



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 17 Bealtaine 2022

Tuesday, 17 May 2022

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

Paidir.

Prayer.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Mary Lou McDonald: The Cabinet this afternoon signed off on the deal for the new national maternity hospital. Instead of securing a clean-cut transaction where the site will come into public ownership, the deal ensures the hospital will have a private landlord under a very convoluted ownership model. This is the wrong decision. It falls short of protecting the State's proposed investment of between €800 million and €1 billion of taxpayers' money. It is obvious that the best way to safeguard this investment and allay public concern is for the Government to secure the transfer of the land into State ownership by means of a clear and explicit agreement that ensures we get a publicly built national maternity hospital on publicly owned land. I asked the Taoiseach several times, together with the Tánaiste and the Minister for Health, Deputy Donnelly, to get around the table with the St. Vincent's Healthcare Group in order to convince it to agree to that transfer. I am of the view that such a high-level Government initiative would have yielded success.

Yesterday, at a meeting of the Joint Committee on Health, the St. Vincent's Healthcare Group confirmed the Sisters of Charity transferred the land to the group without precondition. This means that there is no legal barrier to the land transfer. It is entirely within the gift of the group. Yet it transpires that far from proactively seeking the best outcome, the Taoiseach and the Government made no real effort to secure State ownership of that land. Last week, the Minister for Health told the Dáil he had formally requested the land be transferred to the State. However, what the chair of the St. Vincent's Healthcare Group told the committee yesterday directly contradicts the Minister. Mr. Menton said that the last time the State directly engaged with the group as regards bringing land into public ownership was five years ago. It gets worse because Mr. Menton also said the group has received no correspondence from the Taoiseach requesting the land be transferred to the State. This is something the Taoiseach later confirmed to the media. We know now that neither he nor the Minister for Health made any serious or meaningful effort to bring this land into State ownership.

The Taoiseach came before the House and told us that such a transaction was not possible,

but the truth is that he did not even bother to ask. He has now signed off on a deal that fails to provide the best protection for almost €1 billion of taxpayers' money and copper-fastens an ownership model whereby a critical piece of public infrastructure will have a private landlord. Is an socrú a shínigh an Rialtas ar maidin an socrú mícheart don ospidéal náisiúnta máithreachais nua. An bealach is fearr chun infheistíocht an Stáit a chosaint ná má aimsíonn an Rialtas úinéireacht Stáit ar an talamh. Everyone in the House wants this hospital built. We want it built quickly and we want a new departure in maternity care. I absolutely accept the Taoiseach's bona fides in all those regards but what is at issue is the failure of the Government to secure the land in public ownership. This is big stuff. The contract the Government signed locks the State into a deal whereby the State does not have ownership of the site for the national maternity hospital. I ask the Taoiseach to directly explain why neither he nor the Minister for Health made any real or significant effort to secure State ownership of that land.

The Taoiseach: I will put this point to the Deputy. It is a good decision today for the women of Ireland and for newborns into the future that we will have a new maternity hospital and a neonatal centre of excellence in public ownership, in State ownership for the next 300 years. When it is built and it is proven to be a good decision I hope that Deputy McDonald and her party will have the good grace to acknowledge that is the case and will not try to erase from the public memory their ongoing downright opposition to it. It is my sincere belief that this will be a hospital that will serve the interests of women in Ireland for decades to come, facilitating all legal and lawful services to be permitted there. It is in State ownership. It is 300 years at a tenner a week. No matter how often the Deputy tries to tell a different story or to spin it or try to present it as not being in State ownership she is wrong by any yardstick. By any legal analysis she is wrong about the ownership. It is precisely what I said to the Minister on the negotiations with the St. Vincent's Hospital Group. It has gone from 99 years with an option of 50 more on the lease to 300 years. In July of last year, the Secretary General of the Department of Health wrote to the chairman of St. Vincent's Holdings Group, Mr. James Menton, making it crystal clear that it was the State's objective and desire to have outright freehold ownership but acknowledged that St. Vincent's was not going to do that, as communicated to the Minister when he had requested that from the chairman in their conversations. There has been an attempt to try to undermine the nature of the freehold lease. Some of it did not last too long. There was an attempt by the Deputy and others to say that it was actually €850,000 not a tenner but when you look a little into the detail it is €850,000 if you do not build a maternity hospital and what we are obliged to do. There is nothing in the lease that is an imposition on the State whatsoever.

Deputy Paul Murphy: Clinically appropriate.

The Taoiseach: There is nothing in the lease that is an imposition on the State at all despite attempts to muddy the waters and, in my view, deliberately confuse that issue.

On the broader issue, the concerns that were raised after the Mulvey deal and over a year ago have been comprehensively addressed by this Government and by the Minister, first in the constitution of the new national maternity hospital which is absolutely clear in terms of all lawfully and legally permissible services being made available; the operating licence that will be issued by the Health Service Executive to the hospital which will oblige the hospital to provide such services; and also the Minister having the authority, through the golden share, to ensure that all directors fulfil their duties and they must comply - they are obliged to comply.

The overall motivation behind the Government's decision is to provide modern physical facilities that are required now. I am struck by the very strong representations that have been

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made by all the national directors of midwifery across the country representing every maternity unit who said please get on and build the hospital and by the national director of Holles Street, all the assistant directors of midwifery of Holles Street and the 52 clinicians who wrote a letter to us saying please build the hospital. I accept that the Deputy's concerns were raised. They have been genuinely, comprehensively addressed.

Deputy Mary Lou McDonald: And I am struck that the Taoiseach is in any way surprised that there is widespread clamour, and has been for some time, for proper investment in maternal and neonatal care and women's healthcare more generally. Everyone wants that. I can assure the Taoiseach that I want that. I want to see the speedy delivery of first-class services of excellence for the women of this country that for far too long we were denied. He also ought to be struck that there is no doubt in the mind of the St. Vincent's Healthcare Group as to who owns the land. It is very clear. It is very clear that it is the landowner. It was also clear in setting out at the committee meeting that there was no meaningful engagement on the part of the Taoiseach or the Minister for Health to secure State ownership of that land. It could have been done by means of a simple transfer, which, bear in mind, had been promised initially. That is the St. Vincent's Healthcare Group's version of events. I would like the Taoiseach to confirm and set out for the Dáil what engagement he had, if he claims he had any, to secure this site into State ownership. When did that happen? Is the Taoiseach saying that the chair of the St. Vincent's Healthcare Group is incorrect or that he has misled an Oireachtas committee?

The Taoiseach: My understanding is that the chair of the St. Vincent's Healthcare Group is ready to correct the record in respect of that.

Deputy Mary Lou McDonald: Pardon?

The Taoiseach: The chair is ready to correct the record in respect of what I said earlier. I have made the point. I have the correspondence, which has been published and which was sent to the chairman as well.

Deputy Mary Lou McDonald: Is that correspondence from the Minister?

The Taoiseach: The Deputy obviously paid close attention to yesterday's deliberations. When doing so, she would have heard the legal representative of the St. Vincent's Healthcare Group making it clear that the State will own the land for the next 300 years. That is the reality.

Deputy Mary Lou McDonald: We will not own it.

Deputy Matt Carthy: We are leasing it.

The Taoiseach: We have a lease on this site for 300 years at a tenner a year.

Deputy Mairéad Farrell: A lease.

The Taoiseach: It is as simple as that. There should be no attempts to cloud the reality of that as ownership. That is effective ownership by any yardstick. I ask the Deputies opposite to stop.

Deputy Mary Lou McDonald: What did the Taoiseach do to secure the site? That is my question.

The Taoiseach: It is time to wrap this part of it up. The arguments presented by the Gov-

ernment on this have held up robustly, and we have strengthened the position. The original position was 99 years plus-----

Deputy Pearse Doherty: What did the Taoiseach do?

The Taoiseach: -----but it has now gone to 300 years for the maternity hospital.

Deputy Mary Lou McDonald: What did the Taoiseach do?

Deputy Pearse Doherty: What did the Taoiseach do?

Deputy Mairéad Farrell: Answer the question.

Deputy Pearse Doherty: What did the Taoiseach do?

An Ceann Comhairle: Deputy Doherty's party leader is asking the questions; not him.

Deputy Matt Carthy: The Taoiseach is not answering.

Deputy Mary Lou McDonald: The leader of Fianna Fáil is not answering them; that is the problem.

Deputy Róisín Shortall: We have to ask what was the point of the past two weeks. After nearly a decade of negotiations, the legal documents were finally published just two weeks ago. The Taoiseach stated that he wanted the documents to be scrutinised and indicated that he was open to changes being made. It is quite clear that this was a charade. We did not know how much of a sham this whole process was until we heard from Mr. Menton yesterday at the committee. Mr. Menton made it absolutely clear, in reply to a question I asked, that it has been five years since any serious attempt was made to engage with the St. Vincent's Healthcare Group on the possibility of buying the site. Despite repeated claims by the Taoiseach and the Minister for Health in recent weeks, we now know there was no meaningful engagement at all. Those are Mr. Menton's words; not mine.

In addition, in recent days we have heard a succession of people who support this deal agree that the phrase "clinically appropriate" is both open to misinterpretation and a cause of public concern. It is clearly ambiguous. Representatives from the National Maternity Hospital, Holles Street and St. Vincent's University Hospital and the Minister for Health all said they would have no problem including a definition of the term in the legal documents. That was yesterday. What did we get today instead? We got a note that the Cabinet has agreed that it knows what the term means. We have been told that a binding legal definition is not required. What is the message to the women of Ireland? Is it that they should calm down and that they do not need legal guarantees because the word of the Cabinet will suffice? Is the Government asking them to trust it? The Taoiseach can forgive the women of Ireland if they are not reassured.

At the press conference earlier, the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, discussed his party's decision to support this deal and break the commitments the Green Party made during the last election campaign. He said that the past two weeks had been useful because people had genuine concerns. He told us, however, that those issues had been teased out and that there is now clarity. Apparently there is clarity because he has decided that there is. Maybe he should ask his colleague, Deputy Hourigan, about that clarity.

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The overall attitude of the Government has been incredibly patronising and completely dismissive of good-faith attempts by the Opposition and the public to engage in respect of these documents and improve the deal. The unseemly rush to ram this decision through the Cabinet is inexplicable. This is especially the case when the Department of Health has not even managed to publish the business case for the deal which it has been negotiating now for almost ten years. Can the Taoiseach explain why the Government never attempted to buy the site and meaningfully address genuine concerns? Why does he think the women of Ireland do not need cast-iron legal guarantees and that somehow the word of the Cabinet is in any way sufficient to address those concerns?

The Taoiseach: I am not accepting the premise on which the Deputy's first question is based - that we do not have ownership. This State does have ownership of this hospital. The State does have public ownership of this - 300 years at a tenner is effective ownership. That has been well tested over the last two weeks. The purpose of the last two weeks was to have the debate, tease the matter out and have full transparency on the publication of the documents. If you do not mind me saying so, I think many of the arguments against going ahead with the hospital did not hold up under the full scrutiny of the-----

Deputy Róisín Shortall: Because you are saying so.

The Taoiseach: That is my more personal view of the situation. That is the first point.

The second point is that the chairman was in no doubt as to the State's desire to have the entire site. That is communicated again in correspondence dated 26 July 2021 where the Secretary General of the Department of Health stated that the Minister, Deputy Stephen Donnelly, had already reiterated his predecessor's request for St. Vincent's Healthcare Group to transfer ownership of the site to the State.

Deputy Róisín Shortall: The chairman of the board had a different view.

The Taoiseach: He acknowledged the clear response that the group's intention that the site would be neither transferred nor sold to the State. This has been made clear on an ongoing basis by the board. That correspondence referred to a telephone conversation indicating that a long-term lease of 299 years could be considered. That is the Government's position - that the extended lease of 299 years could be considered to address the issue of ownership, and it does by the way. Let us put away all the nonsense. Of course, it does - 300 years at €10 a year is ownership.

Deputy Paul Murphy: The Taoiseach cannot keep saying it as if it makes it that way.

The Taoiseach: You cannot keep saying the opposite and try to get some credibility attached to it.

The next question that the Deputy asked was that the women of Ireland do not need legal guarantees. They do need-----

Deputy Róisín Shortall: The Government promised a definition.

The Taoiseach: Sorry, I did not interrupt. I would be grateful if you would allow me to answer the questions you asked. You suggested we feel that the women of Ireland do not need guarantees. That is not fair. We have addressed those issues through legal guarantees. The advice to Government is that those legal guarantees are watertight.

Deputy Róisín Shortall: How are they legal guarantees? Where are the legal guarantees?

An Ceann Comhairle: Deputy, please stop interrupting.

The Taoiseach: Watertight is legal advice that the Government received this morning in respect of the constitution of the hospital in the first instance, in respect of the operating licence that the HSE will be giving to the new hospital, in terms of having to ensure that all lawful services are provided-----

Deputy Róisín Shortall: Clinically appropriate.

The Taoiseach: -----in terms of the ministerial golden share which gives the Minister the power to direct the directors to follow the implementation of the constitution-----

Deputy Róisín Shortall: Conditioned by the term “clinically appropriate”.

Deputy Stephen Donnelly: It is not.

The Taoiseach: -----of the new hospital and also in respect of the overall ownership issue around the hospital itself.

Deputy Róisín Shortall: There are no legal guarantees.

The Taoiseach: There is no way that the lawful legally permitted services will not be provided. They will be provided.

Deputy Róisín Shortall: Because you say so.

The Taoiseach: Because the only motivation-----

An Ceann Comhairle: Time is up.

The Taoiseach: It is not because I say so. It is because it is obliged within the legal framework agreed by the three hospitals that it be done.

Deputy Róisín Shortall: It is not. Earlier today-----

An Ceann Comhairle: Just a moment, it would be helpful if the remarks were addressed through the Chair rather than directly to the Deputy because she keeps responding and interrupting the Taoiseach. I wish that would not happen. Would Deputy Shortall please not continue? Would all Deputies not interrupt when a Minister or the Taoiseach is attempting to respond?

Deputy Róisín Shortall: Earlier today the Minister said we will own the building and the land for the next 300 years in the same way that anyone who buys an apartment owns their apartment. This is just patent nonsense. The real value of the new asset centres on the licence. Has the Taoiseach read the licence? The freehold ownership of the hospital site plus the 299-year lease plus the 299-year licence adds up to an extraordinarily valuable asset. The HSE cannot unreasonably withhold its consent to the mortgaging of the land underneath the new building nor can it prevent the sale of the lease nor revoke the licence that effectively shuts out the State from the new building. That is what is in these legal documents. This gives an extraordinarily valuable asset to St. Vincent’s Healthcare Group, which it is free to mortgage or sell. The HSE has essentially been shut out of this. It cannot make what is determined to be unreasonable objections to that.

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The Taoiseach: Is the Deputy saying St. Vincent's Healthcare Group can sell the lease?

Deputy Róisín Shortall: Yes.

The Taoiseach: A lease of a tenner per year for 300 years is not too valuable. We need to bring some common sense and reality to this issue. The motivation of everybody here is to provide a modern hospital. That is the only objective here. Co-location was the origin of all of this. The idea is that if we co-locate a maternity hospital with a tertiary hospital, we get the best outcomes for women and newborns. That is the whole idea. We have only done one such major centre, which is the maternity hospital and neonatal centre in Cork.

The Deputy said this has been done in an unseemly rush. This was announced as a Government decision in 2013. Planning permission was secured for this in 2017. People talk of an unseemly rush.

Deputy Róisín Shortall: We still have not been able to-----

An Ceann Comhairle: Please, Deputy.

The Taoiseach: I am clear in my conscience. As Taoiseach, I am not prepared to prevaricate. I am not prepared to allow this to go on for another couple of years with no decision taken. I know how these things can get dragged on for a variety of reasons. I am determined that we move on and build modern, proper facilities for women in the 21st century.

An Ceann Comhairle: Deputy Naughten is next on my list but he is not here. Does somebody else from the Regional Independent Group want to take his slot? No. That is odd. We will proceed to the Independent Group. I call Deputy Pringle.

Deputy Thomas Pringle: I sat in the Taoiseach's office in 2016 following a general election as he was making his first attempt to ascend to the position he now holds. We talked at some length about privatisation within healthcare. I remember he used the private Bon Secours hospital in Cork as an example of private healthcare's over-reliance on the public system and the public purse to prop up its operations. He told me he was committed to the public provision of healthcare. Perhaps as a former leader of the Labour Party said, "Isn't that what you do during an election?" The Taoiseach's actions today speak volumes and tell me that his words to me on that day were not what he believes.

The spin machine has been working overtime this morning. The Taoiseach has been quoted as saying he has "no doubt that all the guarantees are there". The Minister for Health, Deputy Donnelly, said, "There will never be any religious influence on the services." The Minister for Justice said she is confident that the hospital will be secular. The Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, said that the past two weeks have provided absolute clarity on the secular status of the new hospital. The women of Ireland know that talk is cheap, particularly talk from Fianna Fáil, Fine Gael and the Green Party. Over the course of the hearings held during the past two weeks, a number of questions, including questions I tabled to the Minister for Health last Thursday, remain unanswered despite the Minister's promise that answers would be forthcoming.

The recurring issue has been the unexplained term that appears like a rash throughout the various contracts, licences, constitutions, leases, fact sheets and option agreements. That phrase is "clinically appropriate". The Minister, Deputy Donnelly, initially explained that the

term needed to be included to prevent St. Vincent's from turning the place into a drive-through McDonald's or the likes. That explanation holds no water and no better explanation has been put forward since. The National Maternity Hospital, Holles Street did not put that phrase there. St. Vincent's Hospital holding company, or whatever you are having yourself, said it did not put it there. The representatives put forward by those organisations at the committee meeting last week said they were happy for it to be removed and yet it is still there. Why? Its removal would go a long way to removing the ambiguity that the spider's web of corporate structures has created. It does not need to be clarified; it needs to be removed.

We all agree that the hospital should be a public hospital on public land. The Government even supported Deputy Joan Collins's Private Members' motion in that regard. As the Government appears to be hell-bent on ploughing on with a second-rate option, will it commit to the removal of the term "clinically appropriate" from all documentation relating to the development of the new maternity hospital? That is within the control of the Taoiseach and it emanated from a Government Department.

The Taoiseach: I will respond to the Deputy's comments and remarks. On the issue of ownership, I must be strong because this debate is focused on the nature of leasehold versus freehold ownership. Leasehold ownership is very common across the State. It is not some new concept. It has been clarified that leasehold ownership is common-----

Deputy Thomas Pringle: I did not ask that question. I did not ask about ownership.

The Taoiseach: The Deputy talked about State ownership and said that I had no commitment to State ownership.

Deputy Thomas Pringle: My question was not about ownership.

The Taoiseach: I will come back to the Deputy's question. I have three minutes but I am entitled to refer to points that the Deputy made, in terms of the ownership question. This is a publicly-owned hospital. That is the point. I am not going to allow people to stand up and say that it is not a publicly-owned hospital, that there is somehow a private agenda. It is anything but a privatised agenda.

Deputy Thomas Pringle: It is a private site.

The Taoiseach: It is a publicly-owned hospital and given the way healthcare is evolving, there will be more of this. Healthcare has evolved over the last 100 years through different methods, in all countries, with non-religious voluntary hospitals like St. James's Hospital, which have their own independent governance mechanisms, and voluntary hospitals like St. Vincent's hospital. We have to deal with where we are and move on and co-location was the origins of this.

In terms of the issues in relation to lawfully and legally permissible, all of the legal documentation is there and all of the guarantees are there in terms of legally permissible and lawfully permissible services. The HSE put in the term "clinically appropriate" - not the other interest, but the HSE - to protect the maternity hospital and to ensure that it would provide maternity facilities and services, gynaecological services and the full range of clinically appropriate activity that happens in maternity hospitals, as opposed other uses being made of the maternity hospital or of facilities within the hospital. The lease is clear on that as well, that it has to be used as a maternity hospital.

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Attempts have been made to conjure up the idea that there is some conspiracy behind the utilisation of that language but there simply is not. Stating that there is does not make it a reality. There simply is not and time will prove this. Time will prove it but if the Deputy does not want to take my word for it, the clinicians in Holles Street are very clear about this. They provide all legally permissible services now, from termination right through. There is no issue in the hospital at the moment and there will be no issue in terms of the new hospital either. That is the reality. This has been debated now for seven years or nine years and it needs to be brought to a conclusion. There are three contracting parties to it, namely, the HSE representing the State, St. Vincent's Holdings and the National Maternity Hospital. There has to be a partnership arrangement on the site because it is a very expansive medical and hospital campus. That is the objective and the rationale is a bone fide, noble one.

Deputy Thomas Pringle: The problem is that the term “clinically appropriate” is not accepted because nobody really knows what it means. The Taoiseach has had to give lots of convoluted explanations today as to what it means to try to get it over the line. Why is the Government so hung up on it when everybody agrees that if those two words were removed from the lease, it would be acceptable? Indeed, even at the meeting of the Joint Oireachtas Committee on Health last Thursday evening Professor Peter Boylan and Mr. Simon McGarr, who were there to object to the lease, said that as a best case, if those words were removed it would be a reasonably acceptable lease. Why is the Government still hanging on to it? That is the question that must be asked and answered. Unfortunately, the Taoiseach is not going to answer it. If the Government removes those two words, it would solve the problem. The problem would go away but the Government is not willing to do it. Why?

The Taoiseach: If that is the case then why, for the last two weeks, have we been arguing about ownership? Now the Deputy is saying to me that last night that all disappeared.

Deputy Thomas Pringle: Did the Taoiseach not watch the committee?

The Taoiseach: That is what the Deputy just said. He just said that which-----

Deputy Thomas Pringle: The Taoiseach obviously was not watching the committee-----

The Taoiseach: What I am saying is that over the last fortnight, or for the first week or ten days of this debate, from all sides of the Opposition, it was all about ownership. In other words, this keeps shifting and the goalposts keep changing. There is an element of that but what we must do is address the real concerns people have in terms of what can happen in the hospital and what services can be permitted. The Government received very strong legal advice, the strongest of legal advice, that the legal guarantees mean that all services which are lawful in this State not only will be, but have to be, permitted. The directors of the hospital are obliged to ensure the provision of all legally permissible services. That is the point. The legal guarantees have been given and address all of the issues raised by people genuinely.

Deputy Denis Naughten: I thank the Ceann Comhairle and I apologise to the House.

Today is world telecommunications day. Every day I receive complaints from constituents about the dropping of mobile phone calls. Every day I must ask people to move their location so I can hear what they are saying. This is because of the quality of the mobile phone coverage.

On 1 February the Government launched its new national digital strategy, Harnessing Digital - the Digital Ireland Framework. One of the objectives set out in the framework is to make

connectivity available to everyone. It set a target that all populated areas would be covered by 5G not later than 2030. Today, Eir has 5G coverage of more than 70% of Ireland's population, covering 322 towns throughout the country. That is close to providing coverage to every town with a population of 500 or more. Three has a population coverage of 79% for 5G technology. By 2028 we will have 146,000 km of fibre cable stretching across 96% of Ireland's land mass. Setting a goal, therefore, of only covering the populated areas of the country two years later, by 2030, is not very ambitious. On top of that, Government will have to tender for the new Tetra radio communications network, a digital radio service for An Garda Síochána and for the other emergency services, which is costing the taxpayer €40 million per annum at the moment. This network needs to be replaced with a 5G network to have geographic coverage.

Today there is a real gap in providing mobile voice and data services to address the black spots around the country that have a negative impact on businesses and tourism in our rural areas. This will have a significant impact on medical care, the care of older people, and the use of technology on farms into the future. As one of the most dispersed populations in Europe, Ireland has a relatively high percentage of its land mass with no mobile data coverage.

Now is the time to focus on the opportunities the State has by working in collaboration with industry to develop a shared rural network to address this issue, and to assist in the further balanced regional and economic development of our rural areas. This shared rural network could provide the critical 4G and 5G coverage that would enhance the operation of our rural economy, support key activities such as farming, medical services, older people's schemes in rural areas and SME business operations, and it could ensure that people would remain connected when travelling around our country, working in rural Ireland or living in rural areas.

I am aware that the telecoms industry is already engaging with Government via IBEC to progress a phase 1 proof of concept roll-out of a shared rural network, which would cost approximately €5 million. Will the Taoiseach consider this proposal?

The Taoiseach: I thank the Deputy for raising this important issue about connectivity, particularly as it applies to rural Ireland, the economic life of rural Ireland and the quality of life in a modern digital era.

The main twin pillars of the Government's economic recovery plan were digitalisation and the green economy. The economic recovery plan has been particularly successful in its objectives. Consider the employment created since we published that plan and the actions on climate. It is quite dramatic. As a result of that plan we are close to full employment much earlier than anticipated. Without a doubt, the new national digital strategy is designed to advance the country into a better performer digitally speaking. It relates to the worlds of education and enterprise, and enabling people to be far more connected.

The Minister for Social Protection, and Rural and Community Development, Deputy Heather Humphreys, has set up with the Minister of State, Deputy Ossian Smyth, a national mobile phone and broadband task force. It will be co-chaired by both the Minister, Deputy Humphreys, and the Minister of State, Deputy Smyth, to address and deal with the issues that Deputy Naughten has identified.

The Deputy mentioned and referenced collaboration with the private sector. There will be engagement with the private sector. We must also learn lessons from previous engagements and collaboration in terms of technology partnerships. Above all, what the Deputy said does

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dovetail with the Government's wider economic agenda of rebalancing the country economically to get greater development along the western seaboard and in particular the south west and south east. Connectivity is the key to that. It is important that we set targets and milestones. The Deputy is familiar with the national broadband plan and would have been involved in that at an earlier phase. Targets were set and so on and, obviously, Covid-19 intervened and slowed down some of the progress in that regard. It is important that we set realistic targets that can be achieved and that we do so as effectively and quickly as we possibly can.

Deputy Denis Naughten: The Government has big ambition for providing fibre but none for mobile services. I am talking about establishing a shared rural network with all the operators on it. This would be complementary to the national broadband plan. Similar models are already operating in other markets such as the UK and Germany. In fact, such a shared rural network is currently being built out in Northern Ireland. The estimated cost of replicating that here would be between €30 million and €50 million. This is small money and would also slash the cost of the provision of an emergency Garda communications network, which must now be tendered for and a new separate network built. I ask the Government to reconsider this in the interests of putting an effective shared network in place that can provide for our emergency services and An Garda Síochána, as well as providing 5G coverage across the country.

The Taoiseach: First, I thank the Deputy again for raising this issue. There are very serious issues and he made reasonable points in respect of this. I would be wary of estimates that we get from time to time. We should all be wary of estimates in respect of projects of this kind, particularly in the communications area because they tend to balloon, particularly when the State signals too early an interest in getting involved. Costs can go up. I think we should take this step by step. The overall principle is about enhancing coverage with less drop out for telephones, although from time to time, public representatives do not mind the odd telephone call being lost in terms of getting some respite from the volume of calls. More broadly speaking, however, in terms of connectivity in rural Ireland, the task force will work with the Deputy if he wishes to make submissions to it and, obviously, the Minister, Deputy Ryan, will as well in terms of complementing the broadband roll-out.

An tOrd Gnó - Order of Business

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

Tuesday's business shall be:

- Motion re referral of Consumer Rights Bill 2022 to Select Committee (*without debate*)
- Motion re Thirteenth Report of the Committee of Selection (*without debate*)
- Motion re Proposed approval by Dáil Éireann of the Planning and Development (Street Furniture Fees) Regulations 2022 (back from Committee) (*without debate*)
- Motion re Report of the Committee on Standing Orders and Dáil Reform on Amendments to Standing Orders correcting cross-references and other drafting amendments (*without debate*)
- Garda Síochána (Compensation) Bill 2021 [*Seanad*] (Second Stage) (*if not previ-*

ously concluded, to be interrupted at 4.50 p.m. or after one hour, whichever is the later)

Private Members' Business shall be the Motion re National Maternity Services, selected by Sinn Féin.

Wednesday's business shall be:

- Statements on Just Transition (*not to exceed 145 minutes*)
- Garda Síochána (Compensation) Bill 2021 [*Seanad*] (Second stage, resumed) (*if not previously concluded, to be interrupted at 6.45 p.m. or after 90 minutes, whichever is the later*)
- Defence Forces (Evidence) Bill 2019 (Report and Final Stages) (*to be taken no earlier than 6.45 p.m.*)
- Sick Leave Bill 2022 (Report and Final Stages) (*if not previously concluded, to conclude at 8.30 p.m.*)

Private Members' Business shall be the Motion re Subsidies for Developers, selected by the Social Democrats.

Thursday's business shall be:

- Motion re withdrawal of Planning and Development (Strategic Housing Developments) (Amendment) Bill 2021 (*without debate*)
- Statements on the Strategic Plan for the renewal of the National Parks and Wildlife Service (*not to exceed 145 minutes*)
- Garda Síochána (Compensation) Bill 2021 [*Seanad*] (Second stage, resumed, if not previously concluded) (*to be interrupted at 6.09 p.m., if not previously concluded*)

Thursday evening business shall be the Motion re Report entitled 'Report on the Detailed Scrutiny of the Education (Admissions to School) Bill 2020'.

Proposed Arrangements for this week's business:

In relation to Tuesday's business, it is proposed that:

1. the Motion *re* Thirteenth Report of the Committee of Selection shall be taken without debate;
2. the Motion *re* Proposed approval by Dáil Éireann of the Planning and Development (Street Furniture Fees) Regulations 2022 shall be taken without debate;
3. the Motion *re* Report of the Committee on Standing Orders and Dáil Reform on Amendments to Standing Orders correcting cross-references and other drafting amendments shall be taken without debate; and
4. notwithstanding the ordinary routine of business as contained in Schedule 3 to Standing Orders, the proceedings on Second Stage of the Garda Síochána (Compensation) Bill 2021

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[*Seanad*] shall be interrupted earlier than 6.12 p.m. to take private members' business, either at 4.50 p.m. or one hour after the conclusion of Questions to the Taoiseach pursuant to Standing Order 46(1)(a), whichever is the later.

In relation to Wednesday's business, it is proposed that:

1. the Statements on Just Transition shall not exceed 145 minutes, with arrangements in accordance with those agreed by Order of the Dáil of 30th July, 2020, for 135 minutes, following which a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed 10 minutes, and members may share time;

2. the proceedings on the resumed Second Stage of the Garda Síochána (Compensation) Bill 2021 [*Seanad*] shall, if not previously concluded, be interrupted either at 6.45 p.m. or 90 minutes after the conclusion of the Statements on Just Transition, whichever is the later, in order to take Report and Final Stages of the Defence Forces (Evidence) Bill 2019, which shall, in any event, be taken no earlier than 6.45 p.m.; and

3. the proceedings on Report and Final Stages of the Sick Leave Bill 2022 shall, if not previously concluded, be brought to a conclusion at 8.30 p.m. by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Tánaiste and Minister for Enterprise, Trade and Employment.

In relation to Thursday's business, it is proposed that:

1. the Statements on the Strategic Plan for the renewal of the National Parks and Wildlife Service shall not exceed 145 minutes, with arrangements in accordance with those agreed by Order of the Dáil of 30th July, 2020, for 135 minutes, following which a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed 10 minutes, and members may share time; and

2. notwithstanding the ordinary routine of business as contained in Schedule 3 to Standing Orders, the proceedings on the resumed Second Stage of the Garda Síochána (Compensation) Bill 2021 [*Seanad*] shall be interrupted earlier than 7.24 p.m. to take topical issues; if not previously concluded, the proceedings on the Bill shall be interrupted at 6.09 p.m.

An Ceann Comhairle: Are the arrangements for this week's business agreed to?

Deputy Mary Lou McDonald: They are not agreed. We had really shocking and devastating news from Westminster this morning for families and communities that have spent decades fighting for truth and justice for their loved ones who were lost in the conflict. The British Government proposes by close of business this evening to legislate for an end to families being able to take any civil actions or litigation and by the end of the year it will have blocked families from accessing inquests. Furthermore, it is proceeding with an amnesty for its troops.

This is an outrage. It is totally outside of international law. I have to say, it means definitively now the shredding of the Stormont House Agreement. It is to me akin to the actions of a rogue state.

An Ceann Comhairle: Thank you Deputy. It is just one minute.

Deputy Mary Lou McDonald: The British Government again acts unilaterally and refuses to implement that which is agreed. It refuses to work in partnership with anybody or with the Irish Government. Above all else, it treats families and survivors with utter contempt. I ask the Taoiseach to stand with the families today and to call out the actions of the British administration. In addition, I seek a facility for statements in this House this week on this pressing issue.

Deputy Richard Boyd Barrett: My four colleagues from People Before Profit and I have just come from the Palestinian embassy, where we signed the book of condolences for Shireen Abu Akleh, who was assassinated in cold blood by Israeli snipers during a criminal raid by Israeli forces on Jenin last week. Over the weekend, this new low by the apartheid State of Israel was surpassed with the absolutely bestial behaviour of Israeli forces attacking the coffin of Shireen Abu Akleh at her funeral and attacking the pallbearers, an act of such savagery that it is difficult to describe. This was a journalist doing her job, who was cut down and whose funeral was attacked.

At last week's meeting of the Business Committee, it was asked that there would be statements about this shocking murder and we thought we had Government agreement that there would be statements, because we need action to be taken to make Israel accountable for this murderous action and its actions over the weekend at Shireen's funeral.

Deputy Ivana Bacik: I certainly support that call, which is very important.

I seek statements over the course of the next few days in this House on delays in the processing of passport applications. I am not the only Deputy who has been inundated with calls, emails and other forms of contact from distressed constituents because of lengthy delays in the processing of passports, in many cases for urgent travel in the context of family bereavement abroad. It has become a matter of immense concern to us. We have corresponded with the Business Committee seeking statements on this issue. While we are conscious there are many other demands on the Dáil schedule, I ask that we might facilitate statements on this to see if we can find a way to resolve the issue. It is causing immense distress daily for many people across the country. It is not confined to any one constituency. There is a serious issue with the processing of passports.

Deputy Mattie McGrath: The World Health Assembly is meeting from 22 to 28 May, which is next week. If it amends the regulations, all the powers of this Parliament and other parliaments in respect of when a pandemic is called or when there is a national crisis will be signed away. If this happens, one unelected person at the World Health Organization will be able to decide there is a pandemic in a country without that country even knowing it. Will the Taoiseach or other members of the Government be attending the meeting? Can we have a debate on this most serious situation in this House of Parliament, which purports to be accountable to the people who elect us? Are we going to sign away all our rights to the WHO?

An Ceann Comhairle: To clarify, the Business Committee, in considering the brutal murder of the Al Jazeera journalist and the assault on her funeral, agreed we would also include, in any debate we would have, the murder in Ukraine of the Irish citizen journalist.

The Taoiseach: I thank the Deputies for raising the various concerns regarding the Order of Business as outlined this week. On the announcement today by the British Government, as I said earlier at the remembrance ceremony for the Dublin and Monaghan bombings, the 48th anniversary of the worst atrocity of that time, the Stormont House Agreement remains the agreed

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position of the two Governments and all the political parties. This unilateral departure by the United Kingdom is not welcome and I have made it consistently clear to the British Prime Minister on an ongoing basis that unilateralism does not work in respect of the full implementation of the Good Friday Agreement. People may have issues but I do not believe any serious effort has been made to implement the Stormont House Agreement. From that perspective, I have met quite a number of victims' organisations over recent months and I stand with the victims of all atrocities, not just those perpetrated by the British armed forces but all of them. Some terrible atrocities were committed and we need full accountability for all of them. That needs to happen as well. There were discussions between the British and Irish Governments through the British-Irish Intergovernmental Conference. Again, it is regrettable that this move has been made, apparently in the context of a domestic party political agenda, as opposed to the context of the broader issues. To be fair, I do not underestimate the challenges all around but, when you meet the victims and the different victims' organisations in respect of different atrocities, they are very clear that they want no amnesty. They want full accountability and for people to be brought before the courts, if possible, and to be prosecuted. That is the least they deserve.

To respond to Deputy Boyd Barrett, my understanding is that the Minister, Deputy Coveney, is not available for a debate this week. The Government is absolutely determined to hold such a debate in line with what the Ceann Comhairle has said. I share the Deputy's abhorrence of the aggression at the funeral. I could not comprehend that. It is important that we have such a debate to uphold the importance of a free and independent media in bringing honest and objective accounts of conflict situations to the world. We have witnessed this importance in Ukraine, where an Irish journalist lost his life endeavouring to bring the truth to the Irish public and the wider world through his work.

Deputy Richard Boyd Barrett: We will have a debate then.

The Taoiseach: We will have a debate but there is an issue with Deputy Coveney's schedule this week.

An Ceann Comhairle: Perhaps the Minister, Deputy Coveney, could clarify.

Minister for Foreign Affairs (Deputy Simon Coveney): To be helpful to the House, I would be very happy to have such a debate but I would like to be here for it, if that is possible. As Minister for Foreign Affairs, I have made some quite strong statements on both the killing and what happened at the funeral, which was disgraceful and should be condemned. I have no problem in doing that but I would like to be here for the debate. I believe it would be helpful to the House. I happen to be in Turin on Thursday and Friday of this week because Ireland is taking the chair of the Council of Europe. That is unavoidable for me but I would be happy to attend a debate early next week, if the House agrees.

The Taoiseach: Deputy Bacik raised the issue of passports. We could have a debate, perhaps next week, but there will not be time this week. An additional €10 million has been provided in budget 2022. Passport Service staff numbers have increased by more than 300 since June 2021. There is a recruitment campaign ongoing for temporary clerical officers. The competition is under way and, once complete, we will see staffing numbers of over 900 in the Passport Service, which represents a doubling of staff numbers since last summer. Some 460,000 passports have been issued in 2022 to date. In the same period in 2019, 355,000 were issued.

Deputy Simon Coveney: Some 5,000 are being delivered per day.

The Taoiseach: It is not actually a matter of delays but a matter of a higher volume of applicants. We can have a more extensive debate on that.

Deputy Ivana Bacik: It is a question of the impact on people.

The Taoiseach: Deputy Mattie McGrath raised the issue of the World Health Organization, WHO. I am a strong supporter of the organisation and believe we should increase and enhance its capacity to deal with pandemics. The World Health Organization is the body that calls pandemics, rather than national governments. There is a very good reason for that. Some governments in the world would never call a pandemic even if one was blowing right through their countries. I know that from previous experience. To put it another way, some are more tardy than others when it comes to admitting what is going on.

Deputy Mattie McGrath: The Taoiseach himself is not shy.

The Taoiseach: I am not shy at all with regard to pandemics. To be serious, one risk is that during the last pandemic, the previous President of the United States, Donald Trump, made efforts to undermine the WHO. That did not serve the world well.

An Ceann Comhairle: We are way over time now. Will the Taoiseach address Deputy McDonald's question? Where are we with regard to that debate?

The Taoiseach: I apologise. I suggest we hold one next week, if that is possible.

Deputy Mary Lou McDonald: Is there no space this week?

The Taoiseach: I am looking at the schedule but I just cannot see any.

Deputy Thomas Pringle: Will we sit for five days next week?

The Taoiseach: Would Deputy Pringle like to?

Deputy Thomas Pringle: It sounds like we will have to.

The Taoiseach: I am open to it.

Deputy Pádraig Mac Lochlainn: The Garda Síochána (Compensation) Bill 2021 appears again on Thursday's schedule so there may be time then.

The Taoiseach: We need the Minister for Foreign Affairs, who will not be here, because he has been engaged with the British Government on this issue.

An Ceann Comhairle: We are quite clear----

Deputy Mattie McGrath: The Taoiseach did not answer my question. Will he be travelling to the World Health Organization next week?

The Taoiseach: Was the question whether I am travelling?

Deputy Mattie McGrath: Yes.

The Taoiseach: No, I am not.

An Ceann Comhairle: We are way over time. Are the proposed arrangements for this

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week's business agreed to? Agreed.

I call Deputy McDonald who has one minute.

Deputy Mary Lou McDonald: Deputy Mairéad Farrell will put the question.

