriously compromises Ireland's democratic values. Advocacy must be supported at all costs and we must do all we can to protect the rights of advocacy groups to continue their work.

I take this opportunity to commend the Civil Engagement Group in the Seanad, and particularly Senator Lynn Ruane, who addressed this issue in her Electoral (Civil Society Freedom)

(Amendment) Bill in 2019. That Bill sought to amend section 22 of the Electoral Act and provided for a new definition of “political purposes”. When contributing on the Bill in 2020, Senator Higgins said she had hoped the new electoral reform Bill would address this very important definition issue and that it would not get lost when addressing all the other issues. Unfortunately, it seems that is just what happened. I urge the Government to address this issue as a matter of urgency. It should have been taken into consideration when drafting the legislation. Community groups should be able to engage on important issues without fear of compromising their ability to fundraise.

I strongly welcome the introduction of a pending electors list for 16- and 17-year-olds. Last year I introduced a simple constitutional amendment Bill that would allow people to register to vote from the age of 16 years and to vote in all elections, including referendums. It is very important that we give young people a voice. Having a pending electors list will certainly help with a lot of registration issues that young people come across when turning 18 and moving away from home. It might also build their interest in the electoral system. Ultimately, the goal should be to extend the vote to them as well. I again have concerns about the compulsory requirement of PPS number as an identifier for young people and this is something that needs to be addressed further.

I welcome that the Bill creates a new regulatory regime for online political advertising during election periods. This is very important in this age of growing technology. That said, should this be confined only to election periods? Over the last number of elections, because they were very defined spending periods, there was a massive amount of spending in the run-up and then it collapsed or fell off. This should be extended to reflect what is actually happening across the board. I also welcome that the Bill includes direction on facilitating elections during a pandemic or Covid-19. However, this should also be extended. We should be looking at strategies for holding elections in all national emergencies, including pandemics, natural disasters and cyberattacks. That should be looked at.

Overall, I welcome parts of this Bill and I strongly welcome the establishment of an electoral commission. There is no doubt that this is overdue. I hope it will contribute to much fairer and more accurate democratic elections in this country. However, I seriously hope the democratic concerns I have outlined today are taken into account, especially with regard to PPS numbers and the definition of “political purposes”. As I said, this legislation is important and urgent, but it is absolutely vital that we get it right at this stage because we cannot do it retrospectively.

**Deputy Alan Farrell:** I welcome the opportunity to contribute to this debate, which touches on some of the most important and core aspects of our country, how we run our elections and how we protect and enhance our very democracy. As we are all too aware, particularly during the last decade, democracy and the very notion of free and fair elections is not something we can take for granted. A great number of factors have been pressing on this in recent years, both domestically and internationally. In this context, we must recognise that we are not exempt from the serious threats of misinformation and the other methods of electoral interference that have faced countries across the globe in recent years. For seven of my 11 years in this House, I was head of the Irish delegation to the Organization for Security and Co-operation in Europe and I oversaw nine elections in eastern Europe and the United States. We take our democracy for granted, particularly in comparison with countries like Ukraine, Kyrgyzstan and quite a number of others. There are many things we can learn. I would like to think the electoral commission that is to be established by this Bill will facilitate a learning process and a general improvement to the process. We are, and have, a very proud democracy. I am pleased to have

the opportunity today to review and attempt to enhance the protections of our democracy and ensure that erosion does not encroach on what most of us in this House hold dear.

This Bill provides for some fundamental changes that will strengthen our democratic processes. This includes the increased transparency in how our election campaigns are run and increased transparency with regard to political advertising. This is an important step in tackling the hidden actors and interests that, in the advent of social media and the Internet, will continue to pose a threat to our public discourse and our electoral campaigns, in conjunction with other measures in the online sphere outside of this Bill.

I particularly welcome the modernisation of systems that is long overdue, namely, the opening up of the registration process. This Bill allows for the introduction of online registration, the integrity of which is of paramount importance, in tandem with a simplified application process, which I believe will increase the accessibility of our voting system to thousands of people, particularly young people, who increasingly engage with systems and processes through the prism of the digital world. I hope that when this Bill is passed, we will see other Departments engage with these changes, for example, in schools where students who are on the brink of the voting age can be encouraged to explore politics and to register to vote.

There are, however, further ways in which we can advance the cause of our democracy and electoral system. As my colleague mentioned earlier, the tally process in elections should be formalised and introduced on statutory basis. I understand that during the Seanad campaign in 2020 the returning officer, Mr. Martin Groves, was unable to facilitate persons being able to tally due to Covid-19. My colleague, Deputy Joe Carey's office was informed that there was no requirement for the returning officer to facilitate tallies because it was not in law. That needs to be reviewed. Tallies play a vital role during the counting of votes and informs important understanding of constituencies and our communities. However, as it stands, tallies are wholly at the discretion of the returning officer and this has led to some incidents in recent elections, albeit thankfully in a limited respect, where political parties or individuals were not permitted to perform this vital function. If we were to introduce tallies in a more regulated and formalised manner, we can enhance the integrity of their collection and their use.

I would also like to highlight the role of postal voting. Currently our electoral system offers a limited avenue of access for the use of postal voting, which to date has been largely limited to the diplomatic corps and our Defence Forces. By expanding this right to other cohorts of the population, we can enhance turnout in elections and make it easier for people to vote, not harder. That includes registration which often takes place weeks in advance of a general election with many people having already made arrangements in their lives. It could be a holiday. Any person who is entitled to a vote does not suddenly lose that right because they choose to get on a plane or ferry. On that basis, we should be able to facilitate a more robust system for individuals who may wish to vote *in absentia*. That is something which is very common in other jurisdictions but is quite constrained in Ireland.

The ultimate goal of this Bill is to expand access to voting and to make it easier so some of my remarks hold water. Importantly, these steps would allow for a greater degree of flexibility in our elections. In February 2020, we narrowly avoided major disruption to the general election as the Covid pandemic turned our lives upside down, just a month later. What if the election had been scheduled for March or April? Those are things that the committee, the Department and Minister have spent time considering. However, the lessons of this potential disaster must be taken on board. Not only would a delayed or hindered election pose significant

constitutional questions but it would also harm public confidence in the electoral process and lead some to question the validity of the results. This is a scenario I hope that we will never see in our country but if we are to be sure that this does not come to pass, we must ensure that we have a system that is flexible and able to respond to unprecedented crises or public emergencies such as a pandemic. By doing this now, we can future-proof our elections for forthcoming generations.

Finally, I would also like to take the opportunity to briefly mention the role of election dates and the impact they can have. I have long believed, since the beginning of my parliamentary career, that general elections should take place on a weekend. This, I believe, complements the spirit of this Bill, again increasing the inclusivity and access of as many people as possible in our electoral process. I served on the Joint Committee on Investigations, Oversight and Petitions back in 2012. Professor Michael Marsh came before the committee and spoke at length on the pros and cons of weekend voting in relation to the turnout and those who would be facilitated or not by a weekend vote. If I recall correctly, the findings, by someone who is considered an expert on elections and statistics, were that it would facilitate and discommode people in equal measure. We held the children's referendum on a Saturday in 2012 and many people across civil society blamed the poor turnout, which I think was about 30%, on that. However, we all know that it was because of the subject matter which people did not consider a controversial item. The polls all suggested it would pass, so the turnout was low. The House should facilitate more people to vote and to do so at the weekend. Most importantly, we close 1,400 schools every time we have an election. I do not think that is right. We are discommoding children, parents and teachers and the bottom line is that those kids have to make it up somehow. We should have a mature debate on that. By introducing such a measure, we could remove yet more barriers to individuals and their ability to cast their ballot.

I commend the Minister on the introduction of this Bill and the commitment of the Government to introduce real reform in our electoral process and to expand the role of people across Ireland in the most sacred and cherished of civic duties.

**Deputy Jim O'Callaghan:** I commend the Minister and the staff in his Department on producing this very fine piece of work. Trying to put together a large piece of legislation is no easy task. Not only must one set out in a coherent format for what you want to achieve but you also have to do that by making sure that it is consistent with the law that already exists. I am surprised the Minister has managed to get it onto the floor of the Dáil so quickly. As it is such a huge piece of work, we need to give it careful scrutiny. A great deal of work will be done on Committee Stage. The most important thing is to get it right rather than get it enacted immediately. However, I would like to see it enacted this year.

It is important that we are aware of the purpose of the legislation. It is not simply to try to reformulate or represent our electoral laws but to defend our democracy. We need to really focus on that when we talk about the principles and the sections of the Bill today and on Committee Stage. When you think of democracy, it is a very young form of governance throughout the world. Some 150 years ago, very few places around the world had democracy. We assume that democracy will be prevalent throughout the world in years to come but that is not the case. We can see there are huge numbers of powerful and significant countries around the world that do not exercise or operate democracy. We see countries such as China and countries such as Russia, which purports to exercise democracy, but we know that it does not exercise democracy in the same way as we understand it in this country. There are many countries where there are still absolute rulers who inherit their role from family members. We do not want that form of

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governance in Ireland. The way people of Ireland want to ensure their government and politics operates is that they want the ability to vote in governments and to vote them out. We need to appreciate that in recent times there have been very significant threats to democracies in countries that we assume democracy is safe. We all had an opportunity to apprise what happened during Brexit. We do not really understand the full forces that were at play there but we know for certain that outside parties exerted significant influence in the United Kingdom in the lead-up to that vote. We saw the same in the United States where online activity and interference from outside and other countries can have a significant impact.

I suppose the biggest threat to democracy in the world today does not come specifically from other countries but from the mediums and the technology that is available to people who want to influence democracy in their own direction to their own benefit. If you think about it, when you look at what can now be done online, huge numbers of people can be affected and swayed to think or to vote in certain ways as a result of online activity. Many people, I regret to say it, outsource their thinking now to what they see and hear online. It is a hugely powerful medium. The online activity, when it comes to the political realm, really needs to be regulated. I commend the Minister on including a section in this legislation that will deal with the regulation of online advertising.

I want the electoral commission when established to be a vibrant, active body that really recognises that its primary function is to protect and to enhance Irish democracy. I welcome the fact that the Minister has indicated that the chairperson of the electoral commission is going to be a judge. I do not say that out of any deference to judges, but I think that in Ireland that the public has a level of trust in the Judiciary which may not exist with other sectors of society. If they see that the electoral commission is to be chaired by a sitting or a retired judge, that will give a general sense of confidence to the Irish public that this is an independent and impartial body.

I have also looked at section 9, which talks about the recommendations that could be made for membership of the ordinary members of the commission. I hope that we will have people on that commission who have a practical understanding of politics. I am not necessarily saying that they have to be professors of politics in universities or other third level institutions, although that would help. I also think that we should not downplay the expertise that exists in this House and in the Seanad. Sometimes we are very hesitant about putting forward politicians or former politicians to play important, independent roles. Obviously, when we are in this House, and when we are members of political parties, or even if we are purportedly Independent, we do not come with the level of independence that is required for objective assessment of the operation of the electoral commission. Yet, I have no doubt that once Members leave this House, they have that ability to exercise independence and they would be able to do so in the knowledge of how politics operates practically on the ground.

There are a number of other matters in it as well, which I thought were interesting. There is a provision in it for anonymous electors. Maybe I need to read the explanatory memo more, but I could not understand at the outset what type of application would justify a person being able to be granted the status of an anonymous elector. It may be the case that there are people who have very sensitive jobs, or who do not want to have their details recorded on the register, but I know the Minister will explain that in due course as the Bill goes through Committee Stage.

The electoral register itself is in a significantly bad condition. In my constituency, and it may be the case in the Minister's constituency, there is a huge number of people who have flats

and then they move on. They do not necessarily take their names off the electoral register. That is why I believe that the turnout for elections in my constituency sometimes looks pretty low. In fact, I suspect the reason for it is that there are many people on the register who are just not there anymore and who are not voting. We need to clean up the electoral register so that we can get a proper appraisal of the actual turnout in elections.

Part of the reason apathy can spread in politics is when people think that people are not bothering to vote. That is a terrible thing to hear somebody say, that they are not going to bother to vote because they look and see that a significant body of people is not voting. If we have a system whereby the electoral register does not accurately record turnout, that will just breed that level of apathy. I also welcome the fact that we are going to have a provision whereby people are going to get onto a stepping stone register. People aged 16 and 17 will know that when they get to the age of 18, they will be on the register. Many people in the House have spoken about how we should give the vote to people who are 16 years of age. I remain open to having a discussion about that. The Constitution says that we have to be 18 to vote, so we would have to have a referendum in respect of that. If we want to go down that route, we should first try it in local elections, rather than working immediately into seeing whether we should change the Constitution.

I also want to deal with the issue of advocacy work and with the definition of political purposes. I saw the Minister earlier nodding that he would give consideration to this matter on Committee Stage. It is a difficult issue but we need to appreciate that there are many bodies in Irish society and groups of residents who come together to advocate for a particular issue. They do not believe that they are involved in political activity. They do not believe that they are involved in something that will require regulation by the electoral commission. It may be the case that if they are involved in something that comes broadly within the definition of political purposes, that they then need to register. We need to be sure that we do not completely over-regulate this sphere, because that would have a negative impact on what we are trying to do, which is to protect and to enhance democracy.

I was listening to Deputy Alan Farrell talking about whether we should be closing schools for the purposes of elections. There is no reason, of course, we cannot have elections on a Saturday. We had it the last time and I think it worked. It did not appear to increase turnout that much. Similarly, however, it did not appear to reduce it that much. If possible, maybe we should do what they do in other countries, such as in France this weekend, and have elections at a weekend so that we do not interfere with the schooling of children.

We should also note that under the Constitution there is a seven-year electoral cycle and legislation provides that there must be an election every five years. That is an issue that the electoral commission will have to deal with as well and whether it thinks it is appropriate or necessary that we would amend our Constitution so that it expressly states that there must be an election every five years.

Finally, there are a couple of difficult issues from which I do not think the Minister can shy away. I think he is going to have to deal with them. Obviously, we operate on an island where there are two jurisdictions. We have funding of political parties in the southern jurisdiction that is different to the northern jurisdiction. It is now going to be increasingly the case that parties in both jurisdictions will engage in political activity on both sides. Hopefully, that is something that our own party will do in due course. I think we need to ensure that there is some consistency and protection there when it comes to the regulation of political funding. If you are going

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to contest an election in Dáil Éireann, I think that all aspects of your political funding have to be disclosed and should be available for public inspection. I do not make that comment about any one political party; it applies to all of us here. If you are raising money in a different jurisdiction and you are running in an election here, that information must be disclosed. What will protect our democracy is information. If you look at the information that we can provide already, there are details of donations that have been made and there are details about expenditure. We all have to put in electoral reforms after an election. All of that information is very useful and I do not think that it inconveniences Members of the House. It does provide the public with confidence that our political system is operating above board. If we do not do that, we will find ourselves in the situation where there will be parts of our political system that the public may incorrectly perceive are being hidden from them.

Finally, it is a fantastic piece of work but I want to put another piece of work on the Minister's plate as well. The electoral Acts are all over the place. I am referring to the 1997 Act and others. At some stage we will have compile them all together for the sake not just of the Members of this House, but members of the public so that they can pick up the one Bible, which will be their electoral Act and electoral reform Act together and find out from A to Z what is and is not permitted when it comes to contesting elections in Ireland.

We have a great democracy in this country. People fought and died for it. We should value it and we should ensure that we preserve it. Once again, I commend the Minister and the people in his Department on preparing this legislation.

**An Leas-Cheann Comhairle:** Ag fanacht leis an Rialtas, glaoim ar an Teachta Lawless. This is a 20-minute slot and the Deputy is sharing time with Deputy McAuliffe.

**Deputy James Lawless:** I also welcome this Bill, which will bring about the major modernisation of the electoral system. I commend the Minister, Deputy Darragh O'Brien, for his sterling work on this matter since he took office. He has progressed this at pace with the Minister of State in his Department, Deputy Noonan, as well as members of his teams, including Kevin Dillon and others who have contributed significantly in the backroom to putting this legislation together. It is necessary legislation to modernise and reform the entire tapestry of electoral rules and electoral laws with which we as politicians are quite familiar but which the public needs to be more familiar with in the pursuit and participation in our democracy.

I want to pick up on a point that Deputy Jim O'Callaghan made about how democracy can be taken for granted. I believe firmly that it cannot. If we look around the world, there is a threat to democracy emerging. It is interesting that the recent call between President Biden and President Xi Jinping of China on the Ukraine crisis did not touch so much on the immediate events in Europe. They spoke about whether autocracies or democracies would prevail at a global level. It is very much the Chinese view, and possibly the Russian view as well, that autocracies and technocracies will become the predominant form of governance over and above democracies. That is a reality check to all of us in the democratic world. We need to protect freedom and protect democracy. Democracy begins at home and we are doing it today in this Bill. It is something that we cannot take for granted.

I recently read a great book, *Guns, Germans and Steel*, which is in the same category as *Sapiens: A Brief History of Mankind* and similar books about the development of civilisation. A warning is sounded by the author, Jared Diamond, who looked at how technology evolved and at why the Incas, the Aztecs, and the South Sea Islanders lost out and at why the British and

Mongolian empires, among others, eventually crumbled. Empires were like a Colossus, conquering all before them but ultimately they collapsed because superior technology came along, whether that technology was steel, shipbuilding, communications technology or the power to vaccinate against infectious disease. In the modern era, data technology is that secret weapon which has been recognised, unfortunately, by hostile actors in many states. We must remain alert to that threat and respond to it and again I commend the Minister and his team for doing so through this Bill. One hunts or one is hunted. Democracy is not about to be hunted out of existence on this Government's watch and I will certainly do all I can to prevent that.

Moving on to the provisions of the Bill, the electoral register has been mentioned several times in the debate already. Anyone who is familiar with the register, which includes most of us in this Chamber, knows of the difficulties with it. In my constituency of Kildare North, which is in the commuter belt, people tend to come and go. They often spend a couple of years in my constituency and then either move back home to other parts of the country or move closer to Dublin and for that reason there are huge anomalies in the electoral register. When people are moving, I often caution them not to de-register at their old address because it is better to have two entries on the register than none. Our registers are not based on reality and we all know that. God love the local authorities, which try their best. They usually have one person in the franchise department who has hundreds of other tasks, trying to manage the register and make it work but struggling badly. The proposal to have an online, centrally maintained register with an authentication system makes huge sense.

Returning to the threats out there, recent elections overseas have brought home the scale of the problem. We saw in the recent UK Brexit referendum the role played by social media and hostile actors, both state and individual. An analysis by the Westminster communications committee of participants in social media debates on Brexit found that two of the top ten most influential Twitter accounts during the course of the Brexit campaign were Russian bots. Two of the entities that were most forensically driving that electoral cycle and debate belonged to a hostile actor outside of the State which certainly did not have the country's best interests at heart.

It is a threat that I flagged in this Chamber in 2017 when I introduced my own Online Advertising and Social Media (Transparency) Bill, which remains before the Oireachtas Joint Committee on Transport and Communications. I intend to progress that Bill. There is some overlap with this Bill but there are also some stand-alone provisions in it. At the time, the threat was not taken seriously by all sides of the House but we have all seen now that Russian state actors have moved beyond the online space and very much into the physical space. President Zelenskyy told us all about that in the House yesterday and if we needed any further warning, we saw Russian activities off our own coast, in our exclusive economic zone of late. We do not need any reminders of the dangers and the warning I sounded in 2017 is as relevant, if not more so, today. It is not just Russians, of course; threats can come from much closer to home. Every participant in the electoral cycle does not necessarily come with clean hands and it is a threat that we have to be live to in order to protect our democracies.

When I first raised these issues, people asked why Ireland would be threatened. There was talk of little old Ireland, in the corner of Europe, not doing any harm to anybody but that is an outdated and naive idea. Why would somebody want to attack Ireland? There are many reasons. First, we are in the EU and are quite a pivotal state within the Union as we are English speaking. Ireland is a base for many multinational corporations, which goes to the heart of our economic and fiscal policy. Ireland is host to 40% of the EU's data sets and is also positioned in the maritime and aviation approaches to the EU. We are also pivotal in EU-US relations and

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communications. There are many reasons somebody might want to interfere, not just with our cyber capacity but with our democratic system. Often the approach can be opportunistic, with entities causing mischief because they can. It is not so difficult to do it and those that want to disrupt an EU member state can do so using social media and so on.

Several speakers talked about the position of NGOs. The argument was made that small residents' groups or small campaign groups should not be subject to the provisions of the Bill but I am not sure I fully agree. While I am sympathetic to the arguments made about small groups, and I work with many as a politician, I believe that if any bodies, big or small, with motives that are pure or otherwise, want to engage in the political process, we deserve to know who they are and what they are about. If it is a residents' association for or against a particular development, or for or against a vote at local authority level, in this Chamber or at the European Parliament, we should know. We need to take a broad brush. Who is afraid of transparency? People need to put their best foot forward, let us know who they are and what they have to say and then the electorate can make up their own minds. That said, I do agree that it should not be overly burdensome but I would not exclude certain groups altogether either just because they happen to be small or community based.

The electoral Acts have already been mentioned. When I was researching the Online Advertising and Social Media (Transparency) Bill, I found up to 40 provisions, primarily in the Electoral Act 1992, that were honoured more in the breach than in the observance and the Repeal the Eighth referendum brought this home. I refer to provisions which hold that a poster put up on a lamp post or a pamphlet put through a letter box must have the director of elections written on it. Most of us involved in elections do that automatically, but many groups do not. Some do not in all innocence, while others do not for more sinister reasons. Recently I have seen posters around the country that read "Repent". I am not sure who put them up or whether they are calling us to worship or to vote in a particular way, although I doubt it. Any communication that has a political motive is supposed to have a label. Again, this came to light during the repeal referendum. Campaigners on both sides erected posters and distributed literature but nobody knew how to make a complaint about the fact that the origins were not properly flagged and the notices which are required under the electoral Acts were not there. Some people went to Garda stations and tried to make a complaint but they were told, quite frankly, by the desk sergeant that he or she did not know what to do. At the time, the Oireachtas committee brought in a range of actors but none of them seemed to know what to do either. There is an enforcement piece and this Bill will include that and it is really important that there is follow through. If people want to make a complaint or raise an issue, it must be clear and easy for them to do so.

I have spoken about the social media piece and I note that in this Bill there is a definition of a transparency notice. It is all about transparency and nothing about censorship. That is in section 119 of this Bill and is carried over directly from my Bill, which I welcome. Perhaps there is more that can be done there and as I said, my Bill remains before the committee.

It is really important to have a rolling electoral commission. In the past, the referendum commission tended to have retired judges and people of great status in society who were extremely knowledgeable in law and matters of referendums but I do not know how knowledgeable they were in modern campaigning techniques, particularly in the black arts. In that context, a rolling agency that is permanently staffed and equipped will have that capacity and I welcome that.

One of the final points is that not all fake news is online. There was a phenomenon during the last general election, and possibly in other elections, whereby literature was put through

letter boxes in my constituency and in many other constituencies in Dublin and the midlands in what were very sophisticated operations. When I was out canvassing one night, I came across boxes of black and white literature in the boot of a car. They were manufactured to look like the work of an amateur operation but were the work of what was actually quite a sophisticated and professional operation. When I saw tens of thousands of leaflets in boxes in the boot of a car, I wondered at their origin. What was set up to look like an amateur operation was quite the opposite. I know that colleagues in other constituencies reported the same. As it happens, it was Fianna Fáil literature so one has to ask who benefited from that. In whose interest was it to put out a particular message? Perhaps it was people in tight races in particular constituencies but it was replicated across the country.