Deputy Mairéad Farrell: The housing crisis is crippling my generation. Thanks to the Government's policies, the possibility of owning a home or renting an affordable apartment has become a pipe dream rather than a legitimate aspiration. Young people in Galway, like those in most other counties in Ireland, are bearing the brunt of the crisis. The figures do not lie. According to research published by *The Times*, Ireland edition, the number of Airbnb listings in Galway is 1,574. This compares with the number of rentals available on *daft.ie*, which stands at just 44. Rents in Galway city and county have increased by 14% and 18%, respectively. It now costs €1,585 per month, on average, to rent a home in Galway city. The average house price in Galway is €335,000, with house prices having increased by 21%.

An Ceann Comhairle: The time is up, Deputy.

Deputy Mairéad Farrell: This is the reality of the Government's housing policy. It is devastating for my generation-----

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

Deputy Mairéad Farrell: -----and no amount of spin can change that.

The Taoiseach: This Government is in office only two years.

Deputy Mairéad Farrell: What has it done? There are only 44 rentals available.

The Taoiseach: Already, we have had the largest commencement in terms of new housing, of 35,000 units from March to March. It is the largest number of commencements since 2008.

Deputy Mairéad Farrell: Prices continue to increase.

The Taoiseach: Without doubt, housing is the biggest crisis facing the country. We had two lockdowns during the Covid crisis, which was a significant factor. However, I think the Deputy's party will have to stop objecting left, right and centre to developments here.

(Interruptions).

An Ceann Comhairle: Please, Deputy.

The Taoiseach: I am struck, for example, by how her party opposes every build-to-rent development in the Republic. It makes it a kind of issue of principle, whereas in Northern Ireland, the party has no difficulty in supporting the largest build-to-rent proposal put forward. The party supports build-to-rent housing in Northern Ireland but opposes it down here.

Deputy Eoin Ó Broin: That is because they do not have inferior design standards for apartment building there.

An Ceann Comhairle: This is not your question, Deputy Ó Broin.

Deputy Eoin Ó Broin: The Taoiseach is provoking me.

An Ceann Comhairle: Try not to be provoked.

The Taoiseach: We do not need that kind of hypocrisy in terms of housing policy.

(Interruptions).

An Ceann Comhairle: Deputies, please. We are way over time and people are not going to be called at the end. Will Members please have a bit of order? I call Deputy Bacik.

Deputy Ivana Bacik: On behalf of the Labour Party, I want to say how disappointed we are by, and, indeed, how much we deplore, the Cabinet decision taken today to proceed with the new National Maternity Hospital despite the real and substantial ongoing concerns around ownership, control and governance that we and others have expressed to the Taoiseach and the Government. We have engaged with the Minister for Health, Deputy Stephen Donnelly. I, along with many of my party colleagues, attended the rally on Saturday and saw the immense concern, distress and worry that many people feel about the fact the hospital is to be built on land that is not ultimately going to be in public ownership.

We in the Labour Party first raised the question of compulsory purchase five years ago, in 2017. Just today, I received clear figures from An Bord Pleanála as to the period for determining compulsory purchase orders, CPOs. In 2021, the average number of weeks to dispose all CPO cases was 24.72. From the beginning of January to the end of April this year, the average time to dispose all CPO cases was 20 weeks, which is just under five months.

An Ceann Comhairle: The time is up, Deputy.

Deputy Ivana Bacik: By taking that off the table, we have simply left the power and the leverage in the hands of the St. Vincent's Healthcare Group.

An Ceann Comhairle: The time is up.

Deputy Ivana Bacik: The Taoiseach would have had the Opposition united with him in delaying further to ensure better negotiation, that the land would be publicly owned, that the public National Maternity Hospital would be built on land that is in public ownership and that we do not repeat the mistakes of the past.

An Ceann Comhairle: Thank you, Deputy. I think we have rehearsed all of this fairly comprehensively.

Deputy Ivana Bacik: These are new figures on CPOs.

The Taoiseach: First, I think the Deputy should withdraw the word "deplore". What is she deploring?

Deputy Ivana Bacik: The ownership issue.

The Taoiseach: Does she deplore the building of a modern maternity facility with state-of-the-art facilities for women in the 21st century? I hope she withdraws those words in the future, when what emerges will be the very opposite of what she is suggesting. There are no issues around the public ownership of this hospital. It is a tenner a week for 300 years. There also is no issue in terms of its governance. The advice the Government has received is watertight in respect of guarantees around all services being provided.

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Deputy Holly Cairns: The current structure of the summer programme for children with complex needs is not working and only a minority of schools are running it. This leaves children who desperately need it without educational and developmental support for two months, which we know is detrimental to their progress and well-being. Despite pleas from parents, the Minister has been unwilling to change the programme so far. Responsibility for organising it is put on overstretched principals and teachers, while special needs assistants, SNAs, are disgracefully underpaid for this essential work. Last year, many of them were not paid until January for the July provision. Disgracefully, deeply worried parents have already given up on accessing the programme at all this year. Families are desperately asking for reform to ensure it is available in schools next year. I know this is a matter the Taoiseach fully supports, but will he commit to developing a new approach to ensure that all children who need it have access to a school-based summer programme?

The Taoiseach: This is a programme that the Minister is very committed to, so much so that up to €40 million is being made available to fund the programme. Forty million euro is a very significant sum of money-----

Deputy Holly Cairns: Less than 20% of students can access it.

The Taoiseach: -----which indicates a very significant degree of capacity as well. It will also address the needs of migrant students by addressing English language skills and integration. The funding provision enables schools to hire a co-ordinator or overseer for the programme, which means that principals do not have to take this role if they do not wish to do so. This position is paid at a higher rate for special schools in recognition of the greater complexity of organising the programme in the special school setting. The administrative burden for schools has been reduced by the creation of a centralised application system and by putting in place arrangements to pay staff sooner, with an online payments portal for schools. The Department has worked with schools to create better guidance documents for schools, explainer videos, webinars for schools and so forth.

Deputy Gino Kenny: Like me and most Members of the House, the Taoiseach will have been horrified by the cold-blooded murder of Palestinian journalist, Shireen Abu Akleh. To compound that misery, the Israeli Defence Force attacked sympathisers just for waving the Palestinian flag. Some 50 Palestinian journalists have been systematically murdered by the Israeli Defence Force over the past 20 years. Many people in this country will say that we have to go beyond condemnation and sanction the Israeli state on the basis of systematic murder, occupation and brutality. While the world looks on, lip service is paid in that regard. What is the Government going to do? We did it in the 1980s in respect of apartheid South Africa. Why can we not do it to apartheid Israel?

The Taoiseach: Again, I strongly condemn the killing of the Al Jazeera reporter, Shireen Abu Akleh, in Jenin on 11 May last. As I have said time and again, media freedom and the safety of journalists must be paramount and must be protected. We have called for an immediate impartial, independent and effective investigation. Ireland's representative in Ramallah attended Shireen's funeral. The excessive use of force by the police at her funeral was disgraceful and totally unacceptable. Through the European Union, bilaterally and directly, Ireland will continue to raise these issues. We are concerned about a range of things that are taking place. We issued a statement on 13 May on the construction of more than 4,000 new housing units in the West Bank. We are endeavouring to accelerate funding from the EU to Palestine. The delay is unacceptable at present.

Deputy Richard Boyd Barrett: What about sanctions?

Deputy Noel Grealish: I do not have a question on promised legislation. Instead, I welcome the Ukrainian students, who are pupils of Galway Community College, in the Visitors Gallery today. They asked their teacher Mr. Philip Cribbin if they could visit the Irish Parliament and asked me to read out a short note of thanks to the Irish Government and the Irish people for the heartwarming welcome they have received since they arrived here. Their message is as follows:

We would like to thank Galway Community College, the Irish government and its ... people for [the] warmth, support and hospitality we have received since we arrived [in Ireland]. When we return home we believe that what we have learnt and experienced in Ireland will help us create a positive new chapter in the history of Ukraine where we will work to rebuild our country's economy, infrastructure and our lives. A piece of our hearts will always be Irish. *Slava Ukraini* and *Míle buíochas* to the Irish people.

An Ceann Comhairle: Thank you for doing that, Deputy Grealish.

The Taoiseach: I thank the Deputy for so eloquently articulating the emotions and the message from the Ukrainian students at Galway Community College.

3 o'clock

We thank the college and the people of Galway for welcoming the students so warmly, as they have articulated. On behalf of the Irish people, I also thank the students for bringing insights to us and for shining a light on what has happened to both their families and their people in Ukraine. Our students will be much the better for the experience of meeting with the Ukrainian students and sharing their classrooms and school with them. They have enriched us, and we thank them for that.

Deputy Mattie McGrath: The Government's Housing for All plan is inappropriately named. It estimates that 7,550 affordable houses will be built before 2026 using State-owned land. Not one single house will be built in Tipperary. We have an acute housing crisis in Tipperary, from Carrick-on-Suir right up to Moneygall. My office, like everyone else's, is inundated. The Rev. Fr. Michael Toomey was on the radio this morning. He has written to the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien. I ask the Taoiseach to ask the Minister to meet a deputation of Oireachtas Members for Tipperary because what is happening is unfair and unjust. The Government calls the plan Housing for All, but it is a shambles. Even all the emergency accommodation is full. People will not be entertained by the council until they are evicted, and then there is a crisis, every hour of every day. That is simply unbelievable in a rural county, but that is the way it is. The Government should rename the plan because it is certainly not Housing for All. That is an inappropriate name. It is an insult to the people who are begging for housing.

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

Deputy Mattie McGrath: There was a man outside the gates last week from Bandon in west Cork singing "Everyone Should Have a Home". I salute him, but the homes are not there.

An Ceann Comhairle: I thank the Deputy. The time is up. I call on the Taoiseach to respond.

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The Taoiseach: The Housing for All strategy is the most comprehensive and substantive policy-----

Deputy Mattie McGrath: Not one house has been built.

The Taoiseach: -----that has been outlined in quite some time. It is backed up by resources of €4 billion per annum. The Deputy might check, and I will check, to see what the situation is in regard to Tipperary County Council-----

Deputy Mattie McGrath: I did.

The Taoiseach: -----engaging with the Minister in respect of affordable housing in particular. There is a strong pipeline of social housing this year, because of the focus we have put on that, but there is also provision for a wide range of affordable home schemes as well. I have no issue in working with the Deputy and with other Deputies. The Minister is in touch with all of the Deputies in Tipperary on a consistent basis in respect of housing issues.

Deputy Thomas Pringle: Last week, we heard of the terrible murder of well-respected international journalist, Shireen Abu Akleh. This was a deliberate and targeted murder by Israeli occupation forces that violated international law. We did not see the opening of borders or the allocation of accommodation for Palestinian people fleeing conflict. We did not see Israel excluded from the Eurovision Song Contest along with Russia, despite its war crimes. We did not see the same media outcry regarding the Israeli occupation forces shocking attack at Shireen's funeral procession. This is not good enough. We need to do much more to assist and stand up for the people of Palestine, who are suffering under Israeli occupation.

Will the Taoiseach commit to treating all refugees fleeing war with the same compassion, and will he at least urge the United States' Government to end its \$3.8 billion annual funding to the Israeli military and campaign against the EU support for the Israeli regime?

The Taoiseach: Deputy Pringle should acknowledge the European Union support of Palestine, which is very strong.

Deputy Thomas Pringle: Does it equal the support for the Israelis?

The Taoiseach: I just note the partisan management of the presentation in terms of the European Union. The European Union is the biggest donor to Palestine, and it strongly supports the United Nations Relief and Works Agency, UNRWA, as does the Government, which is the most effective and important relief organisation for Palestinians. That all gets forgotten in the presentation.

Equally, Ireland has continued to meet its obligations in respect of refugees from all conflict areas, as it has done in the past, including Syria. The war in Ukraine is the worst historical humanitarian crisis since the Second World War. I am not saying that; the United Nations is saying it. Hence, the unprecedented nature of the effort that is being made.

Deputy Cormac Devlin: The Taoiseach will be aware that medical scientists in many HSE hospitals are due to strike tomorrow, which will have implications for patients and hospitals alike. Medical scientists provide 24-7 services in hospitals, and most of them have a science degree or a master's qualification. The action is in frustration over long-running pay and career development issues that are affecting recruitment and retention in the sector. The medical scientists will of course provide emergency cover, but elective surgeries will likely be impacted.

Many of these patients have been waiting years for surgery. One multiple sclerosis patient who is attending the National Orthopaedic Hospital Cappagh is terrified that he will lose a hip replacement appointment for tomorrow. I ask the Taoiseach to raise this issue as a matter of urgency with the Minister for Health, ask for a fair settlement for medical scientists and ensure that any patients who are impacted will have their procedures rescheduled to the earliest possible date.

The Taoiseach: I thank Deputy Devlin for raising this important issue. I recognise the hugely important work and role of medical scientists in the proper functioning of our health system. I pay tribute to the dedication, professionalism and commitment of all medical scientists throughout the country.

The Medical Laboratory Scientists Association, MLSA, has a long-standing concern regarding to the pay and career structure of the medical scientist grade. It wants pay parity between medical scientists and clinical biochemists. Health sector management has been engaging with the MLSA regarding these issues under the existing public service agreement. The important point here is that the public service agreement group, which comprises union and Civil Service representatives and which has an independent chair, met on 11 May to consider this matter. They recommended that matter would be immediately referred to the Workplace Relations Commission, WRC, and that industrial-----

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

The Taoiseach: -----peace would be maintained in the meantime. While the MLSA has agreed to engage at WRC, it has not agreed to lift its strike action, which is in breach of Building Momentum. I would appreciate it if - and I ask again that - the strike action be lifted in order to allow the process take its course.

Deputy Francis Noel Duffy: The Climate Action and Low Carbon Development (Amendment) Act 2021 commits Ireland to a legally binding target of climate neutrality or a climate-neutral economy by no later than 2050 and a reduction in emissions of 51% by 2030. The construction and built environment sector accounts for approximately 37% of Ireland's carbon emissions. This equals the level of emissions from agriculture. Some 14% of this is attributed to embodied carbon emissions, namely, the emissions from mining, quarrying, transporting and manufacturing of building materials, as well as from repairing, renovating and disposing of those building materials at their end of life. In order to fulfil our obligations under the Climate Action and Low Carbon Development (Amendment) Act 2021, to reduce carbon emissions and to reduce the climate catastrophe that we have been warned about, the State needs to introduce carbon limits for our built environment. We are lagging behind other EU countries. They are far ahead of us in measuring embodied carbon and in introducing carbon limits-----

An Ceann Comhairle: The Deputy's time is up.

The Taoiseach: The wider Government agenda includes the setting of carbon emissions targets and sectoral carbon budgets. All sectors of the economy, including that relating to the built environment, will have to make a contribution in respect of the State's overall obligation, under law, to reach those targets. Carbon that is embedded in the built environment will also have to be accounted for. That whole area has to respond, just like every other sector of the economy. It will prove challenging.

Deputy Chris Andrews: A Palestinian journalist, Shireen Abu Akleh, was executed by

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apartheid Israel. Israel knew that the eyes of the world were on it. Yet, it still executed Shireen. The Government has condemned this act, but what is the point of condemnation without consequences? It is because of the reluctance of the Government and the EU to impose consequences on Israel for its terror, that the latter carries out acts like the execution of a journalist. The reality is that the Government is complicit in the murder of Shireen. That is because Ireland stands and watches. Ireland's acts allow Israel to act with impunity in carrying out these acts of terror. What will the consequences be for apartheid Israel for executing a journalist?

The Taoiseach: I ask that the Deputy withdraw the remark that the Government is complicit in the murder of Shireen Abu Akleh. That is a disgraceful remark.

(Interruptions).

Deputy Chris Andrews: The Government did nothing to prevent it.

An Ceann Comhairle: Let the Taoiseach answer.

The Taoiseach: Through the Chair. that is a disgraceful remark.

Deputy Chris Andrews: What has the Government done to-----

The Taoiseach: Ireland, under successive Governments, has done more than most countries. I have been there, because I served as Minister for Foreign Affairs. Ireland has been one of the strongest European Union countries in condemning Israeli activity.

Deputy Chris Andrews: What are the consequences?

The Taoiseach: Not only that, we have challenged Israel at a variety of international fora, not least the United Nations Security Council. The Secretary General of the UN pulled me aside last year when he was addressing the European Council to thank me for Ireland's role in holding Israel to account at the highest international level. It is just not good enough when Deputies come into the House and throw these statements around like confetti.

An Ceann Comhairle: I thank the Taoiseach. I call Deputy O'Dea.

Deputy Willie O'Dea: Just four months ago, an English career criminal, Logan Jackson, was sentenced to life imprisonment for the murder of young man in Limerick. That young man had an outstanding sporting background and had a great future ahead of him. It now transpires Mr. Jackson has sought permission to be relocated to the United Kingdom to serve the balance of his sentence. The family of the victim are traumatised and scandalised by this development and the very thought this request could be acceded to, when the guy is only four months into his sentence. Their outrage is shared by thousands of people throughout the Limerick region who have signed a petition to that effect.

I ask and implore the Taoiseach to speak to the Minister for Justice, Deputy McEntee, to urge her to refuse this request. It is cruel and perverse to add to the suffering of a family that has already suffered so much. It is farcical that a benefit should be conferred on somebody who has committed a crime almost unparalleled in its viciousness and barbarism.

The Taoiseach: I thank the Deputy for raising this issue. I am conscious of the trauma that can be imposed on a family in situations like this, where those who have murdered their loved

ones can get what could be seen as preferential treatment in being moved or relocated four months after sentencing. I will talk to the Minister for Justice regarding this because we have to bear in mind how families feel about these situations, and those relating to parole, especially those who have been victims of horrific crimes and whose loved ones have been taken from them in the most violent of manners.

An Ceann Comhairle: We are now out of time. I ask Deputies to limit their questions to about 30 seconds. We will take three at a time.

Deputy Patricia Ryan: The pandemic bonus payment has been announced and re-announced a number of times at this stage. When will the payment be made? Who will qualify? Will it be paid to employees of section 38 and section 39 organisations, and employees of groups operating under section 10 of the housing Act?

Deputy David Stanton: Many schools have enrolled students from Ukraine. They are happy to do so, but there are issues regarding the need for interpreters, the need for more hours for English as an additional language and more special needs assistants and special education teachers. Can anything be done to assist?

Deputy Ged Nash: The medical scientist dispute is 21 years in the making. I noted the Taoiseach's earlier reply to Deputy Devlin. The Medical Laboratory Scientists Association, MLSA, has proposed some innovative solutions to this dispute at the Workplace Relations Commission, WRC, over the last period. It is in the WRC at present. In my view, the HSE and the Department of Health want to resolve this issue but those standing in the way are represented by the Department of Public Expenditure and Reform. I ask the Taoiseach to send a clear message to the HSE, the Department of Health and the Department of Public Expenditure and Reform to do all they can at this late hour to enable a resolution to this dispute because tomorrow's action is utterly avoidable.

An Ceann Comhairle: Will the Taoiseach take those three questions?

The Taoiseach: Yes. My understanding is the pandemic bonus payment has commenced. I will follow up on the issuing of it more broadly with the Minister for Health.

On Deputy Stanton's issue, I thank all the schools for the work they have been doing in taking in so many children from Ukraine in so quick a time. Clearly, resources are required in respect of interpreters and English language teaching. To be fair, we are getting closer to the end of the school term. Certainly, we will need to have that situation organised more effectively by the autumn session. There has been an absorption period since Ukrainians arrived in the country but we have to make sure we have comprehensive provision in respect of that.

I believe a process is in place in which MLSA are participants. It is important all sides work with conviction to bring the matter to a conclusion. I ask for the strike action perhaps to be lifted pending the outcome of this particular phase of talks.

Deputy Patrick Costello: It is Bike Week. Can we expand the bike to work scheme to people who are not PAYE workers, to the self-employed, the unemployed, pensioners and students? A shift to a subsidy- or voucher-based scheme would bring in many people who currently are not eligible for it and it would be a very good thing to announce during Bike Week.

Deputy Denis Naughten: The programme for Government commits to maintaining the

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right of a social housing tenant to purchase his or her home. However, purchase of a Part V local authority home is not permitted under the tenant incremental purchase scheme, which came into operation on 1 January 2016 to allow tenants to buy their homes. Where tenancies predate the regulations, tenants were never informed they would never be able to purchase their homes. I ask that the current review taking place takes this particular cohort of individuals into account.

Deputy Carol Nolan: We still have ongoing challenges in the private forestry sector. The target for licences for private landowners was reached in only one month out of the past 11. The Social Economic Environmental Forestry Association of Ireland has highlighted the fact there is a queue of 400 licences, none of which has been approved in the past five weeks. I ask the Taoiseach to take urgent action because this is very unfair on the private forestry sector. We need urgent action. What actions will he take to improve this situation?

The Taoiseach: Deputy Costello's idea is excellent. I will talk to the Ministers with the purse strings but some innovation would be a good idea. We should expand that scheme, where possible.

On the matter raised by Deputy Naughten, I will talk to the Minister in respect of the review. We are anxious and are now adding to the additional social housing stock at a considerable scale to build up a sufficiency of stock so we will have enough into the future to make sure we do not have the emergency situation we had some years ago, where people were not in a position to access emergency accommodation.

Forestry licensing in 2021 was 56% higher than 2020, with 4,000 licences issued compared to 2,592 in 2020. That said, we want to get take-up. The allocation for forestry this year is approximately €100 million. We want to make sure as many trees as possible are planted. That is key. On commercial forestry, the availability of a significant volume of timber, approximately 8.5 million cu. m, stabilised supply to the processing sector in 2021. That was the highest volume ever issued in a single year but there is still work to be done. I will not be happy until I see much greater levels of plantation and afforestation.

Short-term Lettings Enforcement Bill 2022: First Stage

Deputy Eoin Ó Broin: I move:

That leave be granted to introduce a Bill entitled an Act to amend section 38 of the Planning and Development Act 2000 (as amended) to require estate agents and online platforms to only advertise properties that are compliant with the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019.

As Deputies know, the crisis in the private rental sector continues to spiral out of control. Month on month, the number of properties available to rent shrinks as large numbers of accidental and semi-professional landlords exit the market. Meanwhile, the cost of renting a home, particularly a new rental, is increasing. We now have the highest level of rents in the private rental sector in the history of the State. Unfortunately, in many instances, there is strong evidence to show that, for some existing and some new tenants, landlords are breaching the rent pressure zone regulations by imposing rents of above 2% on existing and new tenants.

One of the most serious consequences of this contraction of the private rental sector is the

increasing number of single people and families with children presenting as homeless. Vacant possession notices to quit from landlords selling their properties account for more than 50% of all notices to quit and, according to the Dublin Region Homeless Executive, are driving the nine month month-on-month increase in single and family homelessness. At the same time, the long-promised investment in large-scale affordable cost rental has failed to materialise. Just 65 such units were delivered by the Government last year. We may get 500 plus of such units delivered this year by approved housing bodies and as yet an unquantifiable number of units may be delivered by the Land Development Agency, but what new rental stock is coming into the market is, by and large, high-end, high price and low-design standard build to rent. Why the Government thinks renters should have inferior design standards for their apartments, including less natural light, less space, less car parking and higher densities, is beyond me.

One of the additional strains on the private rental sector is the failure of the last Government's regulations for the short-term letting sector to be fully implemented. There was very considerable debate in this House in 2016, 2017 and 2018 around the issue of short-term letting and its impact on long-term rental supply, especially in our large urban areas. The Oireachtas Joint Committee on Housing, Local Government and Heritage published a report in 2017 containing unanimous recommendations for the then Government to regulate the short-term letting sector. The then Minister for Housing, Planning, Community and Local Government, Deputy Simon Coveney, was slow to respond but his successor, Eoghan Murphy, to give him some credit, did eventually regulate the short-term letting market in 2019. The regulations were in line with the joint committee's recommendations but they had one weakness: enforcement was to rely on the planning system and standard planning enforcement through the courts. Figures released to me by a variety of local authorities in Dublin, Sligo, Cork and Galway show that the level of enforcement of and compliance with the regulations is exceptionally low. According to media outlets this week, in every county in the State the number of available short-term lets far exceeds the number of available long-term lets. Yesterday in Dublin, for example, there were 2,704 short term lets advertised on Airbnb but only 436 long-term rentals. It is the same right across the State.

The Bill is very simple but would be a very useful tool in ensuring full compliance with the law. The law currently states that if a person is letting out his or her property for less than 90 days a year, he or she requires a letter of exemption from the local authority. Anyone letting out their property for 90 days of the year or letting out a second property needs planning permission or a change-of-use planning permission retention. The overwhelming majority of properties currently listed on Airbnb are not compliant with either of these rules. My Short-Term Letting Enforcement Bill 2022 would first make it an offence under the Planning and Development Acts for any estate agent or short-term letting platform to advertise a property which is not compliant with the planning regulations. More importantly, it would give the local authority or planning authority to power to impose spot fines by way of regulation by the Minister on such estate agents or platforms that allow their sites to be used to advertise non-compliant properties.

This Bill will ensure that anyone engaged in short-term letting will abide by the law. It would be a very reasonable proposition in ordinary times. Given the growing strain on our private rental sector, however, it is absolutely urgent now. It is unacceptable, whether it is Airbnb or any other platform, to profit from the advertisement and letting of properties that are not compliant with planning law. It is Sinn Féin's intention to introduce the Bill by way of Private Members' time in the coming weeks. I commend the Bill to the House.

An Ceann Comhairle: Is the Bill being opposed?

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

Question put and agreed to.

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

Deputy Eoin Ó Broin: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Consumer Rights Bill 2022: Referral to Select Committee

An Ceann Comhairle: On Wednesday last, the motion to refer the Consumer Rights Bill 2022 to the relevant select committee was not moved. I understand it is proposed that the Bill be referred to the Select Committee on Enterprise, Trade and Employment pursuant to standing orders 95 and 181.

Minister of State at the Department of the Taoiseach(Deputy Jack Chambers): 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.

Thirteenth Report of the Standing Committee of Selection: Motion

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

That Dáil Éireann approves the Thirteenth Report of the Standing Committee of Selection in accordance with Standing Order 34, copies of which were laid before Dáil Éireann on 12th May, 2022, and discharges a member and appoints a member to a Committee accordingly.

Question put and agreed to.

Planning and Development (Street Furniture Fees) Regulations 2022: Motion

The Taoiseach: I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development (Street Furniture Fees) Regulations 2022,

a copy of which has been laid in draft form before Dáil Éireann on 21st April, 2022.

Question put and agreed to.

Report of the Committee on Standing Orders and Dáil Reform: Motion

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

That the Standing Orders of Dáil Éireann relative to Public Business be amended as recommended in the report of the Committee on Standing Orders and Dáil Reform dated 10th May, 2022, entitled “*Amendments to Standing Orders correcting cross-references and other drafting amendments*”, a copy of which was laid before Dáil Éireann on 11th May, 2022.

Question put and agreed to.

Ceisteanna - Questions

Taoiseach’s Meetings and Engagements

1. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [20608/22]

2. **Deputy Paul Murphy** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [20610/22]

3. **Deputy Ivana Bacik** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [22899/22]

4. **Deputy Mick Barry** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [23441/22]

5. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [24324/22]

6. **Deputy Seán Haughey** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [24475/22]

7. **Deputy Paul McAuliffe** asked the Taoiseach if he will report on his recent visit to Finland and Estonia. [24569/22]

The Taoiseach: I propose to take Questions Nos. 1 to 7, inclusive, together.

My visit to Finland and Estonia on Friday, 8 April, included meetings in Helsinki with the President Sauli Niinistö and the Prime Minister Sanna Marin and in Tallinn with the Prime Minister Kaja Kallas.

Our discussions focused mainly on the impact of the war in Ukraine, including on security and defence, energy policy, and the continuing humanitarian crisis. Because of their history and location, Finland and Estonia offer significant insight on Russia’s military aggression, which EU leaders have condemned since the start of the war as immoral and unjustifiable. I made clear that while Ireland is a militarily neutral country, we are not politically neutral in the face of war crimes.

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I also discussed EU neighbourhood policy with President Niinistö and other current European Council issues with both Prime Ministers, including climate change, digital transformation, and the EU's relations with the UK. I thanked both Prime ministers for the support and solidarity from Finland and Estonia throughout the Brexit process, and briefed them on the political situation in Northern Ireland.

While in Tallinn, I also visited the Cooperative Cyber Defence Centre of Excellence, which plays an important role in enhancing Europe's capacity to deal with cyber threats, and the e-Estonia Briefing Centre, which focuses on e-health.

Ireland and Finland mark 60 years of diplomatic relations this year. Last year marked 30 years of diplomatic relations with Estonia.

An Ceann Comhairle: There will be one minute for questions, and we will go back and forth.

Deputy Richard Boyd Barrett: I find the timing of the Taoiseach's visit to Finland and Estonia interesting because this weekend sees the biggest NATO military exercise in decades, which was planned before the war in Ukraine, taking place in Estonia involving Finland and Sweden, countries which are now planning to abandon their neutrality. That is the decision for them. It is interesting, however, that in advance of the war in Ukraine, NATO was planning massive military exercises, which it is now carrying out all over eastern Europe. We must all rightly continue to condemn the unjustifiable, brutal and murderous aggression of Putin but as a neutral country do we have nothing to say about this growing move into essentially dividing Europe into two armed military camps which are sidelining up against each other in a pretty alarming way?

An Ceann Comhairle: I thank the Deputy.

Deputy Richard Boyd Barrett: Has the Taoiseach any thoughts-----

An Ceann Comhairle: We will hear the Taoiseach's thoughts if the Deputy gives him a chance to reply.

Deputy Richard Boyd Barrett: -----about the fact that Ireland, on foot of its position as a neutral state, should warn against this military escalation?

Deputy Paul Murphy: The Government of Finland, along with the Government of Sweden, has just announced its intention to ditch its neutrality and apply to join NATO. The latter is a US-led military alliance that is responsible for decades of brutal occupation in Afghanistan and horrendous atrocities in the Middle East. During the war in Kosovo, it bombed hospitals, prisons, embassies and many people's homes. The political establishments in Sweden and Finland have used the horrendous Russian invasion of Ukraine to drive a pre-existing agenda of joining NATO. This is a classic example of what Naomi Klein called a shock doctrine, the purpose of which is to use a real crisis to drive a pre-existing agenda. The same shock doctrine is on display here and is reflected in the Taoiseach's comments that neutrality is a policy issue that can change at any time.

The Taoiseach: I thank the Deputy.

Deputy Paul Murphy: If he had a free hand, I am of the view that the Taoiseach would like to sign Ireland up to NATO. However, he knows that he does not have a free hand so instead he

wants to chip away bit by bit at what is left of our neutrality. Will he commit to giving people a referendum to enshrine neutrality in the Constitution in order to stop it from being a policy matter that can be changed?

Deputy Ivana Bacik: We have all been conscious of the *volte-face* by Finland and Sweden in announcing that they would enjoy join NATO. I take this opportunity to restate Labour's support for the principle of military neutrality in Ireland. There is immense public support for neutrality in Ireland, and I do not think there is any suggestion of a similar move here. We would be very strongly opposed to it. In the face of brutal Russian aggression and Russia's invasion of Ukraine, however, as an internationalist party, we want to express our support and solidarity for the people of Ukraine and our condemnation of that Russian aggression. Military neutrality does not mean political or moral neutrality in the face of brutal and unprovoked aggression on the part of a state acting in an imperialist and militaristic sense, as Russia has done in invading Ukraine. That is a view the Irish people share. That is why there is such immense support for the solidarity we have shown in bringing Ukrainians here and in supporting Ukraine in any non-military way that we can.

Deputy Mick Barry: Supporters of the militarisation of Europe were in full voice at the recent Conference on the Future of Europe. Emmanuel Macron, Ursula von der Leyen and others linked what they saw as the need to militarise with changes to the European treaties, including an end to unanimity clauses. Where is the Government in this debate? Will the Taoiseach support a two-tier Europe and if so, which tier does he want Ireland to be in? Will the Taoiseach support a convention for a new treaty when the issue inevitably arises at the European Council in June? Any removal of powers from the Irish State to the EU will require a referendum and if the Taoiseach was to support and advocate for that referendum, then it would be far from certain that he would win. Is the Taoiseach in favour of such a move and will he comment on these issues?

Deputy Darren O'Rourke: The NATO Cooperative Cyber Defence Centre of Excellence in Tallinn is staffed and funded by 34 countries, including Ireland, which is classed as a sponsoring nation. The central steering committee consists of one voting representative from each of the sponsoring nations, the membership status available to what are termed as "NATO allies". Can the Taoiseach clarify if Ireland is represented at the steering committee meetings that are held biannually and if our participation in and funding of the centre has any implications for Ireland's policy of neutrality? Could the Taoiseach outline what support this centre has provided to Ireland's National Cyber Security Centre, NCSC? As we know from the capacity review completed last year, the NCSC requires both legislation and substantial additional investment.

Deputy Seán Haughey: Security and defence matters loomed large in the Taoiseach's discussions with the Prime Ministers of Finland and Estonia following the Russian invasion of Ukraine. It is Putin and his actions that are dividing the world into blocks once again and, as we know, Finland and Sweden have applied to join NATO. This will leave Austria, Malta and Ireland as the only non-aligned nation states in the EU. The Russian invasion has sparked a debate at home on Ireland's traditional policy of military neutrality. Each neutral state has its own unique history and circumstances and Ireland should not join NATO but we should be actively involved in the evolving EU common security and defence policy and in the so called strategic compass. This is compatible with our peacekeeping tradition, our commitment to nuclear disarmament and non-proliferation and our commitment to the promotion of fundamental human rights. It also highlights our solidarity with the EU and with fellow EU member states. Will the Taoiseach outline to the House the security concerns of the Prime Minister of Finland which

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were conveyed to him? Can the Taoiseach speculate as to why Finland sees the need to join the US-led North Atlantic Treaty Organization?

Deputy Paul McAuliffe: The Opposition was surprised at the timing of the Taoiseach's visit to two countries on the edge of the Russian Federation at a time when it has invaded another one of its neighbours. I am not at all surprised and the timing was correct. Today's vote in the Finnish Parliament to join NATO, by 188 votes to eight, is a sudden move but it is understandable from a Finnish perspective. While Ireland may not be on the border of Russia in terms of military activity, we are on the borders when it comes to cyber activity and the attack last year is something everybody in this country was concerned by. Will the Taoiseach outline what the Government learned from the trip? In particular, what did the Government learn about the NATO Cooperative Cyber Defence Centre of Excellence, which was mentioned by others, and about the European Centre of Excellence for Countering Hybrid Threats in Finland? While ruling out any decision to join NATO, I would like to see the Government continue to be involved in these type of centres, which prevent cyber activity and threats to our democracy.

The Taoiseach: Deputy Boyd Barrett again chose his words carefully. When he suggested that the timing was interesting the clear implication was that I was going there because of NATO and Finland's application to join it, which was not the case at all. Both countries offer significant insights and they are both members of the European Union, by the way. I hope there is no problem with visiting fellow member states of the European Union. They are not the Swedish establishment or the Finnish establishment; they are the elected governments of those countries.

Deputy Paul Murphy: The establishment parties.

The Taoiseach: That language, or the word "establishment", conveys that there is some sort of elite there that has no connection with anybody. Those governments are elected and I met the elected governments.

Deputy Paul Murphy: Like the Taoiseach is elected.

The Taoiseach: No country has navigated an extraordinary relationship with Russia over such a long period of time peacefully and in co-existence more than Finland has. The Prime Minister of Finland told me that everything they were taught during their school days about the potential fear and threat of what could happen was realised in the invasion of Ukraine. Given that it is physically on the border of Russia there is a fundamental question that begs to be answered, namely, who will come to protect them if Russia invades. No one is obliged to do so. There is a mutual assistance clause in the European Union which is not as well defined as the NATO provisions are for a country like Finland. Ukraine is not in NATO and it is defending itself. Ukraine is getting support and weaponry from outside but it is young Ukrainian men who are on the front line.

The Deputies should never take from the fact that the reason Finland and Sweden are applying for NATO membership is the immoral and unjustifiable invasion of Ukraine by Russia. There is no other rationale for it. That has been the clear catalyst for their applications and I would not call it a shock doctrine or say that people are delighted that they can now join NATO. That is not it and public opinion has changed dramatically. As Deputy McAuliffe said, the vote in the Finnish Parliament is indicative of the degree to which public opinion has shifted in both countries because of what has happened. What is happening is barbaric by any standard and

entire towns and cities are being levelled in Ukraine. If you are near the border or on the border you have a different perspective; that is the reality of life and it is human nature.

I do not buy the argument that NATO planning major exercises is somehow comparable with what is happening in Ukraine. It is not and NATO has attacked nobody.

Deputy Richard Boyd Barrett: It has.

The Taoiseach: NATO has not attacked anybody.

Deputy Richard Boyd Barrett: It has.

The Taoiseach: NATO did not bomb any town or city.

Deputy Paul Murphy: It has. Not now-----

The Taoiseach: This whataboutery and attempt by Deputies Paul Murphy and Boyd Barrett to have equivalence-----

Deputy Paul Murphy: This is whataboutery.

The Taoiseach: -----between NATO and Russia's behaviour is unacceptable and wrong because NATO and NATO states like France and Germany did everything they possibly could to prevent war prior to it breaking out. I would make the same point to Deputy Barry. There is no militarisation of Europe but it will not be foolish in the face of Russian aggression against Europe.

Deputy Mick Barry: Talk to Mr. Macron.

The Taoiseach: Deputies O'Rourke and Haughey mentioned cybersecurity. I do not know whether Deputy O'Rourke is for us participating in this security centre. He is. The NATO Cooperative Cyber Defence Centre of Excellence is a multinational and interdisciplinary hub of cyber defence and it is located in Tallinn. It is staffed and financed by member nations and it is not part of NATO's military command or force structure. We applied for contributing participant status in November 2019 and the formal process to finalise accession is expected to conclude later this year. A member of the Defence Forces has been on secondment there as a national expert since November 2020. Our national expert works in the cyber operations branch and currently undertakes research on cybersecurity, cyber defence, planning processes and cyber threat intelligence gathering. Officials from the NCSC also engage in training provided by the centre.

I agree with Deputy Haughey's perspectives. It was Fianna Fáil that led Ireland to joining the Treaty on the Non-Proliferation of Nuclear Weapons so we have a strong commitment to nuclear non-proliferation as a political party. We see that as a positive part of our military neutrality to date. Neutrality is a policy question. If we were to join a European defence pact that would be a matter for a referendum because the Constitution would have to be changed to facilitate that. We should have a reflective and informed debate and I have suggested the citizens' assembly as a way we could do that.

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Cabinet Committees

8. **Deputy Cian O’Callaghan** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [22094/22]

9. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee that deals with transport will next meet. [22875/22]

10. **Deputy Bernard J. Durkan** asked the Taoiseach the extent of any recent changes to the national risk assessment; and the action taken arising from same. [22928/22]

11. **Deputy Ivana Bacik** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [22900/22]

12. **Deputy Cian O’Callaghan** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [23380/22]

13. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [24523/22]

14. **Deputy Paul Murphy** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [24526/22]

15. **Deputy Mick Barry** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [24529/22]

16. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee that deals with transport will next meet. [24530/22]

17. **Deputy Paul McAuliffe** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [24570/22]

18. **Deputy Jennifer Murnane O’Connor** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [24572/22]

19. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will provide and update on the national risk assessment. [24774/22]

20. **Deputy Paul Murphy** asked the Taoiseach if he will provide and update on the national risk assessment. [24777/22]

21. **Deputy Cian O’Callaghan** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [24808/22]

The Taoiseach: I propose to take Questions Nos. 8 to 21 together.

The housing and infrastructure unit supports me and the Government in building a successful society and economy through sustainable economic development with a particular focus on housing and infrastructure policy. This includes supporting the work of the Cabinet committee on housing which oversees the delivery of Housing for All. The unit monitors implementation of Housing for All and prepares quarterly progress reports. The most recent of these, for quarter 1 of 2022, was published in April and shows strong progress towards fundamental reform of the housing system, and the implementation of measures to increase the supply of quality and

affordable housing.

While we are seeing good progress and we are confident of good progress on housing delivery in 2022, we recognise that there are many challenges to be overcome, including ongoing inflationary pressures and supply chain issues. Given the need for accommodation arising from our humanitarian response to the situation in Ukraine, delivering on the plan is more important than ever. The Cabinet committee will maintain focus on this delivery.

As part of the broader economic division, the unit also maintains an overview of progress in key policy areas in line with Government priorities and provides me with briefing and speech material on relevant policy issues.

The unit also develops the national risk assessment, which plays an important role in promoting an open and inclusive discussion on the strategic risks facing the country. The national risk assessment for 2021-2022 was published in December. Many of the risks in the report have been identified in previous assessments. However, there are a number of new risks, including inflation, and a number of previously identified risks, including housing and cybersecurity, which have evolved considerably. This is at the same time as major risks, in particular climate change, have taken on an even greater importance.

The report also identifies major geopolitical risks, including the rise of a multipolar world, Ireland's post-Brexit relationship with the United Kingdom and the risk of armed conflict as we are now seeing to horrendous effect with the Russian invasion of Ukraine. The national risk assessment is just one element of the overall system of preparedness and resilience planning for Ireland and is not intended to replicate or displace the detailed risk management and preparedness which takes place across Departments and agencies.

There is no dedicated Cabinet committee dealing with transport; rather transport-related matters are discussed in a number of Cabinet committees, as appropriate. This occurs most usually at the Cabinet committee on economic recovery and investment, and at the Cabinet committee on the environment and climate change. As with all policy areas, transport issues are also regularly discussed at full Cabinet meetings where all formal decisions are made.

Deputy Cian O'Callaghan: The Minister for Finance said that the local property tax returns show low levels of vacancy across the country. The comments from the Minister do not reflect the reality in communities. In Cork city, Jude Sherry and Frank O'Connor have identified 700 derelict properties located within 2 km of the city centre. Data from the national Geo-Directory show at least 90,000 vacant homes and 22,000 derelict homes. Does the Taoiseach accept that the returns from the local property tax are flawed and do not reflect the amount of vacancy that actually exists? Does he accept a survey that was not completed by 380,000 households is not a good source of data on this? When will the Government introduce a tax to bring vacant homes back into use?

Deputy Darren O'Rourke: In response to questions raised by my colleague Deputy Mac Lochlainn last month, the Taoiseach agreed to engage with the Minister for Transport on the restoration of Government funding to the City of Derry Airport. If the airport is not eligible for funding from the Irish Exchequer under the regional airports programme, the shared island initiative is an obvious option to explore. I know the Taoiseach is aware how significant connectivity is. The Departments of an Taoiseach and Transport recently committed to a review of air routes between Dublin and Derry as well as Cork and Belfast. Can we get an update on that?

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Deputy Bernard J. Durkan: I thank the Taoiseach for his initial reply. I ask the extent to which the extra risks have been identified, isolated and are being pursued at present with particular reference to the supply of imported goods and racing inflation affecting almost every sector at the moment. I ask the Taoiseach to what extent a positive intervention can be made on the one hand to avert and on the other hand to identify the precise causes.

Deputy Ivana Bacik: Last week another report from Daft revealed record rents and serious shortages of supply. I was in Limerick yesterday and I heard that only five properties are available to rent in the entire city. We need to ensure our stock of housing is being used more effectively along with ensuring more supply of homes coming on-stream. Is the Government taking any action to ensure an effective vacant housing tax will be introduced without further delay? It is also a climate measure ensuring we use our building stock more effectively. Most importantly it makes more homes available for more people.

Deputy Richard Boyd Barrett: I have raised the case of a particular woman multiple times. This week after a long fight, it was confirmed she has lost nearly a decade on housing waiting list because her income went €38 over the income threshold. Another family of six only earns €31,000 but because of an averaging of income earned by another member of the family over the previous year will now be evicted from homeless accommodation.

An Ceann Comhairle: The Deputy's time is up.

Deputy Richard Boyd Barrett: I know of another couple who have just been cut off from the housing list because of their income.

An Ceann Comhairle: The Deputy's time is up. I call Deputy Paul Murphy.

Deputy Richard Boyd Barrett: When will the Government raise the income thresholds for social housing as I have repeatedly requested over five years?

Deputy Paul Murphy: Public transport fares have recently been reduced for the first time since the Second World War. As a consequence, we have seen an increase in passenger numbers which is very welcome. Imagine what moving to free, fast and frequent public transport could do. We know that cutting fares saves people's money, reduces congestion and cuts CO2 emissions. More than 100 cities and towns across the globe have now moved to fare-free public transport and we should do the same here. It is one of the demands of the Cost-of-Living Coalition which is holding a protest outside Leinster House on Thursday at 1 o'clock. Will the Taoiseach support a plan to achieve fare-free public transport?

Deputy Mick Barry: When the pandemic raged, bus drivers kept society on the move, risking their health day after day as key front-line workers. How are they being repaid? They are being repaid with a kick in the teeth. Bus Éireann is threatening to freeze their wages, not just for 2022 but for next year as well. While prices continually increase, this represents a massive pay cut. What does the Taoiseach say about this situation? Does he think this is what the drivers deserve? I would like to hear his views on it.

Deputy Paul McAuliffe: Last week Dublin City Council, the HSE and the ETB launched a plan for public homes on public land with infrastructure to match. It will include a primary care centre and an increase in all-weather sporting facilities along with 100 homes. These facilities along with the new family resource centre in the area will be crucial to support the community in Finglas. Will the Taoiseach ensure that the primary care centre will be included in the capital

plan for next year? Will he come to Finglas and visit the new family resource centre which is doing great work without premises and will do an even greater job with the new facility?

Deputy Jennifer Murnane O'Connor: Affordable housing regulations require that 70% of the units advertised must be allocated on the basis of priorities. This only leaves 30% of the units for the local authority based on the local criteria. In the last private housing scheme to come on the market in Carlow, 26% of the units were sold to people who were not resident. It meant that because of the criteria the Carlow people did not qualify. Can the criteria be set so that people in the local area who want to buy affordable housing meet the criteria?

The Taoiseach: Deputy Cian O'Callaghan raised the issue of the local property tax in respect of vacancies. Vacancies and dereliction are two separate concepts. In a recent analysis, 96% of all apartments in Dublin were occupied despite all the commentary that lots of apartments are empty. I think that was in the Daft report; I will check the source of that. We need to be careful with our descriptions and definitions. The principal purpose of the residential zoned land tax is to encourage the timely activation of zoned and serviced residential development land for housing in order that identified housing need can be met through the delivery of suitably located housing development. That will be an important factor to ensure we can get land at zone. That is one element of this.

The existing vacant sites levy has not been an effective mechanism for preventing land hoarding and speculation. There are many loopholes. The residential zoned land tax will be more broad based, with very few exemptions, and will be administered by Revenue rather than local authorities.

The Housing for All strategy includes an action for the Department of Finance to collect data on vacancy with a view to introducing a vacant property tax. The recent local property tax re-evaluation enabled Revenue to collect certain information on vacant properties in the local property tax return forms submitted by residential property owners. The information on vacancy in the local property tax returns in respect of approximately 2 million properties is currently being analysed by Revenue and together with the information from other available sources will be used to assess the merits and inform the design of a vacant property tax. That will be considered by the Minister with a view to the introduction of a residential property tax as soon as possible.

I do not have an update for Deputy O'Rourke. My Department is engaging with the Department for Transport in respect of the availability of funds under the shared island initiative. We are endeavouring to get everybody to agree on the importance of the connection provided by a Dublin to Derry air service.

In response to Deputy Durkan, there are certainly risks in terms of inflation, particularly in the cost of construction supplies. There is an inflationary cycle. It is a worry for many builders and that is why the Minister for Public Expenditure and Reform, Deputy Michael McGrath, changed the fixed contract to create a more co-operative framework to enable projects to be completed in the context of the significant level of inflation that has occurred and in order to ensure people continue to tender for projects. That is a concern. The cause is the war in Ukraine and there are further challenges ahead in that regard.

Deputy Bacik raised the issue of using the vacant tax and I dealt with that issue in an earlier reply. We must use the existing housing stock more effectively. We will continue to work on

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measures to incentivise the use of existing housing stock more broadly. I know that the Minister for Social Protection, Deputy Humphreys, will have some important announcements in terms of the social protection code to the effect that people who let out their houses will not be disadvantaged in terms of various social welfare protections. We are constantly looking at ways to incentivise the use of existing housing stock.

Deputy Boyd Barrett raised the issue of income thresholds. The Minister indicated to the Deputy last week that the review is complete. The Minister should be in a position to comment on that.

Deputy Richard Boyd Barrett: When will that happen?

The Taoiseach: The Minister said his announcement is imminent. I will ask him to confirm when he will make an announcement in that respect and come back to the Deputy.

It is welcome that we have cut the fares for public transport and that it is leading to an increase in uptake. Free fares is not a realistic prospect. The Government made the decision to cut fares as part of its anti-inflationary measures. We also made the decision in the budget to halve fares for 17- to 25-year-olds. That will also be effective and important in encouraging and incentivising the use of public transport. We will keep that under review.

Who did Deputy Barry say is proposing a wage freeze?

Deputy Mick Barry: Bus Éireann is proposing it.

The Taoiseach: That is not my understanding but I will follow that up.

Deputy McAuliffe raised the issue of-----

Deputy Paul McAuliffe: I raised the issue of the Finglas primary care centre.

The Taoiseach: I would love to call out to Finglas to visit the family resource centre. I will talk to the Minister about the primary care facility, housing need and the potential provision of housing in that area.

I will talk to the Minister about the specifics of the proposal made by Deputy Murnane O'Connor in terms of providing greater opportunity to the people of Carlow to avail of affordable housing. The criteria provided will facilitate the inclusion of people who live in the area to avail of housing. That is a worthy objective indeed.

Departmental Bodies

22. **Deputy Ivana Bacik** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [22902/22]

23. **Deputy Catherine Murphy** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [24127/22]

24. **Deputy Pa Daly** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [24359/22]

25. **Deputy Niamh Smyth** asked the Taoiseach if he will report on the work of the public

service, justice and policing reform division of his Department. [24476/22]

26. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [24524/22]

27. **Deputy Paul Murphy** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [24527/22]

28. **Deputy Mick Barry** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [24531/22]

29. **Deputy Paul McAuliffe** asked the Taoiseach if he will report on the work of the public service, justice and policing reform division of his Department. [24571/22]

The Taoiseach: I propose to take Questions Nos. 22 to 29, inclusive, together.

The public service, justice and policing reform unit is part of the social policy and public service reform division of my Department. The work of the unit supports me, in my role as Taoiseach, on policing reform, criminal justice, public service reform, social affairs and other related matters. It incorporates the policing reform implementation programme office, which oversees the implementation of A Policing Service for our Future, the Government's plan to implement the report of the Commission on the Future of Policing in Ireland. The unit also supports the Civil Service management board, including the Civil Service renewal programme, and contributes to the oversight and governance of the new public services reform plan.

The unit also assists the work of the Cabinet committee on social affairs and equality, and the associated senior officials' group established to oversee implementation of programme for Government commitments in the areas of social policy, equality and public services. Policy areas covered include gender equality, which encompasses efforts to address domestic, sexual and gender-based violence, and matters relating to arts and culture, children, justice, policing reform and community safety, disability, social inclusion, direct provision, the Irish language, and sport.

In addition, the section has departmental oversight of the National Economic and Social Council. It participates in relevant interdepartmental committees and other groups and provides me with briefing and speech material on criminal justice and policing matters, as well as social policy and public service reform issues.

Deputy Ivana Bacik: I will refer to the policing reform division and its work. As the Taoiseach knows, the Labour Party has for many years been a strong proponent of policing reform and we successfully argued for the introduction of the Policing Authority. I wish to ask the Taoiseach about the general scheme of the policing security and community safety Bill, which I understand was published more than a year ago. I would like the Taoiseach to confirm that the Government intends to move back to a governance structure that would effectively replace the Policing Authority and reinstate what may amount to an old way of governance, namely, an internal, non-executive Garda board, to take responsibility for governance and to be reinvested with the power of appointments. Legitimate concerns about this model have been raised by experts such as Dr. Vicky Conway and Dr. Eddie Molloy. Indeed, questions have been raised by Ms Josephine Feehily and Mr. Conor Brady, a former member of the Garda Síochána Ombudsman Commission, GSOC, as to how this would work and whether it might dilute the main plank of the previous reforms introduced when the Commissioner was made accountable to

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the Policing Authority. Is the Government going to proceed with the changes proposed in the general scheme of the Bill or will it revisit those changes?

Deputy Catherine Murphy: I will also focus on the justice and policing reform aspect of the question, and the continued use of the Garda crime statistics with the caveat “according to figures released under reservation by the CSO”. The current Garda Commissioner was appointed five years ago and we appear to be no closer to having reliable crime data. Such data is critical for policing plans as there is no evidence that the census of population is used in policing plans. I have, over a couple of decades, looked at how resources are deployed. We are without reliable crime statistics. When are we likely to get to the point where we have reliable crime statistics without that caveat?

Deputy Pa Daly: Policing reform is important. The pre-legislative scrutiny of the policing security and community safety Bill and the Garda Síochána (powers) Bill is taking place at the Joint Committee on Justice. This comes after a debate on both Bills. The power of the GSOC to look into historical cases is important, especially in the so-called Kerry babies case. There still has been no explanation as to how five or six members of the same family in different rooms in one Garda station all made statements that could not possibly have been true. It was a systematic failure. We cannot get to a place where the police service has been reformed without this being investigated and accounted for.

The Hayes family has received an apology but the apology was delivered because the standards of a proper Garda investigation were not met. That is not good enough. An explanation needs to be given as to how those family members came to make the same statement. Will the Taoiseach commit to this being a major plank of any policing reform? Will he endorse proper resources and legislation for GSOC so it can look into these historic cases?

Deputy Niamh Smyth: I raise the matter of the death of Shane O’Farrell in a hit-and-run accident which stole a beautiful 23-year-old son from Lucia and Jim and took a deeply loved brother from his sisters in 2011.

4 o’clock

The Taoiseach has met the O’Farrell family on a number of occasions and is acutely aware of how the criminal justice system failed Shane and continues to fail his grieving family. The man who perpetrated this awful crime was in breach of a bail bond for various courts. He had received a custodial sentence for four heroin offences which he never served. He had committed 37 offences while on bail before killing Shane O’Farrell and should have been in custody at the time of Shane’s death.

I implore the Taoiseach to give the O’Farrell family the opportunity to know the truth about the circumstances of Shane’s death and grant them the public inquiry for which both House of the Oireachtas voted. Justice delayed is justice denied and this family has suffered enough.

Deputy Richard Boyd Barrett: I want to raise an issue that I am surprised did not get more attention and about which more concern was not expressed, namely the recent departure of Ms Anne O’Connor, the chief operations officer from the HSE to take up a post with a private health insurance company, VHI. There has been a lot of talk about the need to have some sort of cooling off period between going from very senior positions in the public service to private companies when there is potentially a conflict of interest. VHI’s job is to make money out of healthcare whereas this Government and the State is supposed to be committed to a single tier,

public health service under Sláintecare and yet there is a revolving door through which the chief operations officer of the HSE goes straight into a private health insurance company. That is just not on. We need public sector reform so that there is a significant cooling off period for very senior staff, like the chief operations officer of the HSE, who have access to a lot of information which could potentially be beneficial to a private company operating for profit in the healthcare sector.

Deputy Paul Murphy: Thousands of workers in our bars and restaurants are being told to leave the country by the end of the month as the Department of Justice is refusing to give a simple extension until September for those on stamp 2 visas. This means thousands of people will have to leave their accommodation and jobs for the summer. When they return next September they will have to try to find new apartments and new jobs when their new courses begin. It is a ludicrous situation. The English Language Students Union, ELSU, is calling for a three month extension to stamp 2 visas to tide people over until September. It is a very simple measure but I understand that so far the Department of Justice has absolutely refused to budge. Will the Taoiseach intervene this week to grant this extension before it is too late, to give workers peace of mind and before they have packed up and left?

Deputy Mick Barry: I want to raise again the case of George Nkencho. It is my understanding that the inquest into the death of George Nkencho is due to reconvene in June. However, it is also my understanding that the inquest cannot properly reconvene until such time as the Garda Síochána Ombudsman Commission, GSOC, investigation into his death is complete. That investigation is not yet complete. The Nkencho family had been given to believe that it would be completed before the one-year anniversary of George's death, that is, by the end of December last year but several months on, that is still not the case. Now the delay in the investigation is threatening to delay the reconvening and conclusion of the inquest. This family have been through untold trauma which is being added to by these delays. I would like to hear the Taoiseach's comments on this matter.

Deputy Paul McAuliffe: On the issues of public service, policing and justice, the Taoiseach's Department has for some time operated the north inner city intervention to support that community. The programme for Government makes it clear that we will roll out a similar type of intervention in similar communities around the country. The community of Ballymun has engaged with the Taoiseach and with his predecessor on the drafting of a report identifying clear requests. We wait patiently, not just for engagement to which the Taoiseach is committed, but to see the outcome of the work that his Department has done in terms of how we respond to the challenges facing these communities. The Ministers for Housing, Local Government and Heritage and Social Protection, Deputies Darragh O'Brien and Humphreys, and the Taoiseach have all been working on this and what we are impatiently waiting for is the outcome of that process, to have a similar intervention in our area and many other areas around the country. I know this is something to which the Taoiseach is personally committed. We want to see the output of all of the hard work.

Deputy Darren O'Rourke: I want to raise the scoping exercise established over three years ago into the death of Shane O'Farrell. That was expected to take weeks or possibly months but it was never expected to take years. It is clear that the only way forward remains the establishment of a public inquiry into the death of Shane O'Farrell, as supported by the Taoiseach and his party. Will the Taoiseach progress such an inquiry before he leaves office on 15 December?

The Taoiseach: There is a range of issues to be covered. First, on the draft policing, security

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and community safety Bill which Deputy Bacik raised, in April of last year the general scheme was published. Among the objectives, clearly, is to provide a new, more coherent governance and oversight framework to strengthen both the external oversight of An Garda Síochána, as well as its internal governance. The approach was recommended by the Commission on the Future of Policing in Ireland in its 2018 report. In preparing the scheme, the Department of Justice has had advice from the Attorney General. I take Deputy Bacik's point and I know that the Labour Party has a view on the policing board and the issue around governance.

The Joint Oireachtas Committee on Justice is currently conducting pre-legislative scrutiny on the Bill and has already heard from a number of interested parties including the Garda Commissioner. I trust the Labour Party representative on that committee is pursuing the issues also and I look forward to reading the committee's report in due course. The Department of Justice will continue to engage with the Garda Commissioner and other stakeholders in progressing this important legislation. The Minister, Deputy McEntee, hopes to be in a position to seek the approval of the Cabinet before the summer. However, there are a number of dependencies that will impact the finalisation of the draft Bill. There is a commitment to consult with stakeholders on a draft of the Bill once it is sufficiently advanced. The receipt of the joint committee's report and consideration of its recommendations will have an impact on the timing of those consultations. In addition, in view of the size of the draft, it will also be necessary to allow a number of weeks for stakeholders to respond once they receive the draft. I understand that the pre-legislative scrutiny report is expected to be received by mid-May. Subject to the drafting of the Bill being sufficiently advanced, a draft of the Bill may be circulated to stakeholders in mid-June. Perhaps during the course of all of that work there can be further consideration of and reflection on the governance structures.

On crime statistics, I am not quite clear on Deputy Murphy's concerns.

Deputy Catherine Murphy: There is a caveat from the CSO on the crime statistics and that continues to be in place.

The Taoiseach: I will revert back to the Deputy. I will engage with the Minister on that. We are all looking for a comprehensively sound database in respect of the crime statistics.

Deputy Daly raised the issue of GSOC and historic inquiries. The volume of cases currently being heard by GSOC is quite considerable. As I have said previously, there has to be some balance, unfortunately, in terms of the work of GSOC and what gets prioritised and dealt with. There are real issues there. There are up to 2,000 cases or complaints per year but we will engage with GSOC in relation to historic inquiries. Deputy Daly referenced the Kerry babies case in particular. Perhaps there are ways of learning lessons from those cases without full commissions of inquiry being necessitated.

Deputy Pa Daly: A proper apology-----

The Taoiseach: A proper apology. An apology was issued-----

Deputy Pa Daly: -----and an explanation-----

The Taoiseach: Maybe I took Deputy Daly up wrong but I thought he was looking for an historic inquiry into the case but we will have to assess that in the context of the capacity of GSOC, to be frank. We will look at that.

On the death of Shane O'Farrell and the scoping exercise, I have met the O'Farrell family, most recently with Deputy Niamh Smyth, who raised Shane's death initially today. It is a very harrowing case and a very sad situation. I hope that the scoping inquiry will be brought to completion very quickly because it has been ongoing for nearly three years at this stage. Covid and so forth has not helped but that said, the family have made detailed submissions. The family have presented to me on the many issues they are concerned about with regard to the scoping inquiry. Before any decision is taken, I believe the Government and everybody will need to see the scoping inquiry report published. That will not, in itself, prejudice the decision of the Government around the initiation of a public inquiry but it is important that we would bring that to a conclusion. A lot of pain and anguish has been felt by the O'Farrell family in respect of the tragic death of Shane. Once the Minister gets the report, the Attorney General will give advice and will publish the report and any other issues that arise from that advice. Hopefully, we can bring the scoping part of it to a conclusion very quickly. Deputy O'Rourke referred to that also.

Deputy Boyd Barrett raised the issue of Anne O'Connor ending her career with HSE and moving on to a career with the VHI, the voluntary health insurance body. Again, there are provisions in terms of cooling-off systems and the Minister for Public Expenditure and Reform is examining even further provisions in that respect. If I am not mistaken, he may have published legislation in that regard. We must be balanced about the issue of people moving careers. I believe it should apply to people in senior positions such as Secretaries General and to Ministers but there is a limit too. There is the balancing of rights in terms of individual rights as well. The voluntary health insurance sector has a remit and a role. There is an argument to be made there and issues to be teased out there. If we are saying that people at different levels in different organisations cannot move or cannot change careers, we must think about that and reflect upon that in the context of the rights of the individual.

Deputy Richard Boyd Barrett: There is a bit of a conflict though.

The Taoiseach: Think it through in terms of the decisions. There is information and access but to what great degree? Policy has to dictate the public health system and the public health service.

Acting Chairman (Deputy Sean Sherlock): I am loath to interrupt the Taoiseach but we must maintain the speaking times.

The Taoiseach: Deputy Paul Murphy asked about the stamp 2 visas. I believe these have been extended on nine occasions.

Deputy Paul Murphy: But are they going to be extended on this occasion?

Minister for Justice Deputy Helen McEntee: It has been extended nine times.

Deputy Paul Murphy: Exactly.

The Taoiseach: The rhetoric articulated by the Deputy suggest that the Minister is doing nothing. The Minister has extended these on nine occasions.

Deputy Paul Murphy: But are they going to be extended on this occasion?

The Taoiseach: There comes a time when we must have some balance also in what we are doing on overall policy and frameworks, to be fair all around.

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I do not have the full details on Deputy Barry's question on the inquest. I will come back to the Deputy on the issue he has raised.

Deputy McAuliffe asked about policing. We are working on this committee. We did not get to deal with it yesterday but at the next committee meeting hopefully we will bring that to a conclusion. The Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, is proceeding with the allocation of €2 million to support community partnerships and groups on the ground in the various communities. We are looking at a more comprehensive approach also.

Deputy O'Rourke also raised the issue of the Shane O'Farrell scoping inquiry, which I addressed earlier.

Garda Síochána (Compensation) Bill 2021 [Seanad]: Second Stage

Minister for Justice (Deputy Helen McEntee): I move: "That the Bill be now read a Second Time."

I am delighted to introduce the Garda Síochána (Compensation) Bill 2021 to the House following its passage through Seanad Éireann last week, and I look forward to hearing the contributions from Deputies today. Before I discuss the Bill, I would like to mention an issue that was raised on the Second Stage debate in the Seanad in March. Some Senators in their contributions questioned why civilian staff of An Garda Síochána are not covered by the provisions of the Bill, given the increased civilianisation of the force. I would like to inform Deputies that this issue is currently under consideration in my Department and consultations are ongoing. If there is no impediment to the inclusion of civilian staff following these consultations, I intend to seek Government approval in the coming weeks to introduce an amendment to extend the scheme to civilian staff. This will be in addition to some minor technical amendments that I intend to introduce in sections 11 and 16 of the Bill in relation to the form of applications.

Turning to the Bill before us, I believe we can all agree that members of An Garda Síochána do their utmost to tackle crime and to keep the public safe and I commend them on this. Unfortunately, the nature of this work means that members of the Garda can suffer injuries, or in the most tragic cases, injuries causing death, and they, or their family members in the case of death, deserve to be compensated in recognition of this.

As Deputies will be aware, this Bill provides for an overhaul of the Garda compensation scheme currently in operation by creating a new statutory scheme that will reduce the waiting times and costs associated with claims by gardaí or their family members and dependants. The current scheme set out in legislation and in operation since the 1940s has not been updated since and is in need of reform. It relies on an adversarial approach to Garda compensation claims and lengthy delays in the High Court can mean that members of An Garda Síochána or their family members can be waiting many years before they receive a compensation award. This is unsatisfactory and I want to ensure that gardaí have timely access to compensation under this Bill.

The main objectives of this Bill are to reduce the length of time it takes for Garda compensation claims to be dealt with from the initial application right through to the award of compensation and to offer opportunities for settlement and resolution of claims much earlier in the process. The Bill achieves this by setting out clear time limits in relation to each stage of

the process and providing what will happen where those timelines are not met. It also aims to reduce the number of applications ultimately proceeding to court, which will in turn reduce the significant legal and administrative costs associated with the scheme currently.

A review committee identified a number of weaknesses in the current scheme under the Garda Síochána (Compensation) Acts 1941 to 1945, and a commitment was made to change the existing procedures. In 2016 the Personal Injuries Assessment Board, PIAB, was approached with the assistance of the then Department of Jobs, Enterprise and Innovation, and its involvement in the new compensation arrangements was agreed and ultimately approved by the Government. As an independent body already dealing with personal injury claims, they are well positioned to provide an independent assessment of quantum in Garda compensation cases.

Before I move to the provisions of the Bill, I would like to outline broadly how the new scheme is proposed to operate in practice. The member, or specified dependent in the case of a fatal injury, will apply to the Garda Commissioner for initial assessment of his or her case within six months of the injury. This has been increased from three months under the old scheme to allow additional time for applications to be made. The Garda Commissioner will arrange for a reporting officer to determine if the person is an eligible applicant and if so, to prepare a written report within a specified time to conclude whether the injury or death appears to have been caused as a result of a malicious incident as defined in the Bill. If the report concludes the injury or death appears to have been caused as a result of a malicious incident, then the member or his or her specified dependant or dependants is entitled to an assessment of compensation. If the report concludes the injury or death was not caused as a result of a malicious incident then the member can seek an independent review of that finding. An independent review officer will determine whether the finding of a reporting officer should be confirmed or overturned. If overturned, the member is entitled to an assessment of compensation. Where a member is entitled to an assessment of compensation the Garda Commissioner will arrange for an application to be made to the Personal Injuries Assessment Board on his or her behalf. This is to reduce the administrative burden on the applicant and to enable the Garda Commissioner to pay the fees associated with PIAB. PIAB will process the application in accordance with the Personal Injuries Assessment Board Act 2003, as amended, and will make an assessment by reference to the personal injury guidelines. Both the applicant and the State Claims Agency, which will be acting on behalf of the Garda Commissioner in the management of claims, will be notified of an assessment made by the Personal Injuries Assessment Board and can accept or reject it. If either party rejects it, the applicant will receive authorisation from the Personal Injuries Assessment Board to proceed to court. The State Claims Agency will manage the court proceedings on behalf of the Commissioner.

I will turn now to the detail of the Bill. The Bill is divided into seven Parts and I will outline its key provisions. Part 1 sets out the title of the Bill, other legislation that the Bill interacts with, such as the Personal Injuries Assessment Board Acts 2003 to 2019, and provides for commencement orders for the coming into force of the Bill, once enacted. It sets out the relevant definitions for the Bill, including the key definitions of “malicious incident” and “member”. In general terms, a “malicious incident” means an incident in which personal injuries, or death as the case may be, were inflicted on a member deliberately or recklessly in the course of the performance of their duties, while acting in a general capacity as a member of An Garda Síochána, because of anything done by the member, or because they are a member. The current Acts make a distinction between injuries of a minor and non-minor nature. This Bill ensures that all injuries inflicted as a result of a malicious intent are covered by this scheme. It is also worth noting

that the definition of “member” is extended to include trainee gardaí.

The transitional arrangements that will apply to deal with applications received prior to the commencement of the scheme are set out in section 5. For those applications where a determination has not yet been made in my Department, these applications will fall under the new process as outlined in this Bill, which is very similar to the process we put in place with the personal injuries guidelines. In these cases, the documentation will be returned to the applicant, the applicant will be informed of the new process and he or she will have to submit an application within six months of the notice being issued to him or her. Persons in this category will be given ample notice of this change. In cases where authorisation has been given already for an application for compensation to proceed to the High Court, those claims will be processed as if the Acts of 1941 to 1945 have not been repealed and applications already initiated in the High Court will remain there. In other words, there will be no change for these proceedings. Again, this is very similar to the process for the personal injuries guidelines.

Part 2 of the Bill deals with the application for initial assessment. It sets out who may make an application for compensation under the scheme, the form which the application should take, to whom an application should be made and the time limits associated with making an application. It captures all persons previously permitted to make claims under the Acts of 1941 to 1945. The applicant is defined in section 8 and may make an application to the Garda Commissioner specified in section 9. Section 9 also provides for cases where the Garda Commissioner is the applicant. Section 10 states the time limit for making an application, which is six months from the date of the injury, or knowledge of the injury, with provision made for late applications in certain circumstances.

Part 3 sets out the appointment of a reporting officer to assess an application. A reporting officer will not be below the rank of superintendent or, where a member of civilian staff, of equivalent grade. Further provisions are made for where a reporting officer is unable to perform his or her duties. The criteria for preliminary examination and the determination of an application is detailed in this Part of the Bill as well. It allows for the interaction of the reporting officer with the applicant. It gives clear timeframes for the completion of a determination, which is four months, with the possibility of an extension for a further two months. If this time limit is not met, the applicant will be entitled to move to the next stage of the process and will proceed to an assessment by the PIAB. Where a determination is made that the application can proceed to the Personal Injuries Assessment Board, it sets a timeframe of 30 days for the Garda Commissioner to make an application on behalf of the applicant.

Part 4 provides for the procedures for the review process, the creation of a review panel for independent assessment, the criteria for the preparation of a report and clear timelines for the process. There are three scenarios set out under which a person may submit an application for independent review. These are a refusal by the Garda Commissioner to extend the time limit for making an application for initial assessment, a determination that the person making the claim is not eligible to apply under the Bill or where it is concluded that the injuries were not inflicted as a result of a malicious incident as defined in the Bill. The time limit for making an application is 30 days from the date of notice issued to the applicant. This is set out in section 16. The criteria for appointing a review officer is set out in section 15 and the criteria for preparation of a report in section 18. A review officer will have three months within which to make a determination to either confirm or set aside the original decision issued. Again, if this time limit is not met, the applicant will be entitled to move to the next stage of the process and will proceed to an assessment by the PIAB.

Moving on to Part 5, this sets out the application and amendment of the Personal Injuries Assessment Board Act 2003. The current Act precludes applications for Garda compensation. This Part of the Bill removes the restrictions in place by allowing interaction with the Personal Injuries Assessment Board Act 2003. It permits the assessment of quantum by the Personal Injuries Assessment Board in Garda compensation cases and provides for the application of the cost provision in that Act. It allows for certain modifications to the Personal Injuries Assessment Board Act 2003 for Garda claims, for example, providing for the definition of “respondent” to mean the Garda Commissioner and allowing the Garda Commissioner to submit an application on behalf of the applicant to the Personal Injuries Assessment Board. Such an application would be deemed to be an application made under section 11 of the Act of 2003. The process for acceptance or rejection of an assessment by the Personal Injuries Assessment Board will apply in the same way it does for other personal injuries actions. This means that where either the applicant or the Garda Commissioner reject an assessment, an authorisation will issue to the applicant to lodge a claim in the relevant court.

Part 6 sets out the particulars where proceedings are being brought on foot of an authorisation by the PIAB under the Personal Injuries Assessment Board Act 2003. It provides a clear timeframe for lodging proceedings of six months from the date of the issuing of the authorisation. As I mentioned earlier, this is an increase in the time available currently, which is only two months. The court will assess whether the injury or death, as the case may be, was the result of a malicious incident. It will also assess the level of compensation. The court will also deal with the issue of costs at the conclusion of the proceedings. Where determining the level of compensation, it provides the criteria that should be considered. The Bill mirrors the criteria set out in the Garda Síochána (Compensation) Acts 1941 to 1945, while including the requirement to have regard to the personal injuries guidelines, which will streamline cases with ordinary personal injury claims. This Part of the Bill does not mention which court the proceedings should be lodged to. This is to allow for the bringing of proceedings to a court that has monetary jurisdiction for the claim thereby removing the need for all Garda compensation claims to be brought before the High Court. If, for example, a Garda member wishes to claim €10,000 in compensation, he or she may now make his or her application to the District Court instead of the High Court where it can take much longer to get a hearing date and, obviously, the costs are increased too.

Finally, Part 7 sets out miscellaneous provisions in the Bill, including providing for certain amendments to legislation to update reference to the Garda Síochána (Compensation) Acts 1941 to 1945. This Part of the Bill also sets out that any award made under the Bill will not be liable for the purposes of calculating income tax and notes the exclusion of awards from assessment of certain pensions. This is in line with what was provided for under the old legislation.

In conclusion, this Bill fulfils the commitment made to change procedures for Garda compensation claims by modernising the process and by using mechanisms already in place for personal injuries claims more generally to ensure it is most efficient. It overhauls the process while retaining the parameters of the current Acts to ensure those eligible to apply and the criteria for assessing compensation remain.

The use of the Personal Injuries Assessment Board for assessing awards of compensation will ensure an independent assessment for members. It will also lead to greater consistency in awards. As well as this, the PIAB will be guided by the personal injuries guidelines in its assessments. The State Claims Agency will be in a position to make offers of settlement both during and after the PIAB process. It is hoped, therefore, that the majority of cases will be

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resolved without the need to go to court, which will reduce the delays and expense associated with such claims over time. With recourse to lower courts rather than the necessity to bring each claim before the High Court, it will mean a lower level of costs associated with some of the claims as they proceed.

I hope we can all agree that this Bill will modernise the way in which compensation claims by members of An Garda Síochána are dealt and reduce the administrative costs and legal fees associated with the current system. Most importantly, however, it will ensure that gardaí and their families can get access to the compensation they deserve in a simpler and more timely manner. I look forward to hearing colleagues' contributions on this matter. I have met many of the Garda representatives on a number of occasions over the past number of years and I know this is an important issue to them. I look forward to colleagues' support as we progress through the House as quickly as possible.

Acting Chairman (Deputy Seán Sherlock): I thank the Minister. We now move to Sinn Féin from which there are three speakers. Deputy Pa Daly has ten minutes.

Deputy Pa Daly: I thank the Minister for her contribution. There may be a number of queries or questions regarding what she said in relation to it. Have there been representations in respect of what she said about the timeframe of 30 days for An Garda Síochána to make an application on behalf of the applicant? It seems like a very tight space of time.

The Minister mentioned the PIAB. We have seen over the past 15 years of its operation that the PIAB does not necessarily speed up claims. In fact, it can contribute to claims taking much longer. With regard to what the Bill says about applying to the District Court, I am not so sure that many members of the Garda will want to take cases into the local District Court but we will see how those cases proceed.

Sinn Féin will be supporting the Bill through to Committee Stage. As I said, we have some concerns that we will seek to raise in the form of some amendments at a later stage. Overall, however, it seems to be a positive Bill. This is provided that the provisions prove to be effective. It is worth outlining some of what the Bill does in order to set this in the correct context. The primary innovation is in reforming the current system relating to compensation for death or injury suffered by gardaí in the course of their duties. Currently, an injured member of An Garda Síochána, or his or her dependents in the case of death, may petition the Minister for Justice in order that he or she can apply in turn to the High Court for compensation. This is an archaic practice and reflects the need for reform to the system and the police as a whole in the State. The arm's length operation of An Garda Síochána, which is still ultimately responsible to the Minister for Justice, is a delicate process.

The Bill will do the right thing in simplifying this process. That the Commissioner will replace the Minister for Justice in adjudicating whether the injury is eligible is, in the round, the correct step to take. Perhaps after the reform of policing is complete - a number of pre-legislative scrutiny reports were before the Joint Committee on Justice earlier - this could be re-examined, given that it seems to be a good function for the proposed Garda board or the Policing Authority to examine. Either way, there is currently a long delay within the *status quo* process and the Commissioner will be a more expedient judge of these cases. The right to a review on the part of applicants is also an important part of the Bill and, as with any process administered by the State, natural justice must be done and be seen to be done.

If an applicant is found to be eligible, whereby his or her injury has been deemed to have occurred in a malicious incident, an application can be made to PIAB which will then assess quantum in line with the usual process. PIAB has seen much reform over the years, mostly at the behest of the insurance industry, and payouts have decreased, albeit not with any great reduction in insurance premiums. Over the past 30 or 40 years, whenever the industry has promised lower premiums in exchange for reforms, the reductions do not seem to have been delivered. The industry asked for juries to be removed from personal injury cases and that was done, and that two fewer senior counsel would be required in cases and that was done. In addition, it asked for the PIAB system to be introduced, which was done, and for extensive dual-pricing reforms to be implemented, but we have not yet seen any results in terms of a reduction in premiums.

In any event, as was reported by *The Irish Times* recently, 49% of awards in 2021 were under €10,000, compared with just 12% of awards in 2020, while the overall average general damages award for motor, employer and public liability claims amounted to €11,583, a drop of 47% on the €21,850 average in 2020. Meanwhile, there has not been a decrease in premiums, despite the Irish insurance industry enjoying a year of record profitability due to decreased numbers of claims overall and decreases in the sums awarded. Decreases in the number of claims and in awards have not necessarily meant a decrease in premiums. I am on record in the House as predicting insurers would not act in good faith once these changes had been made and my party colleague, Deputy Doherty, has moved legislation in this area that would compel insurers to pass on the savings to the consumer.

I am somewhat concerned the Bill will fit in with the wider trend of shifting the costs and risks away from insurance companies or whoever pays for them and their ability to generate profits through ordinary citizens more generally. Sworn members of An Garda Síochána have bills to pay and are suffering from the cost of living crisis, as are many others. The fact that they face on-the-job risks must also be borne in mind, and wider Government failings on insurance and personal injuries should not ensnare them. The Minister might comment on this in her response.

To return to the Bill, the PIAB process will proceed in the usual manner, subject to one or two changes, and it will be only when a claimant or respondent is dissatisfied with the outcome that he or she will be given leave to apply to the court. While I understand that the aim here is to speed up claims, I wonder whether this will mean delays will continue while the process is lengthened. The respondent in subsequent proceedings will be the Commissioner, reflected in the change whereby the Commissioner will be responsible for HR affairs in the Garda, a change to be introduced by the policing, security and community safety Bill, the report on which was, as I said, before the justice committee earlier. Perhaps there is something of a conflict of interest in respect of the Commissioner having to assess eligibility for individuals who will later become plaintiffs in proceedings against him or her. The synergies and issues between the Bill and the changes brought about in the policing, security and community safety Bill, are something the Minister might address.

The inclusion of trainees in the Bill is important. The training of gardaí is changing rapidly and more and more on-the-job training seems to be coming to the fore. This brings risks with it, however, and it is right and proper that if a trainee were seriously injured or killed, he or she should also be eligible for compensation, which I welcome. There remains something of a backlog in Garda numbers due to Covid, which compromised class sizes. Accordingly, getting in more trainees in order that numbers will keep pace with population growth will be important.