We also need to know who has what in terms of assets and spending power. We are all regulated as individual politicians and as candidates in elections. We have the Register of Members' Interests but we do not have a register of political parties' interests, at least to my knowledge. There are parties that have huge property portfolios and significant assets both at home and offshore, as well as huge staffing resources to call upon. We need to know that information. We need to have equality of arms and transparency. I ask the Minister to consider that as an option for this Bill. We need to know and there needs to be a level playing field. Democracy is not for sale and it is really important that we make that point.

**Deputy Paul McAuliffe:** Yesterday this Chamber was addressed by the President of a democracy that is under the threat of extinction. His address was attended by far more people than there are in the Chamber now. Deputy Higgins is right that this is a bit of a nerdy issue but it is also the bones and very core of our democracy.

*3 o'clock*

I commend the Minister on bringing forward the Bill. The committee found that while the Bill is quite comprehensive, there are many areas we would love to continue to improve to make our democracy stronger. The question for Members will be how much we accept as being progress now and therefore the job of the electoral commission and how much we try to perfect here but delay overall delivery. It is a difficult task. I commend the Minister and I should acknowledge there are also Ministers of State in the Department. The Ministers of State, Deputies Noonan and Peter Burke, and the Minister, Deputy Darragh O'Brien, have all worked on the legislation. I very much appreciate the work that has been done.

I am a spokesperson on electoral reform and a member of the committee. I have had extensive opportunity to debate this. Rather than repeating its merits, which have been well flagged, I will put on the record some of the amendments I would love to see the Government bring forward. I welcome the preregistration of those aged under 18. This is very important, as is the establishment of an electoral commission, for which we have been waiting almost 30 years. I am particularly concerned about online political advertising. For the first time the Bill regulates, and in some sense gives tacit support or approval to, the process of online political advertising. Until now this has been unregulated. It will be regulated during the period of an election campaign but not outside of this. The view of the committee was that this is a fairly toothless and useless process. All of the work in building up audiences and engagement is done well in advance of an electoral period.

We have heard many concerns from social media companies. In some sense they said they wanted to operate within a European framework. I understand this because they want

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to use one model across all of their platforms but every democracy is different. Twitter does not allow online political advertising but Facebook does. In an era when we have trusted local media sources in the form of radio, newspapers and television, which provide good quality news that is fact-checked and so on, and we prohibit advertising on radio and television, we have to ask ourselves why we allow online political advertising on platforms that do not do any of these things and where we have major concerns about fact-checking and so on. Until we have comprehensive regulation of online political advertising, we should not permit it. Twitter as an organisation has said it will not engage in it. There should be a ban on online political advertising until we get this right. I do not oppose it in the longer term. It has a very positive role in terms of groups and bringing people together and enabling activists and new candidates to break through. However, at present we do not have enough knowledge about issues such as micro-targeting. I say this because so much of our democracy is transparent. If I put up a poster that says my priority will be young people, then older people might rightly say that if I am looking after young people they must not be my priority and they will make a calculation. Our facilitation of online political advertising allows, with very little transparency, candidates or political parties to say different things to different groups of people without the same transparency that we see in a poster or a newspaper advertisement. Politicians can tell young people they are the priority as well as telling older people they are the priority. We know everyone cannot be a priority. In a way, online political advertising is not regulated. We do not have in-depth knowledge of how algorithms and micro-targeting work to allow us to permit the activity when we do not permit it on radio or television. It is a valid argument and something the Minister should reflect on.

There are many other areas I wish to speak about. I would love to see takedown notices for things that are untrue. I would like to see a much broader code of practice for social media companies. We know that by the time something untrue that has been published is removed, it already has had an impact. The electoral commission needs to carry out continuous research and have expertise in this area. I will say no more about online political advertising but on Committee Stage we need to do a lot more. In some ways what is in the Bill facilitates what is wrong with the system rather than in any way eliminating it.

Another area I want to discuss is fundraising, donations and parties' interests. I would prefer to see a consolidated set of accounts for political parties, including those candidates who run for them. There is far too little transparency. There is nothing in here with regard to cryptocurrencies. What about donations made in cryptocurrencies? This will be more and more prevalent as we go on. This morning we have seen Facebook state it wants to develop its own currency. What happens when we mix donations made on Facebook with advertisements on Facebook and the custom audiences that are being created? There is a lot of work to be done on this. Cryptocurrency donations are something we need to think about, even though they do not seem so immediate.

We need to look at the identification of sources of funding for the purchase of properties. Properties give parties a reach and access to communities. We should know how these properties are purchased. We should know where the funds come from, as they provide an electoral advantage. If a company provides an office to a politician he or she must declare it in the electoral returns.

We do not permit foreign donations in this country. We do not permit legal corporate donations above €100. However, we know that because there are two jurisdictions on the island, regrettably, parties must operate within two systems where corporate donations are allowed

in one and not allowed in the other. This is very tricky. If we want to protect the very important ban on illegal corporate donations above €100, we have to better regulate and strengthen control of foreign donations. It is farcical that if parties operate in two jurisdictions they may benefit from it. I agree with Deputy Jim O'Callaghan that this is not about any one party. In the Oireachtas we should always design things for any party that might run.

The Irish Council for Civil Liberties, ICCL, has raised concerns about regulation. Deputy Lawless said the same system should apply whether a party is big or small and I agree. The ICCL is raising the issue of access to funding. It is not just regulation but access to funding. By virtue of the funding being deemed to be for political purposes, the ICCL is prevented from accessing it. This is not a simple argument because one person's advocacy is another person's political campaigning. While people might be very well meaning in saying they want to support the legislation, they themselves have said they know it could be used by people who oppose what they believe are human rights. It is something we need to be very careful of but I would like to see the Minister consider it on Committee Stage.

**Deputy Catherine Connolly:** At this point it is difficult to keep one's focus and one swings with the arguments back and forth. It has been very interesting. One of the privileges of being in the Chair is to hear all of the arguments. I thank the Department for its work and I thank the Minister and the Minister of State. It is a significant Bill. I realise it is quite difficult and I welcome the Bill and the effort. I hope that today the Minister will tell us when he hopes it will be passed. I know that is subject to the vagaries of the Dáil but I would like the Minister to state what time span he has in mind. It is clearly significant legislation. The Bill comprises 132 pages, six chapters and 145 sections. We would be misleading the Dáil if we said we read it in detail. I have tried to read the explanatory memorandum. I have looked at the Bill and all of the documents around it. I will highlight what is good in it and what is important. I also want to look at the background as to how we got here and perhaps the deficits that I hope will be sorted out, given the long gestation period. It has taken years to come to this point. As has been set out repeatedly, a statutory independent electoral commission is to be established for the first time. I welcome that. More importantly, this is something that various organisations on the ground have been asking for. I will come back to those organisations. How independent it is to be will have to be teased out on Committee Stage, as will its funding. The modernisation of the register of electors is absolutely welcome, as is the introduction of a central place where it can be checked. The regulation of online political advertising and the provision for the holding of elections during periods of Covid are also very welcome, although they are too restrictive, another point I will come back to.

Let us look at the background again. I thank the staff of the Oireachtas Library and Research Service, who do a tremendous amount of work while under pressure and under-resourced. I was going to say underfunded. They do their work under pressure. An enormous number of Bills go through the Dáil and the service's staff provide briefing material on them while always under pressure. They nearly did not have a chance to look at this Bill, although they did in the end. Most often they are under pressure and only see the heads of a Bill, which then change. I pay tribute to them.

The service has highlighted the background to this Bill. It is important to state for the record how long this has been going on for. The electoral commission has been on the agenda of various Governments since 2007. The regulation of online political advertising has been on the agenda since 2017, ten years after that previous commitment. Several reviews of the Irish electoral system between 1996 and 2013 have concluded that the electoral system should not

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be changed, which is significant because various Governments have thought we should change the electoral system but the people of Ireland were wiser and said “No”. However, reform to the administration and operation of the electoral system is necessary. In 2010, 12 years ago, an Oireachtas joint committee concluded that there was not a sufficiently compelling case for changing the electoral system but it went on to recommend that the matter be considered by a citizens’ assembly. In 2013, the Convention on the Constitution voted overwhelmingly against changing the electoral system, with 79% voting against the proposal. The Government accepted that recommendation. Both the Joint Committee on the Constitution and the Convention on the Constitution recommended the establishment of an electoral commission and improving the accuracy of the electoral register, among other reform measures. That is what we are getting today. After a long time, we are getting some of that.

To put the importance of integrity in this area in perspective, we talk about other countries where there are autocrats and no democracy. I agree with everything that has been said in that regard but there is an extra onus on us. We take pride in being a vibrant democracy and send observers to other countries to look at their electoral processes and elections and to ensure that all of the procedures are complied with. There is therefore an extra onus on us to take the mote out of our own eye and ensure that our procedures are open and accountable. We must continuously seek to review them. I will come back to that point at the end and discuss what it is proposed to review in two or three years’ time under this Bill because it is only certain segments.

I cannot put it any better than the Kofi Annan Foundation did back in 2016. It said:

For elections to be the legitimate instrument at the heart of the democratic process, they need to be carried out with integrity.

Elections with integrity are based on the democratic principles of universal suffrage [as a woman, I realise that universal suffrage was dearly won and does not exist in many countries] and political equality and are professional, impartial, and transparent in preparation and administration throughout the electoral cycle.

Their outcome is not just legally beyond reproach but the process and its outcome are also perceived as legitimate by the electorate.

That last point is important because not only should justice be done, but it must be seen to be done and it is the same for the electoral process. It is very important because, without wishing to be too political, there was a time when a certain party’s motto was “Vote early and vote often”. That was Irish humour and an Irish way of coping with something that was going on. We know that was facilitated by a register that was completely unsuited to its purpose. I make my comments in full admiration for the local authorities and as someone who has been involved in many elections. One was particularly painful, not so much for me but for the team that worked with me, because I missed out by 17 votes. I felt a sense of relief in 2011 that I was not coming up to this august establishment. I had mixed feelings but missing out by 17 votes brought home to me in the most acute way how important the integrity of this system is and how important it is to watch it. For various reasons, I was not keeping a close eye on the spoiled votes. I learned a very valuable lesson but that did not take from the integrity of the process. The fault was mine, for many reasons. I did not look at the 500 spoiled votes in the box. However, the experience brought home to me the importance of the process being above board and my team and the other teams being able to watch it.

That was in 2011. It was only two years earlier that we finally said that we were not doing electronic voting, which had been mooted in 1999 and introduced in 2002. I can still see the picture of a former Minister as she lost her seat, which was appalling. It was not appalling that she lost her seat but the manner in which she learned that she had was. More importantly, the judge who looked at that system said that, in the time allowed to him, he could not vouch for its integrity. We spent, at a conservative estimate, €60 million on this system. There was then the issue of their storage and so on. Many people today do not even have a memory of that but it was all done with comments suggesting we were too attached to the pencil and so on. I actually find the pencil very useful, even in the 21st century. It is actually much easier to write with a pencil. I raise that because no importance was attached to analysis or the integrity of the process. That is why I mention it.

I again thank the Library and Research Service for its digest, which shows different research telling us that the level of trust in our electoral system is quite high notwithstanding the state of the electoral register. It is interesting. Trust is high in the electoral system but what jumped out at me was the data for Ireland from the European Social Survey in 2019 quoted by Dr. Shana Cohen, director of TASC, in a recent article in *The Irish Times*. This is more of a reflection on politicians. Some 40% of people had relatively high levels of trust in the Dáil while just over one quarter had relatively high trust in politicians or political parties, which is a damning statistic, is it not? More had trust in An Garda Síochána, which is extraordinary. This is testament to our experience of An Garda Síochána on the ground and certainly not the behaviour of management and the decisions made which were investigated by an endless list of tribunals, including the Morris tribunal. Despite this, there is more trust in An Garda Síochána than in politicians, and rightly so because we need trust in An Garda Síochána for a democratic system. However, there is certainly a big question here for politicians with regard to what we are doing. Some 50% had relatively high levels of trust in the legal system, which goes back to a point Deputy Jim O'Callaghan made earlier on with regard to trust when appointing a High Court judge. Over 10% said they had no trust at all in politicians or political parties.

That is somewhat of an aside when discussing the electoral process but it is interesting that politicians are held in such low esteem. That is seriously problematic for democracy. I know many of my colleagues, especially the Ceann Comhairle, are tired of listening to me talking about the importance of making language mean something. Language has to be mean something. Whether we agree with each other or not, it is very important for people, and particularly young people, who can spot hypocrisy and pretension a mile off, that we make language mean something. There is doublespeak on climate change, housing and all of that all of the time. I say that as an aside with regard to trust in the electoral system.

As I said, I welcome that there is to be a commission on a permanent statutory basis and this commission will have oversight of the register but that the actual operation and management of the register and local election will remain with local authorities. I support that 100%. However, local authorities are top-heavy with management. They are not heavy with staff, who are constantly being shoved from office to office as a result. When they gain experience, they are shoved off. There is a lack of staff on the ground. That is a serious problem. I have seen staff overworked and underpaid. I criticise management and a corporate governance model not suited to delivering a service that the city and county councils are there to deliver.

I welcome the rolling and pending registers. They are very good. I also welcome the provision in the legislation for anonymous registration. I hope this issue will be teased out a bit more on Committee Stage. I have read the report of the joint committee. What was the Government

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was proposing originally was much more strict. It has relaxed on that a little in respect of the various reasons that a person might want to register as an anonymous voter, including being the victim of domestic violence. I welcome all of that.

I also welcome that provision has been made for elections in the time of emergencies such as Covid. However, perhaps we should pay more attention to the ICCL on this matter. Among other concerns, the ICCL specifically raised the fact that no provision has been made at all for other disasters or problems. That is a matter of concern to me. Perhaps the Ceann Comhairle might have a different view, but I had the privilege of sitting on the Business Committee for two weeks when Covid originally broke out. As it happens, my colleague was not available. The ease with which it was proposed to adjourn the Dáil never left me. There was almost a flippant attitude to the Dáil that in order to protect ourselves, human safety and human health, it should not sit. I understand the concerns of staff, but that we would get rid of our democratic institution so easily or propose to do so during Covid was a wake-up call for me in terms of how we protect democracy. If we have learned anything from Covid, it is to set out in legislation that democracy must be protected at all costs, and we should anticipate further pandemics and disasters, unfortunately.

The ICCL makes very good, expert recommendations. I am no expert in this area, but I think the Government should consider the recommendations of the ICCL, according to which:

...Part 5 of the General Scheme of the Bill be amended to include provision for the development of “all of government” strategies for the holding of electoral events in the context of national emergencies. This would include provisions for, inter-alia, the conducting of electoral events in the context of pandemics, natural disasters, terrorist outrages, cyber-attacks, extreme weather events, and so on.

The council goes on to make practical suggestions in relation to the national risk assessment, including how we could make provision and then copper-fasten it in legislation. It would be a wasted opportunity not to do that.

The ICCL has also raised serious concerns, as has been mentioned already, regarding the definition of “political purposes”. I find the ICCL to be moderate in its press releases. It was certainly very moderate and considered in its various publications during Covid, when it was extremely worried about the draconian legislation. The council may not have used that phrase; those are my words. It was concerned about the serious restriction of human rights without a human rights analysis being done. It raised those concerns repeatedly and pointed out, over and over, that it was pro-vaccine in case anything was alleged against the organisation. I find the ICCL to be extremely moderate in its approach. It published a press release on the publication of this Bill on 30 March 2022 in which it stated: “The government has knowingly missed an opportunity to fix an anomaly in Irish law which means community groups or volunteer organisations could be prosecuted for normal fundraising work.” The executive director of the organisation described the Bill as a “wasted opportunity”, and stated:

We are in the bizarre situation where a community group set up to oppose, for example, the building of an oil refinery, could find themselves brought to court for seeking donations above a certain amount, but the company building the refinery can spend as much as it wants to influence the government. The government could have fixed this critical issue, which they have been aware of for years, while developing this Bill but have instead wasted the opportunity.

Those are not my words; they are the words of the ICCL.

The ICCL also referred to the Electoral Act 1997, which, I understand, was amended in 2001. I appeal to the Minister of State to look at that. Serious concerns have been raised by the Data Protection Commissioner on the use of PPS numbers. I understand that it was recommended that an analysis of be published before the Bill came before us, or certainly before we are asked to pass it. That has not been done, as far as I understand it. Perhaps it has. The joint committee recommended that a data protection impact assessment be carried out “to ensure full compliance with GDPR”.

The digest goes through the joint committee’s report and the recommendations and outlines which ones have been taken on board. If I have some constructive criticism, it would be for the Department to be more specific in where it has taken on or not taken on the recommendations of a cross-party committee. It would be very helpful as we struggle through the documents. That has not happened.

The Standards in Public Office Commission, SIPO, has made a very interesting submission in relation to the Bill. It also published an annual report in 2020. It is well worth looking at in the context of SIPO’s concerns about independence and the source of the budget. I gather that it would not come from the vote. Concerns were raised about independence and resources to ensure that the organisation can carry out its work. Looking at SIPO’s experience, it simply cannot do what it is being asked to do. There is no provision on the time span in which the work of SIPO will be transferred to the new electoral commission. It is not clear why the CEO is going to be appointed by the Government, without going through any process first, and with the provision for the appointment to be renewed for five years. In other words, the CEO of the new electoral commission will be appointed by the Government for a period of ten years. Perhaps the Minister of State can explain that.

Concerns have been raised in relation to the number of members of the electoral commission and the fact that members will be *ex officio*, because it is just too hard. I think of SIPO and the people who are on the board of SIPO. I have the greatest of respect for them. They are *ex officio* members and they are dealing with many other jobs at the same time. These concerns have been raised previously, and now it is happening again with this electoral commission.

The Irish Human Rights and Equality Commission, IHREC, talked about the Electoral Act 2001, which I have already referred to, as having “a chilling effect on the funding and activities of civil society organisations involved in legitimate advocacy”. I am doubling back to that point. IHREC has raised concerns at least since 2003 that the wide scope of the legislation intended to ban large anonymous foreign donations in elections could be hindering the work of civil society organisations. In its annual report in 2020, SIPO stated, “It is understood that a legislative review is proposed as a function of a new electoral commission”, and recommended that this take place “as a matter of urgency”. SIPO has said many other things.

I welcome the Bill. I hope that Committee Stage will be used to look at the significant gaps. For a democracy to be strong, we need an electoral system that is above reproach, but we also need the active involvement of our citizens - otherwise, we do not have it. Deputy Alan Farrell suggested that perhaps we should not close the schools. I cannot think of a better way to educate our students in the ways of democracy, or the lack of it, than by using schools, but I have an open mind on the issue.

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**Deputy Bernard J. Durkan:** I did not intend to speak on this particular subject, but, like the Minister of State, having a fair amount of experience of the vicissitudes of the electorate and the electoral system, I think one should always avail of the opportunity to speak on it. First, the proposals always need to reflect through democracy. I note that Deputy Connolly referred to draconian measures. Nobody ever refers to what preceded the legislation and what it was like before the draconian measures that we often now talk about on a regular basis were introduced. The answer is that they were appalling. Short and simple, they were just appalling. They were also far from democratic. Far be it from me to mention the matter at this particular time, but it needs to be mentioned. We need to retain the essentials of democracy at all times. No matter what we are doing with the system, how to achieve the democratic process should never be lost.

It was decided some years ago that we would change the system and that we would modernise it. Modernising democracy, as the Ceann Comhairle knows, has been attempted many times on the basis that it needed to be more accessible, it needed to be improved and the rough edges needed to be taken from it. There is no way that can be done without interfering with democracy itself. The rawness of democracy has always stood the test of time. In the final analysis, it has always come through. The basis of its survival so far, to my mind, is that it has been in operation in various shapes and forms for, let us say, 1,000 years, although some may differ on that. It is the basis of our existence. If we forfeit any part of the democratic process, we would be making a serious mistake.

When we reform something, my concern is always that we might tip off something that was not intended, that we round a corner that should not have been rounded in the first place and that we ignore the basic fundamentals of the democratic process. That democratic process has stood us well over the past 100 years, and it is no harm to comment on that now. In that time, it has stood the test of time extremely well in different circumstances, in challenging circumstances and in situations that were not anticipated. The important thing is that from here on, going forward - in that appalling phrase, which I am not sure is democratically based - we need to recognise there are different countries throughout Europe, some of which have a true democracy and some of which do not. If one enters the House of Commons, for instance, one gets a sense of the permanence of a democratic process that has evolved over the years and has essentially remained the same. I know it has its faults, and we were the recipients of some of its faults for many long years, but the fact of the matter is that it has a permanence about it that we need to aspire to in one form or another. The way we need to aspire to it is to be sure that it is based in such a way as to be fair to the people.

The electoral system is, of course, subject to our Constitution as well. As we proceed into the future, this will always be a trying issue because there will always be people who will suggest that it is old-fashioned and that we should change it and improve it, and make it more efficient and transparent. When we do some of those things, we tend to change it but we sometimes miss out on some vital points. We should be loath to do that. We should keep in mind the necessity to maintain that element of democracy throughout. From A to Z, in any shape or form, any legislation in regard to electoral reform should reflect that scene throughout, so democracy is to the fore at all times, the citizen is important and the citizen's participation is important. The need to modernise it has to be measured against the need to ensure we maintain the element of authenticity that is needed in a democracy.

The Ceann Comhairle and I both have a fair amount of experience. I cannot remember how many electoral jousts in which we were involved in various forms in the same constituency, or in a different constituency from time to time, but they were many. I would like to think that one

learns from that. I learned and I hope I continue to learn for a while longer, depending on the goodwill of the electorate and the great master above. A basic element of our electoral system is that the people decide to change, as they will from time to time, and that they have the power to do so and they do not have to go through any particular process other than an election. I know various speakers have already made reference to elections, how they should be run and how they should not be run, and how they can be tilted in one direction or another, and we have to bear that in mind. However, the essential issue is the effect what we propose might have on the outcome of an election in different circumstances. The circumstances will not always be the same; they will change from time to time. There will be threats to democracy and there will be threats to the electoral system. There will always be people who will say: “You are old-fashioned. This whole system has been here for so many years and it is old-fashioned now.” It could go on for another 1,000 years but the basic element must still remain, and that basic element is the power in the hands of the people and, whenever it is regulated that they do so, they can support, they can withdraw their support and they can change and change again, as they see fit within the electoral system.

If one looks at what has happened in various other jurisdictions across the globe, there are some of them we should worry about. Some of those we would have expected to see more from, and their systems, are in trouble, to my mind. The continuity of the system we have in place here is a basic element of the strength of our democracy. By continuity, I mean that we all know what happens if a Government is changed and by whom it is changed. That is the important part of it: by whom it is changed. The people are the only people who have the right to change it. We have talked about outside influences in recent times but it is not their business. Our business is to run our show in accordance with the best rules and regulations, in the best democratic tradition, with the right of the people to change the Administration, whoever they may be, from time to time as the case may be, but to ensure at all times the retention of the basic elements of democracy in so doing.

**An Ceann Comhairle:** I thank Deputy Durkan for that important intervention. I think the key message is to hasten slowly and be cautious. I note the Deputy talked about us constantly learning. I have been learning from him for nearly 37 years, and I still have a lot to learn. I call the Minister of State, Deputy Noonan, to respond, although not to that comment.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Malcolm Noonan):** I have a lot to learn too. It is certainly appropriate that Deputy Durkan made the last contribution of the very important contributions this afternoon and in the last session. I will address a number of the points made and will then make a closing speech.