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At the same time, proper resources and policing plans need to be implemented, which will keep people safe as much as increase Garda numbers. That the Bill takes in a wider definition of eligibility, including if the member is off duty or is formerly a member and has been injured as a result of that, is also welcome.

Finally, legal costs can, of course, increase the cost to claimants where they retain a lawyer from the beginning of the process. The Bill should reduce the need to retain lawyers for hearings, although it remains likely that even in engaging with the process, legal advice will be required, as should be the case. The system will need to retain the confidence of the Garda in order that it will not be totally redundant. Currently, the fact a judge may not rule in respect of an injury suffered in pursuit of a suspect or in a road traffic accident caused some anxiety for members of An Garda Síochána. If this new system will provide more certainty and justice along with it, it should be embraced. In that regard, the six-month timeline for claims to be lodged, as set out in the legislation, may have to be re-examined on Committee Stage along with a few other matters. In regular personal injury cases, of course, the period lasts two years. We will be supporting the Bill passing Second Stage.

Deputy Louise O'Reilly: I welcome the opportunity to speak to this important legislation. The Bill contains many provisions that are very important from a workers' rights perspective. We should never forget that members of the Garda are workers. They do a very tough job, made more difficult by the fact they work in an environment that has been under-resourced for a long time. When we are thinking about Garda members as workers, I do not want to let this opportunity go without saying the representative organisations for An Garda Síochána at all levels should be allowed to affiliate to the Irish Congress of Trade Unions, and all members should have full representation rights for their representative organisations.

Returning to the Bill, it is timely to see the inclusion of trainee gardaí as part of this compensation scheme. As was pointed out by an Teachta Daly, their work involves more and more on-the-job training. Regardless of whether a person is a trainee or an apprentice, he or she should be compensated if injured during the course of his or her work, and especially so in the case of members injured through a malicious incident. While the use of PIAB might slightly delay the issuing of awards, it has the benefit of ensuring the claimant will not be required to incur the cost of engaging a solicitor from the very beginning.

The definition of "malicious incident" is welcome. For a long time, this was a grey area left to be interpreted by the Garda Commissioner, and later by the Judiciary during a case that went all the way to the courts. This caused considerable anxiety to members who had been injured while on duty or in the commission of their duties, given some judges would find a member had been pursuing a suspect or had been injured by a driver under the influence. I am sure we all know, or have heard of, members injured in road collisions or while coming to the aid of members of the public, or others who have been targeted because of their work. These workers should not be left in limbo. They should have recourse to compensation for injuries they sustain. Moreover, circumstances in which members are injured through malicious intent can arise due to staffing deficiencies. As can be seen in our accident and emergency departments, the single greatest cause is understaffing, and under-resourcing and understaffing have serious implications for workers. Overworked and under-resourced Garda members are pulled from pillar to post responding to and investigating suspected criminality. They need more resources, both human and financial, to help them during the course of their work.

A lack of resources to deliver effective community policing has also caused significant

problems. In recent months, I have spoken to many people who have cited the lack of community policing as a factor in drug issues, public order disturbances and violence and intimidation within communities. It should not be forgotten that poverty and inequality play as great a role in any such matters. In what has become an all-too-often occurrence in my constituency, there were significant public order issues last weekend. Such shocking behaviour is unacceptable and the safety and security of these areas has to be improved. It is shocking that our lovely public spaces can become so inhospitable and can be dominated by those who just seek to cause trouble. I urge the Minister to examine this issue, not just in the towns and villages but throughout north County Dublin, in the run-up to the busy summer period. We need a policing plan and additional gardaí to ensure everyone can enjoy what the north of the county has to offer in order that those who are intent on causing trouble will not get their way.

I cannot let this opportunity pass without mentioning the case of an extremely brave woman who contacted my office. She was the victim of severe abuse by her former spouse. Most of the incidents of abuse were reported to the Garda but were never followed up on or investigated. She made a complaint to the Garda Síochána Ombudsman Commission, GSOC, and some sanctions were imposed. Unfortunately, the victim felt that the process was flawed and incomplete because the final report did not mention the assault, harassment and breach of barring order perpetrated against her. She has voiced her frustration that there is no external appeals process and that the report she has received is, therefore, final. That is it. It is done and dusted. She does not feel that she has got justice but she cannot go any further with the matter. She feels very let down. In addition to liaising with me, she has also reached out to the Minister's office regarding these matters. I am aware of the upcoming policing, security and community safety Bill 2021, which is currently undergoing pre-legislative scrutiny. In replies to parliamentary questions, the Minister has stated that GSOC will have increased investigative powers and an extended mandate. In the course of that Bill's progress through the Dáil, I hope the Minister will consider the calls for many avenues for victims to question, query and appeal.

In the few moments remaining, I will raise with the Minister a case that has been brought to my attention. It relates to a member of An Garda Síochána who is due to become homeless in the coming months. This person has a job. This is the housing crisis in action. All he can be offered is accommodation in a hostel. This person cannot live in a hostel because he goes into hostels for work reasons. I am not suggesting that any person should, by virtue of his or her job, be able to skip the queue but I do want to raise this issue with the Minister and make her aware of this very stark and real thing that is happening to members of An Garda Síochána. They are out there doing their best and now, through no fault of their own, they find themselves renting privately because they cannot afford a mortgage. This individual has been served with a notice to quit. Of course, he has to abide by the law and be out when the landlord says he must but, for this person, the only option may be to go to a hostel, which creates particular difficulties for members of An Garda Síochána.

Deputy Ruairí Ó Murchú: We welcome this legislation. Obviously, it is an absolute necessity that we have a streamlined process to ensure compensation for gardaí suffering injury or death rather than the antiquated one we have had and that the scheme makes sense and is swift and just to those who are out there working on our behalf and trying to introduce an element of justice. It is a very difficult job. None of us have a job wherein we could end up in incredibly dangerous circumstances on any given day. Therefore, everything that needs to be done in that regard must be done. It is very welcome that we are looking at dealing with trainees and, beyond that, with even the civilian staff who work with gardaí.

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In dealing with this issue, I think of my own constituency and the cases of Adrian Donohoe and Tony Golden, who died doing their jobs. We all understand the dangers that are out there. We probably do not understand just how dangerous it is on a day-to-day basis. From time to time, we see some of the violence that it is out there. We have particular issues, particularly late at night and in urban settings. We need to look at the sort of policing that is required. As Deputy O'Reilly stated, we need an audit of the need so that we can ensure we have the full resources required. That is an absolute requirement.

We have seen some degree of increase in violence and aggression late at night. We all know that Ireland has never had a particularly great relationship with alcohol. Many of us may have been less than saintly over the years. Beyond that, we are aware that we are dealing with a significant issue in respect of drug abuse, especially cocaine abuse. An awful lot of people see cocaine as a recreational drug that they can take without doing any real harm. It has been brought to my attention in the last while that taxi ranks in Dundalk have recently been closed down. They did not want to leave their doors open because drivers and staff were dealing with wholesale aggression. I cannot help but think that some of that relates to the current widespread use of cocaine.

I have spoken to the Minister many times before about the need to deal with the wider issue of the drugs epidemic. I welcomed the establishment of the Drogheda Implementation Board in an attempt to deal with the brutal outworkings of the Drogheda feud but we need a significant level of resourcing across the board and a proper plan to deal with the drugs epidemic. This plan should cover everything from the addiction side and a health-led approach to it to criminality and drug debt intimidation. We have dealt with the Family Addiction Support Network before. That service provides great support to An Garda and to families who have been directly impacted by drug addiction and drug debt intimidation. We need to give it the capacity to stay in the game.

There is a wider issue. We need a citizens' assembly. We hope that this will be convened very early next year, although we would have preferred it to happen a lot sooner. There is a wider issue even beyond this State that we need to look at if we are to deal with the drugs issue. I have said here more than once that this is something we need to do at the European level. The issue is enormous and all-encompassing. There is no one who has to deal with this more and no one for whom it creates greater levels of danger than the gardaí themselves. Unfortunately, that is an issue given where we are and the societal difficulties we have. We all welcome the moves that have been made, particularly those made internationally, to deal with the Kinahan cartel but, unfortunately, these sorts of organisations exist in every town and village in this State, albeit on a smaller level and sometimes in a more disorganised way. We cannot continue doing what we are doing. We need to look at something far more radical. It is as simple as that. We need a full audit of what is required. We know there has been under-resourcing and that, even lately, there have been issues with regard to An Garda Síochána not having-----

Acting Chairman (Deputy Sean Sherlock): The Deputy has one minute left.

Deputy Ruairí Ó Murchú: I know. I was watching the clock. I am talking about supervision in Dundalk. That related to the appointment of sergeants. The solutions to those issues are in train but they have an impact on An Garda Síochána's ability to do business.

While I have the Minister in front of me - as everybody says - I will mention that we need to deal with the issue of duty of care. Deputy Daly raised the issue of PIAB. We still have not

seen a solution with regard to insurance premiums. We all have multiple people coming to us to say that the price of their car insurance has not dropped. Beyond that is the very significant issue of public liability insurance. My residents' association is facing a bill of €3,400 and a claim has been made in respect of a particular piece of ground it has stewardship over. We need to look at duty of care as soon as possible.

Deputy Helen McEntee: There are some proposals on that today.

Deputy Brendan Howlin: There is general agreement that, as they are now structured, the existing compensation mechanisms available to members of An Garda Síochána who are injured and to their family members is cumbersome and in need of major overhaul. I heartily welcome the new arrangements set out in the Bill before the House. The objective is to make the process easier and speedier. We hope that will also be the outcome because we have often enacted legislation with certain objectives only for it not to turn out exactly as hoped. The objective is also to bring about more predictable outcomes for every individual member of An Garda Síochána who experiences suffering or injury and for the family members of murdered members and to allow them to expect compensation to arrive in a predictable and timely manner. I am mindful of the fact that members of An Garda Síochána go out and protect us day in and day out. I attended the opening of the new divisional Garda headquarters in my home town of Wexford, which is a magnificent new building. Poignantly, when one walks in the front door, there is a plaque dedicated to the memory of the late Garda Seamus Quaid, who was murdered by the IRA in 1980. That tells the people of Wexford how much they owe to the members of An Garda Síochána for the maintenance of peace since the foundation of the State.

We are fortunate to still have a largely unarmed police force in this country, the members of which generally enjoy the trust and confidence of our people. I remember the day a couple of years ago when members and former members of An Garda Síochána walked out of their old premises in Wexford town, which they have occupied since the 1930s, and marched through the town to the new building. I was privileged to march among them as one of the local representatives. The townspeople lined the street and applauded as the members of An Garda Síochána marched between the two buildings. That speaks volumes as to the standing of our unarmed police force.

Another measure of the trust and confidence the people of Ireland have in An Garda Síochána, as any of us who are called to public meetings know, is that the one thing we can be sure of is there will be a call for more gardaí, more patrols and more visible policing. There are not too many agents of enforcement for which that would be the case, but it is the case for members of An Garda Síochána. We are mindful, too, that this is not the case in every state. It is important, therefore, at the outset of a debate like this, that we recognise and acknowledge the critical role played by An Garda Síochána in all our communities. By international comparisons, the force is greatly regarded.

By the nature of their work, gardaí put themselves in harm's way, whether in responding to a break-in or robbery or when called to a domestic dispute. They do not know what will face them when they arrive or what personal danger may confront them. When gardaí are inevitably injured in the course of their duties, the State not only has a duty to provide appropriate and adequate compensation but also to provide a clear mechanism to process such claims that is both timely and efficient. The Minister's new scheme meets this objective. She referenced the new process briefly, but it is useful to go through the individual elements.

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If this particular measure is enacted, an injured member will be able to apply to the Garda Commissioner for compensation within six months of the injury and the Commissioner will appoint a reporting officer. If the latter concludes that the injury is one comprehended by this Bill, he or she will recommend compensation. If not, it is open to the member to have that decision independently reviewed. An assessment will then be made, should the reporting officer deem it appropriate, by PIAB. Should the decision of PIAB be queried, it is possible to have an independent judicial review of its determination.

I want to say a few words about PIAB, but, first, I remind the House of the long debates regarding that body, which have not entirely ended. There was an enormous pushback from the legal profession, which is extremely well represented in the Oireachtas, to the establishment of the board. I am afraid I am going to ascribe a base motive to this opposition in that some of the resistance from some barriers was because they foresaw an end to a lucrative source of work for themselves. PIAB has, in my judgment, impacted to the good on general personal injury claims. The establishment of a book of quantum has brought some measure of standardisation to payments, which is really important. If a person is injured in a road traffic incident, for example, or if a member of An Garda Síochána is injured in the course of his or her duties, the amount of compensation that person receives should not be dependent on the viewpoint of the individual judge who has seizure of the case. There must be some degree of standardisation in these matters. It seems that the PIAB mechanism could also be applied fairly to cases where gardaí are injured. As I said, there is an ultimate right of appeal is to the courts where there is a belief that fairness has not been achieved in terms of the compensation awarded.

Having said that, I want to make a clear distinction between accidental injuries caused by road traffic incidents or workplace incidents, for instance, and some of the injuries sustained by members of An Garda Síochána. The latter are sometimes deliberately attacked, including by having acid, urine or contaminated materials thrown at them. Some are stabbed with vials of liquid which could be anything and which could contain any kind of contamination. Some have had vehicles deliberately driven at them, causing horrific injuries. Such attacks are unthinkable for most people in most lines of work. They just do not happen. Unfortunately, however, they are incidents that are endured not absolutely infrequently by members of An Garda Síochána. They have been experienced by gardaí in the past and, as we must be mindful, they will be experienced by members in the future. The psychological impact of such attacks must be weighed alongside physical injuries and increased compensation calculated accordingly. If we are going to ask people to put themselves in harm's way in protection of our communities, they need to know they will get adequate compensation if they are hurt and that, God forbid, should they lose their lives in defence of our communities and our State, their families will be more than adequately looked after, protected and held in the esteem that is appropriate and proper to members of An Garda Síochána.

Important points were raised in the other House about persons who work alongside members of An Garda Síochána, often doing the same type of work. For example, members of the Criminal Assets Bureau, CAB, were mentioned. I thought the Minister might respond to those comments in her statement and indicate whether those types of workers are to be brought into the embrace of this legislation. It seems to me a reasonable and fair request that if there is a raid by CAB on people suspected of serious crime in order to seize goods, which certainly would be a case of those involved putting themselves in harm's way, and where they are not attested members of An Garda Síochána but other officers of the State working alongside the force, then they should have the same type of protection. I do not know whether the Minister has had an

opportunity to reflect further on that matter since the debate in the other House. Perhaps she will respond in her closing comments.

The Minister has responded to the other matter that was raised in Seanad Éireann, namely, the situation of the growing number of civilian staff who work hand in glove with members of An Garda Síochána. It was my understanding from reading the text of the debate in the Upper House, which was taken by the Minister of State, Deputy James Browne, that a commitment was given to introduce an amendment to broaden the definition of “member” encompassed by the legislation to include civilian staff.

5 o'clock

However, in her opening statement today, the Minister indicated that this is currently under consideration in the Department. I had hoped the decision to do this would be made and that the period of consideration would be over. The Minister might clarify if it is intended to amend the Bill on Committee Stage to broaden the definition to include civilian staff of An Garda Síochána and, it is to be hoped, others.

There is another point on which I am not clear; perhaps I have not read the Bill comprehensively enough. Are active members of the Garda Reserve encompassed by the legislation? If not, they should be. It is a matter that the Minister might mention in her response.

There are three categories that I would like to be encompassed by the legislation - officers of the Criminal Assets Bureau working in tandem with An Garda Síochána, Garda civilian staff who are often working on the front line inasmuch as they are meeting people coming in off the street into a workplace and members of the Garda Reserve should they be called out in uniform, so they would have the same protections. They might well have, but, if not, they should have. Again, that is something the Minister might mention.

In providing for this new mechanism for compensation, we must also acknowledge that our first duty, both as an Oireachtas and as a people, is a duty of care to prevent harm happening in the first instance. Although we are focused on the compensation for harm that has actually occurred, we also should be mindful to do everything possible to prevent injury and harm from happening in the first place. There is the provision of adequate and proper equipment, such as stab-proof jackets. There were endless rows and calls for this to happen. Is it the case that they are uniformly and everywhere available to members of An Garda Síochána now? Is a stab-proof vest available for anybody who wishes to use it? When visors are needed are they always available? Is appropriate footwear always available? With regard to vehicles, there was a request some time ago for high-capacity vehicles to be made available to An Garda Síochána because there was often the ludicrous situation where a vehicle being used by organised criminals would leave the standard Garda vehicle in its wake. I am aware that some expenditure was provided to An Garda Síochána to provide appropriate vehicles. However, is that comprehensive? Are those types of appropriate, high-performance vehicles in every Garda division? I might table a parliamentary question to the Minister so she can gather the information for me. What I am saying, in essence, is that whenever members of An Garda Síochána are on the front line they should have whatever degree of support and protection we can give them. That should be a matter of course.

The other issue is the provision of body cameras. To safeguard members of An Garda Síochána and also the general public, it is important that all incidents are properly recorded. Again,

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the Minister might give us an indication regarding the roll-out of body cameras for members of An Garda Síochána. I believe they are essential pieces of safety equipment too. Are they uniformly available?

In addition, although we have built a number of new Garda stations across the country, there are still many decrepit Garda stations. I am sure many Members of the House could point to their own localities where there could be investment. It is to ensure, from a safety perspective, that if people come into a station who are perhaps under the influence or are rowdy or violent, that we do not have probably largely civilian staff but also members of An Garda Síochána front-facing and vulnerable. We have to balance the right of every citizen to access An Garda Síochána and to have private discussions that are not overhead by anybody else who happens to be in the vicinity with affording whatever protection we can give to members of An Garda Síochána and their support staff in carrying out their duties.

There is another issue I wish to raise with the Minister. It is not exactly central to this legislation, but it is to the overall context. The Minister is leading a significant reform agenda in respect of An Garda Síochána. I have said many positive things about gardaí, the esteem in which they are held and the sacrifices they have made. However, it is the nature of any disciplined force that often it circles the wagons and is inward-looking. All of us who have been in public life for a long time have encountered instances where members of An Garda Síochána feel bullied within the force. If we are talking about the safety and protection from harm of individual members by way of compensation, we should also make sure that there are robust protection mechanisms for everybody, particularly now that there are many more women attested members, so they feel safe, secure and free from bullying within, and free to call out cases of bullying where they occur in the workplace. I know the Minister has a personal interest in this, but I wished to mention it in the context of this legislation. However, perhaps we will return to it. People, regardless of where they work, are entitled to do their duties free from any sense of bullying and harassment. That can happen occasionally, particularly within a disciplined force, and unfortunately there are cases of bullying now emerging from within the Army. Any instance is one too many, and too many have arisen.

We are at a point where substantial change is taking place in policing in Ireland. There are a number of reforming legislative measures. The leader of the Labour Party today raised a concern I have about one legislative measure which deals with the management body of An Garda Síochána. It is one point of an important and progressive set of reforms, but we will debate that at another time. The Bill before us is a small but significant part of the important modernisation to which the legislation being brought forward by the Minister on so many fronts is contributing. By and large, it has support across all parties in the House.

Deputy Alan Dillon: I welcome this important legislation. It is timely. When speaking on this Bill we should remember that we are talking about the men and women of An Garda Síochána who protect and serve us all. That is very significant.

The Bill provides for a major reform of the compensation scheme that is currently in operation. I compliment the work undertaken by the Minister, Deputy McEntee, in this area. The key aims of the Bill are to reduce the length of time it takes for Garda compensation claims to be dealt with from the initial application through to award, to ensure settlement and resolution of claims can be reached earlier in the process and to set out clear limits relating to each stage of the process. It also aims to reduce the number of applications proceeding to court by allowing the Personal Injuries Assessment Board, PIAB, to assess quantum in the first instance. This

is an important step forward which will, in turn, reduce the legal and administration costs associated with the scheme. Currently, there is an enormous backlog in the High Court and it can take up to four years for a case for Garda compensation to be heard, so this is important reform in that area.

I acknowledge the great work done by members of An Garda Síochána in putting their lives at risk daily. I have enormous admiration for the work An Garda Síochána does in view of the harm ordinary members can face while doing their job. This Bill provides for an important simple method whereby members of An Garda Síochána who are entitled to compensation can have a clear path to it that is not strewn with obstacles or unnecessary expense. We must remember that members of An Garda Síochána are working on behalf of the State and that they must be able to rely on being compensated because of the work they do, as well as ensuring that gardaí and their families can be compensated by means of a simpler and more effective process.

Deputy Martin Browne: I appreciate that the purpose of this Bill is to reduce waiting times and the costs that are associated with claims for malicious injuries to a member of An Garda Síochána in the course of their work. It must be noted that current backlogs in the High Court have resulted in some cases taking as long as four years to progress from the initial phase to its conclusion. When legal proceedings go forward in this way, it typically results in higher costs, and further pressure on the services provided by the court. However, it also delays the process for the claimant, and may prolong, unnecessarily, the trauma that the garda member or their representatives have been subject to. Therefore, that is welcome, but it also leads me onto another, associated matter. I refer to the psychological effects of a maliciously inflicted injury. Not only is a maliciously inflicted injury a physical one; it can also stay with the injured person for some time, if not permanently. I hope that the PIAB takes account of this when it engages in deliberations on Garda compensation claims.

Our gardaí are unique in terms of workers, in so far as the nature of their duty means that, on a daily basis, they must put themselves in harm's way. It is also a profession in which some aggrieved persons may wish to vent their frustration with the course of justice. Therefore, it is only proper that the men and women who carry out their duties on behalf of the safety and security of us all would have the security of knowing that legislation has been designed to ensure that if they become a victim of a malicious assault in the course of their duty, they have a process of compensation that is as free as possible from undue complications.

I also refer to the difference between the courts system and the PIAB process. Some members of An Garda Síochána may prefer to deal with the courts or pursue their case through a solicitor. The nature of an injury sustained by a garda may cause him or her to want to go through a solicitor and go through the courts. If they wish to address the malicious manner in which an injury was inflicted upon them, the court proceedings would allow for an added level of detail. I would appreciate a response from the Minister to those specific points. Overall, I welcome the Bill. I thank the gardaí for the work they do. I hope we can reflect that appreciation through the legislation we pass through this House.

Acting Chairman (Deputy Pádraig O'Sullivan): As the time for the debate has now elapsed, we will adjourn it.

Debate adjourned.

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National Maternity Services: Motion [Private Members]

Deputy David Cullinane: I move:

That Dáil Éireann:

notes that:

- in its report entitled “Report of the unannounced monitoring assessment at the National Maternity Hospital, Holles Street, Dublin”, the Health Information and Quality Authority (HIQA) noted that “the infrastructure of the hospital, despite numerous and ongoing renovations and refurbishments, was not in line with recommended guidelines for maternity care facilities”;

- in the report entitled “Overview report of HIQA’s monitoring programme against the National Standards for Safer Better Maternity Services, with a focus on obstetric emergencies”, HIQA noted that:

- 15 of the 19 units or hospitals inspected had an outdated physical infrastructure that did not meet the recommended design standards and specifications for modern maternity services;

- only four maternity units and hospitals were compliant with the national standard relating to physical environment; and

- therefore, staff in these 15 maternity units and hospitals were providing services and care in substandard physical environments that were in need of significant upgrading and refurbishment;

- gynaecology waiting lists have increased by 45 per cent since March 2015, from 24,825 patients on active waiting lists to 36,027 in March 2022; and

- the number of people waiting longer than 12 months on gynaecology waiting lists has increased by 67 per cent since March 2015, from 4,127 patients to 6,889 in March 2022;

further notes that:

- the Minister for Health has brought forward a proposal for the relocation of the National Maternity Hospital (NMH) at Holles Street to the Elm Park Campus of St Vincent’s Healthcare Group (SVHG);

- on 22nd April, 2022, the divestment of the Religious Sisters of Charity (RSC) from SVHG was completed;

- the proposal for relocation is in the form of a 299-year lease of the site, and any buildings erected thereon will be owned, in freehold title, by SVHG, at the end of this lease whether in 299 years or at a sooner date due to the forfeiture or termination of the lease;

- leasehold interest does not confer the comfort, control, or unencumbered rights which are inherent to freehold ownership;

- the permitted use of the site under the proposed leasehold agreement is subject to the undefined and ambiguous “clinical appropriateness” test, which many clinicians, legal pro-

professionals and women have raised concern over due to its ambiguity and the potential for Court action by the landlord or by a third party which may disagree with the Health Service Executive (HSE) or NMH's interpretation at some point in the duration of the 299-year lease; and

- all activities at the new NMH at Elm Park are subject to a convoluted governance arrangement, involving Directors appointed by SVHG, the NMH Chartered Trust, and the Minister for Health, three separate companies with three separate constitutions, Boards and sets of Directors;

furthermore, notes that:

- two eminent members of the HSE Board, Professor Deirdre Madden, a Professor of Law specialising in Medical Law and Ethics and Deputy Chairperson of the HSE Board, and Dr Sarah McLoughlin, the Patient Advocate on the Board, have expressed a concern that “in the interests of public trust and confidence in this new project there should be absolute clarity of the separation of Church and State. This would be better achieved if the State owned the land on which the hospital was built, in line with the recommendations of the Day Report (2018),”;

- Professor Madden and Dr McLoughlin further expressed that “the statement from SVHG that they must retain ownership for the delivery of integrated patient care is unsatisfactory” and further, that “the advantages of co-location could be achieved by contractual terms ... without any detriment to patient care”;

- the Taoiseach, in March 2021, stated in the Dáil that “I am of the view that hospitals which are predominantly or overwhelmingly funded by the State should be in State ownership. That is my view. The State now essentially supports these hospitals in all manner and means through current and capital funding ... With regard to the National Maternity Hospital, my view is the ownership, control and ethos of it has to be informed by State and Government policy”;

- the Tánaiste, in 2019, stated in the Dáil that “It is our policy that the hospital will be publicly owned and that the land it is on will be in public control”;

- the Leader of the Green Party, in 2017, stated in the Dáil that the new NMH “should involve not the creation of a lease arrangement but rather the transfer of ownership of the site to the State so that there is no uncertainty or lack of clarity on the ownership”;

recognises that:

- in 2020, €338.8 million, or 67 per cent, of SVHG's revenue came from the HSE for the provision of public healthcare;

- in 2020, €72.8 million, or 86 per cent, of NMH's revenue came from the HSE for the provision of public healthcare; and

- the State, via the HSE, will pay for the construction of the new NMH building; and

calls on the Government to:

- pursue the full realisation of the promise that was made by the RSC to gift the land to

the people of Ireland;

- engage, at the highest level, with the new ownership group behind SVHG, St Vincent's Holdings CLG, to secure full public ownership of the site and new building, with all necessary safeguards, wayleaves, and guarantees to ensure the integrity, integration and highest quality of care on the site;

- resource the National Maternity Strategy and increase capital funding, for the upgrading and refurbishment of maternity hospitals and units which are in dire need of works to meet clinical and safety standards for patient care; and

- ensure the full provision of the range of legally available sexual and reproductive health services across all relevant HSE facilities, and the advancement of accessible community-based services in this field.

I wish to share time with some of my colleagues. I will take seven and a half minutes.

Acting Chairman (Deputy Pádraig O'Sullivan): Is that agreed? Agreed.

Deputy David Cullinane: I will first outline what I want to see arising from this motion, which I understand will not be opposed by the Government. I will get to that in a few moments. I want to see a resourcing of the national maternity strategy. I want to see modern, fit-for-purpose maternity hospitals with modern, fit-for-purpose maternity suites for women right across this State. I want to see it for all women. I want to see investment in all of our maternity hospitals right across the State.

The Minister will be aware that while I accept Holles Street is not fit for purpose, and while some of the comments about the state of Holles Street may have been exaggerated, I certainly agree with him that it is not a hospital that is fit for purpose and we need a new national maternity hospital. Equally, the Rotunda Hospital has difficulties and challenges, as the Minister knows, and has for many years been fighting for resources to increase capacity and to make it a better maternity hospital for the women who use it. I could give many more examples of maternity hospitals across the State where we know buildings are antiquated and the services are not what they should be. We should all commit to better resourcing maternity services as we go forward.

I also want to see a new national maternity hospital. I want to see it built by the State, managed by the State and owned by the State, including the land. Why? I will go back to what the Minister said to me last week when I asked him this question. He stated; "My position...has always been that I would prefer public ownership and to own the freehold." That is what the Minister said when I asked him that question last week. His preference was for public ownership. He also said at the time that he had engaged in discussions with the St. Vincent's Healthcare Group on the ownership issue and that is something he had put on the table. Unfortunately, that is not what was said to us at the health committee yesterday. What was said to us, in the words of the chair of the St. Vincent's Healthcare Group, was that there were no meaningful discussions over the course of the last five or six years on the ownership of the land issue. It strikes me that while the Minister, the Tánaiste and the Taoiseach said that was their stated objective, in reality the Government raised the white flag on the ownership issue and just accepted what the St. Vincent's Healthcare Group wanted, as opposed to standing up for taxpayers and citizens and getting the best outcome. Simply because St. Vincent's Healthcare Group tells us what its best outcome is, does not mean that is the end of the matter, when it is after all the

taxpayer who foots the bill, and who will also fund the day-to-day running of the hospital for decades and generations to come.

I genuinely believe that the decision that was made today by the Cabinet is the wrong decision. That is the case because we have now signed up to a legal framework that is very complicated, complex, convoluted and in my view unnecessary. It is all a product of the fact that we are proceeding to build, for the first time since Sláintecare, a hospital that will not be in full public ownership, and that will be run by an independent charitable company, as opposed to a HSE hospital. I do not believe it is beyond us as a people in the 21st century to build hospitals that are publicly owned, run and managed in the interests of the public and of patients. For me, that is a very clear policy objective that should be met.

We also heard an awful lot of commentary in recent weeks and months, if not years, to the effect that the Sisters of Charity were not interested in or did not have a preference to gift the land to the State, despite at one point them saying they wanted to gift the land to the people of Ireland. We know now what happened: the land was transferred to St. Vincent's Healthcare Group. We have been told that the Sisters of Charity have divested all of their interests in the land, which I do not dispute, and the sole owner of the land is now the St. Vincent's Healthcare Group. We had some very lengthy discussions with the board of the group at the health committee yesterday. All of the questions about ownership were put to its members. We put very straight questions to them. Who owns the land? They said: "We do."

Deputy Stephen Donnelly: They did not. They said the State does.

Deputy David Cullinane: They said they do. They said the landowner, the landlord. The Minister can go back and check the record. I was in the room. The Minister was not. They said the landlord is St. Vincent's Healthcare Group.

Deputy Stephen Donnelly: I watched it very carefully

Deputy David Cullinane: When I asked them who owned the land, they said the St. Vincent's Healthcare Group.

Deputy Stephen Donnelly: They said the State.

Deputy David Cullinane: They said there was a lease arrangement.

Deputy Stephen Donnelly: They said the State.

Deputy David Cullinane: They did not say the State.

Deputy Stephen Donnelly: Deputy Cullinane should check the record.

Deputy David Cullinane: With respect, if it is not questions and answers and over and back, I would prefer if the Minister did not interrupt. I would give way to him if that was allowed. My point is that I had those discussions with them. I put very direct questions to them, and they were very clear that the landowners were St. Vincent's Healthcare Group and that there was a lease arrangement in place between the HSE and St. Vincent's Healthcare Group. I put it to them very directly. Who owns the freehold? They said St. Vincent's Healthcare Group. That is a fact. No matter how many times the Government tries to spin it, that is a fact and that is what they said.

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They also said that they were not going to gift the land to the State. If they are telling us they are not going to gift the land to the State, and that in fact they had no meaningful discussions on that issue recently, then what is the issue? The Minister is telling us that we own the land. He and they are also telling us that they will not gift us the land. It cannot be both. The reality is that they are the landowners and they have not gifted the land to the State, and if they did, we would not need to establish the company, the National Maternity Hospital at Elm Park, because we would be building a HSE hospital on public land. We would obviously have to have arrangements in place between the hospitals on the campus and the HSE hospital - different sorts of arrangements - but we would not need a company to be established that would then have directors coming from different sources. That would be completely unnecessary. That company would not need to be formed. Then, of course, it would not be a subsidiary of the St. Vincent's Healthcare Group. None of that would happen. The Minister therefore cannot credibly come before the House and say there are no contractual issues, no legal issues, we own the land and yet a company has been established to run and manage the hospital with a lease arrangement with St. Vincent's Healthcare Group. The complications and legal contractual issues, constitutions, licenses and leases are all in place for one reason and one reason only, which is that we do not own the land.

I asked the Minister and the Taoiseach several times over the last number of weeks about what efforts are being made to persuade St. Vincent Healthcare Group to gift the land to the State. It transpires from yesterday, from the words of the chair of the St. Vincent's Healthcare Group, that there was no communication from the head of Government, the Taoiseach, with the St. Vincent's Healthcare Group. That is just absolutely bizarre. In fact, it is unbelievable given the importance of this.

We are going to lock ourselves into a legal framework for generations to come. It was not the right decision. I will finish on this point. It is deeply cynical not to oppose a motion while at the same time having no intention of supporting it.

Acting Chairman (Deputy Pádraig O'Sullivan): The Deputy's time is up.

Deputy David Cullinane: If the Government is not going to oppose it then it should vote against it. If it is going to support it, then it should implement it. It seems to me that is not what the Government is going to do.

Deputy Louise O'Reilly: The Minister of State, Deputy Butler, is here. I invite her to correct the record on what is and what is not a Nightingale ward. I hope she has brought herself up to speed on that basic piece of information since our last debate.

The Minister knows what the concerns are. He has heard them. I will quote from a tweet. Maybe given the circumstances and the trouble on Twitter I should not mention it, but I will go there anyway. Gavan Reilly, referencing the Minister, said:

it 'simply wouldn't be possible' for circumstances to arise that a woman would be denied an elective termination... if it were to arise, [the Minister for Health] could ... exercise 'golden share'.

The thing that cannot happen might happen and, if it did, this is what would happen. The Minister will see why there might be some ambiguity and some concern in that sentence, which says, "This thing is not going to happen, but if it does happen, the thing that is not going to happen, then I will step in".

For far too long, women in Ireland have had to go to the courts to access healthcare. They have had to petition their politicians. They have had to get down on their hands and knees and beg or get onto their feet on the streets and demand that healthcare. However, the Minister is saying now that there is a form of healthcare that should be available to women. He says it will be available to women, but just in case it is not, he will do this other thing. Sentences like that do not help. When people say that they are concerned, the Minister cannot dismiss them by saying, I have this in hand, it is not going to happen, but if it does happen, I will do this other thing. I am sure that the Minister can understand why people are concerned.

Equally worrying is the fact that one in ten GPs are offering abortion care. Nine in ten maternity units are offering abortion care. This is under the Minister's watch. He is telling us to trust him. He is saying to trust him, he will sort this out in the event that any woman is being denied an elective termination. However, he has not sorted out the situation in nine of the maternity units. There are issues of trust here. That is why we are here to debate this motion. That is why we need the assurance and the certainty that comes with ownership. A leasehold is not ownership. In fact, the leader of the Green Party in 2017 - this is in the motion - said that the new NMH "should not involve the creation of a lease arrangement but rather the transfer of ownership". Nothing has changed since that time. He was dead right then and he is right now.

I hope that the Minister understands where the issues around trust have arisen. Some of the things that the Minister has said have not helped in that regard. In fact, they have been counter-intuitive. That gives women pause to be very concerned.

Deputy Patricia Ryan: Over the last week there has been a lot of whitewashing. Ministers and backbenchers who previously had their doubts had those doubts swept away by a letter that contained no guarantee that the full range of health options for women would ever be safeguarded. Maybe written on that page was a coded message not to rock the boat, to turn a blind eye to women's rights and to keep their noses firmly out the truck and out of the business of vested interests. I am bitterly disappointed that the Cabinet decided today to drive a coach and four through the clear wishes of right-thinking people.

Everyone I speak to is baffled as to why we cannot own the land and the hospital. We have heard much about this transaction being compared to buying an apartment. This is a disingenuous attempt to discredit anyone who opposes this sell-out. We now have a dodgy, intentionally fake contract that could see the rent jump from €10 per year to over €250 million over the lifetime of a lease.

The Irish people have made it quite clear in recent referendums that we are a secular State and that religion is a private matter. What happens if the HSE is unable to stay for the duration of the tenancy or if, for some unforeseen reason, the State needs to purchase the freehold site? The Government parties have a long history of pandering to vested interests. Healthcare should be for the good of patients and service users and not for profit. The Government should not have approved this deal in its current format. There were no meaningful or serious discussions in five or six years, according to St. Vincent's Healthcare Group at yesterday's committee. Deputy Cullinane has spoken to the Minister about that.

At the very least, the Minister should have removed the phrase "clinically appropriate". There is a broad consensus that this could be removed. There is no legal impediment to gifting the land. The Government yet again is failing women and has serious questions to answer. The solution is simple. We must have a public hospital that is built on public land. Anything less

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calls into question the Government's commitment to Sláintecare. I understand that some Green Party Deputies are wrestling with their consciences. I appeal to them in particular now to draw a line in the sand and to support this motion.

Deputy Denise Mitchell: I fully support the calls for a new national maternity hospital to be publicly owned and to be built on public lands. Unfortunately, the Government is ploughing ahead. For decades, the women of Ireland have campaigned for healthcare that is free from outside influences. They need to have confidence in the type of healthcare that they get. Their concerns could have been addressed. Concerns around a complex legal deal could have been knocked on the head if the Government had kept its word and if it had bought the site into public ownership. The Government said that it wanted the land to be gifted to the State. Yet, yesterday at the health committee, we found out that there was never any meaningful discussion under this Government and this Minister around the purchase or gifting of this site. Was the Government ever serious about owning the site? It does not look like it was.

The argument against public ownership seems to be that it will cause delays. Nobody wishes to see this delayed further, but we are discussing building a hospital at the cost of €1 billion. The Minister for Health, the Taoiseach and the Tánaiste could have resolved this issue. It is absolutely shameful that the Government decided to sign off on this plan this morning. The Minister will have to stand over that. He will have to explain that to his constituents. Nothing changed since it was paused. It therefore seems that committee hearings were basically a box-ticking exercise.

Tonight should have been a chance for every Deputy to cast their vote. Yet, the Government will cynically not oppose the motion. It will speak out of both sides of its mouth yet again. The women of Ireland want a maternity hospital. We want a maternity hospital that is publicly owned and that is built on public land.

Deputy Sorca Clarke: After decades of women campaigning, fighting and, in some instances, begging for healthcare, we are standing here today with a Government that has signed off on a deal that fails to deliver a public hospital on public land. Instead, it has signed us up to a convoluted lease that will run for 300 years. It is obvious to the most uneducated person in economics out there that the investment of €1 billion would have been much better protected by ensuring that we owned the land that we were spending that money on. However, yesterday we learned that despite the fact that the Taoiseach, the Tánaiste and the Minister had been asked to sit down with the St Vincent's Healthcare Group to negotiate that transfer, no meaningful engagement happened to do that. Despite the Government's stance that the transfer of land was some form of legal quagmire, we also learned that the Sisters of Charity did that without precondition. There was no legal barrier. Is it any wonder that women are so concerned about this agreement when neither the Taoiseach nor the Minister for Health has made any serious attempts to have this land transferred, while telling this House that transition was not possible? We all want this hospital. Lord knows, the women of Ireland need this hospital. However, the real issue here is the failure of the Government to secure the land for public ownership.

The phrase "clinically appropriate", which caused so much concern to so many stakeholders up to yesterday, seems to have completely disappeared off into the ether because the Cabinet understands its meaning. There is now no need for legal guarantees. The Cabinet is saying trust it, take another leap of faith and forget all the horrors that have happened in women's healthcare to date because the Cabinet understands. I do not know one woman who is willing to take another leap of faith with their healthcare - not even one - while barriers still exist out there. The

Minister well and truly knows that they do.