Deputy Connolly referred to the importance of data protection and acknowledged that data protection must be given the highest priority in our work in respect of electoral registration. A data protection impact assessment has been carried out and consultation with the Data Protection Commission has been undertaken throughout this process, and that engagement has been very positive and constructive. It is our intention to publish the data protection impact assessment. Provisions both in respect of the shared database and sharing data for the purposes of updating the register are clearly specified and delimited. In addition, those critical data protection tests of necessity and proportionality are applied to those provisions.

In regard to the appointment of a CEO, which was also raised by Deputy Connolly, I can confirm that the CEO will be appointed following an independent competitive process undertaken by the Public Appointments Service.

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The issue of PPS numbers was raised by Deputy Pringle and a number of other Deputies. The gathering of information and limited sharing of that information is for the purpose of maintaining and ensuring the accuracy of the register of electors. The Bill is very specific in setting out the functions of registration authorities, as well as both the general and specific provisions under which they can gather data. Using PPS numbers in the process will enable a very simple process to register either online or on paper. Rather than being used as an identifier, the PPS number will enable cross-checking of the data provided with data already held by the Department of Social Protection. This will provide a vital check that information provided on forms is consistent and coherent and matches a record of a living individual.

Deputies Farrell and Higgins raised the formal tally process. It is an interesting point and, again, it is something we could ask the commission to consider, particularly in view of the fact that it could be dealt with in terms of regulations.

I welcome Deputy Jim O’Callaghan’s kind comments on the Bill. He and a number of other Deputies raised the issue of the online space. Other initiatives are under way in terms of legislation on hate speech and European directives on disinformation. A number of other components would complement what we are doing here. I stress that ours is the first jurisdiction to bring in the regulation of online political advertising during electoral events at EU level.

I take on board the points Deputy Connolly made on how long this Bill has been in gestation. It has certainly been a slow train coming. I pay tribute to our team in the franchise section for the work they have done over many years to bring it to this point. It is historic in terms of the Legislature, our electoral system and the valuing of our democracy. We all share and cherish that here today.

The constructive debate was carried forward from the detailed pre-legislative scrutiny which the Joint Committee on Housing, Local Government and Heritage gave to the general scheme of the Bill last year. I appreciate the consistent support which has been expressed for both the Bill and its aims. The broad range of issues which all of the members have raised reflect the wide-ranging reform this Bill sets out. It brings far-reaching improvements to the systems and processes that underpin our democracy.

Given how fundamental these systems and processes are to our democracy, I welcome the fact the Bill is founded on political consensus and public support which have been built up over many years through reports and public consultations. I am confident that the Bill will make our electoral system stronger, more robust and more inclusive. The Minister and I are committed to harnessing the full range of perspectives from across the Oireachtas in order to strengthen this once-in-a-generation reform of our electoral system.

Deputies Ó Broin, Cairns, Cian O’Callaghan, Ó Laoghaire, Leddin and Martin Browne emphasised the need for the commission to work actively with under-represented groups, as was recommended in the pre-legislative scrutiny process. It is a testament to the work that was taking place at the committee, with organisations such as the Irish Travellers Movement, the National Women’s Council of Ireland and the Immigrant Council of Ireland all taking part and making valuable contributions.

By providing that the commission may establish committees and allow flexibility to make external appointments to them, the Bill already provides a strong structure for working with stakeholders to broaden participation. The commission’s research, advisory and voter educa-

tion function is significant and substantive. As one of the commission's most active roles, I am determined that it will be well resourced in order that it can carry out its work. Our democratic structures are precious. We need to continue to strive to strengthen both them and participation in and engagement with them.

I also envision that the commission will place particular emphasis on increasing participation in our democratic structures among marginalised or traditionally under-represented groups. However, being mindful of the commission's independence from Government, I consider it appropriate to leave it open to the commission to decide how it fulfils its mandate in that respect. While broadening participation will be a function of the electoral commission, the implementation of the modernised electoral registration process will offer a significant opportunity to engage with all electors and potential electors.

As well as making it easier for people to register, the simplified process will enable registration authorities to focus their work on specific areas or cohorts to ensure the register is fully reflective of the population. A number of Deputies welcomed the Bill's provision for the pre-registration of 16- and 17-year-olds. I acknowledge that there have also been calls to provide for the lowering of the voting age to 16. In this regard, A Programme for Government: Our Shared Future contains a commitment to examine the Scottish experience of reducing the voting age to 17. The electoral commission will be well placed to carry out this research and make its recommendations. I know there have been different experiences in other jurisdictions.

I have spoken to the Irish Second-Level Students Union and other organisations that had an interest in this and, certainly, the case has been made this evening for reducing the voting age to 16 for the local elections. However, I am of the view the commission is best placed to examine this further and not to just use the local elections as a test bed for that. I certainly have my own views on the matter, but it is important that we make informed decisions with regard to reducing the voting age.

Deputies Ó Broin, Cian O'Callaghan and Pringle expressed disappointment that the Bill does not address civil society's concerns around the definition of "political purposes" in electoral law. A number of other Deputies also raised this matter. In reply, I must state that there is a commitment in the programme for Government to request that, when it has been established, the commission carry out research in respect of several matters. Accordingly, it is intended that the commission will carry out a comprehensive review of the Electoral Act 1997 to address, among other matters, the concerns raised by civil society. I am of the view that any review of the definition of political purposes should be comprehensive, objective and undertaken in tandem with such a wider review of the entire Electoral Act 1997.

A review of the Act in its entirety would deliver a better and more efficient outcome, having particular regard to the importance of the meaning of political purposes to all stakeholders on whom obligations arise under our political donations regime. The proposed review would be completed within a relatively short timeframe, following the commission's establishment. I take on board the press release by the ICCL. I met with it and gave assurances that the commission would be tasked with this work very early after its establishment.

Deputy Nash referred to the commission not being tasked with the running of elections. I will make two points about this matter. The first is that research and public consultations suggest that the actors, such as returning officers and polling station staff, who carry out electoral functions independently at local level enjoy a high degree of confidence among citizens. There

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is a strong case for this process being retained. The second point is that two models of electoral commission have emerged internationally. Some, such as the Canadian, Australian and New Zealand commissions, are responsible for running elections. Others, such as that in the UK, have a more regulatory focus and stand apart from direct involvement in the running of electoral events. Our electoral commission is being set up to operate in that regulatory space. It is worth noting that the Bill provides for the commission to carry out *ex post* reviews on the administration of electoral events. Such independent reviews will be a new feature for our electoral process.

Deputies Ó Broin, Mitchell, Nash and Martin Browne voiced their support for the extension of postal voting arrangements. The programme for Government contains a commitment to the effect that the electoral commission will be asked to examine postal voting with a view to expanding its provision. I expect that the commission will undertake this work as soon as possible following its establishment.

Deputies Mitchell and Phelan raised queries about the role of the commission in respect of the register of electors. The oversight function provided for in the Bill is intended to be a constructive and transparent engagement with registration authorities and one that will evolve as parties gain experience with the new registration process.

Deputy Phelan asked for more information on how online registration and, indeed, transition to a new system would work. The new shared database with unique identifiers will take some time to develop, although proposals are in preparation to ensure we can hit the ground running once the legislation is in place. In that regard, I am pleased to note that Dublin City Council, the lead local authority for the project, has today published a request for information to the market to ensure that the latest technological advances are considered as part of that process.

Upgrades to existing systems are under way to ensure that the benefits of this legislation, including rolling registration and online applications, will be available throughout the country following the enactment and commencement. This will be supported by a significant public communications campaign.

I welcome the positive supports from members for the provision of anonymous electors and for people with no fixed address. In respect of electors with no fixed address, section 104(a)(i) requires registration authorities, insofar as is practicable, to assist people making applications under this provision. The annual re-registration requirement is intended to ensure that people do not fall off the register but instead are proactively engaged with, on a regular basis, precisely for the reasons raised by Deputy Jim O'Callaghan.

Deputy Ó Cathasaigh highlighted the importance of the commission staff having proficiency in the Irish language. I assure him that the staff of the commission will be classified as civil servants under section 16 and, as such, the 20% recruitment target set in the Official Languages (Amendment) Act 2021 will apply.

I thank the all Deputies for their valuable input into this debate. The Minister and I look forward to further consideration of the Bill's provisions on Committee Stage. We need to continuously renew our commitment to and investment in our democracy. It is our view that this Bill will go some considerable way towards strengthening our democracy into the future.

Question put and agreed to.

## **Electoral Reform Bill 2022: Referral to Select Committee**

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Malcolm Noonan):** I move:

That the Bill be referred to the Select Committee on Housing, Local Government and Heritage pursuant to Standing Orders 95(3)(a) and 181(1).

Question put and agreed to.

## **Sick Leave Bill 2022: Second Stage**

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** I move: “That the Bill be now read a Second Time.”

This Bill creates a new workers’ right in Ireland. For the first time, employees in Ireland will be entitled to statutory sick pay from their employers. It is one of five new workers’ rights I am establishing this year. The other four are: a new public holiday, which has been signed into law; the right to request remote working, which is undergoing pre-legislative scrutiny in committee; better protection of workplace tips and gratuities, through the Payment of Wages (Amendment) (Tips and Gratuities) Bill 2022, the Second Stage of which has been passed by the Seanad; and new rights around redundancy for people laid off during the pandemic. The legislation for those new redundancy rights was signed into law last week and I signed the commencement order for it this afternoon.

Introducing statutory sick leave is part of the pandemic dividend, in respect of developing a more inclusive economy and fairer society. The pandemic exposed the vulnerable position of many people, especially in the private sector, when it comes to missing work due to illness. No one should feel they have to go work when they are sick because they will lose all their income otherwise. It is not just bad for them, but it is also bad for public health, as sick workers may infect colleagues, clients and customers and be more likely to make a mistake, injure themselves or do harm to others. Ireland is one of the few advanced economies in Europe not to have a mandatory employer-funded sick pay scheme. Cyprus and Portugal are the only other EU members that do not have employer-funded sick pay or state financial supports similar to Ireland’s illness benefit scheme. The United States, Japan and South Korea also do not have such a provision. It is part of President Biden’s agenda in the US and Canada is taking steps to introduce employer-funded sick leave at national level.

This scheme compares favourably with the sick pay scheme in Northern Ireland and Britain, which pays only £96.35 weekly. Many employers – we think approximately half – provide sick pay, but we need to provide that security and safety net for all workers, regardless of their jobs. This Bill ensures that paid sick leave will be available to all workers. It covers full-time and part-time employees. As a result, the Bill will lessen the inequality between the public and private sectors. Nearly all public servants have access to paid sick leave through the public service sick leave scheme. Coverage in the private sector, however, and particularly among the lowest-paid workers, is much lower. Private sector employers providing sick pay are at a cost-competitive disadvantage compared to those that do not. That is not right either.

Statutory sick pay is the latest in a series of actions that have improved social protections

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for workers and the self-employed over the last five years. These include: the introduction of paternity benefit; parental leave benefit; enhanced maternity benefit; treatment benefit; and the extension of social insurance benefits to the self-employed, including dental and optical benefits, invalidity pension and jobseeker's allowance or benefit. Statutory sick leave will be additional to existing forms of leave and it will be phased in as part of a four-year plan.

As a starting point, it will cover the three waiting days before eligibility for illness benefit from the State kicks in. As we know, illness benefit can last up to two years. Where an employee has an extended period of illness, this scheme will operate seamlessly with the existing illness benefit system. Once employees have exhausted their entitlement to paid sick leave from their employers, they will then move onto illness benefit paid by the State, provided they have made adequate PRSI contributions. The length of coverage will increase over time, eventually providing for an entitlement to ten working days or two weeks annually in the fourth year of the scheme's operation. The savings to the Social Insurance Fund will enable us to improve illness benefit payment rates and link them better to earnings.

I fully understand that many businesses are struggling now with additional costs because of the Russian invasion of Ukraine, as well as the impact of Covid-19 and Brexit. This is also one of a series of reforms the Government is introducing that will have costs for business, including auto-enrolment, and that is why we must ensure we phase them in and sequence them appropriately. We must be fair to employees and employers, particularly SMEs, so the cost is going to be shared between employers, employees and the Government. It will be phased in and we will ensure there are proper controls. The scheme has been designed based on consultation with employee and employer representatives. Prior to seeking Cabinet approval for the draft of the Bill, my officials undertook a full public consultation that sought the views of relevant stakeholders and the public on key policy questions around the design of the scheme. In addition to the public consultation, my officials also undertook an international review to get a better understanding of how sick leave schemes operate elsewhere.

I have been clear on what regulations under this legislation will provide for in order to make it predictable for employees and employers alike. Regarding rates, statutory sick pay will initially be paid at 70% of regular earnings, up to €110 per day, from the first day of illness. We are aware that employers in some sectors will also have to deal with the cost of replacing staff out sick at short notice and we are setting a cap to give those employers certainty around the costs involved at the outset. I refer to the costs of replacing employees who are sick and covering sick leave. The regulatory impact assessment, RIA, of this scheme illustrates that a scenario in which everyone were to take the full three days of sick leave in year one would increase payroll costs by 0.8%. When this scheme has been fully introduced, the additional payroll cost will be 2.7% annually, and that is not dissimilar to a year's pay increase. It is important that we bear this point in mind in respect of the cost to employers.

From the employee perspective, the Bill ensures they will receive an appropriate and predictable level of compensation if they are unable to work due to illness or injury. A minimum rate entitlement will also be set to ensure that all workers receive a reasonable level of financial compensation, even if they work part-time or are on low pay.

I will now provide a brief explanation of the various sections of the Bill. Sections 1 and 2 are standard provisions setting out the Short Title and commencement, and necessary definitions. Section 3 gives the Minister the power to make regulations for matters referred to in the Bill and requires the Minister to lay those regulations before the Oireachtas. Section 4

provides for expenses incurred in relation to the Bill to be refunded out of moneys provided by the Oireachtas.

Section 5 sets out employees' entitlement to statutory sick leave and the conditions employees must satisfy to qualify for paid sick leave. Initially, an employee will be entitled to three paid sick leave days in a calendar year. This may seem modest, but it is set at that level to ensure that excessive costs are not imposed on employers at the outset. It will increase incrementally over time and absences may be consecutive or non-consecutive. It is important to point out that illness benefit kicks in on the fourth day.

Regarding eligibility, employees will be required to have worked for their employer for 13 weeks before becoming eligible to avail of paid sick leave. This is to allow time for an employment relationship to develop between employers and employees and it is a common requirement in other forms of statutory leave, such as carers or parental leave, and in existing company-level sick pay agreements. It is also a common requirement in other jurisdictions that have sick pay measures in place. The 13-week service requirement is subject to the definition of continuous service set out in the Minimum Notice and Terms of Employment Act 1973. This ensures employees cannot be dismissed and rehired immediately by unscrupulous employers to deprive them of their entitlement to paid sick leave. That said, in response to the recommendation of the Joint Committee on Enterprise, Trade and Employment, officials in my Department will keep this provision under review, and we may consider amendments on Committee Stage.

Any day taken as sick leave will require a medical certificate from a registered medical practitioner. It would be unreasonable to introduce a legal obligation for employers to pay for sick leave without the need for a worker to produce evidence for this in the form of a medical certificate. That would not be sick leave; it would be a different form of leave if not required. The requirement for a medical certificate is a fair and necessary provision. It is also not an unusual requirement. The State, for example, requires employees to provide medical certificates to access our illness benefit scheme and it is also a requirement in many sectoral and company-level sick pay arrangements. Companies can, of course, waive this requirement if they wish. It is not mandatory that companies request medical certificates be provided, but they can and are legally protected if they do so.

Section 6 provides that the number of sick leave days provided for under the Bill may be increased or decreased by ministerial order, provided the entitlement is not reduced below the three days per year, and other matters the Minister may wish to consider in doing so.

*4 o'clock*

Given the close links between statutory sick leave and illness benefit, and the need to ensure alignment between the two schemes, the section provides for consultation with the Minister for Social Protection in advance of any increase or decrease in sick leave days.

Section 7 provides for the setting of the rate of payment in respect of sick leave by ministerial order. As I said, the intention is to introduce sick pay at a rate of 70% of regular earnings up to €110 per day, and a minimum entitlement will also be set. I know some stakeholders believe the rate of payment and earnings cap should be set in the Bill itself. I do not agree with that. Doing so by ministerial order allows greater flexibility. It will allow the rate to be revised, as necessary, in line with inflation and changing incomes. I have been very clear on the medium-term plan to make sure that employers know what their obligations will be and that employees

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know what their entitlements will be, too. However, I also want this legislation to be fit for purpose in the longer term, and that is why we intend to set the payment levels by regulation.

Section 8 provides that nothing in the Bill will prevent the inclusion of more favourable provisions in respect of sick leave in a contract of employment. As is always the case with any workers' rights legislation, this legislation sets out the minimum standard that an employer must provide. It will not prevent employers having superior sick pay schemes to that required by law.

Section 9 provides that obligations under the Bill will not apply where the employer provides his or her employee with a sick pay scheme that confers benefits, over the course of a reference period set out in the scheme, that are more favourable. For businesses that genuinely cannot afford to pay we have included, under section 10, an inability to pay provision. This allows the Labour Court to grant an exemption to a business from its obligations under this Bill, for a period of not less than three months and not more than 12 months. There is a similar provision in the National Minimum Wage Act 2000. It will only be granted where there is a real risk to business sustainability. My understanding is that this provision in the National Minimum Wage Act has never been used.

Section 11 provides that the rights of an employee will not be affected by exercising their right to sick leave under this Bill and that sick leave may not be recorded as any other form of leave. It also provides that where an employee is on probation, an employer may suspend the probation period while the employee is on sick leave.

Section 12 provides that an employee cannot be penalised for exercising their right to sick leave under the Bill. Sections 13 to 15, inclusive, deal with enforcement and compliance issues and provide for the relevant amendments to be made to the Workplace Relations Act of 2015. This enables and authorises the WRC to carry out inspections and to take complaints regarding compliance with the Bill. As with other statutory employment rights, where an individual believes they are being deprived of rights to which they are entitled under the Bill, they will be able to refer a complaint to the WRC. There the matter can be dealt with by way of mediation or adjudication leading to a decision that is enforceable through the District Court. WRC inspectors can also be asked to investigate certain breaches of the provisions of the Bill.

I think all reasonable commentators and stakeholders will recognise that this Bill represents progress. It will improve the rights of workers. Events of the last two years have shown how necessary this legislation is. While it represents a new expense for some businesses, it is common across Europe that employers cover a portion of sick leave costs. We have taken care to ensure that costs are not excessive. Some have said and will think the Bill goes too far, and others that it does not go far enough. As Minister, I have a responsibility to strike a fair and reasonable balance, giving protection to employees and predictability to employers.

Ultimately this Bill means that workers will not have to attend work while sick though economic necessity. This will be one of the positive legacies to emerge from the pandemic. While I know Deputies will differ on the approach, I think we are all agreed that this legislation is the right thing to do and the sooner we can implement it, the better. I ask for the help of colleagues in the House to allow us to progress this Bill quickly through the Dáil and Seanad. I would like to have it done in a matter of weeks so we can have the scheme up and running and this new right in place by the middle of the year.

**Deputy Louise O'Reilly:** I apologise to the Tánaiste that I will not be able to stay in the Chamber for the full debate. I have another meeting to go to. I will look back over the Official Report. Sinn Féin supports a statutory sick pay scheme. I do not think that will come as a surprise to anybody. We have argued for this for quite a long time now. The fact the Government is moving on it in any small way is proof that the trade union movement, ourselves and others have won the debate on this important workers' right.

I cannot let today pass without referring back to the previous Fine Gael and Labour Party Government in 2012. I was just reading a statement before I came in which was issued by the then Minister, Deputy Howlin, following the slashing of the paid sick leave entitlement for serving civil and public servants. He said that he believed that reducing the sick leave entitlements would result in increased productivity and reductions in absenteeism. That was deeply and grossly offensive to civil and public servants. We can all recall the conditions they were working under at that time. I was representing them at the time. They really felt that was a gross insult to them. I am really glad that now, both of the parties that formed that Government see the merits of sick leave and see how important it is.

The pandemic, as the Tánaiste said, has exposed the need for a paid sick leave scheme and, indeed, the paucity of rights for some workers in the State. The lack of a statutory sick pay scheme puts workers, the public and all of us at risk. The experience of the pandemic has shown us that access to paid sick leave is an important instrument of public health. Unfortunately, there are barriers within the proposals from Government which mean that access to the sick pay schemes will be limited and could exclude workers on low incomes.

The Oireachtas Joint Committee on Enterprise, Trade and Employment conducted detailed pre-legislative scrutiny of the Bill and produced an important report with recommendations to improve the scheme. The committee debate on the need for immediate medical certification to obtain sick pay was robust. There was broad agreement that medical certification to qualify for sick pay is an important requirement. Nobody is disputing that. It is important because it maintains the integrity of the scheme, as we know is the case in other EU countries that operate sick leave schemes. However, the concern of many members of the committee was the fact that, unlike most of our European peers, workers here do not have access to timely and free GP care. Demanding a worker immediately obtain a medical certificate in order to qualify for sick pay, in a State without timely access to free GP care, imposes a significant financial burden on a worker. This is before we factor in that it can often take a long time to get an appointment with a GP. Those living in Balbriggan could wait a week to ten days before they would even get an appointment. I am not sure how that is going to work in respect of people being able to access time off work with pay. In these circumstances, demanding immediate medical certification will result in some workers being unable to access the sick pay scheme because of a lack of access to free or subsidised GP care. This could result in employees attending work when they are sick, or else taking unpaid leave to cover the duration of their illness. This completely undermines the purpose of the scheme. In order to be fit for purpose it has to be accessible to all workers without barriers like having to pay for attending a GP. It is a stated aim of Government that free GP care is going to be rolled out at some point. I do not think there should be any difficulty in facilitating some kind of rebate for workers pending the introduction of free universal GP care.

It is a proposal from Sinn Féin that there would be free universal access to GP care in this State. That would be an important element in any sick leave arrangement. Unfortunately, the Government is not accepting this argument. I have a concern that this will result in workers at-

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tending work when they are sick, or else taking unpaid leave, which goes against the principle of the scheme.

Another recommendation of the committee which was ignored in the drafting of the Bill was that on the qualification period. I welcome the Tánaiste's remark that this is going to be kept under review. The committee recommended that all employees be entitled to statutory sick pay, regardless of their length of employment with a particular employer, where an employer can request medical certification. The qualification period in the Bill is still listed as 13 weeks continuous service. In particular, this will cause some workers who are on yearly or short-term contracts to have to restart their qualification period continuously and not be able to claim sick pay for the first 13 weeks on the job. The Joint Committee on Enterprise, Trade and Employment has outlined this and so too has the Irish Congress of Trade Unions. ICTU has outlined in a letter to the Government that the need for a worker to have 13 weeks' unbroken service with an employer before a sick pay scheme entitlement commences will leave hundreds of thousands of workers employed in low-paid jobs, who are mostly women and foreign-born essential workers and who routinely have their service broken by their employer, without coverage for the three months each year. As ICTU's head of social policy, Dr. Laura Bambrick, said, early-years professionals working in preschool services on a 38-week contract are forced to sign on for social welfare in the summer. There are term-time workers in education and seasonal workers in tourism and horticulture whose contracts will require them to rebuild their 13 weeks of service. The Tánaiste mentioned the need to have an established, or to establish an, employment relationship. There are workers with that established relationship who, after the breaking of their service, go back to the same employment. I am aware that the Tánaiste said he will be keeping this under review, but I would be very grateful if he concentrated his review specifically on those workers. People working in the education sector will be laid off; they know they will be. The concern is that they will have to work up 13 weeks even though they will be working with the same employer. There is no sense to that. I genuinely do not believe that is the intention of the legislation. Nothing is ever easy, as the Tánaiste knows, but this could be rectified fairly easily.