Deputy Pauline Tully: I am very disappointed the Cabinet agreed earlier today to sign off on the national maternity hospital going ahead on non-publicly owned land. The question as to why the land could not be gifted to the State has never been answered. We have been told the 299-year lease at nominal rent is ownership in everything but name but why can it not just be signed off and given at a nominal fee in order that ownership can be made without question? The State will build a state-of-the-art hospital at a cost of €800 million and upwards. As that is a major investment of taxpayers' and people's money, they have the right to an assurance that the land in which the money will be invested will remain in public ownership. The fact the hospital will be built on land not in State ownership is very worrying.

The leaders of the three Government parties have all stated in recent times they believe the land should be publicly owned. The Taoiseach said in March last year, "I am of the view that hospitals which are predominantly or overwhelmingly funded by the State should be in State ownership". In 2019, the Tánaiste stated in the Chamber, "It is our policy that the hospital will be publicly owned and that the land it is on will be in public control." The leader of the Green Party stated in the Dáil in 2017 that the new national maternity hospital, "should involve not [just] the creation of a lease arrangement but rather the transfer of ownership of the site to the State so that there is no uncertainty or lack of clarity on the ownership". No wonder constituents accuse politicians of promising one thing and delivering something else.

One of the key recommendations of the Day report of 2018 was that when the State is paying for a hospital, it should own the hospital outright as this avoids complicated governance arrangements, any chance of limited services and guards the State's investment. We need a clean transaction whereby the Sisters of Charity gift the land directly to the State. It is as simple as that. This would copper-fasten the State ownership of the hospital and allay public fears. This makes infinitely more sense in protecting women's healthcare and the State's investment than a bizarre 299-year lease agreement. For too long in this country, women's healthcare, particularly reproductive healthcare, has been neglected. We all agree this hospital is needed urgently. It has been discussed and considered for almost a decade, yet this Government has still failed to get it right and women deserve better.

Minister for Health (Deputy Stephen Donnelly): I apologise to colleagues as unfortunately, I must leave straight after this speech but the Minister of State, Deputy Butler, will be here.

It has been agreed by all sides that we urgently need a new, state-of-the-art, secular, public, co-located national maternity hospital that provides all healthcare services to women and infants. This morning, that is exactly what the Government agreed to. The new hospital will radically improve access to the best possible healthcare. It will provide specialist care for women via a physical corridor to St. Vincent's University Hospital. It will have single occupancy en-suite rooms for all women, with space for partners to stay. It will have single-cot neonatal intensive care rooms and will increase the number of cots from 35 to 50. It will increase the number of delivery rooms from 11 to 24. It will increase the number of operating theatres from two to five and the number of gynaecology beds from 18 to 31. It will have appropriate bereavement facilities. It will be home to a range of important community-based healthcare services.

The new hospital will be entirely secular. Its founding rules, which are the constitution of the NMH, state there can be no religious ethos. It also states not only can the new hospital pro-

vide all services, it must provide all services. The State, via the Minister for Health, will have the power to directly intervene if the hospital fails to meet these requirements. The State will own the hospital and the land for the next 300 years. This has been confirmed by the HSE, the National Maternity Hospital, St. Vincent's Healthcare Group and the Attorney General. The Government added three decisions today in response to the concerns raised and discussed over the past two weeks. First, there will be an annual report on the operation of services at the new national maternity hospital for five years from when it opens. Second, I will request the clinical director of the national women and infants programme to scope out and bring forward a proposal on a centre of excellence for women's health and, third, the term "clinically appropriate" allows the new hospital to provide all legally permissible procedures in the areas of maternity, gynaecology, obstetrics, neonatology and gender recognition.

The term "clinically appropriate" was added to the agreement by the HSE. Colleagues opposite me in the Chamber are asking for an HSE-run hospital. It was the HSE that insisted on this phrase. It wanted this phrase to protect and future-proof women's health services. For years, these services have been squeezed by other services in hospitals. When pressure comes on for urgent access to facilities, such as diagnostics, beds and operating theatres, doctors will tell you it is often things like gynaecology lists in operating theatres that get cancelled first. We are determined to put an end to that. We are absolutely determined the new hospital will be for healthcare services for women and infants, which cannot be pressurised and pushed to the side by pressures from other services. We all agree we have incredible healthcare professionals working in women's healthcare in community and hospital settings, and in maternity, gynaecology, mental health, oncology, screening, well-being and many more. I have met many of them over the past few years. I know that colleagues have also met many of these healthcare workers. We have seen with our own eyes the fantastic work they do. We have also seen the daily pressure they are under and the difficulties they face because of inadequate facilities.

When I took office I ensured women's healthcare was a top priority for this Government. Our first ever women's health action plan was published earlier this year. The national maternity strategy is now fully funded and includes hundreds of additional posts in maternity services throughout the country. We are seeing new infrastructure improvements with theatres refurbished and home-away-from-home suites added to many of our maternity units. We are hiring lactation consultants to provide breastfeeding supports nationally. We are building a new national network of healthcare services. Between last year and this year, we will open six specialist menopause clinics, a national network of 20 see-and-treat gynaecology clinics and six regional fertility clinics. I hope to get funding in the Estimates next year to start providing publicly-funded IVF treatment for the first time. We are opening six specialist endometriosis clinics. We are rolling out free contraception, starting this year with young women aged 17 to 25. We are setting up new mental health teams, including for eating disorders and perinatal mental health.

The new national maternity hospital is absolutely central to this ongoing vision. It is the biggest investment in women's healthcare in the history of the State. All the guarantees we have been discussing over the past few weeks regarding clinical and operational independence, no ability for any religious interference, state-of-the-art facilities and all services being provided is why midwives, nurses and doctors in the NMH, and throughout the country, are speaking publicly and asking us all as legislators to support this very important new hospital.

The task now is to get the new hospital built as quickly as possible. I very much look forward to engagement with colleagues on an ongoing basis. We can all agree we have a history in

this country of taking too long to build hospitals. Indeed, it was pointed out to me this morning that the procurement process alone for one of the hospitals in recent times took two years. We have a big advantage here. Planning permission is already in place, the detailed design is done, the legal frameworks are in place and the business case, which will be externally validated, is being developed. What I want to see and want to work with colleagues on is pushing this forward, while genuinely respecting everyone's views. That is why we added three new decisions to the memo this week that were not in the memo two weeks ago. I hope we can all work together to push and ensure that this hospital gets built as quickly as possible.

Minister of State at the Department of Health (Deputy Mary Butler): I begin by echoing the Minister's comments regarding the Government's commitment to the development and improvement of women's health services. We know the infrastructure of our maternity hospitals leaves much to be desired and that there are deficits in women's health services, in the choice of experience available to pregnant women, in the availability of mental health supports, physiotherapy, services for endometriosis and menopause, as well as difficulties with gynaecology waiting lists. We know this is the case and there is no point in hiding from that. However, in terms of our commitments to women's health, we have put our money where our mouth is and have provided the investment needed to see those commitments through.

For example, for the first time since its launch in 2016, we have adequately funded the national maternity strategy. In 2020 just €1.5 million was allocated to implement this strategy. This Government increased that figure to €7.3 million in 2021 and again to €8.6 million in 2022 to ensure a renewed impetus to the implementation of the strategy.

As raised in today's motion, HIQA's overview report highlighted a number of areas where work is required to meet the standards. I note in particular the concerns regarding deficiencies in maternity infrastructure. The HSE is working on a plan to address the infrastructural issues across our maternity services and to ensure the physical environment of our hospitals and units are in line with both HIQA's standards and the vision of the national maternity strategy.

Improving women's experience of and outcomes in the health service is of course much wider than maternity. As mentioned earlier, €31 million has been provided this year for a range of developments around women's health. Some of these have already been referred to but they include an additional €5 million for the dedicated women's health fund and the roll-out of a free contraception scheme for those aged 17 to 25 later this year. In addition, a further €16 million to support women's health is embedded within other new measures for 2022 within the health Vote in areas such as cancer, mental health and social inclusion budgets. In mental health we now have 19 perinatal mental health midwives in place, who are in every maternity hospital in the country. There are 75 staff working in perinatal mental health. I recently met the team in the Rotunda. Some 9,800 women presented to the hospital last year to give birth and 2,000 needed and received the support of the perinatal mental health team. It is a really important initiative.

I have participated in and listened to the intensive debate on this topic over the past two weeks. I am fully confident that there will be no religious ethos at the new national maternity hospital and all legally permissible services will be provided there, as they are in the current hospital at Holles Street, and that the State's investment in this hospital and the provision of public healthcare services are fully protected.

Following on from the Cabinet's decision today, let us now is the time to move on towards the delivery of this much-needed new maternity hospital.

Deputy Mairéad Farrell: Twelve years ago, the Office of the Comptroller and Auditor General identified some of the key risks posed by this deal. A chapter of its report was called “Protecting the State’s property interest” and identified several alarming details. These included the existence of “a fixed charge over the entire St Vincent’s Hospital site” and “a floating charge over all of the undertaking, property and assets of SVHG both present and future”. The Comptroller and Auditor General’s worrying conclusion was that the St. Vincent’s Healthcare Group had “pledged publicly-funded assets in return for bank finance for the development of its private hospital”. In other words, the land on which we are going to build this hospital has been used as collateral for other transactions. It was used as collateral to raise debt and for the development of St. Vincent’s private hospital and commercial car park. As a result Bank of Ireland now holds a charge on this land. Therefore, not only is the Government proposing to build our new national maternity hospital on land that we do not even own but the group which owns the land has a charge on it held by Bank of Ireland, which is a potential risk to the State.

The Day report of 2018 recommended that when the State is paying for a hospital, it should own it outright. That is the best outcome and way to safeguard state investment, option agreements notwithstanding. Two members of the HSE board also expressed concern about governance if the State does not own it outright.

Thomas Hubert reported in *The Currency* that St. Vincent’s Healthcare Group was granted a temporary reprieve from non-compliance with its debt covenant but this was pandemic relief and it is about to come to an end. This deal is so bad that I cannot believe it has got to this stage. I am outraged that it has got to this point and that we have had to raise it continuously. So many women and activists have done for so long. It is fraught with risks and uncertainties. It is unnecessarily complex and disregards established policy designed to protect State investment. It is a bad deal for women and for the taxpayer. It creates risks for women’s health and the taxpayer. Finally, for parties which consider themselves to be so pro-business, they are terrible at doing business themselves.

Deputy Dessie Ellis: The journey so far on the provision of a national maternity hospital that has got to this point has been long and convoluted. It has become unnecessarily mired in controversy. The existing maternity hospital in Holles Street is not fit for purpose. The decision to relocate to a new site eight years ago that could offer patients improved modern facilities, as well as better care, was not before time. However, since that decision was made, the process has been beset by delays and reasonable concerns over ownership, governance and control. For such an important and major health project, it is hard to fathom that after almost a decade of work, there is very little to show for it apart from escalating costs in construction. A project that was originally to have costs around €150 million is now being put at €500 million with a further €300 million for commissioning costs including fit-out costs and transfer to the new site. The cost of the hospital has gone from €150 million to €800 million. It is another example of gross overspending on a hospital project. There have been legitimate concerns raised by concerned citizens and medical professionals. These have not been sufficiently addressed. They continue to cause friction and needless controversy.

It is important that the national maternity hospital has a secular ethos and that both the hospital and the site on which it resides are fully owned and managed by the State. That the site is supposed to be transferred to a charitable entity called St. Vincent’s Holdings has also raised concerns for many who are worried that the hospital will be unduly influenced by a religious ethos. There is also fear that the hospital’s legal framework, which talks about “clinically appropriate treatment” is already being shaped by a religious ethos. People are rightly concerned

that the new hospital will fail to deliver healthcare that is not approved by the Catholic Church. The new maternity hospital, its administration, operation and oversight must be represented by a secular body and that is best achieved under full State ownership.

Deputy Réada Cronin: What a desperate disappointment this cynical Government is for the women of this State and what a desperate disappointment it is for anyone who is interested in public healthcare. The ownership of this land for our new national maternity hospital was there within our grasp but this disappointing and cynical Government did not fight for it. Now we hear the chair of the St. Vincent's Healthcare Group is to be hauled in to correct the record after he said that the Government had no serious or meaningful discussions to push for full public ownership. However, at the same time, the women of Ireland and women Government Deputies are supposed to accept a letter of comfort from the same source on their health and, more importantly the future health of their children, their daughters and granddaughters. The degrading Government is not opposing our Private Member's motion. This floor show is brazen, cowardly and cynical. A billion euro of public money is being spent to build a hospital on private land. *Mná na hÉireann* are heard but not heeded. In the uniform of the patriarchy, the leaders of Fianna Fáil, Fine Gael and the Green Party tell us that they know better than us, that they know what is good for us and they carry on regardless. The Government has shown contempt for public health reform and their sisters in society by doggedly pursuing its belief that it knows best, that it knows more and that women should just put up, shut up and move on. Except the women and men who have stood by us, who campaigned against this fudge, who rejected this ambiguity and who are incensed by the insult and uncertainty of "clinically appropriate" will not move on. Some 100 years of Fianna Fáil and Fine Gael was not enough for the Government; it seems to have tied us into a lease for 299 years. The resistance and spirit of the repeal campaign will not be quenched. For some the repeal campaign only represented a veneer and a desire to be popular but for *mná na hÉireann* who were involved in "Tá For all Mná", repeal was fundamental. *Déanaim comhghairdeas* leis the Government; it heard us but it ignored us but I can tell the Government that we are watching. As most of the men on the other side of the House will know, women do not forget.

Deputy Mark Ward: I want to start off by talking about the legacy of mistrust in respect of religious orders having any connection with women's healthcare. I want to talk about the historical abuse suffered by women at the hands of religious orders. I also want to talk about the connection between church and State that led to this abuse of power. I am a member of the Committee on Children, Equality, Disability, Integration and Youth that has been working through legislation on historical abuse, whether that was in the mother and baby or homes or with institutional burials, including the bodies of children being dumped in septic tanks. We listened to the heart-rending testimonies of witnesses on forced adoptions. As women and children were treated as commodities by the church and the State in baby factories, if this Government cannot see the upset that building a maternity hospital on land that is owned by a religious order has caused, then it is more out of touch than I thought.

During Leaders' Questions today the Taoiseach reaffirmed the Government's position that leasing the land from a religious order is effectively owning the land but this is nonsense. A lease is a lease. If I rent my home I do not own it; the landlord does. The Religious Sisters of Charity, in the guise of St. Vincent's Holdings CLG, is the owner and therefore it is the landlord of the land the national maternity hospital will be built on. There is a yearly payment and this is not ownership of land. We are talking about a €1 billion investment in taxpayers' money being spent on this hospital and the State should own it outright. The Religious Sisters of Charity

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previously promised to gift the land to the people of Ireland and that means a public hospital on public land. The Government needs to make this happen. The control of the land is important and with this massive State investment should come full ownership.

The State has been in the grip of Governments controlled by Fianna Fáil and Fine Gael since the inception of this State over 100 years ago. The reason we need a new national maternity hospital now is a lifetime of underinvestment in women's healthcare by both parties. We need a complete separation of church and State when it comes to women's healthcare and in fact, we need a complete separation from Fine Gael and Fianna Fáil when it comes to women's healthcare. Today the Government signed off on a deal to pass this through and yet it will let this motion go through so that it will not be forced to vote on it and add to public outcry. This is the Government talking out of both sides of its mouth and the public is seeing through it. This is not the first time; it has happened with child and adolescent mental health services, CAMHS, and other motions that have been put forward by the Opposition. The Government sits over there, nods its head, lets things go through and has no intention of putting things in place. It is a con job and the Government needs to cop on.

Deputy Duncan Smith: At some indeterminate point last week it became clear that the Government was spinning its wheels on what was supposed to be an open and inclusive consultation on the various documents. For me it was clear during a meeting of the Committee on Health last week that the Government was just stalling for time and playing us out. It was like the end of "Mr. Smith Goes to Washington" with the Minister, Deputy Stephen Donnelly, coming to briefings, to the Committee on Health and to the Dáil and just talking the clock and the days down until this moment.

We wonder why people feel so cynical about politics and politicians and this has been thrown across the floor from Opposition to Government and from Government to Opposition. In recent months, I have been on the Business Committee and I have seen multiple attempts to block statements and debate on this issue. We had to come up with a special arrangement for a Thursday sitting a few weeks ago and during that special arrangement, the Minister said that when the documents were released and the lease was ready, we would have a full debate. Then two weeks ago he marched into Cabinet seeking to push this through at which point it was stopped and it was decided to give it a couple of weeks and to have an open debate on it. That debate did not really happen. We had chats but the debate certainly was not open. We saw it in previous months in the Business Committee and we are seeing it now in the fact that this motion will not be opposed and that there will be no vote on it. To extend the cynicism, we saw the Minister, Deputy Stephen Donnelly, on social media a couple of hours ago with a video extolling the virtues of this deal that was retweeted some 200 times in the space of a couple of minutes by what looked like bot accounts. This is crazy stuff. Why did that happen? It happened because the Minister and the Government know they do not have the support of the women and people of Ireland on this issue. The gas thing is that no one will be looking one way or another at how many retweets a tweet gets but it just shows the insecurity the Government has in its stand on this.

We are clear in our position and we have been for a number of years and we desire to see the land compulsorily purchased. We asked how many of the three Ministers who were in power asked for the advice of the Attorney General on that and we did not get a clear answer. The Minister, Deputy Stephen Donnelly, said that he sought the advice of the Attorney General but we did not get any indication as to what that advice said, never mind what the previous two Ministers asked from their Attorneys General. Despite all the talk in this Chamber, in the Com-

mittee on Health and elsewhere in recent weeks and months the Labour Party still has massive concerns about the ownership, control and governance of the new national maternity hospital. We are not the only ones; we are not the only ones in this House and we are not the only ones in politics who have concerns. Across the legal and clinical profession we have the likes of Dr. Chris Fitzpatrick of The Coombe Women and Infants University Hospital who came out in recent days and said that he felt that clinicians will not have the necessary guarantees that they would be able to carry out the various procedures that are legally permissible in this State.

Where are we now? It has gone through Cabinet and the Minister has said the design is done and that we are going to push through to procurement. Here we are with an imperfect ownership situation. No matter what way the Government tries to dress it up, it is not perfect. When the Taoiseach was in opposition he said he wanted fully public ownership of the land and we do not have that, which is a fact. We have the 300-year lease and that is imperfect. We have a golden share model, which means that 300 years into the future every woman in Ireland will have to hope that the incumbent Minister for Health is pro-choice and that he or she will never have to use his or her golden share. If anyone thinks that is a perfect model and is something that should be used now or should ever be used again, then he or she is living in fantasy land. We have imperfect ownership and a model that means that every woman in Ireland will have that concern and worry in their stomachs that this golden share will have to be used. We only have to look at the United States in recent weeks to see how the situation can change in a matter of moments.

Deputy Ivana Bacik: Earlier today, on behalf of the Labour Party, I expressed our strong disappointment to the Taoiseach at the decision that has been taken by Cabinet. As I have said and as my colleague, Deputy Duncan Smith, has said, in Labour we continue to stand firm in expressing our strong concerns about ongoing issues with the control, ownership and governance of the new national maternity hospital. We thank the Minister, Deputy Stephen Donnelly, for the engagement we have had in the last two weeks and we acknowledge the need for a new national maternity hospital to be built to provide women with the healthcare we so badly need. We are disappointed that the engagement and two-week delay did not lead to any change or substantive improvement in the deal that was on offer and we should have learned by now that there is a need to get this right because we have such a long legacy in Ireland of church and State interference in the exercise of women's right to reproductive healthcare. Many of us fought for decades to see the eighth amendment repealed and when we finally achieved that in 2018, only four years ago, we were able to introduce legal abortion in Ireland.

6 o'clock

We know from experience, our own bitter experience and experience elsewhere, that these hard-won gains for women's rights and women's reproductive rights can be reversed or undermined all too easily. Indeed, we have seen that clearly in recent weeks with the awful prospect that the pro-choice landmark *Roe v. Wade* decision could now be overruled by the US Supreme Court. A whole new generation of women in America face the prospect of fighting again for pro-choice rights that were won there decades ago and may now be overturned.

Apart from that real and valid fear that we have about the reversal of rights won, we also have the principle of putting €1 billion of State money into a facility that will not be constructed on State-owned land. Ireland has a long legacy of investing public money into building up the infrastructure of voluntary hospitals and schools on sites that are owned by religious orders or their proxies or successor companies. I have spoken before in this House about the well-es-

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established practice where religious orders divest their assets from their own ownership and into the ownership of lay-run trusts, which can often have a more hard-line approach to negotiation with the State than the religious orders which preceded them. That is the context in which we distrust this deal. That is the context for ongoing concerns. That is the context for our real and pressing need to see this national maternity hospital built on publicly owned land.

The two-week delay has not resolved our concerns. Indeed, our engagement has strengthened our resolve that the Government should have retained the leverage power of the compulsory purchase order, CPO. I spoke today with the Taoiseach about figures I just got from An Bord Pleanála about the length of time it takes to resolve a CPO. The average number of weeks this year to dispose CPO cases is 20.4 weeks, less than five months. In a context where we have now waited nine years and we have undoubtedly seen incremental improvements in the deal on offer, the State has removed from itself the option of a CPO and therefore has removed that bargaining power.

The Government has now taken this less-than-optimal deal, the imperfect deal, as Deputy Duncan Smith said. We know it is less than optimal and less than perfect because we know from what the Minister, Deputy Stephen Donnelly, and others have said that the Government wanted the site to be in public ownership. At least one Minister for Health sought the Attorney General's advice on the merits of a CPO. However, that was not pursued and instead the Government settled for this less-than-optimal deal. As a result, we are letting down women in Ireland and we are letting down the principle of church-State separation.

We have got conditional ownership. It is ownership of a sort but it is not outright ownership, not freehold ownership. It is leasehold interest and however long a leasehold is, it remains conditional ownership. The conditions are clearly set out in the legal documents: the conditionality of appointment of three directors; the right to appoint three directors from St. Vincent's Healthcare Group; the right to have a rotating chair every three years; the right to have a penalty rent; and the phrase that so many of us have picked up on and are concerned about of "clinically appropriate" which clearly qualifies the availability of all legally permissible services.

These are the conditions consequent on the leasehold arrangement and these are the reasons why we continue to have such valid, solid and substantial concerns about the deal that has been done. That is why at this very late stage we are still calling on the Government to go back and seek a better deal, as has been done before. This is a better deal than was previously on the table from St. Vincent's Healthcare Group, so it can be improved upon. If the Government were to go back to the St. Vincent's Healthcare Group there would be a united Opposition who all want to see this hospital built on publicly owned land in the interests of women's reproductive healthcare.

An Ceann Comhairle: I call Deputy Cairns who is sharing time with Deputy Shortall.

Deputy Holly Cairns: We have had incarceration, mass graves, forced family separation, physical, psychological and sexual abuse. The history of partnerships between church and State concerning maternity and women's healthcare represents some of the darkest parts of our past. It is a tragically recurring pattern when men in positions of power collaborate to make decisions about women's bodies. This oppressive regime was often subtle and invisible. It was enforced by social norms wrapped up in caring language and it was found in the limitation of medical procedures. Most importantly, concerns, questions and objections were disregarded, denied and shouted down.

While this Dáil still debates legislation relating to the legacies of that cruel and twisted system, today it is abundantly clear that the Government has learned nothing from our history. That gifting our national maternity hospital to St. Vincent's, set up by the Religious Sisters of Charity, is even up for discussion disregards and compounds the suffering that many thousands of people have experienced at the hands of the church and State. In addition, genuine concerns of mothers have been dismissed as misinformation. Medical practitioners and legal experts have been disregarded. People have been labelled as conspiracy theorists for asking questions. Deputies who supported the campaign to repeal the eighth amendment to the Constitution seem to think this somehow shields them from any kind of criticism. From the outset, the Government's handling of the national maternity hospital plan has been contradictory, confusing and inconsistent.

Despite all the Government spin and claims, three fundamental questions have not been resolved. First, why is the Government gifting a €1 billion hospital to a private company? On that point alone, this deal should not be going ahead. Second, why are the Religious Sisters of Charity not giving the site over to the State as promised? We have been told that a 300-year lease is essentially transferring the land. Why are we not just doing that? What is their reason or motivation for retaining ownership? Third, what is meant by clinically appropriate? That there has been so much debate about how this could be interpreted is of itself evidence that it could be interpreted in many ways. It is unbelievable that that key term remains ambiguous. These questions have been asked repeatedly by Members of the Opposition and in particular by female leaders.

I am raising gender because it is deeply relevant. The State has an horrendous record on women's health, even up to this Government, when it was required to have a Dáil motion seeking an implementation plan for a national maternity strategy. The women of Ireland, the people who will be using this hospital, are being ignored. This is another Government that knows better than women. Patriarchy and misogyny run so deep in this society that people often cannot even see it. Women have won the right to control their bodies. It was a long and hard-won battle, opposed by politicians and religious orders. That should never be put in doubt again, but today with full knowledge of all the concerns, all the unanswered questions and all the legal and medical ambiguities, the Government decided to plough ahead because it knows best. It knows what is best for women and not women themselves.

Government Deputies and Ministers have received countless emails and messages on the issue from women and mothers, as have I. Do they stop for even one second to think they may have a point before those of them who take the time to reply tell them all the ways they are wrong?

This decision is wrong on so many levels. Like so many bad decisions, because things have gone on for too long it is being used as an excuse. The approach is not to reflect on how badly this has been handled by successive Ministers for Health, Deputies Varadkar, Harris and Stephen Donnelly, but rather to accuse those raising legitimate concerns of delaying things. That argument will not cut it this time. People see through it and most importantly the girls and women of Ireland see through it.

The solution has always been incredibly simple, a State-owned and controlled national maternity hospital built on State lands and through the use of State funds. Not only is this the proper way to conduct healthcare projects, never mind €1 billion of taxpayers' money, but it removes any possible doubt about governance and medical procedures. Most importantly it

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ensures that the will of the women in Ireland will be respected. Why is it so hard for the Government to accept?

When the issue inevitably arises, where will the Minister be? He cannot say he did not know. He cannot say he was not warned. The real hard truth is that the women and girls of Ireland will bear the brunt of his mistake. They again will suffer because the Government thought it knew better than they did. That will be his legacy - another government making wrong healthcare decisions for women.

Deputy Róisín Shortall: I welcome this Sinn Féin motion. The Government is displaying incredible disrespect for this Parliament and for democracy by its actions. We have already had three Private Members' motions calling for full public ownership of the new national maternity hospital. The Government has voted in favour of those motions. Today's is the latest. The Government is faced with a motion which states that we must pursue the full realisation of the promise that was made by the Religious Sisters of Charity to gift the land to the people of Ireland and engage at the highest level with the new ownership group behind St. Vincent's Healthcare Group, St. Vincent's Holdings CLG, to secure full public ownership of the site and new building. It is the height of hypocrisy that on the very day that the Government has rammed through a Cabinet decision to plough ahead with this proposal, it sits back and pretends it supports this motion.

Deputy David Cullinane: Hear, hear.

Deputy Holly Cairns: Hear, hear.

Deputy Róisín Shortall: Is the Government not ashamed of that? What have matters come to that the Government is behaving in such an utterly disrespectful way?

I wish the Minister was here. I do not where he is. He is probably doing more media appearances. He is completing undermining this Parliament and our democracy. We were told two weeks ago that there was going to be a pause and an opportunity to address the key issues of public ownership and the phrase "clinically appropriate", which nobody understands.

We know after yesterday's meeting of the Joint Committee on Health that the Government has never, on any occasion, seriously approached St. Vincent's with a view to purchasing the site or getting St. Vincent's to gift it to the State. That was confirmed yesterday. It was confirmed today that in spite of all the promises, including those made by the Minister of State, Deputy Butler, that people would be reassured and there is no problem with the phrase "clinically appropriate", several people who are proponents of this project have said they are not sure exactly what it means. We have heard three different interpretations of the phrase. Last Thursday, the Minister of State, Deputy Butler, was beside the Minister when he accepted that we had a point. He said he would reflect on the issue and consider it over the weekend. There was endless spinning going on last weekend about some kind of definition, removing the phrase or adding a codicil, ridiculously. None of that meant anything and the proposal was today rammed through Cabinet.

The Government has said it will add a note to the memorandum to Cabinet. Adding a note, a letter from the Minister or a letter from anybody, carries no weight whatsoever in contract law. We have a number of legal documents which contain the phrase "clinically appropriate". Unless there is a definition of it, the meaning will continue to be highly ambiguous and will undoubtedly be challenged in the years ahead.

Where does this Government stand with regard to its supposed commitment to public healthcare and to Sláintecare? All the Government has been doing is paying lip service to that. Its decision today shows that it is not at all serious about Sláintecare and that it is engaged in the same thing St. Vincent's is engaged in, namely, promoting private healthcare. The Government has commissioned its own reports. The report of Dr. Donal de Buitléir came down strongly in favour of the separation of the two elements of public and private healthcare. Dr. Catherine Day also submitted a report. The Government is completely disregarding those significant reports.

The Government is now entering a contract with an organisation, St. Vincent's Holdings CLG, about which we know nothing. The Religious Sisters of Charity had to get approval from the Vatican to transfer its shareholding to that organisation. We know the Vatican agreed to the proposal, or petition as it is called, and we know nothing about what was contained in that petition. The Government is highly irresponsible in what it is doing. We are going to pay an enormous price for this in the future.

Deputy Bríd Smith: It is hard to know what is left to be said about this debacle, other than for me to be very critical of how the Government has behaved over the past two weeks. The Government brought us into this Chamber, into repeated committee meetings and into media debates under a pretence. That pretence was that it was willing to engage and listen to the concerns of the Opposition, the women of Ireland and those of us who marked out the movement to repeal the eighth amendment. The Government has not listened to anything. The aim of all of this was to talk down the clock and drag matters out. The Government pretended it was going to give the Opposition some kind of change to this very convoluted and complex document, and to assuage the fears of the Opposition about its wording, including "clinically appropriate", while arguing about the ownership of the land.

What I have found remarkable throughout this whole process, and I have been involved in all of the debates, is the fact that the Minister can sit there happily and say, "Black is white." I could pick up a document and tell him that what he is asserting is not what St. Vincent's Holdings has said; that St. Vincent's is saying, "Black is black." Even in that circumstance, the Minister will get up and say, "Black is white." The Minister of State, Deputy Butler, has done that today. The speeches of the Government Deputies have done that. The Minister started his contribution by saying that we now have an urgently needed secular, public and co-located hospital. It is not co-located. It is fully integrated with St. Vincent's Healthcare Group. It belongs to a group that has public and private hospitals, and St. Michael's Hospital. That is clear from the documents and the business case that St. Vincent's Healthcare Group has made. It is also being paid for by public money, provided by the taxpayers, who are struggling today, and will be struggling tomorrow and next week, to make ends meet in this era of hyperinflation. Those people are watching this unfold. An enormous chunk of taxpayers' money is going to fund private suites for consultants in a public hospital. It is outrageous. This is being done under a cloud of secrecy and doubt. People's concerns, bearing in mind the legacy of the Catholic Church and, in particular the Religious Sisters of Charity, have been dismissed. To do that is utterly disgraceful, and it is Government hypocrisy.

I know the personal position of the Minister of State, Deputy Butler, because she led an active campaign to try to secure a "No" vote in the repeal referendum among members of her own party. She led that campaign personally and, obviously, her position on the question of choice has not changed. This is the worrying thing. We are moving forward into a new era. Let us say that Sinn Féin continues to top the polls, sweeps the next election and trumps all other parties-----

Deputy David Cullinane: Hear, hear.

Deputy Bríd Smith: -----and we attempt to form a left Government. That Government, because of this document, will never be able to take full control and ownership of a hospital that was built with public money. It will never happen because one of the clauses accompanying the reduced level of rent states that St. Vincent's Holdings will never be challenged by the State and taken off the pitch. I ask the current Government to bear that in mind. It should also bear in mind that people more conservative than the Minister of State, Deputy Butler, on the question of reproductive rights could some day be in control and could challenge the meagre legal rights we have gained through the repeal of the eighth amendment.

I will point out one other hypocritical act. We were told that we cannot apply a compulsory purchase order to the lands because it would delay the process. It is also put in a context that suggests it was us in Opposition who caused a nine-year delay. That delay was the fault of St. Vincent's Healthcare Group and the Religious Sisters of Charity who were utterly determined to hold onto ownership of that land, whether it was morally right or legally possible or not. The Government has stated we cannot apply a compulsory purchase order. There is a compulsory purchase order on St. Vincent's Lands in Elm Park from the National Transport Authority, NTA. The NTA is compulsorily purchasing land from the nuns to build BusConnects. That has been done, and will be done, without a whimper, but we could not do the same on behalf of the women of Ireland. That is disgraceful.

Deputy Gino Kenny: To say the past two weeks have been a sorry saga is an underestimation. In the past nine years, successive Governments have had a chance to get this right but have got it very wrong. We all agree that maternity services in the places where women have children are antiquated. We all agree with that. Those services need to be modernised.

The heart of the debate, and not only in the past nine years, has related to religious interference in healthcare. Such interference has a sorry past. We must look at the past, the present and the future. The past, as I said, has included religious interference in women's healthcare. It has been a sorry past.

In the present, we have a two-tier system, private and public, which causes fault lines across society. People who live in certain parts of Ireland still cannot get access to abortion services. That is a fact.

We do not know the future and that is why there is some ambiguity regarding the 300-year lease. What we do know is that this generation has thrown the yoke of Christian doctrine away, as well as all of the inequality that existed previously. It has the shape of marriage equality and Repeal, and this generation will accept nothing less than the separation of church and State. Time will tell whether the Government has made an enormous mistake. People may look back in ten or 15 years and ask why the Government handed that land over to a private entity.

Deputy Paul Murphy: Breathtaking cynicism has characterised the Government's ramming through of this proposal. The height of that breathtaking cynicism will be seen this evening when the Government votes in favour of a motion that calls on it to secure full public ownership of the site and new building on the very same day that it has done the very opposite. It is a disgusting level of cynicism. Government Deputies are all used to telling untruths at election time and then breaking all of their promises. Look at the Green Party and what it will do today. To hand over the land and the hospital in the morning and then in the evening vote in

favour of a resolution to do the opposite is absolutely incredible.

Just because the Government keeps saying that what is proposed is equivalent to ownership does not make it so. If one looks at the legal documents, it is clear that this is not ownership in any way whatsoever.

Deputy Mick Barry: The chair of the St. Vincent's Hospital Group, Mr. James Menton, told the Joint Committee on Health yesterday that the St. Vincent's Hospital Group is a secular organisation. This is the St. Vincent's Hospital Group still has St. Vincent in its name. Does it not still have religious statues and icons in its grounds and in its hospital? At the same time as that contribution was being made, a quick check on the Sisters of Charity website yielded the following statement: "health care is provided in an atmosphere of Christian love and compassion, operating according to the values of the Sisters of Charity." Is this a lay Catholic successor organisation or a secular organisation? The answer to that is pretty clear.

Fianna Fáil might have calculated the odds here, cynically, and figured that its voter base tends to be older and more conservative and the party will not lose much ground as a result of this decision. There is no Fine Gael Deputy in the House at the moment that I can see but I think that party's voter base might be a little bit different. Abraham Lincoln once said-----

An Ceann Comhairle: The Minister of State is a member of Fine Gael.

Deputy Mick Barry: Ah yes, the Minister of State, Deputy Feighan. Abraham Lincoln once said: "You can fool all the people some of the time and some of the people all the time, but you cannot fool all the people all the time." I hope I have that right but the Deputy knows the quote to which I refer. Fine Gael jumped on the Repeal bandwagon very late in the day but it will be lot clearer to the people who gave the party a degree of support around that issue where it really stands on the struggle to separate Church and State in this country and on issues like Catholic control and influence in other hospitals around the country.

Finally, on the Green Party, it used to be said of the Labour Party that it wrestled with its own conscience but the Labour Party won in the end. The same is true of the Green Party today. The Government's cynical decision to support the motion might get it off the hook of the embarrassment of Deputy Hourigan voting against the Government but the people who voted for the Green Party in 2020 will see what is going on here and will remember the stance of the party on this issue come the next election.

Deputy Peadar Tóibín: From the outset I want to reiterate that the Aontú policy is to build public hospitals on public land. We believe that both the children's hospital and the maternity hospital should have been tri-located with a hospital on the periphery of the M50. It is a big mistake for both of these hospitals to be located on the sites chosen. We also believe that these hospitals should be run by the State but we are in a situation where the Government has to make a decision on the basis of an organic system that has grown over decades. At this stage, we need to go ahead and build a new national maternity hospital as soon as we can.

I want to thank the National Maternity Hospital for organising a briefing for Opposition parties in Holles Street last week, where the Minister for Health and the master of the hospital were present to take questions. It is incredible that Aontú was the only Opposition party that attended that meeting. Given that this issue has consumed pretty much all of the bandwidth in this echo chamber for the last month, I would ask why Sinn Féin, the Social Democrats, People Before Profit and the Labour Party did not attend the Holles Street meeting to pose questions

to the hospital itself.

The key question for us in all of this is the cost to the health of mothers for each year that the building of a new maternity hospital is delayed. That is a key issue. We want to know how many wards are operating at over-capacity right now in the National Maternity Hospital. What is the patient to doctor ratio, the patient to nurse ratio, and the patient to consultant ratio? How many babies are in the neonatal intensive care units relative to the actual capacity of the units? How long does it take to cross the city of Dublin from Holles Street to St. Vincent's Hospital in an ambulance on an international rugby match Saturday, if a mother is suffering a life-threatening medical emergency? These are the key questions. We also want to know how long it would take to start from scratch and build another maternity hospital in another location if this deal collapsed. There was a significant chance that this deal could have collapsed and if we had to go back to the drawing board, we need to know how long it would take before a hospital would be built. Is it ten, 15 or 20 years?

These are the critical, life and death issues that should be at the centre of the debate but they have not been at its centre over the last number of months. It never ceases to amaze me that if there is a choice between a bread-and-butter issue or health issue, on the one hand, or a culture war issue, on the other, most parties of the left will go to the culture war issue like a moth to a flame. The people I talk to at home are consumed by the fact that: there are 1 million people on hospital waiting lists, with many there for years; there are hundreds of people on trolleys every day; accident and emergency delays are now the worst on record, with seriously ill people having to wait 13 hours or more for admission; we have a mental health pandemic in this country; and hospitals faced claims for 105,000 mistakes last year. One would have to be on a pretty high income or have gold-plated health insurance for these health concerns to be relegated below the question of whether there is a crucifix in a hospital. One would have to be fairly well off and have fairly good access to healthcare for those issues to mean less than whether there is a crucifix in a hospital.

It is astounding that Peter Boylan's tweet last night made the big reveal that there is a chaplaincy in St. Vincent's Hospital and this chaplaincy provides information on the television channel on which patients can access mass, if they want. Is this where we are in Ireland in 2022? Forget about the 1 million people on hospital waiting lists. Hold the front page - there is mass in the chaplaincy in St. Vincent's. What is going on in this country at the moment is incredible. Just under the surface of much of these debates is an anti-Catholic invective. I have heard some of the language that has been used on the radio and television and in these Chambers in recent weeks, from Deputy Ó Ríordáin's desire to vet civil servants for their level of Catholic faith and his call to get them out of the schools, to the Social Democrat's motion which stated that the Catholic ethos is a threat to women's healthcare, to Solidarity, People Before Profit blaming the education in Catholic schools for violence against women. All of this is untrue, and much of it borders on hate speech. For hundreds of years in this country, the health service and the education service was provided by the Catholic Church and the volunteer work of men and women. Indeed, the chaplaincy that was attacked in Peter Boylan's tweet is one of the many chaplaincies and organisations which provided comfort and consolation, at great risk to themselves, to believers and non-believers during the darkest days of the Covid crisis. We are reminded that the only profession not thanked at the official Government remembrance for Covid were the priests and nuns in the State who buried our dead and who consoled our families at great risk to themselves while the people who wrote those speeches were working from home at the time. It is an incredible situation. If one wants to find Catholic ethos in this country, look no further

than Sr. Stanislaus Kennedy, Brother Kevin, Fr. Peter McVerry and Sr. Consilio. These are the people who are picking up the tab in areas of government neglect. Priests, parishes and religious people right across the country are moving mountains to help refugees fleeing Ukraine and are sending supplies to the Polish border.