The increase in the number of sick days provided to workers year on year, as outlined in the Bill, is to be actioned by ministerial order. I understand the need for that and heard the Tánaiste state the reason. It gives flexibility and scope to respond quickly but it also allows the Minister, if he or she chooses to be obtuse, to delay increasing the number of days outlined. We should examine this because it will inhibit the performance of the scheme.

While we in Sinn Féin support a statutory sick pay scheme, the fact that the Government is not taking on board the recommendations of the Joint Committee on Enterprise, Trade and Employment and trade unions shows it refuses to see things from the perspective of ordinary workers. It is the latter who will benefit, we hope. As with the remote-working Bill, it looks like the Tánaiste is trying to pull a fast one in that he appears like he is giving workers a right but is not granting it in a way that makes it accessible. I sincerely hope that is not the intention. I will work with him to ensure a swift passage of this Bill and to make improvements where necessary.

**Deputy Denise Mitchell:** I welcome the opportunity to speak on this Bill. For many years now, Sinn Féin has been a strong advocate of bringing in statutory sick leave. The Bill has generally been welcomed but it is not without flaws. It is good to see that the Government is finally moving on this issue. The pandemic of the past two years has shone a light on the need for statutory sick pay and highlighted the issue of having nothing set in stone. Workers on low

incomes have been forced to go to work even if they do not feel well because they cannot afford to go without a day's pay. It is not because they are selfish or reckless but because they need to pay their rent or mortgage and put food on the table for their children, and also because there has been no social security net to protect them financially.

This Bill still leaves questions over the capacity of workers on low incomes to access sick pay. Demanding that workers get a medical certificate as soon as they become sick is all well and good in a country with no issue in gaining access to a GP. Unfortunately, that is not the reality here. The Government has failed to acknowledge the lived experience of workers by keeping the immediate acquisition of a medical certificate as a requirement in accessing sick pay.

There are financial barriers to accessing a GP that people simply cannot afford to surmount. Many people are not in a position to pay €60 or €70 to a doctor. With the ever-rising cost of living, people simply do not have that sort of money lying around. This demand will almost certainly result in workers attending work when they are unwell. Workers need to be able to self-certify where they cannot get a doctor's note within 24 or 48 hours. We have had many discussions on the cost-of-living crisis that people are facing. The Government seems to be blind to the fact that people on low incomes are struggling. The same applies here. I hope this can be addressed on Committee Stage. My colleague, Deputy Louise O'Reilly, will be seeking to amend the clause in this regard.

The general secretary of ICTU, Ms Patricia King, raised some serious concerns over the Bill. The *Irish Independent* reported this morning that she has written to the Minister outlining her unease over certain parts of it. She said the need for 13 weeks' continuous service could be open to abuse, with employers purposely breaking workers' service to avoid paying sick pay. There are concerns that thousands of workers will be overlooked by this Bill. That needs to be rectified.

I thank all our essential workers, who went to work every day and put themselves at risk over the past few years. They deserve rights and entitlements like any other workers. Sick pay leave is the bare minimum to which they should be entitled. The Bill is welcome but there are still several points in it that need to be addressed. Sinn Féin and other stakeholders want to work with the Government to improve it for workers. I hope the Minister can work with us on Committee Stage to strengthen it to protect workers' right to sick pay in the future.

**Deputy Sorca Clarke:** For many years Sinn Féin has been calling for a statutory sick pay scheme. When employees cannot access financial support when unwell, they ultimately go to work. As we have seen over Covid, that spreads diseases and causes further illnesses in the community. We need to plan for this.

There are two issues I want to highlight. I am raising them because they arise repeatedly in my constituency office. We cannot talk about sick leave without also talking about access to GPs. This is a genuine issue across the country. Furthermore, we cannot talk about sick leave without asking low-paid workers to keep a kitty in their back pocket of €70 or €75 in case they need it when they get sick. Where a certificate is asked for immediately, there also needs to be a very strong focus on pathways to obtaining it. I understand medical certification is essential to the integrity of the scheme but this was caveated in a reference to access to GP services. Demanding that a worker obtain a medical certificate immediately puts a great financial burden on him or her that needs to be considered. That is before recognising the delays that have been established and are well known in accessing medical care. We do not need to see circumstances

arise in which those who are unwell or, heaven forbid, injured must go to work simply because they cannot afford not to.

With regard to low-paid workers specifically, the cost of going to a GP if one is not a medical card holder can be the equivalent of half a day's pay. That is not something people are able to absorb at this point. The cost of living is rising, as we have discussed multiple times, and it is likely to continue to do so. We need to pay heed to the important lessons we learned during the pandemic, one of which is that access to paid sick leave is a genuinely strong instrument when it comes to public health. Equally, we must recognise the barriers, including the financial barriers and delayed appointments, that will prevent workers who need to access the scheme from doing so. The scheme will simply be beyond their reach. I ask the Tánaiste to take on board and address these issues and ensure those who genuinely need the scheme can access it and benefit from it, particularly regarding the potential for a rebate of the medical outlay for low-paid workers if he is not open to re-examining the immediate-certification need. Until free GP care is in place and we have made significant progress on GP access, what appears to be a very well-intentioned Bill will simply not deliver for those who most need it, namely, the workers in our communities and in certain sectors whom Deputy O'Reilly outlined, so they will not have to go to work when they should not do so.

**Deputy Patricia Ryan:** I welcome the opportunity to speak on the Sick Leave Bill. Sinn Féin fully supports the introduction of a statutory sick pay scheme. We support this Bill and have argued for such a scheme for decades. The Bill has been broadly welcomed by trade unions, many of which were instrumental in lobbying for it. As a former shop steward, I urge all workers to join a union to help them make advances in pay, terms and conditions for all workers.

We support the aim of the Bill but it is not without flaws. The lack of free and timely access to a GP is a huge problem, as previous speakers have mentioned. Immediate medical certificates from registered medical practitioners are hard to access if people cannot find a GP. Sinn Féin proposes that until there is universal GP care in this State, workers should be allowed limited periods of sick leave. It would be wrong to require GP certification, given the severe lack of doctors throughout the country. In part of my constituency, it can take over a week to get an appointment. I have raised this issue in the House several times, but the Government has turned a deaf ear to the problem. The best time to act to solve this problem was ten years ago. The second-best time is now. I again ask that the Government act as soon as possible to address the lack of doctors and dentists.

The need for medical certification in order to qualify for sick pay also places an unnecessary financial burden on workers. This will result in employees attending work when they are sick or taking unpaid leave to cover the duration of their illness, which will undermine the purpose of the sick pay scheme. Workers who are with their employers for less than 13 continuous weeks are excluded from the scheme, and this must change.

Section 10 of the Bill allows the Labour Court to exempt an employer from the obligation to pay an employee sick pay if it can prove to the Labour Court that it cannot pay it. This is an unnecessary measure. Any employer that can afford to have employees needs to prioritise the people who help it to make profits. No doubt right-wing parties in this House will argue that workers will abuse the sick pay scheme and employers should have an opt-out clause.

Some companies have claimed they cannot afford to pay things like the minimum wage.

Since the National Minimum Wage Act was passed, not a single employer has ever appealed to the Labour Court and opened its books to show it cannot pay the minimum wage in an effort to receive an exemption from paying it. I, like previous speakers, remind the House that, in 2012, the Fine Gael-Labour Party Government introduced tax on illness benefit from day one. Talk about kicking people when they are down. This kind of attitude is why Sinn Féin will continue to expose their anti-worker agenda.

If we learned any lessons from the pandemic, we learned that in some sectors, workers' rights have been eroded beyond recognition. There is a reason the hospitality and caring sectors are struggling to recruit enough workers. We need to move towards a living wage economy if we are to address poverty and ensure a fair wage for all. Realistically, if we do not do that the rising tide will not lift all the boats.

**Deputy Aodhán Ó Ríordáin:** I thank the Minister for his contribution. We spoke about this Bill before and I have reflected on his comments earlier today about the nature of Government intervention and universality in reference to free GP care. It is something on which I agree with him. As referenced by other speakers, a previous Government introduced free GP care for children on the basis of universality, on the understanding that members of our society who pay their taxes in that society should feel that everybody should benefit from it, regardless of background or income. It allows everybody to feel as if there is no myth of a squeezed middle, of those who solely benefit and of those who shoulder the famous tax burden. That is why I agree with the Minister's earlier comment on the nature of universality.

When we speak about the cost of living, as my colleague, Deputy Bacik, said earlier, we in the Labour Party constantly say that in Ireland there are expenses that are not expenses anywhere else in the Europe or that an average European citizen relocating here would find to be quite unusual. GP care or GP visits are among them. People relocating from the North to the South have to get used to the idea of putting a hand in a pocket for a GP visit and other things such as schoolbooks, etc. The ambition from the Government to move to a universal system, something that was achieved by a Government referenced earlier in terms of free GP care for children, is something that will go in tandem with the provisions in this Bill as time moves on.

The Minister will know that at the beginning of the pandemic, in September 2020, Senator Sherlock of the Labour Party put forward a Private Members' Bill to recognise that not having a statutory sick pay scheme at the start of a pandemic was a major gap in our legislation. In fairness to the Tánaiste, he acknowledged that at the time and said he would prioritise it. Sure enough, he is true to his word and has produced the goods in the form of this Bill, although we obviously will have issues with it and will want to improve it. ICTU also has paid tribute to the collaborative nature of the process. This is an improved Bill but as others have said, it certainly has a way to go.

It is unfortunate that it appears the Government is ignoring some of the very clear recommendations, made on a cross-party basis, from the Joint Committee on Enterprise, Trade and Employment on certified sick leave and the enormous issues faced by low- and middle-wage workers in paying for and accessing timely GP services. I remind the House that, as stated in an earlier discussion, Ireland has a disproportionately low-pay economy. An OECD statistic showed that 23% of Irish workers are on low pay. In fact, about 40% of younger workers, that is, those aged under 30, are in insecure work. Insecure work leads to insecure accommodation and all sorts of other insecurities. Health insecurity is another issue, and that is why the right to statutory sick pay for those workers is so essential.

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The reality is that a low-paid worker could end up paying more to a GP than what he or she would get back in terms of 70% of daily pay for being out sick. For a minimum wage worker, that would be a certain reality. The Government is failing to protect and look after workers on the minimum wage. While I appreciate that the Tánaiste has to balance the frustrations or concerns an employer would have, we in the Labour Party feel the most vulnerable person in the transaction would be a low-paid worker who does not ever feel as if he or she has enough power to make his or her case. That is why we are here to make the case for those workers.

Unfortunately, the Bill is still a far cry from what the Labour Party proposed in September 2020 on foot of appeals by workers' representatives, on behalf of meat plant and early years workers, in SIPTU and ICTU who sought the provision of a sick pay scheme for all. The Bill does not represent a right to access sick pay from the start of employment. Seasonal workers, early years educators, such as early childhood care and education, ECCE, workers, and others employed for part of the year would be forced to have worked for 13 weeks before they would be entitled paid sick leave. ECCE workers are typically employed on 38-week contracts. Therefore, every September every worker would have to wait 13 weeks before getting paid sick leave. That is not right or fair. As has been referenced, it has been described as a major flaw in the Bill by Patricia King and others in SIPTU, such as Laura Bambrick, who have asked that the word "continuous" be omitted from the Bill. I am quite sure that when we debate Committee and Report Stages of the Bill we can work on that in a collaborative fashion.

The Bill fails to ensure that workers will not be out of pocket. The Joint Committee on Enterprise, Trade and Employment recommended that a minimum rate of pay be introduced. From the Government's statement last week, it is not clear that the Bill does that. Serious questions remain about the reluctance of the Government to hardwire into the Bill the provision of ten days of sick leave that is due to be paid in 2025. There are real concerns that the three days the Government will make available from this year will remain at the mercy of ministerial regulation and that is not acceptable. In conclusion, sometimes we in this Oireachtas do our best to be as unco-operative as possible. We often play the role of the pantomime villain but that is not a fair reflection of what genuinely happens in these Houses. The Labour Party made a recommendation to the Government in September 2020. The Government recognised that it needed to be done and is now bringing forward legislation. It is unfortunate that Bill was not introduced before now, when the pandemic appears to a large degree to be over. That said, with goodwill, we are now at a stage where it is to be hoped we can bring it into law. I noted the determination of the Tánaiste to work with Opposition parties to ensure we can have this in place by the middle of the year. I think that is the phrase the Tánaiste used. That kind of energy probably needed to be there from September 2020. If it had been, far more workers could have availed of sick leave provisions as they worked their way through the pandemic.

The points I have made in respect of the word "continuous" and low-paid workers remain but the point on which I began is the one on which I will finish. In the context of the current debate on the cost of living, there are certain expenses in Ireland that would be unusual to a person relocating here from another country. In most European countries, and certainly on our neighbouring island, it is considered the role of the state to pay for visits to a general practitioner, GP, and to protect its citizens in that regard. To even have to consider the cost of such a visit, regardless of one's income, is something people in the North or in Britain never do. That is the kind of lesson we have to take from this pandemic. We welcome the fact that the Bill has been brought forward, although it can be improved, and I will certainly work with the Tánaiste on it, but it is only one part of a wider discussion on how we deal with sickness and healthcare, and

what the State provides in that regard. The Labour Party will always argue that we need a bigger State, more rights and basic provisions that are available in other jurisdictions. It changes the way people interact with their employer and the State.

I agree with the Tánaiste on the ethic and principle of universality, as does the Labour Party, including Senator Sherlock who in September 2020 proposed the Bill that kick-started this debate in the Houses. I again thank the Tánaiste for taking on the legislation and bringing it to this point, but we want to improve it so there is balance for the vulnerable worker rather than always for the employer who is trying to pick holes in the rights of his or her employee.

**Deputy Marc Ó Cathasaigh:** I too welcome the Bill. It is a much slighter document than the Electoral Reform Bill the House just dealt with, but it is no less impactful for that. Its impact will be felt most by those who need it most. As the Tánaiste noted in his opening remarks, it creates a new right here in Ireland, one that is long overdue. It is still a case of playing catch-up. As the Tánaiste acknowledged, Ireland is one of the few jurisdictions that does not yet have this right enshrined in law. However, the Bill is a significant step in the right direction, towards providing what is needed.

All Members will accept that we learned a harsh lesson during the Covid pandemic that this legislation was sorely needed and it is everybody's interests for workers who are sick to stay at home. That can be a difficult decision to make, however, particularly for vulnerable workers, even though it is good for their welfare and for the wider good, as noted by the Tánaiste.

A phrase that is not in the Bill but is in the exploratory memorandum jumped out at me. It describes one of the purposes of the Bill as being, "to set a minimum floor of entitlement for employees who are unable to work due to illness or injury". That reminded me of the remarks of President Higgins, a colleague of Deputy Ó Ríordáin's who is in a larger house at the moment, who, in a speech in this House on recovering the promise of a real republic, stated, "what one would do ... would be to speak about a floor of citizenship below which people would not be allowed to fall". It is worth acknowledging that the benefits of the provisions of the Bill will predominantly be felt by people on lower pay. Indeed, sections 8 and 9 stipulate that the Bill should not impact the provision of more favourable provisions in contracts of employment. I think all Members would accept that, in general, better-paid workers are already well catered for in terms of sick pay provision.

As I stated, the Bill only begins the process of catching up with sick pay provisions in other jurisdictions. My natural impulse would have been for us to go further and faster but I have, in the interim, engaged with several small businesses in Waterford and heard their concerns. I accept the space the Tánaiste has left in the Bill for us to sequence appropriately, as he termed it, and for businesses to be given time and space to adapt to and accommodate the provisions set out in the Bill. I welcome the provisions of section 5(2) and section 6, which allow us to go beyond the original scope of the Bill and to expand and extend. The points raised by Deputy Louise O'Reilly and other speakers in respect of section 5(5) are well made. Deputy Ó Ríordáin referred to ECCE workers and that is a good example to illustrate one of the issues in respect of the requirement for 13 consecutive weeks of employment. Those points are well made and perhaps that is something to which the Minister will return on Committee Stage.

Section 7 as presented relates to regulating for exactly how much is put in. I agree that the amount should be set by regulation because we would like the Bill to be here for the long haul and if we set out rates of payment within it, those rates will quickly become out of date.

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However, we should have a mind to whether the figure of €110 is sufficient. I have a nagging concern relating to section 5(8). It has also been referenced by other Deputies. Of course, there is a need to have medical certification, but there is a cost attached to that. If the daily rate is €110 but €55 of that is used to pay one's GP for a medical certificate, that is a large cost to bear. It effectively reduces one's three days of paid sick leave to two and a half days.

Section 10 deals with exemptions and obligations. The provisions look strong to my eye but it is essential that the section is watertight in order to prevent abuse. Perhaps that can be examined and the language strengthened on Committee Stage.

To zoom out on the Bill - I apologise to the Ceann Comhairle, who has heard this spiel from me before - I wish to look at the bigger picture and the wider conversation on how we cope with disruption in the world of work caused by digitisation, automation and artificial intelligence. There is an ongoing challenge in respect of valuing care work and the caring economy. In the context of automation and digitisation and to borrow some language from Marx, increasingly, capital does not just own the means of production but also the mode of production through non-human labour. Perhaps the most important point is that we have to think in the long term about how we reimagine our economy in the face of the climate challenge and whether we need to be considering degrowth and steady-state economics. At the least, we should be considering how we decouple economic and social growth from our emissions profile. To return to President Higgins's concept of a minimum floor of citizenship and cognisant of the often-overlooked objective truth that economy is a subset of ecology, rather than the other way around, if we are to have a society that can hope to sustain a minimum floor of material well-being for our people, we must make the changes in economy and society that will allow us to attain our climate objectives. That is a broad sweep but, as a legislative House, we need to have one eye to that longer future.

The Bill is a small step in the right direction in terms of securing and improving the rights of workers. I agree with some of the speakers on the other side of the House that there may be scope to consider some of the provisions of the Bill on Committee Stage in order to strengthen those rights and to ensure the Bill achieves what it is intended to achieve, that is, to protect, in particular, workers who are on the lowest levels of pay and to allow them the facility and opportunity to remain at home when sick, as should be their right and as benefits both them and wider society.

**An Ceann Comhairle:** Glaoim ar an Teachta Catherine Murphy agus tá 20 nóiméad aici.

**Deputy Catherine Murphy:** The introduction of a statutory sick pay scheme has been long asked for and is long overdue. Statutory sick pay schemes are well-established across Europe and there is a glaring lack of one in Ireland that has left generations of workers very vulnerable. We are one of the very few European economies that does not have mandatory sick pay entitlements. With few exceptions, workers in Ireland have no right to be paid by their employer if they fall sick. In the eyes of the law, sick pay is a perk that employers can decide to include in a contract if they feel charitable.

Good employers often look at retaining employees and it is part of a package of entitlements that come with the job. Around half of all workers receive some level of sick leave under their contracts but everyone else is left without any cover should they fall ill. Workers, mainly in non-unionised jobs in the private sector or if they are self-employed, are forced to continue working while they are sick to the detriment of their own health and that of their co-workers.

Many people have said that already and that became very obvious during the pandemic. Their only other option is to turn to illness benefit which is completely inadequate and inaccessible. It is paid at €203 per week, before tax, to a full-time PAYE worker from the seventh day of illness. No payment is made for the first six days and to qualify workers need to have a minimum of two years PRSI contributions, which completely prevents younger workers from accessing payment.

To put this Bill in context, a worker on a minimum wage working an eight-hour shift will earn €84 a day. Statutory sick pay at 70% will give them €58.80 before tax. To get a single day of sick pay, they will have to get a certificate of incapacity from their GP which will cost them €60. For a minimum wage worker, a single day of sick leave will actually cost them money. These workers will not go to the doctor. They will either go to work sick or they will stay at home unpaid and their employer will not have to pay the €58.80 that some employers claim will cause them financial ruin.

If workers are sick for a longer period of time, they will get the 70% from their employer for a total of three days. They will then go on illness benefit which is equal to the grand sum of €29 per day. I do not believe any of us would even conceptualise living on that kind of an amount, having to pay rent, gas bills, for food and all the rest of it. Is that genuinely the proposal that has been put forward to this House as an accomplishment for workers' rights in Ireland as a new workers' right? The Government knows that the illness benefit is not up to scratch. The payment is too low and has worked to the detriment of workers' health and that of their co-workers. Any person who works from cheque to cheque cannot afford to live on €203 a week. The Tánaiste admitted that during the height of the pandemic when it was very clear that a large number of workers could not afford to follow the public health advice if they were required to isolate. The enhanced illness benefit was introduced at €350 per week.

Statutory sick pay should be centred around some fundamental ideals, namely, that workers should not be out of pocket when they fall ill; when workers are unwell, they should have a right to recovery time; and when sick workers are given the means to stay at home, they protect other workers. It was not just Covid-19 as there are all sorts of things that we did not see during the pandemic, such as the traditional flu. We could see that it actually did matter that people stayed at home with coughs and sneezes.

There is an astounding lack of ambition in this plan. We need to be moving incrementally and to work towards an ambitious goal. The best outcome would be for employers to pay the full rate of pay for an initial short period, as is standard among our counterparts in Europe. In Germany and Austria, for example, a rate of 100% sick pay is paid for at least six weeks. In Luxembourg it is 13 weeks. France, Sweden and the Netherlands pay between 70% and 90% of wages for a number of weeks.

That early period of sick pay could be followed by a payment of tapered rates from the social security system, gradually declining over a period of two years but never lower than the unemployment payment rate. This dual system is common across Europe.

While the requirement to have a sickness certificate from a doctor is common practice in sick pay schemes throughout Europe, Ireland is unusual in that workers have to pay to see their GP. This does not seem to have been taken into account here at all, not to mention that at this current moment it is impossible for workers or people to get appointments with their GPs. Indeed, even getting on a GP list is problematic in some locations and in some parts of my con-

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stituency this issue crops up regularly. Most GP surgeries will not even taking appointments at the moment for non-urgent cases because so many healthcare staff in their offices are out sick with Covid-19. Do we really expect somebody with a stomach bug who is not sick enough to be required to attend their GP to be given an urgent appointment?

This Bill will have absolutely no impact on many responsible employers in Ireland who take a responsible approach to intermittent sick leave. Many employers from small to large organisations accommodate a period of between one to three days paid sick leave before requiring a doctor's certificate. It is absolutely crucial that workers are given a certain number of cumulative uncertified sick days in recognition of the lack of a universal primary health care system that is, obviously, free at the point of delivery.

The coverage of sick pay is far lower in the private sector than it is in the public sector. Many employers in the private sector do have good sick pay arrangements. They recognise the need for it and their responsibility to treat their workers with dignity and respect. The arrangements they offer will exceed the minimum statutory requirements and they want to hold on to their staff. Similarly, many unionised workforces will have favourable sick pay arrangements which need to be protected and preserved. Others do not and it will be those employers who need to be targeted by this. These are employers who want to deny employees the right to sick pay and to make it as difficult as possible for them to avail of any employee benefits. In cases such as Deliveroo, for example, they go as far as to centre their business model around denying that their employees are employees at all, solely to avoid the responsibility for their well-being and their working conditions.