There have been great wrongs carried out by the church in the past, but there has been great good delivered for generations too. For every wrongdoer there were dozens of good people doing the best they could for the right reasons. There is hardly a family in the State that has not benefited from Catholic healthcare or education in the last century. It must be remembered that in the darkest parts of our institutional past the State was equally culpable in those situations. Our healthcare service has grown organically into a pluralist model. Voluntary organisations with different ethos have, in the main, built the health service we have today. Ireland should be a pluralist republic. Catholics, Protestants and dissenters should have the right to be who they are without fear or favour from the State. Pluralism makes Ireland richer, stronger and more diverse.

I hear parties saying the ground should be gifted to the State. Sinn Féin has more than 100 properties in the State at the moment. I suggest that perhaps Sinn Féin gift some of its properties to the State. It is easy to be generous with other people's property. It is much too easy. People should not ask others to do what they will not do themselves. My whole worry about this issue at the moment is that the project could be delayed for another 15 years. It is right and proper to ask the questions. It is important we test this contract to the full extent. We see no evidence proffered as to why it should be stopped. If it is stopped, I believe the mothers and women of Ireland will suffer as a result.

There is one term with which I have a difficulty, and which has been cited over and over again in this debate and it is whether or not something is "clinically appropriate". What does "clinically appropriate" mean? It means a professionally recognised standard of medical care. All hospital decisions should be based on whether something is clinically appropriate or not. If we were to delete the words "clinically appropriate", it means an ideology or a religion or some other issue has to come in on top of it. The idea doctors should make ideological decisions and religious decisions, and should ignore the clinical appropriateness of the decision is absolutely hard to believe.

Deputy David Cullinane: Are you supporting our motion?

Deputy Peadar Tóibín: People are asking that clinically inappropriate decisions would be made in hospitals.

Deputy David Cullinane: Are you supporting our motion?

Deputy Peadar Tóibín: As a State, we need to make sure the highest standard of science and medical knowledge is at the heart of the decisions we make. The truth of the matter is the doctors and healthcare professionals I have spoken to are really frustrated with the language that has been used about their ability to provide services. If one goes to anybody in the National Maternity Hospital, Holles Street or St. Vincent's, they are phenomenally frustrated at their professionalism being undermined wholesale and repeatedly in the debates over the past months on this issue.

Aontú is a human rights party. We believe first and foremost that the health of the mother and the life of the mother should be protected in every single circumstance. After that, we

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believe the lives and health of the sons and daughters should be protected as well, if possible. We are basically looking at a situation where some Fine Gael Deputies and Senators have been coming out to say they kind of oppose this deal. This is deeply hypocritical. This is Fine Gael's baby and has been promised for years. There are real questions the Dáil should be asking. Why are we talking about something that was first announced in 2008 and again in 2013? Why is there a cost increase from €150 million to more than €800 million on this particular project? Are the private clinics already attached to Holles Street going to be shifted onto the site? None of this information is being teased out properly because of the ideological predisposition in relation to this battle.

Deputy David Cullinane: Are you supporting our motion? You never said.

Deputy Peadar Tóibín: I cannot.

Deputy Michael Collins: The National Maternity Hospital at Holles Street is overcrowded. We need a new hospital built to modern specifications. Let us get on with it and stop blaming the nuns for everything. The nuns are easy targets for populist left politicians to attack because they know the nuns do not have expensive public relations teams and are not in the business of doing media. It is important to point out the Religious Sisters of Charity are giving away land worth more than €50 million for free to build a hospital. They will have absolutely no say in the running of the hospital - in a way an objective that would be cause for positivity. In this case, however, the nuns have been under sustained attack simply because they are Catholic. They have been lambasted and targeted by critics who are more concerned with gaining lines in a newspaper or time on the airwaves than anything else. Why does the health committee have to delay the process even longer? After all, the St. Vincent's Healthcare Group does not want to sell this land but will give it to the HSE under a 299-year lease. This deal will take the new hospital into the 24th century before ownership would become an issue. Even then, it is unlikely any court would say the hospital should be removed. Who will own the hospital buildings? The HSE will. After 299 years of the leasehold, the hospital ownership will revert to St. Vincent's hospital. There is nothing to indicate that even then the nuns, if the order is still around, would have any say in its running. Is this argument common? Yes, absolutely. In fact, 99% of Irish apartments are purchased under a long lease agreement and ownership is not disputed. It is a very standard contract that has become, for whatever reason, a major political debate. Will the State, however, manage to control the cost of the building of this new hospital, given the massive overrun cost overrun of the new children's hospital at St. James's Hospital? The State will be seeking much tighter oversight this time around but the Government has a dismal track record when it comes to such projects. All indications point to this becoming another runaway costs project.

Deputy Michael Healy-Rae: If there are nuns listening, I would like to say something they have not heard in this Chamber until perhaps right now. Thank you very much. Nobody has said thank you, either in government, out of government or in opposition. All everybody has done is try to pick fault and find everything possible wrong with this because of this anti-religion agenda in Ireland at present. It is absolutely outrageous.

I was talking to an extremely intelligent person the other evening. He was watching this whole debate going on over the past couple of weeks. He was listening to all of the different political commentary. Of course he spoke about the hatred that seemed to be seeping out of certain politicians' mouths when they were speaking about the Religious Sisters of Charity. His comment was along the lines of, "Why did the sisters do it this way and why not that way?"

Quite simply, it is because they own the land and they wanted to do it this way. It is extremely fair to have a 300-year lease at €10 per year. What part of that do people not understand? That is, in effect, gifting it to the State. If this is the way they want to do it, and if these are the rules they are laying down, is that not fine and well and good? Why can people not accept that? It is because people want to forget and ignore the good work done by the Catholic Church in Ireland. Of course bad things happened, and of course there were bad people. There were bad priests, but there were bad people in every walk of life. Think about the extremely kind and good people, young boys and young girls, who were devoted and gave up their lives for what they believed in, which was God. Of course, an awful lot of politicians cannot believe in God because they think they are God themselves.

Deputy Danny Healy-Rae: I am glad to get the opportunity to talk on this very important matter this evening. We certainly need a new maternity hospital in the city of Dublin, and for the country as well. I do not understand why the people who are objecting to this do not understand they are getting lands worth more than €50 million or €60 million, mostly free of charge or at a €10 per year for 299 years. How much is that when 299 years is several lifetimes? I cannot understand it, and especially some of the people who are against this deal. The debate around the delivery of the new national maternity hospital and its relocation fails to take full account of the substandard maternity facilities in other hospitals and promises made by the previous few Governments to provide new and improved standards of care for women. In fact, four upgraded maternity hospitals have been promised but none has actually been delivered, and we are being critical now of the Government for providing a maternity hospital of the highest worldwide standards. That is what we want to ensure. I cannot understand it. Of course, as has been said by other speakers, there is a hatred of the Catholic religion. There is a hatred of nuns and priests and, yes, some of them did wrong in the past. However, many of them did an awful lot for young boys and girls and men and women around the country and they have to be appreciated for that.

Deputy Richard O'Donoghue: Maternity services have fallen short when it has come to caring for the women of this country, and will fall short for children who will be born here. I know many of the HIQA reports on our maternity hospitals are outdated. It shows how bad the infrastructure is. Is there another agenda here? Why would somebody go against this project? My duty of care is to the mothers and generations of children to come.

It is important to point out that the Sisters of Charity are giving away land worth €50 million on a 299-year contract. The Government has buildings and schools around this country with 99-year leases and there does not seem to be a problem about that. This is for 299 years. We are here to live for today and look after the women and children of today and tomorrow. That is what we are here to do. It is a 299-year lease. Let us get this done. Let us look after the vulnerable and the people who want to make this happen. Why is it that everything has to go backwards to try to get media attention? When I am asked at a door what I am doing, the answer is that I am here to protect, represent and care for the people of today. We are here to care for the women, children, husbands and partners of this country, so let us stop the nonsense. Let us get this moving forward to care for the people of today.

Deputy Mattie McGrath: I am glad to be able to speak on this motion. We see the waiting lists across every walk of society but people are waiting 12 months for gynaecological services. Waiting lists have increase by 67% since March 2015. We see the furore over this site and the way it has exploded and mushroomed and there is not a mention of the children's hospital. Tá sé caillte. It is in a major hole somewhere not even being talked about; it is off the radar and on

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the Richter scale. It is three times the price and on the wrong site from the first day. We have a site gifted by the good Sisters of Charity with a 299-year lease. People wanted it. That Sinn Féin has 100 properties was referred to. I did not know it had that much property. Why does it not give away for free some of its sites? I have often negotiated leases with schools, boards of management, different organisations and GAA clubs. It is wonderful to get a lease of 30, 50 or 99 years but to get one for 299 years is unheard of.

Heinous crimes were committed by some members of the clergy, both male and female but they have done good all over the world. It is costing €5.5 billion now for our NGOs to go around the world. The nuns did it for free. They brought water, education, food and health-care to people all over the world. They had a massive reputation in this country in the 19th and 20th centuries for delivering healthcare and all we can do now is demonise, bad-mouth, wreck and attack them. It is shameful because they have no voice to speak. They are quiet people of prayer, faith and good, by and large, and they do great work. I could name ten of them with whom I worked on boards of management and whatever. They are dedicated solely to the good of their communities. They had no families of their own and they went away. One of them from my area who gave a lifetime of service in Africa is being buried today in County Monaghan. That is what they did. They left their families. To be attacked and under siege here every day, even on Saturday when people were outside the gate attacking them, is sacrilege. It is disgusting, to be honest.

We will certainly be calling for a vote against this motion and if we are on our own, so be it. However, we are proud to stand on the record of the good work and reputations of the sisters of many orders and the priests and laity who helped out. This project must be delivered; get it done. They have given the site. It is all about abortion. It is not about services; it is about abortion. Front and centre, that is what it is about. It is a phony debate. That is what it is all about and nothing else.

Deputy Catherine Connolly: I thank Sinn Féin once again for giving us the opportunity by tabling this motion. With regard to what Deputy Michael Healy-Rae said, I do not think I want to be God but if I was arrogant enough to go down that road, I would choose to be a goddess, maybe, and do it completely differently.

With regard to this matter, words fail me in relation to the hypocrisy. I am on record for praising the Minister of State, Deputy Butler, for her hands-on approach but on this issue, I fundamentally disagree with her. Two weeks ago, this was paused, ostensibly to give us a chance to reflect and see what would emerge.

I read all of documents as best I could. I am no expert and I struggled with them. They raised more questions than provided answers. What deeply disturbs me is the narrative that has come from the Government, with certain Deputies who were on the Joint Committee on Health, that played the man rather than the issue. I stayed late on Thursday - not as late as I should have but as long as I could - and I really witnessed a deplorable display of tackling the person as opposed to eliciting information. I am not here to tackle or to give out about nuns. I was educated by nuns. I am not here to even talk about nuns. I am here to talk about why we do not have a public hospital on a public site.

The response from St. Vincent's Healthcare Group that it needs ownership to have an integrated service is nothing short of pathetic and unacceptable to me as a woman and a female Deputy. That the Government would accept that is also unacceptable to me. Let us look at how

we have gone around in a circle. Let us look also at what Mr. James Menton said on record back in 2017. On 30 May 2017, the day after the Religious Sisters of Charity announced its intention to depart the St. Vincent's Healthcare Group, Mr. Menton said that the move "will only proceed on the basis of existing agreements that give ownership and control of the new hospital to St Vincent's Healthcare Group." "Ownership and control" is clearly stated. Fast-forward to 2022 and that is exactly what we are giving to a trinity of control. Little things have changed, such as changes with directorship in terms of numbers and a golden share. Nowhere is the process of that golden share outlined.

I am addressing the Minister in particular because he has strong opinions on this. I am asking him to look at that trinity of ownership. St. Vincent's Holdings CLG is at the top of the pyramid. The Government has absolutely no say or influence; it has nothing. St. Vincent's Holdings CLG owned 100% of St. Vincent's Healthcare Group. There is no input from the Government whatsoever except perhaps through a director who will come up from the new designated company, which was established less than two years ago, that will run the hospital. That will comprise nine directors, three of whom will come from St. Vincent's Healthcare Group. Can the Minister tell me why they have to be there? Can he tell me why three directors from the owning group have to be on the hospital? Can he tell me why the director has to come from that group every three years? Can he tell me why there is no documentation or clarification, only once again assurances regarding the transfer - not a gifting but a transfer - of the land or asset owned by the nuns to the new company St. Vincent's Holdings CLG? Why can we not have that documentation? Were there any conditions? If not, wonderful - that means they can hand the land now to the State.

I hear this sort of disingenuous argument going around that we are against the nuns or against religion. That may well be, but that is not the issue at all. The issue in the 21st century is a public maternity hospital on a public site. Why? The reason is that is what the Dáil wants. That is what it said in regard to Sláintecare. It is what the reports of both Dr. Butler and Dr. Catherine Day recommended in regard to moving away from private care in public facilities. Both reports were ignored by the Government and were not even mentioned by it.

I would have thought the Minister might have done us the decency of going through these issues with us and telling us his opinion on that. It is a deeply hypocritical stance to debate this motion after making the decision earlier in Cabinet and not even to wait for democracy, or the illusion thereof, in action. As a woman, I will not accept this. I cannot change the Government's mind, but I can place on record that we saw through its spin, and in particular that of the Minister for Health, because that is all it is. It is absolute spin. I see through it and I am telling the people who are listening to this debate and who also see through it that I share that with them. It is unacceptable.

Deputy Joan Collins: I thank Sinn Féin for introducing this Private Members' motion. I absolutely support it and agree with what it states. Unfortunately, however, it is irrelevant, just like the three other motions on the issue that have been moved in the Chamber, by the Social Democrats, Deputy Connolly and me, none of which was opposed by the Government. This tactic is being used increasingly by the Government to demonstrate its complete disregard for supposedly democratic procedures in the Chamber. The pause by the Government in rubber-stamping the deal with St. Vincent's Holdings CLG and St. Vincent's Healthcare Group for two weeks, supposedly to allow for scrutiny of the arrangement by the Joint Committee on Health, was nothing of the sort. It just needed a bit more time to get its ducks in a row. Deputy Hourigan is to be congratulated on maintaining her principled position but, obviously, she will not

have an opportunity to vote freely on the motion. She, along with other members of the Green Party who had a very strong position on this, will have to make a decision about their place in their party.

The Government and the parties supporting it are a disgrace. Yet again, they have bent the knee to the powerful vested interests that have dominated this State since its inception and made the lives of women, and very often their children, an absolute misery. This was a test between the State and the Catholic Church and its proxies, a test the State has failed miserably. The Government is covering up for its actions by claiming it is acting in the interests of women's health by getting the hospital built as soon as possible. Of course, the hospital is a much-needed modern facility, but these parties were in government in 2013, when St. Vincent's Healthcare Group arrogantly dismissed the idea of co-location. It was then that the process for a compulsory purchase order should have been put in motion. If that had been done, the hospital would have been built and would be operational on State-owned land, fully publicly owned and run.

We need to deal with the reality regarding the issues with the provision of abortion services in this country. Despite the repeal of the eighth amendment and the introduction of legislation following that, abortion services are not by any stretch of the imagination widely available. Half of the 19 maternity hospitals - eight of them State-owned public hospitals - do not provide terminations, while nine out of ten GPs do not provide such services either. As for the issue of fatal foetal abnormality, two doctors are required agree on a diagnosis, and there have been instances where a termination has been refused in one healthcare setting but agreed to at a different hospital. This is what "clinically appropriate" can mean. Savita Halappanavar was given what her clinician considered "clinically appropriate" care, rather than the appropriate care that would have saved her life.

The Catholic Church casts a long shadow, not least in the case of the medical professions. Leaving aside the question of Catholic ethos, a hospital costing up to, and probably more than, €1 billion to build, and then funded on a daily basis by the State, will effectively be part of the St. Vincent's Healthcare Group, a private entity. Even if it is a secular entity, which I do not believe for a moment, why is the State handing over effective control, with questions over the ownership, to a private company? Why is the State prepared to enter a legal agreement with a private company deliberately set up through offshore arrangements to avoid scrutiny of its real nature and the basis on which it was set up?

This points to yet another miserable failure in the context of Sláintecare, the objective of a public national healthcare system, open to all regardless of ability to pay. The Government has bent the knee not just to Vatican officials but to the vested interests of private medicine. Sláintecare does not have a hope of ever being implemented or seeing the light of day. I believe the Government is wrong, although I hope I am incorrect in that regard because I hope we will never again see in the future what we saw in the past. I am just very angry.

Deputy Colm Burke: I am sharing time with the Minister of State, Deputy Feighan.

As someone who comes from a legal background, having spent more than 25 years dealing with leasehold and freehold titles, I am very much aware of the significance of a 299-year lease. Only one witness who appeared before the health committee gave evidence on behalf of the opponents of this project, and he admitted he was not a property law expert. Conversely, representatives of three law firms clearly set out that this was good title being handed over. It is a lease from the St. Vincent's Holdings CLG to the HSE, which will, in turn, give a licence

to the national maternity hospital and the new group that will be set up.

Leasehold title is widely accepted as good title in this country. Let us take, as an example, our good friends across the House in Sinn Féin. Are they suggesting all the properties they own are held under freehold title? Many of their properties will be held under leasehold title. Are they suggesting their landlords tell them what they can or cannot do? I do not think so. This is good title, and clear evidence given to the health committee demonstrates that the State will own the property and that no other interest can mortgage or do anything else with the property without the consent of the HSE, which is getting the lease. That is very important.

Stephen Dodd SC has been quoted extensively in this context. In his published opinion, he accepts that if we were to use the Health Act 1947 to compulsorily acquire the land, the State would not succeed. It is clear we are getting good title in the lease being offered here for 299 years.

Minister of State at the Department of Health (Deputy Frankie Feighan): I fully appreciate the importance of this issue and the not insignificant concerns raised by many over recent weeks and months, and I am grateful for the opportunity to address some of those concerns. As the Minister for Health noted, we are all trying to achieve the same goal, which is best described by the vision of the national maternity strategy, whereby women and babies will have access to safe, high-quality care in the setting most appropriate to their needs, whereby women and families will be placed at the centre of all services and treated with dignity, respect and compassion, and whereby parents will be supported before, during and after pregnancy to allow them to give their child the best possible start in life.

A significant part of delivering on that vision and achieving our shared goal relates to providing targeted investment in women's health services. The Government has prioritised women's health comprehensively and invested heavily to ensure women and girls will get the quality healthcare they expect and deserve. Another significant element of delivering on our shared vision relates to the development of a world-class maternity hospital that will provide and perform for the women, families and babies of this country.

In the context of our history with regard to women's healthcare, I appreciate that very valid concerns have been raised and I fully understand how sensitive the issue is. It is vital to point out, however, that those same concerns were identified at an early stage and have been the basis of significant and protracted negotiations over several years. In particular, the issues of governance and clinical independence have been central to those discussions, and it is no surprise people might find it difficult to trust assurances given about the services in the new hospital because they have been let down so badly in the past and reproductive rights were so hard won.

7 o'clock

That is why so much time and effort has gone into developing the draft legal framework to ensure we have legally binding commitments from all sides. This is what provides the assurances. We are not talking about easy words but about agreed legal documents that have been drafted with the support of legal advisers and exhaustively examined. That is how we can have confidence in the new hospital's ability to provide the full range of women's health services in accordance with the laws and policies of the State.

The legal documents have all been published and there has been intense scrutiny. The absence of any religious ethos is crystal clear. The new hospital is not just allowed but obliged

to provide all lawfully permissible maternity, gynaecological, obstetrical and neonatal services. There are mechanisms for intervention in the unlikely event that there is an issue. The Minister for Health of the day can, if needed, direct the board of this new hospital to provide all of these services. All lawfully permissible services will be provided and nothing will be prohibited due to religious beliefs or ethical codes.

It is very important to note and to remind the House that the current infrastructure at the National Maternity Hospital does not provide an appropriate environment for the realisation of the national maternity strategy's vision. Several hundred pregnant women require transfer to St. Vincent's Hospital as inpatients and a small number of critically ill women are transferred to receive intensive care not available onsite at Holles Street. This is not in keeping with best practice. The hospital also has many multi-occupancy wards, which increases the risk of infection and compromises the privacy and dignity of patients. By comparison, in the new national maternity hospital, all inpatient accommodation, including in the neonatal intensive care unit, will be in single rooms, increasing safety, privacy and dignity. The new hospital will also facilitate a modern campus approach to healthcare where a range of medical entities operate in close proximity to improve patient care, patient outcomes and patient experience.

It should be noted that clinicians at the National Maternity Hospital and beyond have publicly and very strongly expressed their support for the move. These are the people on the front line delivering babies and caring for women every day of the week. It is certainly noteworthy that, in a letter to senior Ministers, 52 clinicians at the National Maternity Hospital outlined the strong need for this new hospital. Along with all the assistant directors of midwifery, the director of midwifery at the hospital recently wrote to confirm her full support and to re-emphasise the need for this key project. The chair of the National Directors of Midwifery Forum also wrote, on behalf of the forum, to support the move to the St. Vincent's hospital campus at Elm Park. The chair of the medical board of St. Vincent's University Hospital wrote on behalf of the board, which represents more than 250 clinicians across the St. Vincent's hospital network, to outline its overwhelming support for the relocation project. These are the dedicated professionals who will be providing services in the new national maternity hospital. They understand how important and necessary this new facility is. It is very clear that they have full confidence in the agreements that have been brokered.

The very bottom line is that the new national maternity hospital is badly needed and that further delay will only serve to increase that need. We know that the hospital must, and will, provide the full spectrum of services without any undue influence. We know that the State's investment is very well protected as a result of the lengthy negotiations that have now carried on for several years. We know that the project has the overwhelming support of the clinicians, midwives and management that will provide care in the new hospital. It is time to get this hospital built so that we can deliver on the vision of the national maternity strategy sooner rather than later.

Deputy Paul Donnelly: Everyone wants to see the building of the new national maternity hospital but it has been overshadowed by the Government's failure to listen to the concerns of so many people inside and outside this Chamber. The simple fact is that a national maternity hospital built by the State should, and must, be built on land solely owned by the State. Long-term leasing is not the same as full ownership. We have to nail the lie. Both Fianna Fáil and Fine Gael have had plenty of time over the years to build and provide a national maternity hospital on public lands.

There are two main reasons State ownership matters. The first is that it avoids these complicated governance arrangements and any chance of limited services. The second is that it safeguards the State's investment and avoids legal problems down the line if a big private company got involved in St. Vincent's, which is a possibility should it see a health-for-profit opportunity. It would also give the Government a bargaining chip because, at present, St. Vincent's Healthcare Group holds all of the cards.

Control of the land is of the utmost importance. With the State's investment should come full ownership. I do not believe that everything possible has been done to acquire the site and I do not accept that there is no option that involves State ownership of the land. The question of why the State cannot own the land has never been answered satisfactorily. Every effort should be made to acquire the land or to ensure the gifting of the land to the State, which was promised at the beginning of this process. The Taoiseach, the Tánaiste and the leader of the Green Party have all admitted to having concerns about the ownership. In government, Sinn Féin would insist on St. Vincent's Healthcare Group gifting the land and would work with the group to persuade it to do so. We would work with it to ensure the site's integration and cohesion is protected, delivering the best outcome for all. Again, the Government is shamefully engaging in a smoke-and-mirrors exercise in not opposing Sinn Féin's motion solely to stop Members on its own benches voting in favour of it.

Deputy Kathleen Funchion: I thank my colleague, Deputy Cullinane, for bringing forward the motion. This is the conclusion of the debate. We know that there are very serious concerns. These are not just the concerns of those of us in the Opposition, but of a great many women throughout the country. Unfortunately, these concerns arise from the history of the State's treatment of women. We have had several discussions in this Chamber on many issues in respect of women but particularly in respect of women's health. Some of these issues are not as historical as others. The CervicalCheck scandal is not so long ago in our history. There were also issues around breast cancer screening. The list is endless. My colleagues have made the point that this needs to be a State-run hospital. That is really important because many health services for women are just not adequate and not at the races. There have been discussions about menopause. It got to the point where there were discussions on the national airwaves. People had to ring into national programmes before there was any sort of recognition of the amount of work that has to be done. Women literally left without being diagnosed as perimenopausal and all of the other things that come with that.

I will also mention endometriosis, a very serious condition which many women suffer from. It is often misdiagnosed and not treated. Countless women have had difficulties and issues with the condition, which can seriously affect fertility and other things later in life if not addressed. Last year, when the Dáil was sitting in the convention centre, I told the story of somebody very close to me who was misdiagnosed for years. She was actually in a gown going for a gallbladder operation at the age of 25 when luckily somebody had the cop-on and common sense to suggest that a scan of the uterus be done. That had not been done up to that point. She was diagnosed with endometriosis. This person's gallbladder was about to be removed. She was in the gown, ready and fasted from the night before. That is the type of service that, unfortunately, women have got used to. That should not happen. It is unacceptable and disgraceful. In not having a fully State-run and State-owned hospital, women are afraid this kind of treatment will continue. That is before we even get into the whole debate about the knock-on effect for the services arising from the successful repeal of the eighth amendment in 2018.

I am out of time. Women have been failed badly in this State. We have an opportunity now

to have the first-class maternity hospital we all want and which we all know is overdue but that hospital must be State-run and State-owned.

Deputy David Cullinane: I thank all the Deputies on both sides of the House who spoke in this debate. I finish as I started by stating that I want to see a new national maternity hospital. I want it to be built as quickly as possible and to ensure it is a public hospital in public ownership. It is absolutely breathtaking and amazing to see the lengths to which the Government will go to sell what I see as a bad deal. The repeated assertion that black is white and that the State will own the land, when, clearly, the freehold of that land will be retained and owned by the St. Vincent's Healthcare Group, is quite amazing.

Those who make that argument know exactly the point we are making. The reason an HSE hospital will not be built is that the St. Vincent's Healthcare Group will retain the freehold and ownership of the land. A new company, National Maternity Hospital at Elm Park, is being established because St. Vincent's Healthcare Group does not want an HSE hospital operating on its land, co-locating with the public and private hospitals that are there. This, for me, goes completely against the spirit of Sláintecare. When asked for its reason for not gifting the land to the State, St. Vincent's Healthcare Group said it wanted an integrated model of healthcare, with all the hospitals co-located under the umbrella of the group and the establishment of a new company, which will run and manage the new maternity hospital.

It also is quite breathtaking that the Cabinet signed off on this decision today in the full knowledge that there have been no real, substantive talks with St. Vincent's Healthcare Group over the past number of months, nor, in fact, if the chairman of the group is to be believed, over the past number of years. No pressure was brought to bear on it, either by the Minister for Health or the Taoiseach. There certainly were no high-level talks in regard to the ownership of the land. Instead, the white flag was raised and all of the excuses have been rolled out as to why St. Vincent's Healthcare Group simply will not gift the land to the State.

As I have raised with the Ceann Comhairle on several occasions in the past, it is deeply cynical of the Government to say it will not oppose a motion and then not implement what is called for in that particular motion. We are being told the Rural Independent Group Deputies will call a vote on this motion, as is their right. If there is a vote, let us be clear about what it is for which people, including Government Deputies, are voting. They will be voting on the text of the motion, which commits the Government to "pursue the full realisation of the promise that was made by the [Religious Sisters of Charity] to give the land to the people of Ireland". It commits the Government to "engage, at the highest level, with the new ownership group behind [St. Vincent's Healthcare Group], St. Vincent's Holdings CLG, to secure full public ownership of the site and new building, with all necessary safeguards, wayleaves, and guarantees to ensure the integrity, integration and highest quality of care on the site". That is what Government Members will be voting on tomorrow, if there is a vote. They cannot speak from two sides of their mouth on this issue. They will have an opportunity tomorrow to vote in favour of this motion, which I hope they do. If Ministers and Government Members come in here tomorrow and vote in favour of the motion, which commits the Government to do very clear and explicit things, then those things need to be done. If they are not, it will amount to a deeply cynical move by the Government and it will further heighten the concerns people have about this arrangement.

Speakers on the Government side have made the argument again here today that the ownership of the land and other concerns have now been addressed and there is nothing overly

complex about all of this. However, we have also heard the Minister once again try to explain the very difficult and complex legal and contractual arrangements that are being put in place. The new company that is being formed will have its own constitution and its own board. The directors will come from three different sources, as we know, and it will be a subsidiary of St. Vincent's Healthcare Group. The latter owns the freehold and it will have a lease arrangement and a licence arrangement with the HSE. That company is owned by St. Vincent's Holdings CLG. There is a huge amount of unnecessary complication around this. Why is that? It is because the company does not want to build an HSE hospital on that site. That is the bottom line and it is wrong. It is not the best way to build the new national maternity hospital.

Colleagues opposite will have their chance tomorrow to vote. If they vote for the motion, I guarantee that we will make sure to hold them to account in delivering on it.

Question put.

An Ceann Comhairle: In accordance with Standing Order 80(2), the vote is deferred until the weekly division time tomorrow evening.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37A and the name of the Member in each case: (1) Deputy Barry Cowen - to discuss the recent EUROSTAT findings on electricity prices; (2) Deputy Patrick Costello - to discuss standards to ensure all psychology assessments are in line with national policy to deliver children's disability services; (3) Deputy Michael Moynihan - to discuss the availability and provision of home support hours in north Cork; (4) Deputy Éamon Ó Cuív - to discuss the need to reduce islander fares on public service obligation, PSO, services by ferry and air by 20%; (5) Deputies Pádraig Mac Lochlainn and Pearse Doherty - to discuss a resolution of the dispute at Killybegs between the Sea-Fisheries Protection Authority, SFPA, and the local fishing industry; (6) Deputies David Stanton and Sean Sherlock - to discuss the impact of the planned closure of the Courts Service office in Youghal, County Cork; (7) Deputy Joe McHugh - to discuss establishing a passport office in the north west; (8) Deputy Kathleen Funchion - to discuss the status of a speech and language appointment (details supplied); (9) Deputy Chris Andrews - to discuss proposals to repurpose Baggot Street hospital for refugee housing; (10) Deputy James O'Connor - to discuss additional supports for primary and post-primary schools enrolling Ukrainian refugees; (11) Deputy Thomas Gould - to discuss the vacancy rates found by Revenue during collection of the local property tax, LPT; (12) Deputy Maurice Quinlivan - to ask the Minister for Transport to detail why the Limerick northern distributor road was removed from the Limerick Shannon metropolitan area strategy draft and the national development plan, NDP, and if he will make a statement on the matter; (13) Deputy Richard Boyd Barrett - the murder of the journalist Shireen Abu Akleh and the disruption of her funeral by Israeli state forces; (14) Deputy Brian Stanley - to ask the Minister for Health to discuss the future of the mental health facility, Erkina House, in Rathdowney, County Laois; (15) na Teachtaí Mairéad Farrell agus Claire Kerrane - an tábhacht a bhaineann le straitéis amháin maidir le maoiniú faoin gclár LEADER do na hoileáin amuigh ón gcósta; (16) Deputy Kieran O'Donnell - to ask the Minister for Health for an update on the expert team deployed to tackle crisis levels of overcrowding at University Hospital Limerick, UHL; (17) Deputy Martin Browne - the need for additional funding to be sustained for the community air ambulance ser-

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vice; and (18) Deputy Niamh Smyth - the need for the Minister for Health to provide funding for a hydrotherapy pool at Enable Ireland in Cavan.

The matters raised by Deputies Cowen, Martin Browne, Costello, and Stanton and Sherlock have been selected for discussion.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Family Support Services

69. **Deputy Claire Kerrane** asked the Minister for Social Protection when she will publish her response to the recommendations of the child maintenance review group; and if she will make a statement on the matter. [24489/22]

Deputy Claire Kerrane: I want to ask the Minister about the report that has, I hope, been finalised by the child maintenance review group. I understand she was to receive that report at Easter. Will she outline when she will publish it?

Minister for Social Protection (Deputy Heather Humphreys): I thank the Deputy for raising this matter. Under family law, parents and certain categories of guardians or those acting in the place of parents are obliged to maintain their children. In cases where the family unit has broken down, these obligations continue to apply. Child maintenance arrangements can be agreed directly between the parties themselves, with the assistance of their solicitors, private mediators or supports such as the family mediation service and the Legal Aid Board or, ultimately, through the courts.

In line with the programme for Government commitment, the Government established a child maintenance review group to examine certain issues in regard to child maintenance in Ireland. The group was chaired by a former Circuit Court judge, Judge Catherine Murphy, and included legal, policy and academic professionals as well as officials from my Department and the Department of Justice. The group's terms of reference were to consider and make recommendations on the current treatment of child maintenance payments in my Department, the current provisions regarding liable relatives managed by my Department and the establishment of a child maintenance agency in Ireland. As part of its work, the group conducted an extensive public consultation process and examined the international position.

I am pleased to advise that the group has completed its work and its report was submitted to me on 22 April. I thank the chair and the group members for their detailed consideration of these important issues. I am currently giving the report the careful consideration that such an important and complex issue deserves. Given that the report relates to a broad range of issues that are beyond the scope of the social welfare system, I am also consulting Government colleagues. Once the report has been fully considered, my intention is to bring it to Government, at which time a decision regarding its publication date will be made.

Deputy Claire Kerrane: This report has been long-awaited by many Members of the House, who had asked for many years for child maintenance to be examined. The establish-

ment of this review group was very welcome, and I am glad it has reported and that the report is with the Minister. With regard to bringing the report to Cabinet when the Minister has gone through it, and I appreciate that she will have to engage with the Department of Justice and so forth because it is not just a social protection issue but involves a number of Departments, does she envisage bringing proposals to the Cabinet on the back of what is outlined in the report? As I presume there are a number of recommendations, how does she foresee going about that? Organisations such as Single Parents Acting for Rights of Kids, SPARK, and One Family have asked for a long time for this type of work to be done. There are massive issues and complications for lone parent families when it comes to child maintenance. It can put a lot of lone parents in a really difficult situation, so we must get this right. Will the Minister outline the process after she brings it to the Cabinet?

Deputy Heather Humphreys: In fairness, I am aware that the Deputy has a strong interest in this matter and she has raised it with me a number of times in the House. I have the report now. It runs to a couple of hundred pages. The group and the chair, Judge Catherine Murphy, took approximately 18 months to examine this. They asked for a time extension and we gave it to them. It is clear from the report that they looked at all the various issues, and there are many issues both in the social protection area and in the Department of Justice. It gave those issues very detailed consideration. Having received the report, it is only right that I take a few weeks to consider the recommendations carefully. I want to consult with my Cabinet colleagues as well, particularly the Minister for Justice, because there were officials from the Department of Justice in the group as well as officials from my Department.

Deputy Claire Kerrane: I welcome that this report has been published and I acknowledge the hard work of everyone who took part in that work. It will be extremely important for the future. We have put forward proposals on many occasions for a statutory child maintenance service. That is what we would like to have, and to see it taken off the shoulders of lone parents who end up having to go to court in some cases where maintenance is ordered by a judge, but it is not necessarily paid, and then it is back on the lone parent to go back to court again. The whim of the judge of the day is not the environment to determine child maintenance payments. It should not happen in that way, and it is not fair on lone parents. I hope we will move to a statutory service.

There is one issue the Minister can deal with immediately with or without the findings of the report. Child maintenance should not be treated as household income for means tests for social protection payments. I cannot understand why that is done. It should not be treated as household means but as a payment towards the upbringing of the child or children. I ask the Minister to examine that in time for the next budget.

Deputy Heather Humphreys: I intend to bring a memorandum to the Government with the full report and our proposed response. I can assure the Deputy that this report is not going to sit on a shelf anywhere in the Department of Social Protection. I am coming to this with an open mind, as I have said previously. My priority in all this is the mothers and the children. The Deputy and I have discussed this on a number of occasions. I want to move it along. It is my intention to get this to the Cabinet before the summer recess, and the report and the Government's response will be published in full at that stage. It is important that we move it along, but it is a complex and important issue so I do not want to rush it either. I want to give it careful consideration along with my Cabinet colleagues. As I said, I will not be putting it away on a shelf or anything like that. I will act on it.

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Social Welfare Code

70. **Deputy Sean Sherlock** asked the Minister for Social Protection if her Department has engaged in research in respect of the need to devise a disability-related payment to deal with the effects of long Covid. [24811/22]

Deputy Sean Sherlock: Has the Minister's Department engaged in research in respect of the need to devise a disability-related payment to deal with the effects of long Covid? I acknowledge the existence of the Covid-19 enhanced illness benefit payment and that it will be in place until the end of June 2022. My reason for raising this is that we seek clarity as to whether there will be continuity of that payment and, second, given that there is now a clinical recognition of the effects of long Covid, whether the Department is responding to that.

Deputy Heather Humphreys: I thank the Deputy for raising this.

My Department provides a suite of income supports for those who are unable to work due to an illness or disability. Entitlement to these supports is contingent on the extent to which a particular illness or disability impairs or restricts a person's capacity to work. It is not dependent on the nature of the illness or disability. As a result, I do not believe there is a need to research and devise a specific payment for long Covid as it is covered, like all other conditions, by the range of disability-related payments provided by the Department which are not condition-specific.

In March 2020, the Government introduced an enhanced rate of illness benefit for persons who had been diagnosed with Covid-19 or who were a probable source of infection with Covid-19. This temporary measure has been extended a number of times by the Government. The rate of €350 for the enhanced payment is higher than the normal maximum personal rate of illness benefit. The focus of this payment was to enable people to comply with medical advice to isolate while having their income protected and to limit the spread of the virus. Where persons continue to be ill beyond the ten weeks of receiving enhanced illness benefit they can apply for the standard illness benefit, which is the primary income support provided by the Department to those who are unable to work due to illness of any type and who are covered by PRSI contributions. Illness benefit is payable for up to two years.

My Department keeps the range of income supports under review to make sure they meet their objectives. Any changes to the current system would have to be considered in an overall policy and budgetary context. I trust this clarifies the matter.

Deputy Sean Sherlock: I thank the Minister for her response. If I interpret her correctly, I can understand her retaining the *status quo* because the nature of the illness benefit is clearly defined in terms of what a person must do to meet the criteria. However, what is happening now in this country, and there is robust clinical evidence for this, is that hospitals such as Cork University Hospital, CUH, in the South/South West Hospital Group have set up or are in the process of establishing long Covid clinics. That will be replicated throughout the country. If somebody moves from the enhanced illness benefit onto the illness benefit, that is for a period of two years. The issue is the period thereafter. Some people will not qualify for an invalidity pension. The presentation of the illnesses they present with, even though it has been determined that they have long Covid from a clinical point of view, may not be a presentation that is prescribed under the terms of the Department's policy. That is why I am raising this. It is the long game I am playing here-----

An Ceann Comhairle: Please do not play the long game on the question.

Deputy Sean Sherlock: -----because there will have to be a recognition of long Covid as a qualifying condition.

An Ceann Comhairle: Stick to the time.

Deputy Heather Humphreys: I appreciate the point the Deputy is making. I recognise that Covid-19 impacted people differently. Some people who had it felt it was just like a bad cold and there were others, particularly those with underlying conditions and older people, on whom it impacted very seriously. All the measures the Government took over the last two years, including the various restrictions and so forth, were to protect our most vulnerable people until the vaccine programme was rolled out in full. Thankfully, we are at a stage now where the economy is fully reopened, society is returning to normal and we are not seeing a major spike in hospitalisations. That is down to the high vaccine rates in this country. They are way ahead of those of many other countries. That said, however, Covid-19 has not gone away. There are people with long Covid who are impacted more severely. Not long ago, I met somebody who had Covid in March and who is back at work, but there is no doubt that the person is very tired at times.