I would really challenge any employer who claims that they cannot cover the absence of a worker for three days over the course of 12 months to prove the financial impact of this on them when they have already factored in paying, for example, their wages, holiday pay and other aspects of what their entitlements might be. For intermittent days of absence, when a worker calls in sick in the morning with a bug, a cold, or whatever, how many employers will actually bring cover in? In many cases they will not. In some cases it will have to be the case because of the nature of the employment but in many instances it will not be the case.

I ask the Tánaiste why eligibility to this scheme is deferred for 13 weeks of employment. Any employee accrues annual leave and holiday entitlements from day one of an employment and by the time a worker qualifies for three days sick leave under this scheme they could probably have taken five days holidays and are probably likely to if they get sick. What did the Department factor in when putting this scheme together? Does it expect workers to take their annual leave to cover them through those weeks if they fall ill? It is a real shortcoming of the scheme.

Thousands of Covid cases are being reported daily at a time when, coming out of the pandemic, many workers are looking for new jobs. Covid-19 does not care if you are in a new job, so why should this sick pay scheme? There has been that displacement in some of the more precarious sectors. People are less likely to take time off a new job. Employees do not tend to take annual leave for the first number of weeks or months of employment and, I think, are far less likely to call in sick during that time. They are often on hired a trial basis. I heard from one woman who has been three weeks in a job. A few people in her office tested positive last week. Luckily, she tested negative, but under this scheme she could have been one of those unlucky ones who had to go out sick. No one wants to get sick, certainly not in the first 13 weeks of a new employment. I do not understand why this benefit is deferred.

Under the Bill, sick leave will be paid at 70% of the employee's wage, but no definition is given for earnings that are taken into account. Could the Tánaiste qualify when he wraps up exactly how that is defined? That needs to be explicitly included in the Bill. What are the means to calculate an average day's pay for hourly paid workers who work irregular hours or workers who get paid on a commission basis, for example? Many sales reps, for example, get a base pay. Often it is about 50% of their earnings; sometimes it can be less. Commission makes up the rest. The practice in other European countries is to factor in actual earnings over a defined period. France, for example, pays sick leave as a percentage of average earnings over the three-month period prior to the absence. The calculation is done by social security and the payment is made from mandatory insurance carried by all employers.

While any progress on a statutory sick pay scheme is welcome, this Bill falls far short of what is needed. It reads like a get-out-of-jail card for the exact cohort of employers it is supposed to be aimed at. It will do very little to protect the workers it is supposed to protect. It is entirely lacking in ambition to bridge the gap in workers' rights between Ireland and our European neighbours. It is clear that the Bill was written not with the well-being of workers as the priority but, first and foremost, with the fear that people might take sick days to which they are not entitled. Constructing this scheme with that mindset has damaged completely the integrity of the intention behind the Bill. In its current form, the Bill fails to give any serious protection, especially for the first year of employment. It protects employers who claim financial difficulty but not their employees struggling to make ends meet, who must incur the expense of a GP visit, unlike so many of our European counterparts. One can be ill without requiring to go to the GP. That really needs to be considered in the context of the capacity of GPs across the country to provide urgent appointments to people who do not require those appointments but who are still sick.

**Deputy Richard Bruton:** I welcome the Bill. The response from some in the Opposition to what we are achieving here is less than fair. Almost 1 million workers in Ireland are without either a sick pay or pension scheme, and this year we will move to remedy in our legislative code both those elements. One thing we have learnt from Covid is how many very important and strategic workers are in precarious positions. Some of that precariousness comes from their exposure in having no pension scheme other than social welfare and no sick pay scheme within their workplace. It is welcome not only that we have moved to respond to the remote working issue, which has become so clear during Covid, but also that we are moving in this area too. If I may be so bold as to say so, training is the next frontier. We need to start to develop statutory rights to training and the opportunity for personal development for people within our code. That is very underdeveloped in Ireland, and it is important and right that people in an environment in which change so frequently occurs have that.

At the committee, we grappled with some of these issues. I see Deputy Paul Murphy is here. One might say that we do not often agree on things, but one thing on which we did agree - I do not think it is reflected in either of the recommendations, which I thought it would be, and it is still in the Bill - is the requirement of 13 weeks' continuous employment before becoming eligible. If people fall ill on the first, second or third day of their employment, they should be covered for sick pay. They are not less entitled to be covered for sick pay and to get the opportunity to see a medical consultant if they need one because they have been only 13 weeks in their employment. I do not really understand that. Like Deputy Paul Murphy, I feel that people do not take on jobs to head off on some spurious illness claim, especially not when medical certification is required.

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The committee also grappled with the fact that getting medical certification in Ireland is not free. At the same time, most of us - probably all of us - recognised that, in the final analysis, an employer must be able to see verification that the sick leave claim is valid. We struggled with that. We produced a consensus of words but we recognise that there is a difficulty there. We need to see codes of good practice developed by employers that would recognise some level of flexibility in the way in which people would be certified. At the end of the day, however, there has to be certification. I think that is recognised.

We also grappled with the issue of small employers that have to substitute people when they go out ill. There is no doubt but that there is a difference between a large organisation that finds it easy to substitute people and a very small one-person or two-person operation where if one staff member is gone, the employer has to find a substitute. However, it is difficult to see, other than in the inability-to-pay clause, how that could be responded to. The convenience stores have written to Deputies talking about the need for an offset. There is an offset in the tax code in that there is a tax allowability for the additional pay that would be there. Again, however, I do not think the committee was able to come up with a solution other than what is here.

The criticism is that this scheme is very ungenerous. It is worth saying that the 70% rate is pretty much at the midpoint, if not on the upper end, of what happens in the rest of Europe. Yes, there are countries that have 100% cover and they have very long traditions of very high employee obligations that have been there for years. However, as for developing a new obligation on employers to pay, this is a very important step forward and the phasing is appropriate. Employers also are coming out of a very difficult pandemic and many of them are struggling, but we cannot afford to ignore that cover for sickness is one of the things that has to be in place. Pandemics have exposed that particularly but, even without a pandemic, it is right to have such cover in place.

I welcome what is being done with this Bill.

*5 o'clock*

While the case has been that medical certification should be dropped, I think it has to be there as a longstop. There has to be the right for an employer to see that there is certification. It is not something that would always be used, and I would hope employers would be able to proceed on a trust basis. However, in my view, it has to be there.

I do not think the 13 weeks requirement is something that ought to be there. I do not think it is justified element of this Bill. I hope that can be examined in the course of the debate. To be fair, in the committee, I think everyone tried to find the middle ground at pre-legislative scrutiny. While we might have come with different perspectives, we managed to get something that highlights some of our concerns. It is not in the report I got on the website, but I think Deputy Paul Murphy will confirm that there was consensus at the committee that the 13 weeks was not a good element to have in the Bill.

**Deputy Paul Murphy:** I can confirm what Deputy Bruton said.

Obviously, we welcome the introduction of a right to statutory sick leave in this country. It is a good thing that we are going to have it, even if it is extremely overdue and even if it is a lot less than what we need to have and what workers deserve in this country. Ireland has been an extreme outlier in not providing any statutory sick leave. This is also the case in terms of the lack of the right to collective bargaining or trade union recognition. It is striking that it took

a global pandemic to force the Government to act in the very meagre way that it is acting in terms of the stipulated three days and so on but we still welcome the introduction of statutory sick leave.

What is offered now and what is being presented in the Bill falls extremely short of what is needed. What is provided for in the Bill is three days of paid leave. The Tánaiste said that Government will respond and will tell us not to worry, that it is going to increase it and that it has a plan to increase it initially to five days and eventually to ten days. The truth is that if the Bill passes unamended, we only have the Tánaiste's and the Government's word on that. We have no guarantee that that will ever happen. When you look at the Bill and at the very wide loophole open to this Government, or to future governments, not to follow up and increase the number of paid sick leave days raises a serious concern.

Section 6(1) states that in considering whether to increase the number of statutory sick days, the Minister will have regard to, "the state of the economy generally, the business environment and national competitiveness". It also refers to "the potential for any disproportionate or other adverse impact on the economy generally, specific sectors of the economy, employers or employees" and "the views of employer representative bodies". I cannot imagine the employer representative bodies will be very fond of increasing the number of days. There is no guarantee here that we will ever go up from the three days. If it passes unamended, it will require significant continued pressure from the trade union movement to at least ensure we get the ten days by 2025, as promised by the Department during the pre-legislative scrutiny.

Let us imagine even that we get there and that we get to the ten days of paid leave. We will still be far behind what is normal in much of Europe. If we take the example of Austria, which is a similar-sized country to Ireland, workers are entitled to between ten and 16 weeks, not days, of paid sick leave on 100% pay. In the Netherlands, workers are entitled to receive 70% of their wages for up to two years when they are on sick leave.

Another point is the level of sick pay that is being proposed here. Again, for some reason, it is not contained within the Bill itself. However, what the Government said will be introduced will be 70% of pay up to a maximum of €110 a day. Therefore, what we are starting with and the only guarantee in the Bill is that workers can get a maximum of €330 in sick pay a year in the first year of this scheme. That is less than a week's worth of the enhanced illness benefit, which has been widely and correctly criticised for being too little for many low-paid workers to avoid falling behind on rent and bills.

In reality, many workers who are able to avail of this scheme will be entitled to significantly less than €330. That is because many of the workers with no access to sick pay at the moment are low-paid or minimum-wage workers who earn much less than the national median weekly earnings on which the €110 ceiling is based. If we take the example of a full-time minimum wage worker, they will be entitled to only €171.36 in sick pay a year. That is what they will get in the first year of this scheme. Out of that, we know that they are going to have to pay the €50, or, more likely these days, €60 cost of getting a mandatory medical certificate from a doctor each time they are sick. Therefore, if they are sick three times, on three separate days, effectively that money is all wiped out. It is worth absolutely nothing to them.

There is also no provision in the Bill for index linking sick pay to the spiralling cost of living. This is the biggest political issue right now. The biggest issue in society for people is how all their costs are going through the roof. It was reported during pre-legislative scrutiny that this

could be provided for by ministerial order. Again, if it is the intention to do that, why do not we have that in the Bill before us? Why do we not ensure that it is going to happen?

Instead of setting arbitrary limits on the level of sick pay that workers are entitled to, every worker should be entitled to nothing less than 100% of their full wages for every day that they are sick. It is a basic issue in terms of respect, decency and decent conditions for workers. If the Tánaiste does not accept that, and if employers are going to insist on medical certificates and if the Government is going to back that up, then, at the very least, workers should not be left paying for those medical certificates. We think that employers should have to pay for medical certificates and, failing that, the State should intervene and assist with the costs.

We oppose this idea of having a mandatory requirement for sick pay certificates. It is in the Bill, I think, as a sop to employers who hope that the requirement to get a sick certificate would discourage people from staying at home when they are sick. Is that what we want to achieve? Do we want there to be continued pressure for people to go into work when they are sick? Do we want that to happen at a time when we have been through two years of a pandemic of a highly infectious disease, and when we know that in certain workplaces workers felt the pressure to go in to work when they were sick? That potentially had catastrophic effects in terms of the spreading of Covid-19 workplaces. We all heard the stories of workers taking paracetamol to bring their temperatures down to ensure they could work even though they were sick.

Why on earth would we make it difficult for workers to claim sick pay? The evidence is that workers are not working because they want to scam the system and are going to pretend they are sick all the time or whatever. The evidence is not there. For example, if you look at the experience in the in the public sector, it is not some widespread problem. Why on earth is the Government forcing people to risk spreading infectious diseases at the doctor's surgery and on public transport on the way to the doctor's surgery, just so that they can access sick pay?

The final criticism I would make is similar to the point made by Deputy Bruton about the requirement to be in employment with the same employer for 13 continuous weeks. The effect of that is to exclude many of the most vulnerable workers the Government claims to be trying to protect. There is no rationale for it. We do not say workers are worthy of fewer protections in other spheres of their working rights because they have only been working in a place for a certain amount of time. Why on earth would we deny them the right to sick pay in the first three months of their work? ICTU has highlighted how this will hit women and migrant workers in particular. Congress wrote to the Tánaiste and pointed out that this provision will leave hundreds of thousands of mostly women and foreign-born essential workers employed in low paid jobs, who routinely have their service broken by their employer, without coverage for three months each year. This happens all of the time in childcare, for example, when workers, who are 98% female, are let go over the summer holidays and then rehired in September. They will lose out on protection in two periods throughout the course of the year. It will also hit young workers, more than one third of whom are on temporary contracts. People cannot choose not to get sick because they have started a new job, are on a temporary contract or because their employer has broken their service. Again, it will just mean that there are more workers and in this case, vulnerable workers, who feel under pressure to go into work when they are sick. That is not good for the individual worker but it is also not good for his or her co-workers or for society at large to have those sorts of pressures existing, which is precisely the logic behind introducing sick pay.

Every worker must be entitled to full sick pay on 100% of wages from day one. That should

be the basic position and the number of statutory sick leave days must be radically increased to cover every day a worker is sick. This is not over, from our point of view. Obviously, there has been a lot of discussion on this in the Oireachtas committee and we will be putting forward amendments, as I am sure others will, to try to improve this Bill to ensure that workers get the best sick pay legislation possible.

**Deputy Bernard J. Durkan:** I am glad to have an opportunity to speak on this important legislation. The old saying is that it is an ill wind that does not blow some good. The pandemic caused us all to concentrate on the particular circumstances that applied in some situations. People were vulnerable in particular situations and were called upon to work for as long as possible in order to keep the show on the road and in order to ensure that they had sufficient funds to pay the rent or mortgage and at the same time, were able to contribute to the emergency that existed.

I want to correct a number of claims that were made by the Opposition, and by Sinn Féin Deputies in particular. They mentioned that a previous Government consisting of the Labour Party and Fine Gael introduced restrictive legislation in this particular area. We must revisit that for a moment and the circumstances in which that happened. Members of the then Government were faced with a situation whereby there was a possibility of paying nothing to anybody for anything, including pensions, public sector wages and as a result, wages in the private sector. The IMF was ensconced in Government Buildings, less than 200 m from here. There was no money to pay for anything. There was no place to borrow money. We had no borrowing capacity and no banks to lend us money. We were going to get nothing from anybody. I would be the first to accept criticism when warranted but in those particular circumstances, the choices were very limited. An *bord snip nua* went around and snipped everything that could be snipped, anywhere and everywhere, with consequential negative impacts on people all over the place. When we criticise such issues, and I have no problem with the criticism, we do need recognise the circumstances that prevailed at the time. At that point, we were between a rock and a hard place.

I acknowledge the points made in relation to the continent. It is true that there are variations and that Europe is ahead of us in some areas. However, we are ahead of Europe in other areas. That is something which does not get so much coverage. We need to keep that in mind and to recognise that in this particular situation, we had to learn quickly. A new situation developed and that may well happen again. New situations will develop from time to time that will affect each and every one of us in one way or another. When we are faced with that type of reality, decisions have to be made by the Government and by Ministers. It is important to take into account all of these factors and features. It is also important to remember that the trade union movement in this country was under extraordinary pressure and criticism during the period because it was not able to do the job that it would ordinarily be expected to do. That was just a fact of life. Many people will criticise employers on the one hand or trade unions on the other but there is a balance and a place for both. They all have to be observed and we have to do our best to meet their requirements, as they arise, from time to time. In any event, hopefully we have learned and we recognise that there will be other instances in the future that will be challenging and that we have to accept.

In terms of the particulars, I am not so sure that any person taking up a new position or a new job is likely to want to opt out at an early stage on sick leave without good cause. There may be exceptions to that rule but generally speaking, people are not going to opt out. They are at work and they want to remain at work. They want to ensure that they remain at work by being

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present in the workplace at the earliest possible stage.

We may learn much from the application of the legislation. Reference has been made to the fact that changes are proposed to ameliorate certain situations that may arise. I accept all of that. The Tánaiste indicated his willingness to see how the legislation works and to determine whether it works to the extent intended. He has said he will look at it again once it has bedded in. That is a fair commitment to give at this stage. Indeed, it is a commitment that needs to be given with regard to all legislation because laws can have different impacts on different people in different situations, particularly when specific challenges arise.

I welcome the fact that this Bill has been introduced and acknowledge that the pandemic brought particular issues to light that affected people in a negative way. At the same time, we needed people in the workforce. That situation will arise again and again. All in all, the legislation is welcome and hopefully in the course of Committee and Report Stages, all possibilities will be examined with a view to ensuring that the Bill sits easily with both employers and employees in the future.

**Deputy Alan Farrell:** I am very pleased to speak on this Bill, which will have a tangible impact on workers across the State. I commend the Tánaiste and his Department, as well as the Oireachtas committee, for engaging in significant work on this subject matter. I thank them for their efforts. The introduction of this Bill will, for the first time, ensure that sick pay is put on a statutory footing and will allow all employees to avail of sick leave owing to illness or injury, which is to be welcomed.

I had an opportunity to read the report of the Oireachtas committee and the explanatory memorandum accompanying the Bill but I regret I did not have an opportunity to read the Bill itself. I have a question on the entitlement and the time it takes to avail of this provision, once introduced, which is 13 weeks. Perhaps in his summation the Tánaiste will clarify whether he means 13 weeks from the start of that employment or from entry into the workforce.

The Bill provides for the phased introduction of statutory sick pay in Ireland over the coming years, ultimately rising to ten days per annum by 2026. This will allow employers, particularly the small and medium enterprises that have a significant foothold in the Irish economy, to plan accordingly. The last time I checked there were approximately 700,000 of them and there are probably a lot more now given there are more than 2.2 million people in the workforce. Importantly, this method will reduce the cost burden on employers to the greatest extent possible. This is of particular importance in the context of the previous two years, when we saw small and medium businesses around the country limited in their ability to operate in a normal way. In such a situation we should be mindful of introducing measures in a fashion that further complicates their recovery in the post-pandemic period.

While there may be continued criticism from the Opposition of my party, this criticism rings hollow and is unfounded when the record is checked. Since entering Government in 2011, Fine Gael has defended workers and their rights and sought to enhance their ability to keep more of their earnings. We were laughed at when my colleague, Deputy Bruton, who spoke a few minutes ago, launched the Action Plan for Jobs, setting out 100,000 jobs by 2016. If memory serves me, we surpassed this in 2015. In the years since the financial crash, my party has been pivotal in the recovery of jobs and the economy in Ireland. We knew then, as we know now, that if we were to be successful in this goal, we needed to bring workers of all backgrounds and income levels with us. This is why under this Government and previous governments, the mini-

mum wage has been increased on eight separate occasions. It now stands at its highest level in the history of the State, marking a significant increase from the level inherited in March 2011.

We have increased maternity and paternity benefits, allowing parents to spend more time at home when it matters most. We have enhanced the treatment benefit scheme through which people can access dental, optical and aural treatments and services. We ensured that for the first time benefits were opened up to the self-employed. We also achieved our commitment to equalise the tax treatment of self-employed people, marking a transformative change to the lives of so many in our communities. We also delivered public sector pay restoration and recovery from the worst economic crash in the history of the State, when many doubted we could do so.

I am eagerly anticipating the publication of a study, commissioned by the Government, on the introduction of a living wage in Ireland, which I heard the Tánaiste reference. He has received it and will be considering it with the Minister of State, Deputy English, over the Easter recess. In recent days, we have seen the introduction of a pilot scheme that will see €325 paid to artists on a weekly basis as part of a basic income. This scheme will benefit an initial 2,000 artists as part of the arts and culture recovery task force recommendations. It is another example of something Fine Gael and our partners in government, Fianna Fáil and the Green Party, have prioritised. We have also recognised that the nature of work has been changing for some time. The notion of remote working, while on the rise in recent years, was dramatically increased by the pandemic. Earlier this year we saw the introduction of the Right to Request Remote Work Bill. This is bolstered by the right to disconnect, which the Tánaiste introduced last year.

As we look towards the future, we can also recognise that how people enter the workforce to begin with is in need of modernisation. This is why the Government is investing heavily in apprenticeship schemes that will allow thousands of people every year to reskill, upskill or find their vocation. In doing so, it will drive job creation in well-paid positions, building green sectors and new technological sectors in the years ahead. I am very proud to play a part in this as a member of the Oireachtas education committee, working with the Ministers, Deputies Harris and Foley.

These are but a few of the policies that Fine Gael in government, along with our partners Fianna Fáil and the Green Party, have initiated during our time in office. It is unequivocal that we are on the side of workers and that we, as a party, support the dignity of work and fairness in employment opportunity. We are a party that supports workers of all backgrounds and in all industries. In the process, we have enhanced what others have characterised as one of the most equitable taxation systems in the world. The future of our economy and our country can only thrive if we achieve our goals together. I very much look forward to progressing the rights of workers even further in the lifetime of the Government.

**Deputy Matt Shanahan:** As a group colleague, I congratulate the Acting Chair, Deputy Verona Murphy, for assuming the role today.

The Bill acknowledges that Ireland does not have a mandatory employer-funded sick pay scheme. As the Tánaiste outlined, one of the obvious impacts of not having a sick pay scheme is that some workers take the decision to attend work even when sick. In the context of spreading infection and Covid, we well understand the damage this can do. There is the potential for injury at work or injury being caused to fellow employees. I do not think employers or employees would want to see this.

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The Tánaiste outlined that the Department has done quite a bit of background work and that up to 50% of workers in the State are already covered by statutory or employee sick pay schemes. The Tánaiste also noted that public sector workers already enjoy a sick pay scheme. This is an anomaly for employers in the private sector. Smaller private employers who are going to have to fund the scheme will do so out of their revenues while public sector bodies and employees are funded from the State. This is an inequity that exists in a number of other areas. It is something we will have to look at. It is not fair, particularly for small, medium and micro enterprises, that suddenly they have to suffer this cost. Perhaps the State can look at remediation in this regard.

The Tánaiste highlighted an annual entitlement of three days on the scheme. Nobody would say this is a significant burden on small businesses but as it ramps up to ten days over the next three to four years, it could become so. It is my experience that most small businesses do their best to cover genuine sick days as they understand it is a fundamental part of employer-employee relations. It assists them with retaining staff and valuing staff. There is no doubt that lower-paid workers, contract workers and part-time workers need to have a scheme to support access to sick leave. Therefore, I support the Bill the Tánaiste is progressing today.

The Tánaiste also outlined that the Bill represents one part of a suite of legislation the Government hopes to roll out to further protect employee rights and safeguards in the State. I do not believe anyone could argue with a socially progressive agenda to benefit all citizens and all workers and, most especially, those productively earning and generating tax revenue. This is needed to pay the social contract to which we have all signed up and aspire to, to look after every individual in the State when they are in need.

The Tánaiste referenced that the scheme is really only needed for those in private employment and for those who are low paid. This also points to the vulnerability of business. As the Tánaiste outlined, the small and medium sectors are grappling with the effects of Covid and the impacts it has had on their businesses to date. He is well aware of the many businesses that have warehoused debt through availing of Government Covid schemes. This will be somewhat precarious for businesses when they have to engage again with Revenue on the repayment of this debt. They are facing increased cost environments across the board in terms of manufacturing and service provision. They are struggling to recruit in many sectors. This is particularly applicable to food manufacturing and the construction sector.