Deputy Sean Sherlock: The answer to my question is “No”; that is the short answer the Minister is giving. I acknowledge that but I will continue to bang the drum on this. I am worried that there is a statistically significant cohort of persons who ordinarily will go from the enhanced payment to illness benefit, the clock will tick down the two years and then they potentially will fall off the cliff if they are not eligible to move onto an invalidity or long-term payment, as devised by the Department. The worry I have for those people is that the Department might be too stringent in how it applies rules and the criteria that they must meet for illness benefit payment. I merely ask the Minister to carry out some early stage research, perhaps with the Department of Health and the HSE, for instance, to see how long Covid is affecting people who ordinarily would be back in the workplace, but who, for very valid clinically indicated reasons based on a determination that it is due to long Covid, will not be back in the workplace any time soon. Those are the people I am thinking of.

Deputy Heather Humphreys: I do not have a specific scheme that depends on one’s medical condition. The scheme we have covers all medical conditions. The Deputy said that if somebody is looking for invalidity pension, he or she may have to reach certain criteria. I am open to looking at issues but, as it stands, I cannot say that somebody who has long Covid should get a different payment from somebody who has long-term cancer. I cannot treat them differently. However, as the Deputy will be aware, when people got the PUP payment, we allowed them to continue to accrue their PRSI credits. If there is something wrong, I am happy to talk to him offline about it.

Deputy Sean Sherlock: It is the medical certification. If the medical certification says long Covid, then that should suffice.

Deputy Heather Humphreys: I will look at it.

Deputy Sean Sherlock: I thank the Minister.

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Pensions Reform

71. **Deputy Claire Kerrane** asked the Minister for Social Protection when she will publish her response to the report of the Commission on Pensions; and if she will make a statement on the matter. [24490/22]

Deputy Claire Kerrane: The question is to ask the Minister when she will publish her response to the report by the Commission on Pensions, which published its report last November and her response was due by the end of March. She might please advise when the response will be published.

Deputy Heather Humphreys: The pensions commission's report was published on 7 October 2021. It contained almost 250 pages of analysis, consideration and recommendations. The report established that the current State pension system is not sustainable into the future, and it set out a recommended approach for the Government. In the interests both of older people and future generations of older people - the young people of today - I assure the Deputy that the Government is considering the comprehensive and far-reaching recommendations in the commission's report very carefully and holistically. My officials are examining each of the recommendations and consulting across the Government through the Cabinet committee system. The views of the Joint Committee on Social Protection, Community and Rural Development and the Islands and the Commission on Taxation and Welfare are also being considered as part of these deliberations.

Following detailed consideration of all these inputs, and taking on board the views of my ministerial colleagues, I intend bringing a recommended response and implementation plan to the Government in the coming weeks. I accept that this is somewhat later than planned, but I am sure that the Deputy will understand that the issues raised, and views expressed by the Oireachtas joint committee and others, require careful consideration. In addition, as she will also appreciate, the Government and my Department have been centrally involved in the response to the crisis in Ukraine and other important matters in recent weeks.

The State pension is the bedrock of the pension system in Ireland. It is extremely effective at ensuring that our pensioners do not experience poverty. The Government is committed to ensuring that this remains the case for current pensioners, those nearing pension age and today's young workers, including those who are only starting their careers. I hope this clarifies the matter.

Deputy Claire Kerrane: I love the term "in the coming weeks" because it really narrows it down. In fairness, I appreciate the work that was done. I understand that it is a massive report and the area of pensions is hugely complex with many different aspects to it. As the Minister outlined, the report is more than 250 pages long. However, it has been published for almost eight months and we need a response from the Government. People need to know if there are changes coming, and what they are, so that they can plan for their retirement and, most important, when they will be able to access their State pension.

I appreciate that the Minister mentioned the report compiled by the Oireachtas joint committee. That report sought flexibility, which I hope we will see in the Government's response. It should not be a one-size-fits-all approach and that everyone should get their pension at a certain age. We need to have flexibility built into the system given the range of sectors and workers. One size does not fit all for those workers.

Deputy Heather Humphreys: In fairness, it has been a busy few months and the Department has been dealing with the situation in Ukraine. We issued 32,000 PPS numbers in recent weeks, put income supports in place for the Ukrainians coming here, and we have worked with them to help them get into employment. Some 2,500 are already working. Today, the Department will administer the new €400 recognition payment. I am working with the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, on that.

We have also been responding to other issues such as the cost of living. We have paid the lump sum of €125 and also a lump sum of €100. It has been a busy few weeks, but the pensions work is ongoing and discussions are continuing. In fact, it was discussed at the Cabinet committee again this week. I will be working with my colleagues to bring forward a response to the pensions commission’s recommendations as soon as I can. It is fair to say that there are no easy decisions here. Whatever we decide will have far-reaching consequences for many people.

Deputy Claire Kerrane: I recognise the work of the Department on the refugees and the level of support they have needed, both in regard to PPS numbers and emergency income supports. I am sure the staff have worked long hours in that regard, which must be acknowledged.

I wish to mention one cohort in particular in regard to pensions, namely, family carers. For a long time they have been promised a solution in respect of the State pension. It is a real shame that in this day and age we have family carers who have given years of support to a loved one at home, who will retire in some instances on a reduced State pension. They deserve nothing less than a full State pension. Many of them are working and caring 24-7 in their homes and they need a solution to the issue once and for all.

I know the commission made a number of recommendations, which I presume are being looked at, but we really need to see moves in this direction ahead of the budget because every month this is not addressed family carers are retiring on a reduced State pension and it is not good enough for them.

Deputy Heather Humphreys: There is a recommendation in the pensions commission’s report on family carers and we will take that into consideration in totality with the other recommendations in the report. I am confident that the Government will agree a response to the commission’s report. We will do so in order that people in their 20s, 30s, 40s and 50s can retire in the knowledge that there will be a State pension for them when they do so. In the past, people retired and claimed the pension for ten or 12 years, but now it is probably closer to 30 years. The reality is that people are living a lot longer, which is a good thing, but it does present its own challenges. If we do not make the system more sustainable now, the young people of today, who are in their 20s and 30s, may not get a State pension. We must look down the road. It is not a challenge that is unique to this country. Governments all over the world are dealing with this issue. It will be addressed. I am consulting with my Cabinet colleagues, and I will bring a recommendation to the Government.

Social Welfare Schemes

72. **Deputy Gary Gannon** asked the Minister for Social Protection if she will meet with an organisation (details supplied) to discuss the issues that are facing disabled artists particularly related to the recently launched basic income for the arts pilot scheme. [24938/22]

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Deputy Gary Gannon: My question is to ask the Minister if she will meet with an organisation, Disabled Artists & Disabled Academics, to discuss the issues facing disabled artists in particular regarding the recently launched basic income for the arts pilot scheme. The Minister will be aware of the pilot scheme, which was launched by the Minister for Tourism, Culture, Arts, Sport, Gaeltacht and Media. It is a welcome move towards acknowledging the often unseen and unpaid work of artists trying to work in society, but there is a genuine concern among disabled artists that through participation in the scheme they will risk losing their social welfare payment or having it cut.

Deputy Heather Humphreys: The pilot basic income scheme for artists, which the Government launched in April, is a matter for my colleague the Minister for Tourism, Culture, Arts, Sport, Gaeltacht, and Media, Deputy Catherine Martin. Her Department is leading this project, including the associated stakeholder engagement, and any requests for meetings to discuss the pilot should be directed accordingly. Officials from my Department have met with the group concerned in that context and have dealt comprehensively with the issues raised. It is important to stress that a payment under the pilot basic income for artists is not a social protection or income support payment. Rather, it is a payment in recognition of the valuable contribution of the arts community and an incentive to encourage people to remain actively employed in the arts rather than seeking employment elsewhere. Payments under the pilot scheme are income, and will therefore be reckonable as income for the purposes of taxation. I understand that recipients will be required to make annual self-employment returns to the Office of the Revenue Commissioners on that basis. Similarly, the Department of Social Protection will treat income from the scheme as income from self-employment for the purpose of its various means tests. The extent to which this income will have an impact on a person's social welfare payment will depend on the means test for the scheme and the person's individual circumstances. For an artist who is on disability allowance and has no other employment income, the payment of the basic income for the arts would result in a 113% increase in their income, without the loss of any secondary benefits.

Since my appointment as the Minister for Social Protection, supporting people with disabilities into employment has been a key priority for me. I want to assure the Deputy that there is full engagement with the disability sector on their issues of concern. Both my Department and I have regular dialogues with disability groups. My Department has a long-standing disability consultative forum, and it is a member of the national disability inclusion strategy steering group, which I addressed recently.

Deputy Gary Gannon: It is important to recognise from the beginning that while I appreciate that the minimum basic income for the arts is the responsibility of the Minister, Deputy Catherine Martin, this is a Government initiative and there is crossover, so I will address them both together. There is genuine concern that the scheme will not be worth the energy or the time required if it means that disabled artists will be under an increased level of scrutiny, having to repeatedly prove and prove again the existence of their disability to the Department of Social Protection. The Indecon report on the cost of disability showed that the average annual cost of living with a disability in Ireland is between €9,482 and €11,734. Although this is outside the Minister's remit, it should be stated that it is hard to see how the additional financial costs because of a disability were not addressed within the basic income for the arts scheme. I know the Minister said that representatives from her Department are dealing comprehensively with this. She might go into the details of that level of comprehensiveness, into what they have established and into what they will seek to rectify.

The treatment of the income for artists with disabilities comes under the Minister's remit. An artist's disability will not stop or disappear when they take part in this scheme. Why, therefore, should their social welfare payments and entitlements-----

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

Deputy Heather Humphreys: I appreciate the point the Deputy is making. I will give him a few sums on this. As a result of the income disregards we have put in place, a person in receipt of a disability allowance payment of €208 who qualifies for the €325 basic income for the arts payment will end up with a combined income of €443. That is a 113% increase, which is more than double the €208 they had been receiving while on disability allowance.

I try to support the sector. We have put a range of supports in place during the pandemic. Indeed, the Music and Entertainment Association of Ireland welcomed those supports. Almost 155,000 people are in receipt of disability allowance. That figure is made up of persons from all sorts of sectors and industries. The means test is there to ensure resources are targeted at the people who need them most. We always talk in this House about targeted measures. Let us look at it this way: if you are an artist, you can earn as much as you like, and we will not take account of it. However, if you are a person in wheelchair and you are working in a shop, the means test applies to you. That is not fair. That really is not fair. We have to be conscious of that.

Deputy Gary Gannon: I am conscious of it, but there are a couple of things we have to be conscious of in addition to that. An artist under the basic income for the arts scheme may be able to work 40 hours per week in applying themselves to the arts, but that may not be possible for an artist who has disability. They may only be able to apply themselves for ten hours a week, for example. That is very different. That should not mean they lose their blind pension or their disability payments. There is not one homogenous type of disability. We need to take into account that the basic income for the arts scheme for artists is a great thing, but when it is applied to a person with a disability we cannot apply the same standards.

I appreciate that representatives from the Minister's Department are meeting with their counterparts in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, but we need to find a solution for this. Its consequences have been that people with a disability are removing themselves from the scheme. That is the opposite of what we should be encouraging people with disabilities to do. There is clearly a lacuna here that needs to be addressed. The Minister's Department has demonstrated some goodwill in getting in front of it, but we cannot stop there. It has consequences for people with disabilities, who are removing themselves from the scheme and being treated unfairly.

Deputy Heather Humphreys: We need to look at this more widely to improve the situation for all people with disabilities. Of course I want to do more. As part of the cost of disability report, my Department is looking at the whole area of disability payments and at how we can make the system fairer. One of the recommendations in that report is to move away from the flat rate of €208 towards a tiered payment system. For example, somebody who has a profound disability and might never be able to work would get a higher payment than somebody with a moderate disability who is able to work. Some of the issues the Deputy is raising are best looked at in the broader piece of work around disability payments more generally. There is a fairer way to examine this, rather than saying we are going to treat one cohort of workers differently from another. That would be quite divisive.

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Social Welfare Payments

73. **Deputy Claire Kerrane** asked the Minister for Social Protection the way she plans to ensure social protection payments meet a minimum essential standard of living, in review of the recently published results of the survey on income and living conditions 2021 and findings of persistent levels of poverty and deprivation; and if she will make a statement on the matter. [24491/22]

Deputy Claire Kerrane: I have asked the Minister about the minimal essential standard of living, MESL, and about linking social welfare payments to it. I want to ask the Minister about that again, given the latest data from the survey on income and living conditions, SILC, which was recently published by the CSO.

Deputy Heather Humphreys: I thank the Deputy for raising this. I welcome the recent publication of the 2021 survey on income and living conditions, which shows improvements across all key national poverty indicators. The data once again show that our social protection system performs strongly in protecting our most vulnerable citizens. Social transfers have reduced the at-risk-of-poverty rate from 38.6% to 11.6%. This represents a 70% reduction on the at-risk-of-poverty rate in 2021.

Ireland is consistently one of the best performing EU countries in reducing poverty through social transfers. Notwithstanding this progress, we should all acknowledge that there is always more that can be done. However, what we do must be informed by evidence. Towards this end, my Department funds a large body of research, including the work of the Vincentian Partnership for Social Justice, to develop and calculate the MESL. I find this work very useful in informing policy. One of the benefits of the work of the Vincentians is that it provides the different levels of income needed for a wide range of household types, including the different costs that arise for households in rural and urban locations.

In recent years, my Department has used the study as a key input into the consideration of budget options. For example, MESL research has consistently identified families with children and older people living alone as being less likely to meet the MESL. In light of this, over successive budgets, qualified child payments have been significantly increased and a new higher rate for children aged 12 and over was introduced in 2019. The living alone allowance has also been increased by a total of €13 per week over the last three years in response to MESL and other research that highlights the higher risk of poverty and social isolation for those who are living alone. I assure the Deputy that my Department will continue to be guided by research, including MESL research, to target resources at those who are identified as being most in need.

Deputy Claire Kerrane: The Minister pointed to a number of improvements outlined by the SILC data. The SILC data have once again shown consistent poverty among lone-parent families, which are four times more likely to be in poverty than households that are headed by two adults. In some cases, there were across-the-board increases. For people aged over 65, there were increases in those at risk of poverty, increases in deprivation and increases in consistent poverty. In relation to those who are unable to work due to long-standing health problems, there were increases across the board. Their at-risk rating for poverty is up, for deprivation is up and there is a consistent poverty rating at almost 20%. While there are some improvements, and many of those are at the higher levels, this is not the case for older people and for people with long-standing health problems. I presume that those with long-standing health problems include persons with a disability. It is a pity that they are not broken down separately. Poverty

is increasing for a number of vulnerable households. That has to be acknowledged. The Minister said she was informed by evidence. The MESL research is telling her that social welfare rates are below the poverty line. We need to look at those rates.

Deputy Heather Humphreys: We try to target the resources where they have the most impact. However, if we increased the rates to meet the MESL, it would cost €2.4 billion more in one year for working-age payments. That would be lot of money. It would be a considerable increase.

We have taken measures to address the cost of living. For example, €100 is being paid out this week for the fuel allowance on top of the €125 lump sum in March, and that allowance was increased by €5 per week in the budget. When one adds all those together, it is up by 55% to 60% this year compared with last year. We also have the €200 universal energy credit. Mr. Seamus Coffey, a respected economist, commented on the SILC report. He said that incomes are up and income inequality is down. The at-risk-of-poverty rate, levels of deprivation and consistent poverty are also down. That is positive.

Deputy Claire Kerrane: The figures speak for themselves. In 2020, the consistent poverty rate for those aged over 65 was 1%. It is now 2.5%. Deprivation and at risk of poverty have increased. For those unable to work - I presume many of them are people with disabilities - deprivation is up to 39.6% and consistent poverty is at 19.2%. All those rates are up. There are no improvements or reductions. That is not happening. Lone parent households are suffering most when it comes to the composition of households. There is a massive difference in consistent poverty rates between two-parent and lone-parent households. What Mr. Coffey said is all well and good, but the figures speak for themselves.

We know many people living with a disability are living in poverty and experiencing deprivation. The cost of disability payment is what is most important now for that cohort of people. I hope matters are progressing in respect of that payment because that will be very important in lifting people out of poverty.

Deputy Heather Humphreys: We have to acknowledge there are a number of different measures in the survey. Two of them have increased but everything else has reduced, whether it is consistent poverty, at risk of poverty, deprivation rates or social transfers. As I mentioned, Covid-19 income supports reduced the risk of poverty from 19.9% to 11.6%. Consistent poverty for children reduced from 7.2% to 5.2%, while consistent poverty for lone parents reduced from 19.3% to 13.1%.

However, the Deputy is correct. There is poverty among older people, which is up. As the Deputy said, the rate of consistent poverty has increased for older people. While it is significantly lower than other age groups, as a society we have worked to ensure that older people are protected against poverty. Many older people have incomes clustered above the risk-of-poverty threshold, which is defined as 60% of median income. As a result of incomes increasing across society as a whole, the at-risk-of-poverty threshold also increased.

On people with disabilities, as the Deputy knows the Government commissioned research on the cost of disability. The research has implications for many areas of public policy, including the delivery of care services, health, housing, education, transport and income supports. We have to look at that and we have to act on that report.

17 May 2022

Ceisteanna Eile - Other Questions

Live Register

74. **Deputy Fergus O'Dowd** asked the Minister for Social Protection when she expects the live register figures to fall below the pre-pandemic level; and if she will make a statement on the matter. [24441/22]

Deputy Fergus O'Dowd: More than a year ago, the live register increased by in excess of 1 million due to the Covid pandemic. When does the Minister expect the live register to fall below its pre-pandemic level?

Deputy Heather Humphreys: I thank the Deputy for raising this matter. Prior to the onset of Covid-19 in March 2020, the labour market was performing strongly and the live register, which measures people claiming standard jobseeker's payments, stood at just over 183,000. By May 2020, this number had increased to just under 226,000. At its peak, the combined total of people in receipt of jobseeker's payments or pandemic unemployment payments, PUPs, reached 820,000 in April 2020. Including the employment wage subsidy scheme, EWSS, and the temporary wage subsidy scheme, TWSS, the number reached 1.25 million in May 2020.

The lifting of remaining health restrictions earlier this year, and the subsequent welcome economic recovery, has allowed the PUP and EWSS to be gradually unwound. On 29 March, the PUP scheme wound down, with the transition to full jobseeker's terms for all remaining recipients. The EWSS scheme is also in the process of closing. The live register now includes all eligible PUP recipients who transitioned to jobseeker's terms. I am pleased to report that, including all of these transitions, as of this week, the live register stands at approximately 174,200, which is below its pre-pandemic level. This is an extremely welcome development and signifies the strong and vibrant recovery of the labour market. This recovery reflects the value of the very strong State supports, not just PUP and EWSS, but schemes such as the Covid restrictions support scheme.

While current live register trends are extremely positive, we need to continue to provide appropriate employment supports to those who remain on the live register. Through delivering the pathways to work employment services strategy, we will continue to work to ensure that we have a balanced labour market recovery post Covid-19, where no one is left behind.

Deputy Fergus O'Dowd: The figures speak for themselves. They show a clear reopening of our economy and significant growth in employment. Indeed, the European Union is predicting our gross domestic product will rise by 5.4% this year, which is the second highest in Europe. Does the Minister agree that Government policies are working? The figures are accurate. In fact, a record 2.5 million people are now in employment and in 2021, notwithstanding the Covid pandemic, we have added 229,000 new jobs.

Deputy Heather Humphreys: It is very clear the intervention we took during Covid worked. The economy was able to bounce back and businesses got back again. The EWSS was particularly successful in keeping employees linked to their employers so when the Covid restrictions lifted they were ready to go. The PUP was absolutely essential. It is encouraging to see many, if not all, the people on the PUP are back at work. A small number have transitioned to the jobseeker's payment but that number continues to reduce.

We are now in a position where unemployment is lower than it was pre-pandemic. We have the lowest live register figures in more than a decade. Some 174,000 people are on the live register, yet we have a significant number of job opportunities in the economy at present. I want to address how we work with those people through retraining or upskilling. I want to help them get back into the workforce because there are still about 170,000 of them.

Deputy Fergus O'Dowd: I again welcome the Minister's comments and the facts she has given us. This is not necessarily her responsibility, but the question that arises is that of our skills shortage in the economy. We need specific skills that cannot be met by the European Union. We ought to consider increasing the capacity of our economy to bring people in from outside the European Union who can meet those specific skills shortages. Otherwise, our economy will not be able to continue to grow.

Deputy Alan Dillon: I welcome the Minister's latest update on the live register figures, which shows a far more positive outlook as unemployment rates continue to fall. I will raise the issue of the continuing challenges faced by our hospitality and tourism sector that is struggling to fill significant numbers of vacancies ahead of the tourism season. Long delays in getting work permits and personal public service, PPS, numbers are slowing down recruitment of restaurant, hospitality and tourism workers. In some instances, it is taking up to six weeks to get new PPS numbers for workers from EU countries. While I understand some welfare offices are experiencing high levels of demand for PPS numbers, will the Minister outline what efforts are being made to reduce wait times for issuing PPS numbers for this crucial sector?

Deputy Heather Humphreys: We have increased resources in the area of PPS numbers. There is huge demand at present, which the Deputy will appreciate, since we have just issued almost 32,000 PPS numbers to Ukrainians who are coming to this country. We have increased the resources in that area.

Deputy O'Dowd talked about skills shortages. I was at the Vintners' Federation of Ireland, VFI, conference last week. We know the hospitality sector is experiencing staff shortages so I was pleased to see yesterday that the VFI has launched a new bar management course in conjunction with SOLAS. That is showing people who choose that sector there is a career path in it for them. We have to get people interested in sectors because we know there is a demand for workers out there. For example, two weeks ago I launched the future building initiative with the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris. We will drive recruitment in the construction sector where there are major opportunities in retrofitting and housebuilding. My Department is working with SOLAS, the education and training boards and employers to show there is a career path in the construction sector. I will be at a jobs fair this Thursday morning, which will be again around the construction sector. We want to try to help people get back into work.

8 o'clock

Cost of Living Issues

75. **Deputy Paul Murphy** asked the Minister for Social Protection if she will increase social welfare rates in line with increases in the cost of living; and if she will make a statement on

the matter. [24512/22]

Deputy Paul Murphy: In the most recent budget the Minister increased social welfare rates by a measly 2.5%. Over the past year we have seen inflation at 7% or more. Does the Minister intend to immediately increase social welfare rates to at least keep pace with the spiralling cost of living so that those on low fixed incomes are not compelled to fall deeper and deeper into poverty?

Deputy Heather Humphreys: On an ongoing basis, and as part of the normal budgetary cycle, my Department actively monitors key economic indicators and also takes account of research data, including data on the minimum essential standard of living from the Vincentian Partnership for Social Justice. The social impact of budget measures is also assessed using the SWITCH model developed by the ESRI.

It is through this evidence-based approach that, over the past ten years, budget measures have both exceeded inflation and have also been targeted to support those most at risk of poverty. This is evident in the recent results of the survey on income and living conditions which showed welcome reductions in the number of people at risk of poverty or deprivation.

Having said that, I am very aware that, mainly due to external factors, the recent increase in consumer prices, especially the increase in fuel and other energy prices, has exceeded even the highest forecasts. In response the Government acted early to address these challenges. To help mitigate the effects of these rising costs, the Government announced a package of measures in February, which will have a positive impact on the incomes of all households in the country. This package included a lump sum of €125 to all households in receipt of the fuel allowance payment which was paid to social welfare recipients in March. This week, a further lump sum payment of €100 will be paid to these households. Taken together with the €5 increase in fuel allowance introduced as part of budget 2022, this means that low-income households will see an increase of 55% in fuel allowance support provided during this fuel season compared with last season. In conjunction with the electricity costs emergency benefit payment, such households will receive over €600 in additional energy supports this year. Deputies will also be aware of the measures taken by the Minister for Finance to reduce duties on fuel and retain the low level of VAT on hospitality services. The Minister for Transport has also reduced public transport fares by 20%.

These measures are in addition to others introduced as part of budget 2022, including the largest social welfare budget package in 14 years, and are more expansive than measures introduced in most other countries.

Deputy Paul Murphy: The Government likes to talk a lot about the cost of living being caused by factors outside its control but let us look at the factors that are in the Government's control. Social protection is set at poverty levels. That was the case before the huge inflation we are seeing but it is getting worse. The crumbs being offered to people are not good enough. When their bills are soaring by thousands of euro giving them a few hundred euro is not enough. In 2021, 19% of people unable to work due to long-standing health problems were living in consistent poverty. That was before this year's price increases. The poverty line in 2021 was €286 per week, while the standard rate of social welfare is only €208. The cost of housing was out of control before Covid or the invasion of Ukraine. Some 59% of people dependent on rent subsidies such as HAP were at risk of poverty. What is the point of paying out almost €1 billion a year to landlords if that is the end result?

Deputy Heather Humphreys: Data from SILC in 2021 are the official poverty data for Ireland. The survey was undertaken in 2021 and refers to 2020 income. I will give the Deputy a few figures from it. The rate of consistent poverty reduced from 4.7% in 2020 to 4% in 2021. The number of people at-risk of poverty reduced from 13.2% to 11.6%. The deprivation rate reduced from 14.3% to 13.8% in 2021. Social transfers resulted in a reduction in the at-risk of poverty rate from 38.6% to 11.6%. In 2021, Covid-19 income supports reduced the at-risk of poverty rate from 19.9% to 11.6%. Consistent poverty among children reduced from 7.2% in 2020 to 5.2% in 2021 and consistent poverty among lone parents reduced from 19.3% to 13.1%.

Deputy Paul Murphy: I will give the Minister some other statistics from the same report. After paying their rent, one in two people living in local authority housing is at risk of poverty. It is even worse for those reliant on HAP or rental accommodation scheme, RAS, of whom 59% are at risk of poverty after paying their rent. More than one in ten of the population is living in enforced deprivation. Almost one person in two of the population is not able to afford to replace worn-out furniture. Almost one in ten cannot afford new clothes. Almost one in ten cannot afford to have family or friends over for a drink or to meet for a meal once a month. That was before the price rises kicked in and affected people. Unless the Government acts now to raise the pitiful levels of social welfare payments, there will be a huge crisis for these people. These are precisely the people who are making the choice between heating or eating. It is why the cost-of-living coalition has come together and is organising our first protest at 1 p.m. this Thursday outside the Dáil. It will be the first protest of many to build a mass movement on the streets to force action from the Government on this issue.

Deputy Heather Humphreys: The Government has taken significant action which I have already listed. It includes a lump sum of €125 and a further lump sum payment of €100 this week; a €200 energy credit; excise reductions on fuel; public transport fare reductions of 20%; and the retention of lower VAT levels in the hospitality sector. On top of that, we introduced the largest social welfare package in 14 years last October. All of this has been done on the back of over €9.2 billion being paid on the pandemic unemployment payment over the past two years. Yesterday, we had record export figures. Child poverty is falling. The number of people at risk of poverty is falling. Incomes are up and inequality is down. The European Commission forecasts that Ireland will have the second highest growth in the EU this year. The unemployment rate is lower now than it was before the pandemic. The number of people on the live register is at its lowest for over a decade. We want to do more, however. My Department, along with the Minister for Further and Higher Education, Innovation, Research and Science, is developing more apprenticeships and training and education courses because the way out of poverty is employment.

Employment Schemes

76. **Deputy Claire Kerrane** asked the Minister for Social Protection if she will outline plans regarding redundancy provision for local employment service, LES, and job club staff who lose employment as a result of the ongoing tender process; and if she will make a statement on the matter. [24492/22]

Deputy Claire Kerrane: What are the Minister's plans to provide for the staff in local employment services and job clubs who will, in some instances, lose their jobs in the weeks and months ahead? Will redundancy payments be provided?

17 May 2022

Deputy Heather Humphreys: My Department has been designing a new model of externally provided public employment services since 2019. This is required to comply with the legal obligation to ensure such services are procured through a competitive process. For almost three and half years, extensive consultation with existing providers and representative bodies, including the Irish Local Development Network and trade unions, has taken place. My Department has worked to ensure that existing providers are in a position to compete for the provision of these new employment services. This involved a two-phase approach. The first phase involved running a limited competition in four geographic areas that did not already have local employment services. Then, using the lessons learned from this process, we fine-tuned the request for tenders in phase 2. Having taken on board the lessons learned, phase 2 includes an increase in the number of lots, greater emphasis on community linkages and, most important, a substantially increased minimum level of referrals for each lot. The increase in referrals means the annual income under the new model should exceed the existing cost base of all LES and job clubs operating in each lot. Therefore, any existing provider which successfully bids for a service should at least match and in some cases exceed its current income. The need for redundancies in such circumstance would clearly not be warranted.

The procurement for the new Intreo partners local area employment services will take time to conclude. My Department has therefore offered an extension of contracts to existing LES and job clubs until the end of August. To date, the vast majority of providers have accepted this offer. However, a very small number of providers have declined the offer, which is at their discretion, and they will communicate their decision and rationale to their staff. In circumstances where existing providers choose not to bid for these service or are unsuccessful I would expect that, as a first option, providers should look to redeploy any staff affected to other functions within their organisations. However, where this is not possible, and if these employers are unable to finance redundancy payments, then my Department's redundancy and insolvency service will, in accordance with the governing legislation, be able to make provision for statutory redundancy payments.

Deputy Claire Kerrane: Statutory redundancy will be made available, as it is to most workers, albeit it will be limited. I am speaking about redundancy beyond the statutory redundancy because some of these workers have given 20, and in some cases, 25 years of dedication. During that time they have educated themselves and retrained and they are highly skilled workers who deserve better. The tender has gone ahead and the second phase is well under way.

I refer to those four areas that were tendered in the first phase and which the Minister referenced. Can the Minister outline what number of staff we are looking at in those four areas and what number of staff will be retained? I acknowledge that in some cases the new provider will offer employment to the staff who are currently there but where they do not want to take up that employment will they be impeded in redundancy and in access to the likes of the jobseeker's benefit and allowance?

Deputy Heather Humphreys: I do not have the figures for the four areas in phase 1 to hand but there had been engagement and in some of the instances the staff involved took up employment with the new contract providers. We are in phase 2 and the procurement phase is ongoing, as the Deputy knows. I am not the employer, nor is my Department. I cannot come in and promise enhanced redundancy terms for anybody because that is not something that is in my gift and the Department of Public Expenditure and Reform probably would not take too kindly to that either. My focus from the start has always been on the jobseeker. I want to help people get into work and give them the supports they need. There are more people working than ever

before, the live register is at its lowest level in over a decade and unemployment is lower than it was pre-Covid, as we know.

Deputy Claire Kerrane: I mention the roughly 388 people who work in local employment services and job clubs. When a new provider like Turas Nua or Seetec Ireland comes in, some of those workers who have given 20 to 25 years of work to not-for-profit and community-based employment services will not want to take up a role in an organisation that is run for-profit, that provides payment by results and that is not within the ethos of a community-based and not-for-profit body. The 40 jobs clubs across the State are more or less being wiped out. Some local employment services will be successful in the second phase of the tender but there will be a situation where a number of workers will not want to take up employment under the new private model. I ask the Minister to look at enhanced redundancy for those workers who have given years of service to their communities. They deserve to at least be considered for that.

Deputy Heather Humphreys: We cannot jump the gun because there are no redundancies yet. We need to await the outcome of the procurement process. Some have said that the community and voluntary sector will be wiped out due to the procurement process but we should wait and see who wins it and, as I said, it is ongoing. All contracts are extended until the end of August, unless the companies have decided not to extend themselves. If they have decided that then they will need to explain that to their employees. My Department has a primary focus for this procurement process, with 80% of the marks awarded for the quality of the service offered and the local connections. Some 20% relates to cost but there is a minimum cost below which bids will be accepted. If new providers come in, there might be opportunities there because we are talking about highly skilled staff. We know the situation with the labour market and there are a lot of employers out there looking for staff. The process is still under way and I do not want to anticipate the outcome of that yet. Their contracts are extended until the end of August.

Departmental Reports

79. **Deputy Gary Gannon** asked the Minister for Social Protection the date she expects to publish the child maintenance review group report; and if she will make a statement on the matter. [24645/22]

An Leas-Cheann Comhairle: Glaoim ar an Teachta Gannon.

Deputy Gary Gannon: I do not think it is me next.

Deputy Jennifer Murnane O'Connor: Deputy Christopher O'Sullivan is next.

An Leas-Cheann Comhairle: Ach níl sé anseo.

Deputy Dara Calleary: I am taking No. 77.

Deputy Jennifer Murnane O'Connor: Deputy Calleary is taking No. 77 and I am taking No. 78.

An Leas-Cheann Comhairle: I am just reading what I have in front of me and I have received no notice of substitutions.

Deputy Jennifer Murnane O'Connor: I have got word.

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Deputy Dara Calleary: It has all been done. We have got the confirmation back from-----

An Leas-Cheann Comhairle: I will take Deputy Gannon. Perhaps we can check the order but I had no notice of that. There is no problem if the Deputies have done it but there is nothing before me.

Deputy Heather Humphreys: We will take Deputy Gannon's question in the meantime.

Deputy Gary Gannon: My question is brief. I want to ask the Minister the date she expects to publish a child maintenance review group report and if she will make a statement on the matter.

Deputy Heather Humphreys: In line with the programme for Government commitment, the Government established a child maintenance review group to examine certain issues in relation to child maintenance in Ireland. The group's terms of reference were to consider and make recommendations on the following: the current treatment of child maintenance payments in my Department; the current provisions regarding liable relatives managed by my Department; and the establishment of a child maintenance agency in Ireland. As part of its work, the group conducted a public consultation process. Submissions were received from members of the public, as well as from Members of the Oireachtas, non-governmental organisations and professional bodies. These valuable submissions were given detailed consideration during the group's deliberations. The group also examined the international position where there are a variety of different approaches taken to these matters.

I am pleased to advise that the group has completed its work and that its report was submitted to me on 22 April. I would like to thank the chair and the group members for their detailed consideration of these important issues. I am giving the report the careful consideration that such an important and complex issue deserves. Given that the report relates to a broad range of issues that are beyond the scope of the social welfare system, I am also consulting Government colleagues. Once the report has been fully considered, my intention is to bring it to Government, at which time a decision regarding the publication date will be made.

I am mindful that lone parents continue to be a group with a high risk of poverty. Budget 2022 included a number of measures of benefit to lone parents as follows. For example, personal rates of payment were increased by €5 per week. The rate of increase for a qualified child was increased by €2 to €40 per week in respect of a qualified child under age 12, and by €3 to €48 per week in respect of a qualified child aged 12 or over. There was a €10 weekly increase in the working family payment income limits and the level of the back to school clothing and footwear allowance was increased by €10 to €160 for each child aged four to 11, and to €285 for each child aged 12 and over.

Deputy Gary Gannon: I thank the Minister and I welcome getting some degree of insight to the report. In her next response I ask the Minister to give an estimated date for publication of the report. Would it be before summer, for example? It would be helpful if we had some degree of knowledge of the timeline. We both agree that it is abhorrent that lone parents and their children continue to be one of the groups that is among the most, if not the most, at risk of experiencing poverty in Ireland. Despite this we continue to see child maintenance as a private matter. Data from the Growing Up in Ireland survey shows that: 50% of non-resident parents provide no maintenance payments; 30% regularly pay maintenance; and 14% pay maintenance on a required basis. The system of having to rely on the courts for pursuing maintenance also

adds unnecessary stress and makes seeking maintenance an adversarial pursuit by default. For parents who go to court the award of maintenance for the court varies vastly. In a recent survey published by Spark, 154 respondents showed the average court award per child was €53.93 and down as low as €3.85 per child. Will this be factored into the Minister's report? Can she give us some indication of the date when we will see it please?

Deputy Heather Humphreys: As I said, the report runs to a few hundred pages and the chairperson of the group was Judge Catherine Murphy. A huge amount of work was put in, they asked for extra time so that it could be given the attention it deserved and I want to thank the group for the work they put in. There are a lot of issues here; it is not just social protection but there are other issues as well that cross into the Department of Justice. I have an interest in it and I have discussed it with Deputy Kerrane. We need to ensure we get this right. We cannot keep doing what we are doing and expect a different answer. I am very aware of situations where people do not meet their commitments to pay maintenance. It is very difficult for mothers to rear children when they are not getting that support from the fathers. I am sorry, it could be the other way, but usually that is the way.

Deputy Gary Gannon: I thank the Minister for her response. I fully appreciate this is a matter that crosses many Departments. I also appreciate the urgency behind it. A report from the Society of St. Vincent de Paul some months ago indicated many one-parent families are choosing between having meals and paying their electricity costs. These issues will not be addressed through the report. The report might give some indication of the urgency of Government to tackle it across Departments. That is why I would like to know when we will see the report. Notwithstanding how comprehensive and detailed it is and the level of engagement, we need to know when the Minister will publish the report and outline what she will do about it. Given the level of poverty and deprivation and that some parents are skipping meals, we need to say what we are going to do about it quickly.

Deputy Heather Humphreys: As I said in reply to Deputy Kerrane earlier, I will not leave this sitting on a shelf. This report will be acted on. I will bring a memorandum to Government with the full report and our proposed response. I want to move it along. I would like to get it to Cabinet before the summer recess. We will publish the report and the Government's response at that stage. We want to provide ample time to give it due consideration. It is a long report, considerable work went into it and I do not want to rush it. However, I will not leave it sitting there because we need to do something about it and I am committed to doing that.

Social Welfare Payments

77. **Deputy Christopher O'Sullivan** asked the Minister for Social Protection the number of persons who are applying for assistance with energy costs, including boiler repairs and replacements, under the exceptional needs payments scheme by applications, grants and refusals by county in tabular form. [24681/22]

An Leas-Cheann Comhairle: I am going back to the question in the name of Deputy Christopher O'Sullivan. Unfortunately, the fact that Deputy Calleary was substituting for him did not filter up here. I cannot leave the desk so we have double-checked.

Deputy Dara Calleary: For the record of the House, I received an email at 11.30 this morning confirming it.

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An Leas-Cheann Comhairle: I know that. It is no fault on the Deputy, but there is no fault on us either. It did not arrive up here.

Deputy Dara Calleary: No problem. I wish to know the number of people who are looking for assistance with energy costs, including boiler repairs and replacements, either through the exceptional needs scheme or otherwise, to alleviate the major crisis that will affect households experiencing fuel poverty.

Deputy Heather Humphreys: Under the supplementary welfare allowance scheme, my Department may make a single exceptional needs payment to help meet essential, once-off expenditure that a person could not reasonably be expected to meet out of his or her weekly income. The scheme is demand-led and payments are made at the discretion of the officers administering the scheme, taking into account the requirements of the legislation and all the relevant circumstances of the case. This ensures the payments target those most in need of assistance.

Statistics are maintained on the number of payments awarded under the exceptional needs payment scheme by county and are provided in the table in this reply. Statistics are not currently maintained on the number of applications made or applications refused by county. However, provisional details recorded indicate that 1,224 applications registered related to household bills and heating costs made between 1 January and 30 April, of which 138 were disallowed. The main reasons for disallowance on these applications were that either the need was not established or the applicant had sufficient means available to him or her and could meet the need from his or her own resources or from an alternative source. My Department is currently compiling more extensive statistical analysis on applications for exceptional needs and urgent needs payments and will revert to the Deputy, if required, when this has been completed.

The table in this reply details the number of payments awarded to assist with household bills and heating costs by county. While payments are categorised under the scheme, it is not possible to identify payments specifically made in respect of boiler repairs and replacements.

Anyone who wishes to make an application for a payment under the supplementary welfare schemes should contact the community welfare service at their local Intreo centre. There is a national Intreo contact centre in place that will direct callers to the appropriate office.