I do not subscribe to the view that every employer is out to screw their employees, that every employer seeks profit at every turn or that every employer sees only capital labour and not the faces of those they employ. Many small employers whom I know are intrinsically involved in the lives of their employees. They celebrate family days such as communions and confirmations and sometimes holiday events. At times I have a concern as to how private employment is portrayed in the House and in the State. More than 900,000 workers in the country are employed in the small and medium enterprise sector. Many are promoted by people who have risked everything to build on a dream to start a business, see it grow and provide a financial future for their families and those whom they employ, becoming something on which they can all come to depend. I have to confess frustration when I hear that bodies such as IBEC and the Irish Congress of Trade Unions, ICTU, have been consulted and have expressed support for whatever legislation is being proposed when very little representation has been offered to the owners and operators of indigenous small businesses and microenterprises. IBEC and ICTU represent, in the main, the wishes of large-scale businesses and the aspirations of large-scale public sector unions. I have, in the past, expressed in the House my disappointment at the

lack of small business representation on the Labour Employer Economic Forum, LEEF. The Tánaiste has mentioned today that one-size legislation may not fit all but, in effect, that is exactly what is being proposed here today.

This Bill does not recognise the cost to small businesses arising from the requirement to add statutory sick pay to subcontractor costs to cover employee absence. This happens frequently in the agriculture sector, including in the area of dairying, and in the construction and fabrication sectors. If I were to propose an amendment to this Bill, it would be to make some sort of tax credit available to microenterprises and small businesses whereby the additional costs of supporting a statutory sick pay scheme, where incurred, can be offset or ameliorated to some degree.

The issue of access to GP visits and their cost has been covered a number of times already. Further work is obviously needed on this, particularly in respect of the low-paid for whom the cost of accessing a GP will cancel out the benefit of a day's statutory sick pay. The issue of the difficulty of getting more GPs to train and then stay in the system in Ireland also arises, an issue the Tánaiste will be well aware of. As he will know, there is a major problem around the country with GPs retiring. How will this scheme work when most people now ringing a GP find themselves unable to get an appointment that day?

In the main, I look forward to this legislation progressing, although I hope to see a change in the attitude and language of some in this House - I do not include the Government parties in that - with respect to the positioning and representation of private employment in this country. Many businesses in this country cannot recruit at this moment in time and I will not accept the suggestion that exploitation is widespread and that groups of employees are being deliberately targeted. We have robust legislation covering the world of work. This must be added to and Government has proposed and is considering a suite of measures to improve matters and to remove shortfalls, where they arise. Most of all, we need a collaborative approach between all employers and specifically between those who are most marginal, that is, the small, medium and micro enterprises, so that all representations can be done on a managed basis, that all aspirations can be achieved and that we wind up with agreements that reflect the needs of small and marginally profitable businesses as well as those of larger employers. In such an environment, progressive legislation could be tabled and adopted to ensure both the rights of workers and the ability of our productive sector to continue to compete and grow.

**Deputy Thomas Pringle:** I thank the Acting Chairman for the opportunity to contribute to the debate on this Bill. I fully support workers' rights to statutory sick pay. The fact this country has never had a statutory sick pay scheme needs to change. One positive element of this Bill is that it starts to bring about change in this area. However, it must be viewed very much as a start because we have a long way to go if it is to be in any way adequate. In preparing to speak on this Bill, I was thinking about my time working in London, England, in 1988. At that time, I was entitled to five weeks' sick pay with my employer from the day I started the employment. That was a long time ago now but here in Ireland we are only talking about introducing a statutory sick pay scheme now. That is a big problem. We are one of the few countries in Europe not to have mandatory sick pay and I am glad this Bill intends to introduce it.

The current illness benefit scheme does not cover employees for their first three days of illness and so those who are sick for less than three days are forced to face the consequence of taking a cut to their wage, which is not acceptable. This unfortunately causes people to come into work despite being sick, which is not only unsafe for the person who is sick, but also for their

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co-workers. It is disappointing that it took the Covid pandemic to force people to realise this fact but I am glad the issue is finally being addressed. One of the few benefits of the pandemic is that people have started to think about this. They are seeing that workers need these benefits and that providing them results in an ongoing benefit for wider society and for employers.

We constantly hear employers saying they cannot afford the costs and so cannot do this, that or the other. This will actually benefit the workforce as a whole. It will also benefit employers and our society as a whole. Most people in my town of Killybegs and in every other town in the country are low-paid employees. If they are given the benefit of a sick pay scheme, they will be able to contribute and spend that money so that it can go out into wider society, which will benefit other employers who pay low wages to their employees. This sick pay will circulate right across the board. I know it a bizarre thought but an employer who has respect for his workers, who pays them a reasonable wage and who has a sick pay scheme in place actually benefits from that because the workers feel they are accepted and wanted by their employer rather than being seen as a cost burden. The biggest problem we have in this State is that employers feel they have some kind of divine right and that employees are a cost burden they should not have to put up with. The reality is that employers will not have a successful business if they do not have good workers and employees. The way to get good employees is to treat them with a bit of respect. Many employees and employers across this country have to learn that.

An issue with this Bill is that, unless amended, term-time and seasonal workers will have to repeatedly build up their entitlement to sick pay, leaving them without coverage for three months each working year. The 13 weeks' continuous service with an employer required before an entitlement to sick leave commences will leave hundreds of thousands of mostly women, rural workers and foreign-born essential workers employed in low-paid jobs, who routinely have their service broken by their employer, without coverage for three months each year. That is wrong and should be addressed. This would affect many people in my constituency of Donegal and particularly in my own town of Killybegs. We rely on seasonal work and a significant number of people in this area have seasonal jobs such as fishing, working in the fish factories and hospitality jobs. These people should also be entitled to statutory sick pay just like everyone else. We need to make sure that holes in this legislation are addressed.

Another issue I have with the Bill is the fact that it will put the sole responsibility for payment of sick pay on the employer rather than putting any of this responsibility on the State. I wonder if the intention of this Bill is to spare the State some costs rather than to strengthen employees' rights to sick pay. While it will not make a difference in the first year, because illness benefit does not come into effect until people have been off for three days, when employers are paying ten days' sick pay, will it be the case that illness benefit will not come into effect until after ten days? That was proposed previously by the former Minister, Joan Burton. She proposed an increase in the waiting time to five days but that was rowed back on as a result of opposition. It is obviously the intention that employers will have to pay the ten days' sick pay, thereby saving the Department of Social Protection from paying anything for those ten days. I would be interested to see what that will save the Department because I believe the savings will be enormous. I would be interested in seeing where the motivation for the provision of sick pay is coming from. Perhaps it is simply about a saving for the Exchequer. Given how much illness benefit costs the State, there will be a huge reduction in the cost to the State under this legislation when the employers eventually cover the cost of ten sick days per year in 2026.

The cost to employers of providing sick pay will not be very great either. It will ultimately be 0.8% of the cost of a person's wages over a year, which is not a great amount. This shows

even more so that employers should have to provide a sick pay entitlement to their employees as a matter of right. In 2019, €607 million was spent on illness benefit, which seems considerable but is actually a large reduction on the spending on illness benefit in previous years. As I said earlier, I cannot help but wonder if this Bill is just an attempt to reduce costs further, dressed up as a win for workers' rights. It will create a massive cost to employers and I think more needs to be done to support employers in providing sick pay and in easing financial burdens. The sick pay scheme should include a combination of illness benefit with a top-up payment paid by employers. That would ensure the provision of a scheme that is useful to everybody.

Everyone who pays PRSI should be eligible to receive a sick payment from the State. The scheme should provide a combined payment. It may sound bizarre, but people should be able to afford to get sick. That is the reality. That is why we have not had a proper sick pay scheme, because people cannot afford it. Self-certification should also be included in the scheme. It speaks to the point in relation to affordability. The statutory sick leave scheme should give a self-certification period of up to two days' sick leave. This is a common feature in many other countries and I do not see why it cannot be included here. We talked about low-paid workers and those working in meat factories. For many people, in particular low-paid workers on minimum wage and slightly above, the amount that they receive in sick pay will be less than what they pay the doctor to get the certificate to qualify for sick pay. How does that make sense? It does not. Either the cost for the consultation with the doctor should be refunded to the worker, or the statutory sick pay scheme should be increased to ensure workers can afford to be sick. That is vitally important.

Overall, there is no doubt that this Bill falls short. There is no guarantee that the Bill will increase sick leave days from three days a year to ten days a year. I know the Tánaiste said that that will depend on the economy at the time. I do not think it should depend on the economy. Entitlement to sick pay should not be dependent on how the economy is functioning. It should depend on one thing and one thing only: whether a person requires it and the fact that it is right.

I support this Bill in essence, but it falls short in too many ways. There should have been an immediate introduction of ten days' sick leave. The sick pay scheme should not be limited to those who work continuously for 13 weeks. The financial cost should not be on employers alone, and illness benefit should continue to be provided as part of the sick pay scheme. There should also be an allowance for a certain number of self-certification days. That would go a long way to making this Bill acceptable and making this Bill achieve what it aims to achieve. Ultimately, the Bill should not be allowed to pass and fail to achieve the goals it needs to achieve. It must ensure that workers do not go to work when they are sick and infect co-workers and others, as we saw with Covid, thereby exacerbating the problem. An opportunity will be lost if that happens with this Bill. My fear is that it will happen if the Bill is not amended now.

**Tánaiste and Minister for Enterprise, Trade and Employment(Deputy Leo Varadkar):** I thank colleagues for their considered contributions throughout the debate, which I found very useful in terms of ideas as to how we can improve the Bill. I am very pleased that it has broad cross-party support, at least in principle. The Bill will ensure that for the first time in Ireland, almost all employees will be entitled to paid sick leave in the event that they are unable to work due to a certified illness or injury. This will improve workers' rights and public health, reduce inequality between the public and private sectors and bring Ireland more in line with other advanced EU economies.

I have listened very carefully to the views of the Deputies who believe that the length of

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coverage provided at the outset of the Bill is insufficient. Taking into account the current economic climate, the initial period covered by employers will be modest but will increase incrementally. I think it is important to point out that after the three days, illness benefit kicks in on day four. We have to be mindful of imposing excessive costs on employers, particularly small businesses, many of which have had difficulties in the past two years with costs related to Covid, Brexit and the recent general increase in energy costs. That is why we are taking this incremental approach to the scheme.

Three days' sick pay is one of the lower entitlements in Europe, but it is only a start. We must remember that when comparing systems across jurisdictions, we very often do not compare like with like. Not all countries operate a State illness benefit scheme like we do. For instance, the UK offers a far longer period of employer sick pay of 26 weeks, but at a much lower rate of compensation, only £96.35 for the entire week. Therefore, I suspect that it was Deputy Pringle's employer in London that provided the generous sick pay to which he referred, and not the British Government that was in office at the time.

We also must remember that in Ireland, illness benefit can run for up to two years. Ten days or two weeks of paid sick leave is in line with the entitlement in many EU countries. It is the same as the entitlement that Australia and New Zealand provide for, and that Canada is currently planning. Other countries were mentioned, such as France, but what was not mentioned is the fact that countries like France require both employers and employees, including those on low pay, to make higher social insurance contributions. For example, a worker earning the minimum wage in Denmark will pay something like 13 times more tax than a worker earning the minimum wage in Ireland. Perhaps it is worth it, but it is interesting that a fact like that is often omitted from arguments by people who make comparisons between us and other countries, such as France or Denmark.

In relation to people on low pay struggling to pay the doctor, I take on board that it is a real issue that Members are raising and needs consideration. However, I point out that roughly 50% of the population now qualifies for a medical card or doctor visit card. When it comes to the adult working age population, that figure is much lower. It is closer to 15% or 20%, but that encompasses a lot of low-paid, part-time and minimum wage workers who do have a medical card or doctor visit card. I think the solution to this issue is not legislating for employers to pay sick pay to people who do not produce evidence. The solution is improving access to GP care and healthcare and raising the eligibility limits. I am aware that a proposal came from the main Opposition party that there should be a rebate of GP fees in some way. That is not a bad idea. We do that already with the treatment benefit scheme for dental and optical care. Perhaps we should do something for people who do not have a medical card when they attend their GP. Let us not forget that currently, if a worker is sick, let us say, for three days, he or she gets no sick pay and may still have to pay the GP. That would cost him or her around €60. Under the new scheme, he or she could get up to €330 in sick pay and the cost of seeing the GP will be deducted from that. The worker would be much better off than he or she is in the current situation.

Many Members raised the issue of the 13-week length of service. I will give that some more consideration. A minimum term of employment is a common provision to access other forms of statutory leave. Both parental leave and carer's leave require 12 months' continuous service for an employee to avail of it. I do not think it is unreasonable that we would allow a few weeks for a relationship to develop between an employer and employee before somebody is eligible for sick leave. I know that an employer would not want to take somebody on and only find out, after day three or in the second week that they are working, that they are off sick. However, I

get the point that I hear from Deputies opposite that in some sectors like ECCE, childcare and the care economy, people are regularly employed for perhaps 30 or 38 weeks of the year. It would be unfair if they had to wait, on each occasion, for 13 weeks to get their entitlement, especially if it is with the same employer. Perhaps we can look at an amendment in that space that can resolve the issue. Certainly, the intention is that people, once they are working for a particular employer, will have the right to sick pay after 13 weeks. I would not like to see a situation whereby somebody who works for the same employer every year for 30 weeks will have to wait until week 14 to get the entitlement. That is not the intention of the Bill. We will give it some more thought.

On the inability to pay clause, I think it was pointed out that that has never been used when it comes to the national minimum wage. Employers tell me that where they actually cannot afford to pay, they still do not want to go to the Labour Court, because they will then be putting up in lights the fact that they have difficulties paying their bills and they will run into problems with suppliers and so on. The fact that it has not been used does not necessarily mean that there are not employers who cannot afford to pay. It just means that employers who cannot afford to pay do not avail of that mechanism for very good reasons.

In relation to Deputy Murphy's comment on illness benefit being too low, I agree with her on that, but I think that some of her facts are out of date. Illness benefit now kicks in on day four and not day seven. The €203 rate is the individual rate. If you have a dependant partner or children, the rate is higher, closer to around €300 a week. However, it is still too low. To answer Deputy Pringle's question, we intend to do the following. When we go beyond the three-day period, there will be savings to the State and the Social Insurance Fund because employers will be picking up sick pay for day four, day five or day six that would previously have been covered by illness benefit. What we intend to do is increase illness benefit and use the savings that will be made to make illness benefit more generous. At the moment, illness benefit is very low - it is something over €200 for a single person and just over €300 for a dependent, but that is for the entire week. If a person is used to getting paid more every week, that is a big hit to their income. We hope to use the savings that are generated to improve illness benefit for employees when they hit the 11th day or the 12th day, as the case may be. The cost of sick pay to replace somebody who is sick is recognised as a cost in the tax code for employers.

On a point of record, ICTU is an umbrella organisation that represents almost all trade unions, but not all, and IBEC is an umbrella organisation that represents a broad spectrum of business, including small firms, as the Small Firms Association is a constituent member of IBEC.

Question put and agreed to.

### **Sick Leave Bill 2022: Referral to Select Committee**

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** I move:

That the Bill be referred to the Select Committee on Enterprise, Trade and Employment pursuant to Standing Orders 95(3)(a) and 181(1).

Question put and agreed to.

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## Topical Issue Matters

**Acting Chairman (Deputy Verona Murphy):** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37A and the name of the Member in each case: (1) Deputy Jennifer Murnane O'Connor - to discuss greater resources for the regional ambulance service in the south east; (2) Deputy Aengus Ó Snodaigh - to discuss the need to support residents of an apartment complex (details supplied) to address fire safety flaws; (3) Deputy Colm Burke - to discuss engagement with the Irish Medical Council and An Bord Altranais in respect of registration of doctors and nurses; (4) Deputy Dessie Ellis - to discuss the provision of mental health services for those with dual diagnosis; and (5) Deputy Brendan Smith - to discuss introducing a financial aid package for the pigmeat sector.

The matters raised by Deputies Ó Snodaigh, Brendan Smith, Colm Burke and Dessie Ellis have been selected for discussion.

## Topical Issue Debate

### Fire Safety

**Deputy Aengus Ó Snodaigh:** This case concerns the Metropolitan apartment complex in Kilmainham. It is one of many but this is where, this week, the residents got confirmation of news that they were expecting since January, which is that they could no longer use the underground car park or any of the storage facilities under the complex. The notice came from the fire chief, who had no alternative but to act, as he or she should act in every case where there is a danger and a blatant defect in the building structure, or where some problem is exposed and lives might be at risk if a fire broke out. That is what we presume is behind this notice.

There are 127 apartments and a crèche onsite. Some of the residents to whom I have spoken have suggested there may be other issues but, thus far, the only one that the fire chief has acted on is in regard to the storage space and car parking. It is basically that fire doors and fire stops are missing. We know what happens in the case of an apartment where fire doors do not exist or are left open. Tragically, we saw what happened in New York earlier this year. At that time, the fire chief in Dublin issued a call for people to make sure doors are not left open and are closed in the event of fire. However, if the doors are not there at all, we can imagine the chaos and the tragedies that can occur.

In this case, the apartment dwellers are expected possibly to foot a bill of up to €500,000. Very few apartment complexes would have that set aside in the management company and there are very few residents I know of who would be able to put their hands in their pockets collectively to come up with €500,000 to address this. As has been the case for many of these issues, the call is for the State to step in. It is reckoned that 100,000 apartments of the 170,000 that were built during the Celtic tiger era have major building flaws. The vast majority of those are where builders cut corners, left out fire doors, left out fire stops and exposed future generations to the dangers of fires.

These are not bottom-of-the-market apartments. They are the same as any other apartment in the Kilmainham area, which were selling for nearly €200,000 and are now selling for over

€300,000, and I know of other apartment complexes which have been in the media where apartments were sold for €600,000 or €700,000. Yet, a builder, contractor or developer skimmed on this vital piece of equipment to protect people's lives.

Because there are so many and it is so widespread, I know the State has looked at this. My colleague Deputy Eoin Ó Broin has written a book on it, which I have read on a number of occasions, *Defects: Living With the Legacy of the Celtic Tiger*. It is a question of how we address it and how we ensure that people are not living in fear of fire breaking out in their complex. We must ensure that those issues are addressed as quickly as possible and that the State can help them to ensure the cost is not on top of them as it is beyond their capability to pay.

**Acting Chairman (Deputy Verona Murphy):** I call the Minister of State.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Malcolm Noonan):** I offer the Acting Chairman best wishes with her chairmanship. Well done.

Gabhaim buíochas leis an Teachta as ucht an t-ábhar seo a ardú. I thank Deputy Ó Snodaigh for raising this issue. I acknowledge the difficulties the residents of the Metropolitan apartment complex are facing and the stress that is caused when fire safety issues arise in regard to their buildings.

Local authorities have powers of inspection and enforcement under the Fire Services Acts 1981 and 2003. They work with management companies and other stakeholders to ensure that appropriate levels of fire safety are achieved. Those in control of premises have obligations for fire safety in the premises and to comply with enforcement actions taken by fire authorities. As local authorities are independent in exercising these powers, it is not for the Minister to comment on the issues in this particular complex. However, this is not the only development affected by fire safety issues, as the Deputy stated, and there have been many incidences of failures and non-compliance concerns coming to light in apartment buildings built during the building boom. For this reason, the programme for Government sets out a number of commitments in respect of the important policy area of building defects and provides for an examination of defects in housing. These commitments are further supported by actions contained in Housing For All.

In this context, the Minister, Deputy O'Brien, established a working group to examine defects in housing under the chairmanship of Mr. Seamus Neely, former chief executive of Donegal County Council. The plenary working group has been meeting monthly since March 2021, with the exception of August, in addition to sub-group meetings. The group's terms of reference were adopted in May 2021 and are focused on purpose-built apartment buildings, including duplexes, constructed between 1991 and 2013 in Ireland. This particular complex falls into that category. The Minister considers it worthwhile to summarise the terms of reference for the information of the House. These are as follows: to examine defects in housing, having regard to the recommendations in item No. 4, "Addressing the legacy of bad building and poor regulation", in chapter 4 of the Oireachtas Joint Committee on Housing, Planning and Local Government report, "Safe as Houses? A Report on Building Standards, Building Controls and Consumer Protection"; to establish the nature of significant, widespread fire safety, structural safety and water ingress defects in purpose-built apartment buildings, including duplexes, constructed between 1991 and 2013 in Ireland; to establish the scale of the issue, which will include work to estimate the number of dwellings affected by the defects identified, including those already

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remediated; to consider a methodology for the categorisation of defects and the prioritisation of remedial action; to suggest mechanisms for resolving defects; to evaluate the potential cost of technical remediation options; and to pursue options on possible financial solutions to effect a resolution, in line with the programme for Government commitment to identify options for those impacted by defects to access low-cost, long-term finance.

As part of its deliberations, the working group is consulting with a wide range of relevant stakeholders. Included in the stakeholder engagement was a series of online surveys between 31 January and 14 March 2022 seeking the experiences of homeowners, landlords, directors of owners' management companies and property management agents. These submissions are currently being analysed.

*6 o'clock*

The insights gained through engagement with stakeholders, as well as the outcome of the online consultation, will inform the ongoing deliberations of the working group and support the delivery on its extensive terms of reference and finalisation of its report to the Minister, Deputy O'Brien. The Minister, Deputy O'Brien, is satisfied that the group is working effectively and efficiently on this complex matter and looks forward to a report later this year. I assure the Deputy that once the Minister receives the report of the working group, full consideration will be given to its contents.

**Deputy Aengus Ó Snodaigh:** Tá sé tábhachtach go leanann an grúpa seo ag obair agus go mbeidh sé chomh tapa agus is féidir. It is important that this happens as quickly as possible because there is a cost in the event of some of these complexes, as happened in Priory Hall, having to be closed. To vacate a complex such as this or others, where there is a fire defect, is a huge cost on residents or tenants, given the scarcity of accommodation in the city as it is.

In some cases, the management company, residents or owners may be able to pursue the developer, but many of those developers and their companies disappeared with the collapse of the Celtic tiger. It then falls on the residents or owners to foot the funding and most will not be able to.

It then falls on the State which, in some cases, had a duty to ensure these properties were built properly. In some cases, the council knew of issues and never addressed them. In other cases, fire certificates were issued in advance of any inspection or without any inspection at all. The committee will deal with those issues and report on them but there is an urgency.

There is a big difference between this and mica. In terms of mica or pyrite, one sees the damage as one lives it. In these cases, the only time one will find out if there is a defect is when a fire breaks out or when a fire officer comes in and issues a certificate to close or vacate one's premises. That is what we do not want and that is why there is an urgency. I know it is a big undertaking, given the scale of the estimate of 100,000 homes with defects that need remedial action quickly.

**Deputy Malcolm Noonan:** I assure the Deputy and the House of this Government's commitment in respect of the important policy area of building defects, which is reflected both in the programme for Government and in Housing for All. This Government is committed to dealing with the issue of defects in housing. In this regard, we will continue to drive regulation in the construction sector and more sustainable methods of construction to ensure the mistakes of the past are not repeated.

I am of the view that the issues in addressing defects in apartments requires detailed consideration and the working group the Minister, Deputy O'Brien, has established is the most appropriate forum for considering the complex range of issues involved, as the Deputy has outlined. I have already mentioned the working group's focus on significant widespread fire safety, structural safety and water ingress defects in purpose-built apartment buildings, including duplexes constructed between 1991 and 2013.

While I appreciate this work may not be proceeding as fast as some stakeholders may wish, it is important we give the working group sufficient time to undertake the work as set out in its broad-ranging terms of reference. The Minister, Deputy O'Brien, looks forward to receiving the report of the working group when it has concluded its deliberations.

The Deputy is correct in the sense that some of these defects are not as visible as we would have found with pyrite or mica. Nonetheless, they are equally distressing to the families and residents who have bought properties in good faith. In that regard, the working group report will be critically important in plotting a way forward to try to resolve the many issues. They could be quite significant throughout many of the properties that were built during the Celtic tiger. The Minister, Deputy O'Brien, is deeply committed to trying to resolve these with all of the stakeholders.

### **Pigmeat Sector**

**Deputy Brendan Smith:** It is good to see Deputy Verona Murphy in the Chair. It may be a sign of things to come in the future.

I appreciate the Ceann Comhairle's decision to allow this subject to be taken this evening. Following a number of parliamentary questions to the Minister for Agriculture, Food and the Marine during January, I also raised directly with An Taoiseach in this House through questions the urgent need to provide adequate Government support to the crisis-hit pigmeat sector.

I welcomed the introduction in early March of the €7 million support scheme for commercial pig farmers. This sector has been suffering significant losses for some time and we know the very viability of some pig units and farms throughout the country is now threatened. Sadly, in recent times, 7% of pig farmers have exited this sector.

Some 10,135 sows are gone from production, which equates to a loss of €66 million in exports on an annual basis. Teagasc has estimated that for every 1,000 sows de-stocked, there is a total loss of employment of 60 people, a loss of payroll of €2.42 million and €6.5 million in export losses. These are substantial losses in any rural community and already we have witnessed many multiples of those losses in employment and generation of revenue.

A number of factors have contributed to this crisis. During the early days of the Covid pandemic, there were staff shortages, which led to a backlog in processing and substantial market disruption, which lowered returns for pigmeat. Brexit impacted very severely on the value and volume of pigmeat exports to Britain, which is by far our most valued and valuable market. Since the start of 2021, the value and volume of those exports fell by 50%, obviously causing a severe adverse effect on the sector. African swine fever had a negative impact on the pig market. Coupled with reduced farm gate prices, there has been a massive increase in feed prices. The war inflicted on Ukraine by the brutal Putin regime has also impacted very severely

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on supply of feedstuff, alike to other disruptions in global trade in recent times.

This sector is worth €1 billion to the economy on an annual basis and is the third largest sector within agriculture. It also supports approximately 8,000 people in employment and makes a very substantial contribution to the rural and national economy. Teagasc estimates that approximately 30% of farm pig units are at risk of closure. This is very concerning and measures must be implemented by Government, with immediate effect, to deal effectively with this crisis.

A very detailed and well-researched proposal has been submitted to the Department by the Irish Grain & Feed Association, Meat Industry Ireland and the Irish Farmers' Association. This pig stability fund contains a number of proposals containing substantial financial contributions by pig farmers, plus immediate Government help. France, Belgium, the Netherlands, Poland and Slovenia have introduced direct aid for this sector.

Our sector, which is haemorrhaging significant losses, needs an immediate package of financial measures. There has been a major rationalisation of the sector over the years. We do not want to see a further reduction in producer numbers, which would be damaging to our overall agrifood industry. This sector is very efficient and it is a modern industry. It does not receive any support through the Common Agricultural Policy.

I fear that a major de-stocking could create animal welfare issues. It would also be very damaging to the image of our agrifood sector which has been painstakingly built up over many years with major EU and Government support and major investment directly by farmers and others in the sector. I appeal again to the Government to introduce, without delay, an immediate package of measures to ensure that the sector is supported through these very difficult times and that the crisis hitting it for some time is tackled head on.

**Deputy Malcolm Noonan:** On behalf of the Minister, Deputy McConalogue, I thank Deputy Smith for raising this issue. It is agreed that it is a key priority for the Minister and the Department and a vital sector for the Irish economy. Our pig farmers have always been remarkably resilient but the Minister is acutely aware of the unprecedented set of challenges, as outlined by the Deputy, they are facing at present. The Minister has been in regular and close engagement with all stakeholders on this matter over recent weeks. The Department is monitoring the market situation closely and is examining all possible measures to assist in supporting farmers through this significant market disturbance.

The continued development of the pigmeat sector is a priority for the Government, given the pivotal role the industry plays in the national economic context. It is the fourth-largest agrifood sector and has shown remarkable growth in recent years. The sector supports approximately 8,000 jobs spanning production, slaughter, processing, feed manufacture and services. The pigmeat sector across the EU has faced significant challenges recently, including the impact of African swine fever in several member states and consequential loss of third-country markets. This has had a knock-on effect on supply within the Single Market. We are all aware of the cyclical nature of commodities markets. For the pigmeat sector, this is now compounded by rising input costs. The situation in Ukraine, as the Deputy stated, has also exacerbated these challenges.

The Minister has had ongoing discussions in recent weeks with the main banks to discuss the current challenges in the pigmeat sector and the importance of ongoing support. He has emphasised the importance of the sector and of banks supporting their customers throughout

the current downturn in the business cycle. The key message was that farmers experiencing cash flow difficulties should engage with banks as soon as possible to discuss options and that the banks should remain committed to supporting their customers. Separately, the Minister met with the Strategic Banking Corporation of Ireland, SBCI, to discuss the Brexit impact loans scheme and the Covid-19 credit guarantee scheme, 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 to address the current financial needs of pig farmers.

Last month, the Minister announced the pig exceptional payments scheme, PEPS, with a fund of up to €7 million for commercial pig farmers. This is an urgent short-term response to assist producers who would be viable but for the extreme circumstances being experienced now. It is intended to allow space for a more medium-term adjustment to market signals. Applications for the PEPS closed on 20 March 2022. The first tranche of payments has issued, with the remaining applications due for processing as soon as possible.

This scheme is part of a wider package of measures to support the pigmeat sector, including intensified efforts by Bord Bia to promote quality-assured Irish pigmeat in the domestic and export markets, with dedicated media advertising campaigns underway nationally and EU-funded pigmeat promotion programmes running in key export markets. Teagasc has also intensified its dedicated ongoing advisory supports being provided to pig farmers and it is actively engaging with pig farmers to explore the options potentially available to them.

Furthermore, the Department continues to engage at EU level to ensure there is a joined-up EU approach to the challenges arising from Russia's illegal invasion of Ukraine, including through the European food security crisis preparedness response mechanism. Last week, the European Commission announced the adoption of exceptional support measures across the agricultural sector, along with a communication on food security. Additionally, the European Commission, in view of the particularly difficult situation in the pigmeat sector, has opened a new private storage aid scheme to assist in stabilising the sector. The Department is examining the detailed requirements and conditionality attached to the exceptional aid allocation to Ireland of €15.8 million in EU funding.

**Deputy Brendan Smith:** The Minister for Agriculture, Food and the Marine, Deputy McConalogue, contacted me directly to let me know he is attending a Council of Ministers meeting in Europe and that he could not be here this evening. I appreciate that. Only last night, I engaged with the Taoiseach and the Minister for Public Expenditure and Reform, Deputy Michael McGrath, to emphasise again that the proposal submitted by the IFA, the meat processors and the Irish Grain and Feed Association, IGFA, must be considered, finalised and implemented by the Department. The sector's proposal has well outlined the difficulties, which have been well researched, and where Government funding could be provided. Equally importantly, the proposal outlines the contribution these stakeholders themselves will make.

This is an immediate crisis. The Department may refer to facilities within the banks, through the different Brexit-related funds etc. but the banks are not entertaining some pig producers. I fear the smaller-scale producers will get less of a hearing from our financial institutions than bigger producers. The sector has seen major rationalisation over the years and we do not want to lose any more producers. This is a sophisticated sector. The Minister of State referred to it as being a resilient sector, and it has been. We are all aware that different sectors in farming face cyclical problems over the years arising from the weather and market distortions or distur-

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bances. The pigmeat sector specifically, however, has always ensured more cyclical problems than any other sector in farming or the agrifood industry.

When I was in government and dealing with the pork dioxin issue in 2008, the public finances faced particular challenges but we put a significant amount of funding into dealing with that issue to ensure we continued to have a pigmeat sector here. It was a good investment by the Government. We did not delay in making that decision. We decided quickly, we put the financial support in place and we saved that sector. In the meantime, there has been a great return on that investment made by the Government in 2008. Equally importantly, we ensured that the good name of the Irish agrifood sector internationally was maintained. We must ensure that continues now and that we do not run into any animal welfare issues.

**Deputy Malcolm Noonan:** To address the specific issue of the IFA's proposal for a pig stability fund, this is being considered by the Department in conjunction with key stakeholders. It is being requested that a €100 million fund be made available to pig farmers by the Department, with €50 million to be repaid over a 14-year term through a statutory levy on pigs slaughtered or exported live. This proposal would have significant Exchequer implications as well as State aid implications regarding the Exchequer funding element and at a statutory level. The Minister has engaged with the Ireland Strategic Investment Fund, ISIF, to ask that urgent consideration be given to developing a suitable instrument to manage market volatility for the pig sector. Discussions are ongoing regarding developing a financial instrument as a medium-term solution to help address volatility. As I said, these are cyclical issues, and this cycle might be a protracted one.

Nationally as well, the pig roundtable, chaired by the Minister of State, Deputy Heydon, meets quarterly with a focus on key strategic developments in the sector, with reference to the relevant actions set out in key strategy documents. These include the programme for Government and Food Vision 2030. The next roundtable meeting is in early May. A new pigmeat reflection group has also been established at EU level, comprising representatives from member states and key stakeholders, to examine, through civil dialogue, the structural challenges facing the sector, because these issues are impacting across Europe and worldwide. The group has already met twice and it is scheduled to produce a report in the first quarter of 2023.

I reiterate the support of the Minister for Agriculture, Food and the Marine and the Department in trying to resolve the challenges facing this vital sector of the Irish economy and agrifood businesses. We all want to seek a solution that is equitable and fair to the producers and to ensure the sector not only survives but thrives in future.

## **Medical Register**

**Deputy Colm Burke:** This issue concerns doctors and nurses from Ukraine who have arrived here. I understand that more than 165 doctors are here now who are qualified and who have been practising in Ukraine for several years. I do not have the number for nurses, but I understand many are here also. A register of these medical professionals is being compiled by a doctor working voluntarily. Originally from Lithuania, he has been working in Ireland for many years and he is working closely with these Ukrainian nurses and doctors to compile a register. He has given me the list of people and their qualifications, including in areas such as anaesthesia, dentistry, ear, nose and throat, ENT, paediatric surgery, dermatology, infectious diseases, internal medicine, oncology and neurology. Therefore, these doctors and nurses have

a whole range of qualifications. I met one person who has been qualified for more than 12 years.

My understanding is that the medical training scheme in Ukraine is different from ours. When people here get a medical degree, they then do two or three years in different areas of medicine and that allows them to get some expertise in a wide range of areas. In Ukraine, though, I understand the system is different, in that when people graduate from university they go straight into the specialty on which they wish to focus. If our Medical Council is setting exams for these doctors, how can it set exams that are adequate to ensure candidates have the required expertise in specific areas and that will allow them to work in Ireland? I fully understand that the Department and the Minister must ensure people who gain approval to practise from the Medical Council have adequate skills and that our patients are adequately protected. There needs to be an engagement with the Medical Council and An Bord Altranais in respect of nurses. They will have a different method and process in nursing education in Ukraine. We have a great number of people with expertise. We also have a great number of people, my understanding is well over 20,000, here from Ukraine. They will also need medical care and we need to be able to adapt accordingly. What level of engagement has occurred between the Department, the Medical Council and An Bord Altranais on identifying the adjustments that need to put in place for a proper structure for examination that would allow these people to come through the system once it is established that they have the necessary skills to practise in the particular area? It is crucial that we expedite this and get these people working. They want to work. I know one doctor, for instance, who is in an observer capacity in a clinic at the moment looking to see how the Irish system works. That is extremely important. When can we see progress on this? What is the likely timescale? I fully understand people who will be practising here will have to be proficient in English. We need to put in place the mechanisms. When can they be put in place and when can we get answers from both these organisations?

**Deputy Malcolm Noonan:** It is a very important issue and probably reflective of the many skills that are coming into Ireland with the Ukrainian families who have arrived here in recent weeks. It is important that we support them in finding employment. It is critically important, particularly when there are deficits in our health services around recruitment. Officials from the Department of Health are working closely with colleagues in the Medical Council and the Nursing and Midwifery Board of Ireland, NMBI, to examine ways to support Ukrainian doctors and nurses arriving in the State. The regulators fully recognise the importance of assisting health practitioners arriving in the State and have been actively examining the measures that might need to be taken. As Deputies may be aware, the Minister, Deputy Stephen Donnelly, met with Ukraine's ambassador to Ireland to discuss ways in which we can support refugees. The president and the CEO of the Medical Council also met with the ambassador. The ambassador has kindly offered the support of the embassy in acting as a liaison with the Ukrainian health authorities to support the registration of Ukrainian doctors and also to assist the Medical Council in disseminating information to Ukrainian doctors here.

The council has established an internal working group to examine ways in which it can support these doctors and is engaging with key stakeholders in the HSE, Department of Health, postgraduate training bodies and the Irish Medical Schools Council. The HSE, through the national doctors training programme, NDTP, in partnership with the council and the postgraduate training bodies, is co-ordinating an information-gathering process that will give us basic information about the Ukrainian doctors arriving in the State. The results of this process will then inform what further steps are to be taken.

I am advised that the Medical Council has not yet received a completed application for reg-

istration from any of the doctors arriving in Ireland, however it is directly supporting a number of doctors with queries about the registration process and the requirements. The Department of Health is also consulting with the NMBI to consider the matter with regard to how best to support Ukrainian nurses and midwives who have arrived in Ireland. Among the areas for consideration is the recognition of qualifications of Ukrainian nurses and midwives, who may have received training that does not satisfy the minimum training standards that are harmonised across the EU by the qualifications directive. The NMBI has advised the Department that it is engaged with the Royal College of Surgeons in Ireland, RCSI, to develop an interim orientation course to address gaps identified by the recognition process. The NMBI advises that it has also yet to receive a formal application for registration.

Officials in the Department of Health form part of a co-ordination group established by the European Commission examining the issues around the registration of Ukrainian health and social care professionals arriving in EU states as a result of the conflict. This group shares knowledge and best practice and is examining methods to streamline and expedite registration for these professionals, including the use of electronic databases, the EU information centres for academic recognition and machine translation tools. The Department of Health will continue to prioritise this issue and engage with the regulators and other key stakeholders.

**Deputy Colm Burke:** I fully accept what the Minister of State said. It has to be carefully managed. It is important the people we allow to practise have the skills. In respect of An Bord Altranais and the Medical Council, is there any one person assigned to deal with this issue? The medical doctor I have been working with is from Lithuania and is working in Dublin. Is there someone he can speak to in the Medical Council or the Department to see how this consultation process can be assisted? Can some information be given to us and to the people who are dealing with these doctors and nurses? While the Minister of State is aware of it, I am not sure if the people on the ground are aware of the process or information that is available. Could that information be made available? People are reluctant to make an application because they are not sure of the criteria or what documentation they need to provide. Maybe some information could be provided by the Ukrainian ambassador or one of the various groups that are assisting those coming in from Ukraine. Has that process started or when can we expect it to commence?

**Deputy Malcolm Noonan:** Our thoughts are with all of those affected by the terrible conflict in Ukraine. The Department of Health, the Medical Council and NMBI will continue to support Ukrainian health professionals forced to flee their homeland as they arrive in Ireland and seek to re-establish their lives and integrate into our community. As Deputies will appreciate, our health regulatory bodies have a duty to protect patients by ensuring that all health professionals seeking registration meet the required training standards and are safe to practice. Depending on where doctors qualified and the type of qualifications they hold, some doctors arriving into Ireland from Ukraine may be required to take a pre-registration exam and an English language exam. This exam looks at a number of areas, including communication skills and clinical skills. It is an important step to ensure patient safety.

However, we will continue to streamline the registration process and expedite Ukrainian applications to the greatest extent possible, working closely with our EU colleagues to share best practice and utilise all database electronic verification tools available to minimise formal document requirements, mindful of the fact that these professionals have been forced to flee their homeland and may not be in possession of formal evidence of their qualifications. Where gaps are identified in the training received by Ukrainian professionals, we will continue to link in with the HSE and training bodies to seek to ensure that training opportunities are available

to allow those professionals to bring their skills up to the necessary level and work in the Irish system.

The Deputy's idea about a single point of contact, be it on a HSE portal, would be most useful. It would be worthwhile for the Minister and the HSE to consider it, so that people would have a single person they could go to and discuss the whole process they need to go through to get into the Irish system.

## **Mental Health Services**

**Deputy Dessie Ellis:** The definition of dual diagnosis according to the Royal College of Psychiatrists is the coexistence of mental health and substance misuse problems, including both drugs and alcohol. Each of these disorders is both chronic and relapsing and each has an independent course capable of influencing the other disorder. It is recognised by many notable psychiatrists that it is quite unusual for an individual to present to outpatient addiction services with addiction problems only. Many psychiatrists accept that those presenting in such circumstances would have a co-morbid disorder and that this would be the rule rather than the exception. There is, however, a complex relationship between these two scenarios in that an individual who presents may have what is termed a primary psychiatric disorder but also a secondary disorder of substance misuse. On the other hand, another presenting individual could have a primary substance misuse disorder with associated psychiatric complications. A third individual might have concurrent substance misuse and a psychiatric disorder. A final example would be an individual with an underlying traumatic or stressful experience causing a disorder such as post-traumatic stress disorder which results in substance misuse as well as mood disorders.

According to figures from the European Monitoring Centre for Drugs and Drug Addiction, up to 80% of patients with drug dependency have a psychiatric disorder. The implications of dual diagnosis for an individual are extensive. For example, it can give rise to an acute increase in the severity of the symptoms or non-compliance by the individual with their treatment or medication plan. The individual could experience an increase in the relapse rate. There could be an increased risk of suicide, self-harm and homelessness. Furthermore, there could be a rejection of the individual by psychiatric and drug services and greater complexity in the diagnosis and assessment of the condition

Over recent years, there has been growing acceptance and recognition of the problem of dual diagnosis. However, this does not seem to be matched in actions taken. Some years ago, there was talk of a clinical lead in dual diagnosis having been appointed, but little was heard of this appointment after that. In 2019, in answer to a parliamentary question, Dr. Siobhán Ní Bhriain, the national clinical programme group lead, confirmed the post of clinical lead for the national clinical programme for dual diagnosis was vacant, not having been filled in a skills-matching process following national advertisements by the HSE and the College of Psychiatrists of Ireland. In October 2020, the HSE advertised the position again and the successful candidate was to take up the post in quarter 1 of 2021. Can the Minister of State advise us as to the position on that competition?

I understand there are currently discussions on the development of a draft model of care. Can the Minister of State outline what provision is being made for those with comorbid mental illness and substance misuse?

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Dual diagnosis places an enormous strain on individuals, their families and health services. It should be the goal of the HSE to mainstream dual-diagnosis treatment in mental health services. Families and those suffering owing to a dual diagnosis, in addition to those in mental health services, are anxious that progress be made on this issue because the system has failed them over the past several years. We should not allow this to continue.

**Deputy Malcolm Noonan:** I thank the Deputy for raising this. In the time I have, I will try to outline the response on behalf of my colleague Deputy Mary Butler, Minister of State at the Department of Health.

Budget 2022 provided an unprecedented mental health budget of €1.149 billion, including €24 million for new developments. The new-development funding will allow further implementation of Sharing the Vision. Investment of €750,000 — the full year cost being €1 million — will enable the continued expansion of the specialist teams under the dual diagnosis clinical programme. Dual diagnosis is a particularly important area because service users living with both substance misuse and mental health difficulties are often the most vulnerable in society. The needs of people presenting with substance misuse and mental health difficulties are complex and may be coupled with other issues, such as poor physical health or homelessness. The complex nature of these needs makes it difficult to ensure that the treatment being given can capture all aspects of service users' needs. The HSE has recognised that there is a need to improve services for people with comorbid difficulties and that an integrated approach between mental health and addiction services is required. The HSE clinical programme for dual diagnosis was developed to respond to this need.

The aim of the programme is to develop a standardised evidence-based approach to the identification, assessment and treatment of comorbid mental health difficulties and substance misuse. This includes increasing awareness of the frequent coexistence of mental health difficulties and substance misuse; ensuring a clear clinical pathway for management of people with such a dual diagnosis, including when they present to emergency departments; ensuring a standardised service is provided throughout the country; and ensuring adolescents are also included within the scope of this clinical programme. Work has already taken place on this aim. This includes the appointment of a national clinical lead and programme manager and the establishment of a national steering group. An integral part of the dual diagnosis programme is the development of a model of care that will ensure a clear clinical pathway for all adolescents and adults suspected of having a dual diagnosis, and access to a timely mental health service nationally.

The model of care is being developed in collaboration with recovery agencies and advocacy groups that represent the experiences of service users. It will be delivered on a community health organisation, CHO, basis and provided in an integrated manner across the primary care division and the mental health service, with a close relationship with acute hospital groups. One of the key components of the model of care is the establishment of specialist teams to support individuals with a dual diagnosis. The first pilot site for a dual diagnosis team is in CHO 3 and received investment from 2021 new-development funding towards its development. In addition, the HSE and Mental Health Ireland have developed a resource for people affected by dual diagnosis. It is available at [www.drugs.ie](http://www.drugs.ie). The website advises people to look after their mental health during the crisis and includes information about accessing mental health and addiction services. Government policies, including Sharing the Vision and Reducing Harm, Supporting Recovery, set out clear commitments to improving services for people with a dual diagnosis. The high-level justice task force is also examining dual diagnosis among individuals

who come into contact with the criminal justice system.

The Health (Amendment) (Dual Diagnosis: No Wrong Door) Bill, introduced in the Dáil in 2021 and sponsored by Deputy Ellis's colleagues Deputies Ward and Gould, seeks to define dual diagnosis and amend the Health Act 2004 to require a HSE service plan to include specific plans for dual diagnosis and care services. As I have outlined, these are now in train. With the appointment of a clinical lead, I believe we will see a considerable focus on this critical area over the coming years.

**Deputy Dessie Ellis:** For many years, the health services, particularly psychiatric services, have been struggling. Even before the pandemic, they were struggling. We were not recruiting staff although there was a commitment to do so. I have lost count over the years of the number of people who have been turned away from accident and emergency departments because of a dual diagnosis. In many cases, this resulted in fatalities.

The Minister of State referred to the specialist teams that have been set up, but this is all too slow. There is a pilot scheme in CHO 3 whereby specialist teams are brought in. I despair when I talk to people about some of the cases that have been raised with me in this regard. In each CHO area, we should have dedicated nurses trained in dual diagnosis. Also, psychiatrists in accident and emergency departments should be trained in dual diagnosis and have the ability to deal with it. We fought hard to get psychiatrists in accident and emergency departments — it took the Government a long time to concede on this — so it is not good enough that people are being turned away from accident and emergency departments.

I despair over recruitment in the mental health services. I have heard of people who interviewed successfully for jobs before Christmas but still have not got them. It is totally unacceptable that they are not being employed now.

**Deputy Malcolm Noonan:** I assure the Deputy that the expansion of the programme will occur on a CHO basis and in an integrated manner across mental health services in the primary care division and include a close relationship with the acute hospital groups. The point the Deputy made about people who present at accident and emergency departments and acute hospitals is critical.

In response to the Deputy's colleague Deputy Ward, Ms Niamh Wallis, the head of service of the mid-west mental health service, has stated that the national office, along with a consultant psychiatrist, is leading on the development of a model of care for dual diagnosis that will be used nationally. This is a positive development for the mid-west, the nation as a whole and the people who require the support and intervention of this team. A clinical lead is in place. The pilot programme is in place in the mid-west, with anticipation and funding in place to roll out this programme nationally. I agree wholeheartedly with the Deputy that it is a critically important area for people who present with complex assessments and needs in dual diagnoses. As we have outlined, the response to date has been co-ordinated and there is significant movement happening on this.

### **Housing (Adaptation Grant for People with a Disability) Bill 2021: Second Stage [Private Members]**

**Deputy Pauline Tully:** I move: "The the Bill be now read a Second Time."

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The purpose of this Bill is to ensure that local authorities administering the housing adaptation grant for people with a disability shall, as far as is practicable, process applications for the grant within a period of not more than four weeks from the date of receipt of the application. By application, I mean the date on which the application form and all relevant documentation is received by the local authority, which will include an occupational therapist's report recommending the work and the estimates of costs from certified contractors, in conjunction with required medical documentation. If necessary, which will depend on the nature of the proposed work, an architect or engineer's report should also be submitted. All information should be gathered by the applicant and submitted together so that it can be checked and improved within the shortest possible time. I propose that the time should be a period of four weeks. City or county councils should set out clearly all documents required so that applicants can gather them together and submit them at the one time. What is happening now is that application forms are submitted and people then have to submit other documentation. Things go to and fro and the process is taking forever.

We are bringing this Bill forward because we have been made aware that many people with disabilities and older people require adaptations to be made to their home as a result of mobility issues due to an accident, illness or age. They are often unable to live in their own homes until the required works are carried out. The work may involve a downstairs bedroom or bathroom, a level access shower, ramps to allow entry to a house for wheelchair users, grab rails, stairlifts, etc. With the addition of extra rooms or changes to the layout of a house, people can remain in their homes which is always the preferable option. However, because of the unacceptable waiting time for grants many people require an extended stay in hospital or have to relocate to a nursing home for a period of time which can be costly for the people affected and their families and, frequently, costs the State money. An additional stay in hospital is an extra cost to the State because hospital beds that other people are waiting on are taken up. Some 200,000 bed days were lost in 2018 due to delayed discharges. While all of them may not have been due to unsuitable accommodation, some certainly were.

As an aside, I am aware that the lack of contractors and increased cost of construction materials are having an adverse affect on this grant scheme. I hope that measures can be taken to address this and that the grant is increased to meet additional costs. Someone was recently approved for a grant of €30,000, the maximum grant, but the job will cost €48,000. There is no way the person can afford an additional €18,000. The person tried to secure a loan, but is not eligible. This is not what the Bill is about, but I am pointing out a problem that currently exists.

Many who have applied for the grant have been forced to wait months for approval. I am aware of one woman who was unable to use the bath in her house as a result of knee problems and had to wash herself at a sink or go to a relative's home for a shower. I know of another woman who is petrified of getting into the bath as she has an issue with balance and eyesight. She has already fallen and hit her head getting out of the bath. She requires a level access shower and has waited months for approval.

The Covid pandemic has undoubtedly increased waiting times, and this is unacceptable. It is having an unfair and disproportionate impact on older people and people with disabilities, and this needs to be addressed urgently. Many people are struggling on a day-to-day basis and something like a stairlift or level access shower could make a difference.

I am disappointed by the Government amendment which seeks to delay the Bill for a year. It is about reorganising an application process. It does not involve additional finance. It is about

making an application process faster and more streamlined. By delaying this Bill, the Government is basically denying the rights of people with disabilities and older people to live in their homes with the necessary modifications that allow them to live independently.

**Deputy Patricia Ryan:** As Deputy Tully has said, the Bill ensures that people with a disability and older people receive a timely decision on their applications for housing adaptation grants. As co-sponsor of the Bill, I would like to compliment Deputy Tully on all her hard work on this. If the Bill progresses, local authorities administering the housing adaptation grant for people with a disability shall, as far as is practicable, progress applications for the grant within a period of not more than four weeks from the date of receipt of the application. Deputy Tully has outlined all of the paperwork that needs to be handed in.

I say, “If the Bill progresses” because the Minister of State has proposed to delay it for a year. The reason for this is that the Minister of State knows the Bill is necessary and does not want to be seen to oppose it. Kicking the can down the road will prolong the agony for many families who desperately need a decision on their grant applications. I know of a number of cases in south Kildare where it has taken two years for a decision to be made. Let me be clear; I do not blame council staff or officials. They are being let down by the Government. They are struggling with poor staffing levels, delays in central funding allocation and under-investment.

Many people require adaptations to be made to their homes as a result of a disability that has existed from birth or which has been acquired through an accident or illness. The grant helps to make changes and adaptations to a person’s home. For example, it can make a home wheelchair accessible, extend it to create more space or add a ground floor bathroom, toilet or even a simple thing like a stairlift. That can have a huge impact on the quality of life these people deserve. However, people are often unable to live in their homes until the required works are carried out. This can regularly require an extended stay in hospital or having to relocate to a nursing home for a period of time. As Deputy Tully said, this can be costly to the person concerned, their families and the State. This takes up badly needed bed spaces in hospitals due to delayed discharges. We are very aware how valuable a hospital bed currently is, and if we are not there is something wrong and we damn well should be.

Many people who have made an application for this grant have been forced to wait months for approval. This Bill will, I hope, change this and I urge the House to support it.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Malcolm Noonan):** I move amendment No. 1:

To delete all words after “That” and substitute the following:

“Dáil Éireann, while acknowledging the spirit of the Housing (Adaptation Grant for People with a Disability) Bill 2021, resolves that the Bill be deemed to be read a second time this day 12 months to explore further the extent to which the underlying ambition of the Bill can be addressed in the context of a review of the operation of the relevant grant schemes, which is already underway, and to allow for further consideration of certain legal issues associated with the Bill.”

I am pleased to have the opportunity to participate in the Second Stage debate on the Housing (Adaptation Grant for People with a Disability) Bill 2021. The Government has tabled a reasoned amendment in response to the Bill, namely that the Bill be deferred for a period of 12 months to explore further the extent to which the underlying ambition of the Bill can be ad-

dressed, in the context of a review which is already under way on the operation of the relevant grant schemes and to allow for further consideration of certain legal issues associated with the Bill.

The purpose of the Bill is to introduce a requirement that local authorities adhere to a defined decision time when administering the housing adaptation grant for people with a disability. While not subscribing to every aspect of the Sinn Féin Bill, the Government will not be opposing it. In the time available, I would like to take the opportunity to outline some of the issues that require consideration and also, some of the actions that are under way to improve the quality and management of the grant application process.

Demand for the grants has been consistently high since they were introduced in 2007. There is a programme for Government commitment to increase funding and make the grants more accessible. The recently published Housing for All strategy commits to reviewing the grants available in the coming months, and this review has already begun. The housing options for our ageing population policy statement also emphasises the Department's commitment to streamlining the application process and ensuring that grants are more accessible to applicants. This Second Stage debate provides us with time to consider the general principle of the Bill. I will outline to the Deputies some of the issues of concern to me and the Government. These are issues that will need careful reflection. The key provision in the Bill is that decisions on grant applications must be made by the local authority within four weeks. The motivation behind the Bill may be the longer waiting times that exist in some local authorities. The approach of legislating for a precise defined timeline on applications does not address the underlying causes of longer waiting times in some local authorities. The submission of incomplete applications can sometimes lead to delays, coupled with some local authorities requiring additional documentation. The requirement for planning permission for some applications is also a factor. The availability of occupational therapists, as well as construction tradespeople to provide estimates of cost, is also an issue in certain areas.

From a practical perspective, the Bill as presented may have unintended consequences. The grants already have a legislative base in the housing adaptation grants for older people and people with a disability regulations 2007. It is in these regulations that the operational arrangements are appropriately set out, not in separate primary legislation that may only serve to confuse the legislative landscape. The full scheme title as covered by the relevant regulations is the housing adaptation grant for older people and people with a disability. However, the Bill is entitled the Housing (Adaptation Grant for Older People with a Disability) Bill 2021. It is not clear, therefore, whether the Bill intends to cover all three grants available under the scheme or just the housing adaptation grant for people with a disability. If it is intended to only cover the latter grant, it may lead to a two-tier system where applications for the other schemes are processed differently.

The Bill proposes to place administrative guidance on a statutory footing. The purpose of administrative guidance is to provide clarity to the interpretation of the Act and statutory instruments. The administrative guidance itself has not been subject to the rigours of the legislative process and, as such, the proposed Bill, if enacted, may be constitutionally unsound. The Bill specifically references administrative guidance issued in 2014 that has since been updated as part of the ongoing streamlining of the grant application process and, therefore, does not reflect current practice.

Enactment of the Bill would mean an applicant would have to submit with his or her com-

pleted application a report from a construction professional such as an architect or building engineer to state that the dwelling is suitable for the proposed works. Currently, this function is normally carried out by local authority inspectors after an application is received. The Bill would mean the applicant would have to source and pay for this report before an application is submitted. We have to ask if that is the right approach to be taking. It is the view of the Government that this provision is contrary to the objective of reducing the quantity of documentation required at application stage and that consideration should be given to this issue before progressing the Bill.

We must also give consideration to the practical implications of legislating for the requirement for an occupational therapist's report. The Bill requires the applicant to submit an occupational therapist report with his or her application. I acknowledge that this approach is consistent with the practice of a number of local authorities where the applicant initially pays for the occupational therapist report and subsequently claims up to €250 back from the local authority. However, it would close down flexibility for other local authorities which engage a panel of occupational therapists to evaluate an application when received. The latter approach makes the application process easier on the applicant as the local authority handles the provision and payment of the occupational therapist. In addition, there are cases where the report of an occupational therapist is not necessary.

Last but not least of the issues I raise for consideration is the potential concerns that arise in respect of the proposal that two estimates of cost be submitted by the applicant, including proof of contractor's tax clearance. Following the comprehensive streamlining of the application process completed in early 2020, the Department recommended to local authorities that there should be no requirement for an estimate of cost to be submitted with a grant application. It is, however, open to an applicant to include an estimate of cost with the application. Only in exceptional cases will the local authority require an estimate of cost to assess the application. In the majority of cases, an estimate of cost and proof of contractor tax clearance should only be sought once the applicant has been approved for a grant and wishes to proceed with the works. The majority of local authorities are operating this policy and have advised that there is increasing difficulty in getting tradespeople to provide quotes. A return to the requirement for two estimates of cost alongside proof of contractor tax clearance would place an additional administrative burden on the applicant and untimely delay on the submission of the application.

Actions are under way to improve the quality and management of the grant application process. My Department has met with all 31 local authorities in the past six months to review the ongoing implementation of the streamlined application process and ensure a consistency of approach to the grants nationwide. Housing for All commits to undertaking a review of the range of housing grants available to assist with meeting specific housing needs both for our ageing population and for people with a disability. An initial element of the review has begun and is currently focused on the existing grant limits and income thresholds applicable to the grant schemes. The wider scope of the review, to be completed this year, is also currently under consideration and is being informed by ongoing engagement with external stakeholders including the Department of Health, the HSE, the Irish Wheelchair Association, IWA, and the Disability Federation of Ireland, DFI.

In conclusion, the proposal in the Bill is a welcome contribution in addressing some of the issues affecting grant applicants and is deserving of careful consideration and analysis of the implications and impacts. Some of the issues I have outlined, particularly those that put additional requirements on applicants, are contrary to the objectives of the Department. Accord-

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ingly, I seek to have consideration of the Bill deferred for 12 months to allow for completion of the review process currently under way in the Department.

**Deputy Eoin Ó Broin:** I thank my colleagues, Deputies Tully and Patricia Ryan, for introducing the Bill and, in so doing, highlighting probably one of the most unfair elements of the very long waiting times experienced by many people in accessing services in local authorities. Unfortunately, due not only due to Covid but also to the fact that local authorities still have not recovered to their full pre-2008 staffing levels, it is common for people to have to wait unnecessary lengths of time. For example, the current waiting time in most local authorities for a housing needs assessment is in excess of 12 weeks, while for a housing assistance payment, HAP, application it can be in excess of 15 weeks. Those are just two examples.

This particular issue deserves special mention, however, because while in all cases we should try to increase the efficiency of local authorities and reduce the waiting time, in this case we are talking about a specific and vulnerable group of people. In many cases, these are people who are not able to adequately live in the homes in which they find themselves as a result of age, an accident-related disability or another disability. The Minister of State must have constituency clinics like ours. He must have direct experience of older people, people with disabilities and people struggling with workplace or transport accidents who have to undergo the indignity of, in some cases, waiting six to 12 months for a decision. We have not even started talking about the time it takes to get the grant drawn down after a decision is issued.

In fairness to my colleagues, they have not tried to come in here and deal with the overall complexities of the adaptation grant schemes but, rather, simply to appeal to the Government to do one small thing. Sometimes it is the small things that make a world of difference in people's lives. I do not want to use the word "honest" because I have a lot of time for the Minister of State and I know he takes his responsibilities seriously. However, he has come into this House and said he has some sympathy with the legislation but, rather than dealing with the various technical issues he has outlined on Committee Stage by way of amendment and through reasoned dialogue with the sponsors of the Bill, he is simply kicking it into touch for a year, and we know what that mechanism is for. I appreciate that he is both a junior Minister and a member of the junior partner in government and he often gets the rough end of the stick when it comes to these types of sittings where he has to deliver a message with which, I suspect, deep down, he has a little discomfort. However, it cannot be beyond his ability and that of his officials to accept the Bill, flaws and all, and then go to the relevant committee with the sponsoring Deputies and the rest of us on that committee to work out some mechanism to ensure nobody has to wait six or 12 months for an adaptation grant application.

*7 o'clock*

I have often said in respect of legislation that I have drafted and brought before the House that we do not have the advantage of civil servants with great experience, of legal advisers and of the Office of the Attorney General and our ability, therefore, to craft technically perfect or sophisticated legislation is often challenging. At the very least one would expect the Government to say this is such a reasonable proposition and to ask who could be against the idea of having a time limit within which this very specific category of people would have applications processed speedily. If the specific proposition, location and wording is not technically the best way to do this, my colleagues here are eminently reasonable people - I may not be as reasonable as them on all occasions - and would be more than happy to engage with the Minister of State on Committee Stage to work out how to do that. That could be through enabling legislation to

change the regulations. Our problem, of course, is that we do not get to lay secondary legislation before the House, so this is our only option.

As the decision has been made and as the Minister of State has the votes on his side of the House, this legislation and the very important recommendation underpinning it will be thrown on the scrapheap along with all of those other pieces of legislation that have been deferred for 12 months or more. I urge the Minister of State, however, in the context of his responsibilities within the Department and his engagement with his officials and the senior Minister, to come back to us as quickly as he can not only with a mechanism to speed up the decision-making process but to speed up the entire process to make it much more user-friendly and accessible.

The inconsistencies mentioned by the Minister of State are very interesting because in the South Dublin County Council area, where I am a Deputy, it used to be the case that the local authority would source occupational therapists from the HSE. Due to the changing of the HSE staffing arrangements, for many years if one lived south of the Naas Road the HSE would provide one's occupational therapist's report. The good people of my constituency, however, had to pay the €100, €200 or €300 for their reports and if they were tenants of the local authority, that money would not be reimbursed. That reimbursement is only for private homeowners. In some senses, the kinds of inconsistencies this Bill is trying to deal with would be much more beneficial than a situation where, depending on the postcode lottery, one would get supports and occupational therapists reports in one geographical location and not in another.

To conclude, deep down I believe the Minister of State fully supports the principle of this Bill. Perhaps not in weeks and not in primary legislation, but we would ask for a very speedy decision at this initial stage. I ask him to use the influence he has to take on board the sincerity of the proposals in this legislation and to urge his colleagues in government and in the Department to come back with a resolution to this as quickly as is possible. He will find on our side of the House a willingness to deal with whatever legislative measure is proposed, whether it is a statutory instrument or primary legislation, to ensure that no person who is in excruciating pain and who cannot use their bathroom or sink or who do not have a quality of life that we would all hope our parents, brothers and sisters to have, can have the assurance that the application process, at the very least, does not take from six to 12 months and that it happens in a speedy, timely and eminently fair manner. I thank the Acting Chairman.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Malcolm Noonan):** I wholeheartedly want to reassure the Deputies and the House about this Bill. As I know from my constituency, our common objective here is to help these people who are in extreme pain. This is a very good grant scheme. I will outline further in my closing comments that the streamlining of the application process will deal with many of the issues the Deputy referred to.

As I said, the Bill itself might have unintended consequences. From that point of view, I ask the Deputy to accept our bona fides, in that we are trying to achieve a much more streamlined and efficient process, much of which has been in place and is in train in recent years in any event, to ensure applicants can have their claims processed in a timely manner and in as efficient a way as possible. I accept wholeheartedly the thrust behind the Bill and its importance.

As I said earlier, we are not opposing this Bill but rather seeking to defer further consideration while we complete the ongoing review. While we support the objective of a timely decision on applications, some provisions need further consideration to ensure ease of access for

applicants to the scheme.

This Bill seeks to address an administrative issue through the use of primary legislation. The current legislative base under the Housing Acts, and the 2007 regulations made under those Acts, already provide for the implementation of the measures called for within the provisions of the Bill.

Further, on a practical level, it is unclear what real effect the additional documentary requirements proposed in the Bill would have in terms of processing times for the application process. They run the risk of placing some additional burdens on applicants. Our concern is that the flexibility exercised currently by local authorities could be reduced by some of the provisions contained in this Bill. The Bill would potentially outsource the inspection of properties to privately recruited engineers, with the applicants themselves having to source and pay for this service. This work is already being done effectively by local authority technical staff. A personal visit by a local authority inspector to an applicant is very valuable in delivering a quality service to the people who need it.

Placing the responsibility for this work on the applicant would also result in either the applicant having to be recompensed or to bear the cost themselves. The Bill could also close down the flexibility for local authorities which already have a panel of occupational therapists, OTs, available to evaluate applications once received. This arrangement often provides the local authority with a reliable report on the needs of the applicant, and coupled with the input of the local authority technical staff, helps ensure the funding is safeguarded for those most in need.

The Bill also proposes to place an outdated version of administrative guidance on a statutory footing, which would result in a possible legal issue while also undoing the progress achieved in streamlining the application process over the past number of years.

Colleagues in the House know that local authorities strive in every way to get the right services to the people who need them. We all know of cases where people with a disability, or the elderly, apply under the scheme and where the local authority goes the extra mile, often prompted by their technical resource who has actually visited the home. I do not think any of us in this House want to lose those particular advantages and the impartiality of that.

I fully accept that consistency of approach is a critical issue in the administration of these grants and this is being pursued through the implementation of Housing for All, which commits to review the range of grants currently available to older people and people with disabilities. The Government is focused on taking concrete action to deal with certain inconsistencies which exist in the grant application process and the administration of the scheme nationwide.

The majority of local authorities have adapted their approach in recent years as part of the streamlined application process to ensure the available resources are targeted at those in most need, including prioritisation on the grounds of medical and financial needs. My Department seeks to bring together this experience that has been built up over the years since the scheme was introduced to ensure this shared knowledge is further developed across all 31 local authorities.

I am very conscious of the social benefit accruing from the scheme, particularly facilitating people to remain living independently in their own homes. Very significant progress has been made on increasing the reach of this valuable grant scheme. More than 110,000 households have benefitted from this scheme since its inception and the best way to ensure the State fully

meets its obligations to those who need assistance is through improved delivery and the development and implementation of improved policies and measures where required.

Notwithstanding the improvements to the processes that are involved with these grants, I think Deputies will agree how critical the increased funding that has been made available for the scheme in recent years has been. The level of funding has increased year-on-year since 2014, from €43 million in 2013 to just over €81 million allocated in 2022.

The review initiated under Housing for All is a significant process that will improve the operation of the grants and will achieve better application and processing arrangements, without losing the flexibilities that are currently working well for both the local authorities and for people who avail of the grants. Accordingly, the Government proposes the reasoned amendment in response to this Bill seeking that it is deferred for a period of 12 months to explore further the extent to which the underlying ambition of the Bill can be addressed through the review already under way and to allow for further consideration of certain legal issues associated with the Bill. I assure Deputies that we will keep them informed of the progression of the streamlining process.

**Deputy Pauline Tully:** I thank the Minister of State and my colleagues, Deputies Ó Broin and Ryan, for their support and for staying back on a Thursday evening when we are on the eve of a recess.

To explain again, the whole basis for this Bill is to help people all over the country to live comfortably within their own homes because they are unable to do so, sometimes for months and sometimes for longer, as they need adaptations done to their houses or they need mobility aids put in. The application process takes far too long. I am just looking for a way to streamline and to standardise the process across local authorities. We must be conscious we have an ageing population, so the demand for this grant will probably increase as we go along. Many disabled people say it does not matter how old they are and that they still have their disabilities and are still disabled people. Regardless of age, if somebody has a disability or a mobility issue, he or she may need to apply for this grant. I had hoped to do something to speed up the application of the grant in order that more people could live in their homes. I am conscious Ireland has ratified the UN Convention on the Rights of Persons with Disabilities, UNCRPD. We need to implement it. That would play such an important role because it would allow so many disabled people to live in their own homes, in our community. That is the basis of the UNCRPD, so it has a huge part to play. It is very important that is addressed.

The Minister of State mentioned issues with occupational therapists, OTs, and so on. I have come across several people to whom the local authority sent out an OT who was not familiar with the person or his or her needs. Oftentimes the OT with whom that person is already engaging is much better able to advise as to what his or her needs are and to prepare a report. Perhaps that could be considered. The local authority employs an OT or team of OTs, but they do not always know the people. By coming out for one visit to assess a property, they will not always get their recommendations right.

I thank the Minister of State. I will hand over to my colleague.

**Deputy Patricia Ryan:** I thank the Minister of State for his response. I will not say to him I am over the moon. I am anything but over the moon. I am very disappointed. As Deputy Tully has said, our population is ageing. As Sinn Féin spokesperson for older people, I deal

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with older people every day. These are people who may not be able to get up a flight of stairs, to get to a bathroom or to get outside their doors because they do not have ramps or handrails. Sometimes the simplest of things would make life better.

I take on board what the Minister of State says about bringing the Bill back in 12 months. I beg him to look at it, to bring it back sooner than that and to do something constructive with it. It is highly necessary we do not have people lying on their sitting room couches, or on beds in their sitting rooms, with no access to a sitting room proper because it has become a bedroom. People come to the door of my constituency office every day, and Deputy Ó Broin said to the Minister of State that we all probably have the same kinds of people coming to our offices. I have no doubt the Minister of State is a good person, but good people do not solve problems unless they start shouting for the needs of these people. I do not want to come in here shouting and screaming about what we need. I think the Minister of State is well aware of what we need. In south Kildare, which I represent, he is more than aware of what we need. The local authorities in County Kildare have been doing the very best they can to help me in my constituency. Unfortunately, they are not given the funds or the resources.

I know I am going off topic but Deputy Ó Broin spoke about the housing assistance payment, HAP, and referred to waiting lists of maybe 15 weeks. It is 16 weeks in Kildare. I meet people inundated with such issues.

I plead with the Minister of State to have some consideration and to do what he can to bring the Bill forward. I thank him for his time.

Amendment put.

**Acting Chairman (Deputy Aengus Ó Snodaigh):** Beidh an vóta air seo nuair a fhillfidh tar éis shos na Cásca, pé am a bheidh leagtha síos ansin dó.

Cuireadh an Dáil ar athló ar 7.15 p.m. go dtí 2 p.m., Dé Máirt, an 26 Aibreán 2022.

The Dáil adjourned at 7.15 p.m. until 2 p.m. on Tuesday, 26 April 2022.