Table 1 - ENPs for household bills and heating costs 2022 (to end of April)

<i>County</i>	<i>Payments Awarded</i>
<i>CARLOW</i>	<i>19</i>
<i>CAVAN</i>	<i>23</i>
<i>CLARE</i>	<i>25</i>
<i>CORK</i>	<i>103</i>
<i>DONEGAL</i>	<i>63</i>
<i>DUBLIN</i>	<i>70</i>
<i>GALWAY</i>	<i>36</i>
<i>KERRY</i>	<i>51</i>
<i>KILDARE</i>	<i>16</i>
<i>KILKENNY</i>	<i>38</i>
<i>LAOIS</i>	<i>14</i>

<i>LEITRIM</i>	<i>37</i>
<i>LIMERICK</i>	<i>54</i>
<i>LONGFORD</i>	<i>37</i>
<i>LOUTH</i>	<i>35</i>
<i>MAYO</i>	<i>29</i>
<i>MEATH</i>	<i>44</i>
<i>MONAGHAN</i>	<i>3</i>
<i>OFFALY</i>	<i>32</i>
<i>ROSCOMMON</i>	<i>22</i>
<i>SLIGO</i>	<i>47</i>
<i>TIPPERARY</i>	<i>104</i>
<i>WATERFORD</i>	<i>24</i>
<i>WESTMEATH</i>	<i>34</i>
<i>WEXFORD</i>	<i>24</i>
<i>WICKLOW</i>	<i>15</i>
<i>Grand Total</i>	<i>999</i>

Deputy Dara Calleary: The Minister is aware the major shock through the increase in energy costs is only beginning to happen. By the time we get to next winter, this will be a major crisis and not just an issue for many people. I acknowledge the €200 to help with electricity bills and I acknowledge the extra €125 paid this week to 371,000 household in receipt of fuel allowance. The restrictions on fuel allowance mean many people who are in poverty do not get fuel allowance and need to use fixed incomes or low-wage incomes for these additional fuel bills. Many of them are making applications for exceptional needs payments to try to pay their fuel bills on an ongoing basis. What interaction does the Minister have with the Department of Environment, Climate and Communications regarding the better energy warmer homes scheme? Is there much co-operation between the two Departments to encourage people to avail of the scheme and give them the chance to apply for it?

Deputy Heather Humphreys: The exceptional needs payment and the urgent needs payment are available. They are their demand-led schemes, and if people run into difficulties, they are encouraged to apply for that payment. I have been trying to highlight it. We have introduced a number of measures to help alleviate some of the rising costs, as the Deputy has acknowledged. Nobody is excluded from applying for this payment if he or she needs it. We should be making people aware that support is available. That is the State's safety net for people who hit hard times and cannot pay their bills. I encourage anyone in difficulty to go to his or her community welfare office. We are here to help. It is important that people do that and are aware of that.

Deputy Dara Calleary: In my own name I have tabled a question about the availability of community welfare officers. I got some information last week that shows many people do not have access to a community welfare officer within their area. The service is being centralised. People do not have access to transport to get to the central service. It makes no sense to do what the banks are doing and tell people to go online because many people do not have the capacity to go online or do not have the availability to go online to engage with community welfare officer.

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Will the Minister increase the number of community welfare officers available? They do fantastic work and their commitment to their job is immense but we need more of them. They need to be out and about in communities more and have the capacity to do that. These schemes are useless without the community welfare officer being actively available to people. A number of charities have highlighted the difficulty in getting access to a community welfare officer all because of the burden of work on the existing community welfare officer service. If that is not expanded, we are going nowhere.

An Leas-Cheann Comhairle: Before the Minister responds, two more Deputies wish to speak.

Deputy Claire Kerrane: I have said many times that it is totally unacceptable that statistics are not collected on the number of people who are refused exceptional needs payments. If we do not know how many apply for it and are refused, then we have a problem. We need the data. The Department collects data on many things and this should be one of them. I welcome what the Minister has said on collating statistics. I presume those statistics will only be collected from now on. How is that being done?

I agree with what has been said. I am getting many calls from people who cannot access the community welfare officer. They used to be in local health centres. It is very hard to access them. It seems to be an issue across the board and it needs to be addressed because people, sometimes in situations of real emergency, need to be able to access the community welfare officer when they have no one else turn to.

Deputy Jennifer Murnane O'Connor: I agree with the previous speakers. I am concerned that the figures the Minister has given for exceptional needs payments are extremely low. In my area I have met people who find it very hard to get that payment to purchase a boiler, fridge or washing machine. That needs to be looked at seriously. We all know that places were closed during the pandemic. Accessing welfare became a burden for people. This needs to be addressed. I am finding that people are not getting their payments and we must ask why that is the case. The people who apply for it are the most vulnerable in our community. A fridge, washing machine and freezer are a must, like heating. The figures are low and I am worried about that. Can we get the correct figures, or whatever figures are available?

Deputy Heather Humphreys: We paid out €13.5 million in supplementary welfare payments between 1 January and the end of April this year. If the Deputies are aware of a case where somebody did not get support, I ask them to bring the details to me and I will raise the matter with my officials. I have raised this matter on a number of occasions and have been reassured that a community welfare officer is only one phone call away. We do not talk about an online option or anything else. Anyone who picks up the phone should get the support he or she needs. If people are not getting that service, I want to hear about their specific cases and I will deal with them individually myself. That is not what I want to see. We are here to help people and I want the State to be there to support people in times of difficulty. That is our job and I want that to happen. If any Deputy knows of a particular instance, I ask him or her to come to me and I will deal with it.

The guidelines are issued to the staff who administer the scheme. However, they do not affect the discretion available to officers in issuing exceptional or urgent needs payments to assist an individual.

Parental Leave

78. **Deputy Joe Flaherty** asked the Minister for Social Protection the number of those availing of parent's leave and parent's benefit, by county, since the extension was announced on 1 April 2021, in tabular form; and if she will make a statement on the matter. [24685/22]

Deputy Jennifer Murnane O'Connor: This question intends to find out the number of those availing of parent's leave and parent's benefit, by county, since the extension was announced on 1 April 2021 and asks the Minister to make a statement on the matter.

Deputy Heather Humphreys: I thank the Deputy for raising this matter. The Government has committed to the continued support of working parents to achieve a better work-life balance. Parent's leave and benefit falls into this category and encourages the sharing of parental responsibilities equally between couples. The Parent's Leave and Benefit Act 2019 introduced two weeks of paid parent's leave for each parent of a child born or adopted after 1 November 2019. In budget 2021, this leave increased from two weeks to five weeks. Since these changes came into effect in April 2021, parent's benefit is paid at a weekly flat rate of €250 for five weeks to employed and self-employed people who avail of parent's leave and who satisfy certain PRSI contribution and other conditions. The rate of parent's benefit is the same as the rates of paternity benefit, adoptive benefit and maternity benefit. A total of 51,400 applications for parent's benefit were awarded in 2021 compared with 16,700 in 2020, representing an increase of more than 300%. Since the start of 2022, the total applications awarded to the end of April stands at almost 22,000.

The number of parents who have availed of parent's leave and benefit, by county, since the expansion of the scheme from two to five weeks on 1 April 2021 is set out in tabular form. The counties with large populations, namely, Dublin and Cork, tend to have the most claims, with some 14,200 and 7,300 applications respectively. My officials regularly review county statistics to look for emerging trends across all schemes administered by the Department.

From July 2022, parent's leave and benefit will further increase from five weeks to seven weeks. The additional two weeks of parent's leave will apply to parents of children who are under the age of two in July 2022 or adoptive children who have been placed with their parents for less than two years in July 2022.

<i>Antrim</i>	<i>11</i>
<i>Armagh</i>	<i>42</i>
<i>Carlow</i>	<i>648</i>
<i>Cavan</i>	<i>966</i>
<i>Clare</i>	<i>1271</i>
<i>Cork</i>	<i>7263</i>
<i>Derry</i>	<i>47</i>
<i>Donegal</i>	<i>1636</i>
<i>Down</i>	<i>99</i>
<i>Dublin</i>	<i>14246</i>
<i>Fermanagh</i>	<i>48</i>
<i>Galway</i>	<i>3348</i>
<i>Kerry</i>	<i>1683</i>

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<i>Kildare</i>	<i>3070</i>
<i>Kilkenny</i>	<i>1193</i>
<i>Laois</i>	<i>890</i>
<i>Leitrim</i>	<i>440</i>
<i>Limerick</i>	<i>2134</i>
<i>Longford</i>	<i>452</i>
<i>Louth</i>	<i>1369</i>
<i>Mayo</i>	<i>1568</i>
<i>Meath</i>	<i>2567</i>
<i>Monaghan</i>	<i>891</i>
<i>Offaly</i>	<i>827</i>
<i>Roscommon</i>	<i>736</i>
<i>Sligo</i>	<i>804</i>
<i>Tipperary</i>	<i>1875</i>
<i>Tyrone</i>	<i>29</i>
<i>Waterford</i>	<i>1383</i>
<i>Westmeath</i>	<i>1190</i>
<i>Wexford</i>	<i>1634</i>
<i>Wicklow</i>	<i>1563</i>
<i>Total</i>	<i>55923</i>

Deputy Jennifer Murnane O'Connor: I thank the Minister. I welcomed last year's extension of parent's leave and benefit to all eligible parents of children born or adopted after 1 November 2019. Those five weeks' leave must be used within two years of the child's birth or adoption. These are important payments and help parents to take the time needed to support their children and to help meet the cost of living.

As children grow, another benefit that is of great importance for parents is child benefit. We know it is a crucial payment for many parents and families. I am frequently contacted by parents in difficult circumstances as they are finding it hard to access the payment for their children who are over 16 and may have left school but cannot find a job or training. Perhaps the Minister could come back to me on that issue.

Deputy Heather Humphreys: As I said, we are going to increase parent's leave and benefit to seven weeks this year. I think parent's benefit, to which the question related, is very important. It is important for parents to be with their children in their most formative years. They need that quality time. It is not easy when parents are out working and both parents have to work these days. It is good that this support is available for parents.

To give the Deputy some statistics, 648 parents in her own county of Carlow received the parent's benefit, as did 1,193 parents in the neighbouring county of Kilkenny.

On the question about the children's allowance payment, which has a new name I have forgotten, I do not know the specific case about which the Deputy is talking. I am happy to hear about the individual case and I will take it up on the Deputy's behalf.

Deputy Jennifer Murnane O'Connor: I thank the Minister. I appreciate what she has said and will come back to her with those details. Are parents aware of enhanced supports under

last year's announcement for parent's leave and parent's benefit? Does more need to be done in communication of that? We have talked about social welfare and the needs assessment office with our social welfare office, which is doing its best. The Minister has spoken about people not getting their payments. Sometimes the problem may be a lack of information. Different offices kept different hours during the pandemic. Communication is essential. Are we considering enhanced communication on the issue of child benefit? Are there any plans to review the upper age threshold for that payment? One of the biggest issues I have been facing recently is the limit to child benefit when the child concerned turns 16 and has left school.

Deputy Heather Humphreys: From July 2022, parent's leave and benefit will increase from five weeks to seven weeks. I and the Minister for Children, Equality, Disability, Integration and Youth, who has responsibility for policy in this area, will undertake to do a communications campaign at that time to make sure people are aware of it. This is an important support for parents and it is something we want people to take up. I am delighted there was such an increase in the numbers of people availing of the support in 2021. I hope that in 2022, that figure will grow further. Some 55,923 parents availed of the support in 2021, at a cost of over €50.8 million in total. That money is well spent because it gives parents the time to spend with their children.

Departmental Schemes

80. **Deputy David Stanton** asked the Minister for Social Protection the measures being taken by her Department to support low-income farmers; and if she will make a statement on the matter. [24565/22]

85. **Deputy David Stanton** asked the Minister for Social Protection if she will outline the recommendations of her Department in the technical review of the farm assist scheme; and if she will make a statement on the matter. [24590/22]

Deputy David Stanton: My questions relate to the technical review of the farm assist scheme, which I understand was finalised last October and which the Minister published in April. It contains a number of interesting recommendations, facts and figures. Will the Minister outline the recommendations? What are her views on them, six months after they were finalised? What action does she intend to take?

Deputy Heather Humphreys: I propose to take Questions Nos. 80 and 85 together.

I thank the Deputy for raising the issue. Farm assist is a statutory income support specifically for farmers on low incomes. There are approximately 4,800 claims in payment at present. The Government has provided €53.9 million for the scheme for 2022. The means assessment under farm assist is generous when compared with the means test applied under jobseeker's allowance for other self-employed individuals. Farmers also retain the advantages of jobseekers, such as access to activation programmes.

Further to the commitment in the programme for Government and in the Rural Development Policy 2021-2025, my Department recently reviewed the means assessment disregards for farm assist. The report is available on my Department's website. One of the key recommendations of the report was to provide for an extensive expansion to the list of agri-environmental schemes that qualify for a disregard. I introduced this measure as part of the Social Welfare Act

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2022 and it will be implemented from next month, four months earlier than had been previously announced. If a farmer is in receipt of one of these grants at the average payment of €2,132, this measure could provide for a weekly increase in his or her farm assist of up to €28.70 depending on individual circumstances.

The other recommendations in the report, which include increases in the capital disregard and income disregarded from off-farm earnings, would have to be considered as part of the budgetary process. I have also agreed to carry out a review of how income from land leased out by farmers is treated in the means assessments for the State non-contributory pension and the farm assist scheme. This is being progressed within my Department. In addition, budget 2022 introduced a targeted package of social protection supports, including a €5 weekly increase on standard weekly social welfare rates, increases to the qualified child payment rates and the fuel allowance. I have a list of other schemes that we plan to examine. Apart from the extension to the agri-environmental schemes, the report states that we should consider increasing the daily disregard from off-farm income, increasing the capital disregard, streamlining the approach to depreciation and continue to work with the Department of Agriculture, Food and the Marine to identify schemes included in the CAP strategic plan that will yield environmental benefits and could be disregarded under farm assist. We will examine these in the budgetary context. In the most recent budget we provided that all of the different agri-environmental schemes will attract a disregard in the means test. The first €2,540 is disregarded and after that, 50% applies. There are other measures in the report, which I have just listed. Indeed, having looked at the number of farm schemes on the list, I think there are more farm schemes than social welfare schemes. All the other schemes are going to be included in the disregards, including the beef exceptional measure, the beef data scheme, the beef environmental scheme, the dairy beef calf scheme, the results-based environmental scheme, the agri-pilot programme, the sheep welfare scheme, afforestation programme, ash dieback scheme, creation of woodland and public land scheme, the deer tree shelter and deer-hare fencing scheme, the forestry grants, and the premium schemes. There is a lot of them and they are all going to be included; that is the good news.

Deputy David Stanton: I thank the Minister for her response. I welcome the fact that she is bringing forward some of the payments to next month, which will make a difference for some. In respect of the other recommendations she outlined, when does she expect to bring those forward? I acknowledge there are budgetary constraints and so forth but I encourage her to get those on the table.

I ask her to comment on the fact that, in 2011, there were 11,000 recipients of farm assist whereas now there are 4,864 recipients, while the amount being spent on farm assist has dropped from €113 million in 2011 to €53 million now. Is there a reason for that? Is it that farmers are better off now, which is why people have dropped out of the scheme? We know that, in the main, an ageing group of smallholders is availing of the farm assist scheme. Given that the Teagasc national farm survey report of 2021 found that 33% of the 93,000 farm families are vulnerable and depend on this kind of payment, the statistics in the review that the Minister has published are very interesting.

Deputy Heather Humphreys: Currently, approximately 4,800 farmers are in receipt of farm assist, compared with 5,500 in 2020, 6,000 in 2019 and 6,500 in 2018. This is a demand-led scheme and the numbers in receipt of a payment are falling, mainly due to the age profile of the customers. More than 70% of customers are aged 50 and over, more than half of the claimants are aged 55 and over, while 30% are aged 60 and over. I hope that the expansion of the scheme to include a lot of agri-environmental schemes means that more people will qualify.

We also need to look at the means test for farm assist because I do not think there is anything more complicated than that test.

Deputy David Stanton: I agree with the Minister's last point. It is extremely complicated and if she could simplify it, that would certainly be very helpful. I again ask her to comment on the fact that the number availing of the scheme between 2011 and 2022 has reduced by almost two thirds. If the Teagasc national farm survey for 2021 is saying that 33% of farms are vulnerable, then there is some mismatch. Either the scheme is too complicated, people do not know about it or the disregards are wrong.

Finally, can the Minister give an estimate of the new farm assist claims that will be submitted if the list of disregards that she mentioned are included?

Deputy Michael Moynihan: The farm assist scheme has brought significant benefits to farmers, including the ongoing entitlement for a family member to participate in the rural social scheme. However, one issue has cropped up in recent times in the context of the farm assist scheme. When some farmers inherit a farm, they inherit the original farmhouse. In some cases, a family member may continue to live in that house rent free and, in other instances, the houses are derelict. The Minister said that she is looking at streamlining the means test for the farm assist payment and, in that context, it is important that no capital value is put on something that is of no material value at all. If there is a house on the farm that a family member, an elderly parent or uncle, for example, lives in, that should be taken into account. There should be a mechanism within the Department to take that into account because that would reflect a lot of situations on the ground.

Deputy Heather Humphreys: The other measures I mentioned, including the disregard for off-farm income, the capital disregard, depreciation and so forth, will be considered as part of the budget but obviously, there are constraints there. We definitely need to look at the means test. I never saw anything as complicated in my life, to be honest. I remember the late Seymour Crawford was an expert and a whizzer on them. People come in with a tin box full of receipts, not just for one year but for the previous three or four years and one tries to sift through them. Poor Seymour is not around now but he was a great man for going through those boxes and knowing exactly what they were entitled to. It definitely could be streamlined more and I am happy to look at that and to work with the Deputies on it.

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Saincheisteanna Tráthúla - Topical Issue Debate

Energy Prices

Deputy Barry Cowen: Last Tuesday, the *Irish Independent* carried a story by Charlie Weston on a EUROSTAT report that shows that Irish electricity prices are 25% above the European average. Last year, I highlighted concerns about the State's inability to provide adequate competition in the energy market, resulting in excessive prices for consumers, both household and business. I highlighted the fact that despite the assertion that renewables have their place

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in energy provision in this country, mainly from onshore wind, there is no mention of the fact that there is little capacity for storage when excess wind power is generated so that power could be stored and then redistributed when there is no wind. There is also inadequate infrastructure in many of our regions to contribute to the grid through onshore wind projects. I refer, in particular, to the north west. Furthermore when the wind does not blow, the wholesale energy market is distorted by virtue of the fact that we have a dominant provider in the ESB, which is in a position to charge in excess. Information provided to me at the time from an independent assessment show that there were prices in excess of international pressures on our market.

I also highlighted that the competition over the last number of years for the provision of renewables by the State was compromised, for example by the likes of ESB winning contracts for renewable placement or auctions back in 2016, but four years later withdrawing from the same contracts and paying penalties for having done so. That in itself ensured that the grid remained challenged, that competition remained compromised and, most important, that prices remained in excess of European averages.

We then had a situation where the State saw fit to initiate competition for emergency provision of energy, which we saw in June 2020 when the Minister amended the Planning and Development Act 2009 by statutory instrument whereby State authorities, in the effort to respond to such competitions, were not obliged to provide planning permission. It was not fair competition for those who sought to compete for the same projects if they had to provide relevant planning permission for their facilities. That, of course, is more unfair competition.

I have relayed this to Dáil Éireann previously, to the Minister in the Dáil and to his Department, to the Competition and Consumer Protection Commission, and to the Commission for Regulation of Utilities. I have had, to say the least, inadequate responses that forced me to have to raise the same issues with the EU Commissioners for both energy and competition. They have indicated to me their intention to investigate the challenge and analyse the information that has been provided to them in this area.

I ask the Minister with responsibility in this area, be it the Minister, Deputy Ryan, or whoever is representing him here this evening, to indicate to the Dáil - having failed to respond to the charges, the information and inferences that I have raised by virtue of the information I presented previously and now that new information is out there from an independent source which is EUROSTAT, which indicates the same issue of Ireland being 25% above the European average and fourth in the European bloc in relation to our prices - what manner of investigation or review-----

An Leas-Cheann Comhairle: We are over time.

Deputy Barry Cowen: -----will be initiated to challenge and investigate these issues and to find out why is it that the authorities and those regulators and a body such as Eirgrid-----

An Leas-Cheann Comhairle: The Deputy will have a chance to come back in. Allow the Minister of State to respond.

Deputy Barry Cowen: -----charged with the responsibility to ensure competition, have not done so to date?

Minister of State at the Department of Health (Deputy Anne Rabbitte): I am taking this Topical Issue matter on behalf of the Minister, Deputy Ryan. I thank the Deputy for raising this

important topic. Having read the Topical Issue matter before I came into the Chamber I do not know if it will address all of the questions the Deputy has raised.

The most immediate factor affecting electricity prices in Ireland is the continuing upward trend in international gas prices where we are a price taker. Gas prices have been rising steadily since March 2020 and were further exacerbated following the invasion of Ukraine by Russia. Gas prices are at historic highs and are volatile. This feeds directly through to retail electricity prices as the wholesale price of electricity correlates strongly with the price of gas. This is affecting not just Ireland but all EU member states.

EUROSTAT recently published statistics on household electricity prices in the EU for 2021. These statistics show that electricity prices increased in the second half of 2021 in all but two member states when compared to 2020. The largest increases were seen in Estonia with 50.2 %, followed by Sweden at 49.3 %, and Cyprus with 35.7 %. Energy and supply costs mainly drove the increase. For the same period, records indicate that prices in Ireland rose by around 13%.

I will now turn to the Government's response. The Government is very aware of the impact on households of increasing electricity costs. In addition to measures taken in budget 2022, in February the Government announced a €505 million suite of measures to mitigate the cost-of-living increases. This includes a credit payment to all domestic electricity accounts of €176.22 excluding VAT and a fuel allowance lump sum of €125, among other measures. On 13 April, in the context of the Russian invasion of Ukraine, the Government published the national energy security framework, which details consumer supports and protections that are already in place and that are being enhanced including an additional €100 fuel allowance payment; a new targeted €20 million scheme for the installation of photovoltaic, PV, panels for households; and the reduction in VAT from 13.5% to 9% on gas and electricity bills from May. In addition, response No. 6 of the framework charges the Commission for Regulation of Utilities, CRU, with implementing a package of measures to enhance protections for financially vulnerable customers and customers in debt by quarter 3, ahead of the next heating season. This fuel allowance year recipients received a total of €1,139, compared to €735 in 2021.

I will now turn to the drivers of electricity costs more broadly. As the Deputy will be aware from the EUROSTAT figures, Ireland has higher electricity prices than the EU average. In addition to Ireland's fossil fuel dependency, this is due to a number of factors, including geographical isolation and market scale, population dispersion, and taxes and levies. The best long-term approach for Ireland to reduce consumer exposure to the volatility on international wholesale energy markets is to invest in energy efficiency and renewable energy and via further interconnection with the UK and the EU to deepen the internal energy market.

From the questions raised by Deputy Cowen, I note that unfortunately this does not address the storage facility for wind energy in off-peak times and does not address the competition, which I will take up with the Minister, Deputy Ryan. I also note that the Deputy has raised this more than once, and that now he has statistics from EUROSTAT.

Deputy Barry Cowen: I think the Minister of State and I appreciate her position here this evening in seeking to respond on behalf of the Minister. I appreciate that the Minister of State wishes to relay to the House just the information she has, which emanates from the Minister and his Department. I do not doubt the impact of international price pressures on our ability to provide electricity at the price it is today. I do not doubt the impact of war on that ability to provide energy at the prices we are charged today. However, international pressures or war had

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no impact whatsoever when the likes of ESB won contracts for renewable provision in 2016. International price pressures or war had no impact on the ESB when it withdrew from those commitments in 2020 and paid the penalty, and allowed our grid to remain unchallenged and allowed our price to be challenged and compromised also. I doubt that the international pressures or war had any influence on the Minister when he amended the Planning and Development Act in June 2020, when he initiated the procedure that allowed impending competition not to be fair for all of those who wished to apply for the same auctions that ensued. The State authority had an undue advantage by virtue of the fact that it did not have to have planning permission when others had. That is not fair or competitive. Perhaps the Minister of State, Deputy Rabbitte, will relay to the Minister, Deputy Ryan, that it is high time he and his Department initiated a review or an investigation into our inability to provide adequate competition, which in turn would provide adequate price, over and above international average prices, which in this instance is 25% over and above. That needs to be addressed. There needs to be an independent assessment carried out to ascertain whether the accusations or assertions, or the information I have provided-----

An Leas-Cheann Comhairle: We are over time. The Deputy is way over time and is eating into the Minister of State's time. The Minister of State to conclude please.

Deputy Barry Cowen: -----point towards manipulation by a provider or point towards state aid not being fair on competitors.

Deputy Anne Rabbitte: I again thank the Deputy for raising this issue. For me to actually answer the Deputy's Topical Issue matter here tonight, I do not believe I have the skill set to be able to engage with the Deputy at that level. I know the amount of work and detail that the Deputy has put into this over the past months and years.

9 o'clock

The answer I have scripted in front of me from the Department to discuss the recent EURO-STAT findings on electricity prices is perhaps not in response to the Deputy's question. I will take that on board yet again, however, and ask the Minister to review exactly that independent competition the Deputy asked for. That is my take from this evening and that is what I will relay to the Department.

Emergency Services

Deputy Martin Browne: I thank the Minister of State for discussing this matter with me today. I am talking about the funding needs of the great service that is provided by the Irish Community Air Ambulance. As the Minister of State will be acutely aware, the service provided by the Irish Community Air Ambulance has saved many lives and prevented injuries sustained by people from becoming life changing. Whenever one speaks to people who have been involved in accidents or who have been seriously ill and were assisted by the air ambulance service, they cannot speak highly enough of it. Similar sentiments have also been expressed by workers in the emergency services. In particular, I was approached by the stationmaster of the Cashel fire service, who appealed to me to raise the matter with the Minister.

First, I acknowledge the value of the air ambulance service. I will take as an example an incident in Cashel not too long ago when a person needed urgent intervention. We hear much

about the golden hour when it comes to the response given to a person with a traumatic injury. It is a period of time immediately after a traumatic injury during which there is the highest likelihood that prompt medical and surgical treatment will prevent death or life-changing complications. During the incident of which I am speaking, the individual concerned was airlifted to University Hospital Limerick, UHL, which took just 17 minutes from Cashel. If one were to go instead by road, it would take 50 to 60 minutes. I have also spoken to representatives of the Irish Community Air Ambulance service about this and they gave an example of how it can take more than two hours to travel from Waterville to Cork University Hospital, CUH, by road. From my own town in Cashel, it will take more than an hour to get to Cork. The air ambulance cuts that timeframe down to 26 or 27 minutes, so I see where the golden hour comes in.

The service has encountered challenges in recent years, however. Covid-19 had a severe impact on its ability to fundraise, and this is before the issue of added fuel costs comes into it, which I will address shortly. The Irish Community Air Ambulance service approached the Minister about getting some short-term funding in light of the Covid restrictions on fundraising. I understand there was a delay in the Minister acknowledging and responding to a request for a meeting. The delay experience is a matter on which I would like some clarity. I do not expect the Minister of State to give it to me this evening.

It is not the only issue I want to address today, however. The service sought short-term funding for two years at €700,000 per year, which would reduce once fundraising could take place again. It had a plan drawn up. It was well informed about what it needed and how it could progress. After eventually having the meeting with the Minister, the service was more or less told to compete for a tender for the helicopter emergency medical service, HEMS, in the west if it wanted to survive. This is no way to treat such a valuable service. It also raised the question about what happens if it is not successful and is outbid by a commercially minded competitor. What happens to the ground-based doctors' service when they know it would likely not be able to survive? While I do not want to say too much about the tender process, what commitment will the Minister of State give to ensuring the future of the highly valuable service provided by the Irish Community Air Ambulance?

To reinforce my point, as I referred to earlier, I want to touch on and raise the issue of fuel costs. The Irish Community Air Ambulance service was called out more than 500 times last year, which was considerably up on the previous year. Now it has the soaring cost of fuel, which it told me has increased from 70 cent per litre to €1.47, resulting in annual costs soaring from €80,000 per annum to between €140,000 and €150,000 per year. Yet it appears that it is being forced to engage in a tender process because, for some reason, there appears to be an approach within the Department that effectively tells it to sink or swim.

We cannot allow this kind of attitude to be adopted by Government. The service needs to be funded whatever the outcome. Lives should not be put at risk for the sake of such small sums as we are talking about here, at €150,000 for more than two years. The importance of the Irish Community Air Ambulance service cannot be overemphasised, nor can the challenging situation in which it finds itself. I understand some funding has been given through the Department but sustainability is what we are talking about here. We are also talking about the Government not throwing such a valuable service to the lions of commercial activity and letting it sink or swim in the process. I need to hear the Government is committed to the continuation of the Irish Community Air Ambulance service and similarly that the Minister of State is committed to playing her role in saving the lives and well-being of the thousands of people who owe everything to this service.

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Deputy Anne Rabbitte: I am taking this Topical Issue matter on behalf of the Minister, Deputy Donnelly, in response to the need for additional funding to sustain the Irish Community Air Ambulance service. I welcome the opportunity to address the House on behalf of the Minister in this regard.

The National Ambulance Service, encompassing the emergency aeromedical service, operates the helicopter emergency medical service, HEMS, in Ireland. The service operates in conjunction with the Irish Air Corps from Custume Barracks, Athlone, and the charitably funded HEMS operated by the Irish Community Air Ambulance, ICAA. The Irish Coast Guard provides additional support on an as-available basis under a service level agreement with the HSE.

The Irish Community Air Ambulance is a charity-funded HEMS that has operated since July 2019 under a service level agreement with the HSE. Under the terms of this agreement, the ICAA committed to fund all maintenance, repairs, fuel and other expenses incurred in the provision of the transportation element of the HEMS, while the National Ambulance Service committed to providing the clinical staff and all medical consumables.

In early March of this year, the ICAA advised of serious financial difficulties. To provide funding to ensure the continued operation of the ICAA, it was necessary that the issue of state aid was addressed with the European Commission and that a procurement process to procure the long-term service was commenced as a matter of urgency. To ensure state aid rules were complied with, the Government gave approval to notify the European Commission of an intention to establish a scheme to safeguard the provision of charity-funded HEMS under the European Commission's Covid-19 temporary framework for state aid. This framework provides that temporary limited amounts of aid may be allocated to undertakings experiencing liquidity difficulties due to the Covid-19 pandemic.

The Commission gave approval last week to the establishment of this scheme, and in line with direction from the Department of Health, the National Ambulance Service will now establish and administer the scheme. The National Ambulance Service is engaging with the ICAA regarding the ongoing provision of funding under the scheme. The HSE has also begun a procurement process to ensure the ongoing provision of HEMS in the south west on a sustainable basis. A recent request for tender went live last month and the tendering process is currently progressing. As such, it would be inappropriate for me to comment further at this time.

I reassure the House that the Government is strongly committed to supporting the strengthening and reform of the National Ambulance Service, including in the area of aeromedical services. The allocation of an unprecedented €200 million to the National Ambulance Service in 2022, which includes €8.23 million for new service developments, is clear evidence of this commitment. This funding will help the National Ambulance Service to continue its transformation from an emergency medical service into a highly adaptable and responsive mobile medical service.

Deputy Martin Browne: I appreciate that the Minister of State is taking this matter on behalf of the Minister. The reply written for the Minister stated, "I reassure the House that the Government is strongly committed to supporting the strengthening and reform". We are being told the Minister did not even respond to the service for a couple of months when it asked him first, although he did eventually come back to it.

The importance of the Irish Community Air Ambulance service cannot be overemphasised.

Out of 500 calls last year, consider the lives it would have saved. Like I said, it looked for €750,000 per year over a two-year period, which is only €150,000 over two years for 500 calls and the number of lives it saves. It is not just me. The fire brigade and ambulance crews will tell the Minister of State that, daily when they go to serious incidents, they are able to call on the ambulance service and the ambulance lands. Like I said, it can have a patient from Cashel to Cork or Limerick within the space of 17 to 25 minutes. All of them, even the doctors, will tell the Minister of State that golden hour is vital to saving lives and making sure someone is not seriously injured for the rest of his or her life.

Like I said, we have heard it here. To be honest, and I am not blaming the Minister of State, I am kind of sick of listening to Covid-19 being given as an example of why we cannot do anything. One of the biggest costs, which we have said, is the price of fuel. We all understand the service has not been able and that it is community based and fundraises every year. It is only the past two years with Covid-19 that it has been caught. It has looked for that kind of funding for two years to cover the cost of fuel for its helicopters. Surely, with all the money we are talking about for running the country and running services, that kind of small money should be a priority to make sure we try to save lives or give anybody who is involved in a serious accident or incident as good a chance as anybody of getting there within that golden hour.

Deputy Anne Rabbitte: I too acknowledge the wonderful work done by community air ambulance services, of which there is no doubt. I fully understand the challenges they have faced trying to fundraise over recent times. That is why the commission last week approved the establishment of the scheme. In line with a direction of the Department of Health, the NAS will establish and administer the scheme. I hope I have outlined the commitment of the Government and its agencies, including the HSE and the National Ambulance Service, to ensuring the continued provision of air ambulance services to respond to trauma and clinical emergencies in the south west. The effort made by all parties to ensure this service has been able to continue in the face of the charity's financial difficulties is to be commended.

The temporary framework scheme, as approved by the commission, while time-limited, is still very much designed to ensure the vital services secured under the HSE's ongoing procurement process will be completed and that a successful tenderer will be identified. I again emphasise the Government's commitment to supporting the development of pre-hospital emergency care services, including aeromedical services. This can be seen in the unprecedented levels of funding allocated, which has increased by 17% since 2016. Through continuous strategic reform, the NAS is continuing its evolution from being an emergency medical service to an agile and responsive medical service that will improve care and outcomes for patients, as the Deputy outlined.

I will convey everything he raised to the Minister of Health.

Disabilities Assessments

Deputy Patrick Costello: The Minister of State knows well the struggle experienced by many parents of children with disabilities in regard to assessment of need. We have spent a long time in the Joint Committee on Children, Equality, Disability, Integration and Youth and in the Chamber debating what the Ombudsman for Children referred to as the "unmet needs" of these families. They are dealing with significant pain, misery, grief and loss, and it is very difficult for them.

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I acknowledge the work the Minister of State is doing. She has been touring the country, listening to these families at first hand and doing her best to engage with the HSE, even if it does not always engage with her. Nevertheless, we have to do more and highlight these issues. When families struggle with the assessment of need process, they are driven to private psychologists and private assessment services, which are obscenely expensive for families, not least vulnerable families who are already struggling with the additional cost of supporting a child with a disability and the impact that has on family income and their ability to work.

The challenge does not just relate to the cost; many of these private assessments are, to be blunt, substandard. They are just not good enough. Many people have paid good money for a private assessment and been told it is invalid and will not be accepted by the HSE. They may have been told the person carrying out the assessment does not have the required qualifications, has not made an accurate diagnosis or has not done the assessment in the right way. This is a struggle especially where families have waited for a long time, scrimped and saved and then sought an assessor in the private market.

In my constituency in particular, numerous families have reached out to me to complain about one person, Caroline Goldsmith, is conducting assessments that are just not suitable-----

An Leas-Cheann Comhairle: I remind the Deputy about the rules relating to naming persons in the House. He might wish to reflect on them.

Deputy Patrick Costello: If the Leas-Cheann Comhairle had seen the look on these families' faces as they cried in front of me-----

An Leas-Cheann Comhairle: I am not taking issue with that-----

Deputy Patrick Costello: -----about their vulnerable children not receiving-----

An Leas-Cheann Comhairle: I am just reminding the Deputy about procedure regarding naming persons.

Deputy Patrick Costello: These families stood in front of me with tears in their eyes as they spoke about how they had tried the best for their children, and how they had saved money they did not have and tried to spend it on getting an assessment and having the needs of their children met, and they did not get it.

We need to fix the assessment of need service. We need to ensure families will get the assessments they need, and on time, in order that they will not be driven into the hands of private providers. We need to ensure any private providers that provide assessments conduct them correctly, and that any assessment that is carried out will open the door to services and get these families the supports they are crying out for, which their children need. This is an emotional topic for me because I listened to the pain these families are suffering, but it is much more difficult for them. We need to address both the assessment of need issue and how we can tackle the issue of private assessments that are just not up to standard.

Deputy Anne Rabbitte: I thank the Deputy for raising this issue and giving me the opportunity to respond to it. I am very aware of the case of Caroline Goldsmith, whom he mentioned. On my ministerial visits throughout the country, I was horrified to hear about the experience parents had whereby they had got their diagnoses but were not allowed to use them, given they were not accepted by the HSE and so on.

It is important for me to set out what is in place. I am sure the House will be aware children's disability services are provided based on the presenting needs of the child rather than his or her diagnosis or the actual type of disability or service required. Services are provided following individual assessment according to the child's individual requirements and support needs. The national policy on access to services for children and young people with disability and developmental delay ensures children will be directed to the appropriate service based on the complexity of their presenting needs rather than their diagnosis. This policy provides a single point of entry signposting parents and referrers to the most appropriate service. That may be primary care for non-complex functional difficulties, or children's disability network teams for complex functional difficulties.

Psychologists are not yet subject to CORU registration, something I was not aware of until recently, but the HSE and its funded service providers ensure all psychologists employed in their services are appropriately qualified. Psychologists' qualifications are validated as part of the recruitment processes. The Psychological Society of Ireland, PSI, recently published professional practice guidelines for the assessment of autism. The HSE has advised it is aware of these guidelines and they will be considered by the HSE in due course. I fully concurred with the society's president when he stated at the launch of the guidelines that autistic children and adolescents deserve the same chances in life as their peers, and that improving the diagnosis process is the first important step on that journey.

I am pleased to inform the Deputy I attended a day-long workshop last Friday that began the process of developing new interim guidelines to support the assessment of need process and guide front-line staff. The workshop was attended by key stakeholders, including senior HSE officials, Department of Health officials and professional body representatives. Children and young people were represented in the form of a number of parents who attended. In the interim, the standard operating procedure as part of the assessment of need process has reverted to the previous model and practitioners will use their clinical judgment in ongoing assessments.

Following the commissioning and publication of the review of the Irish health services for individuals with autism spectrum disorder, the HSE commenced the implementation of a service improvement programme for the autistic community based on its recommendations, and a national autism programme board was established with responsibility for leading the implementation of the review report recommendations. The board comprises senior operational and clinical decision-makers as well as independent professional and academic support. Importantly, the programme board includes representation from persons with lived experience of autism.

In Crumlin, when I listened to parents stand up to describe their experiences, everyone was aghast at the cost. At the back of the room, there was another woman who was not aware of the fraud she felt had been perpetrated upon her. We had three people in the one room. I went to Dunshaughlin the following week and another woman declared the same thing. I thank the Deputy for using the floor to raise this issue.

Deputy Patrick Costello: I welcome the Minister of State's response regarding the need to register psychologists with CORU. As a social worker, I spent a lot of time registering with CORU. I found the process painless. It provides reassurance and support to the families social workers engage with. CORU has said that there is no regulation of psychologists but that it will be coming soon but, as happens in this country, it has been saying that for quite some time. Is this a matter of resources? Do more resources need to be put into CORU to make this happen? Ultimately, the business of private assessment in the area of autism spectrum disorder, ASD,

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and the field of disability is thriving because of the struggles in the assessment of need process. There is a need to take on the HSE and to address those unmet needs and those failings. That is the ultimate protection as it would ensure a quality State service that is open to all and that does not cost people an arm and a leg they cannot afford. Again, people are doing this because they want the best for their children. At the end of the day, this is about protecting those young people who are in desperate need of assessment and the services that come with it. I thank the Minister of State for her previous fights with the HSE. I ask her to keep fighting because the assessment of need process is still not working. The services that should follow such assessments are not being provided, even to those who have a diagnosis. There is still an absolute lack of services and that needs to be fixed. If these issues can be fixed, vulnerable families can be protected from private providers.

Deputy Anne Rabbitte: I again thank the Deputy for his contribution on this issue. If a parent provides reports, whether diagnostic or otherwise, that have been completed by another service, the relevant HSE service will consider those reports. I have used the name Caroline Goldsmith already. It is important to say that if parents have got a diagnosis but have not been able to access services, that is, parents who procured these services because they were not able to access the waiting list, they should contact my office. It is not fair or right for any parent who has spent hard-earned money not to get a fair and accurate assessment as to their child's diagnosis. I certainly do not want to again see the upset I have seen on parents' faces in Crumlin and Ashbourne in the past three weeks. It is only right that I engage with CORU. I am thankful for the support I have received from the HSE in recent days in ensuring a proper pathway is put in place to make sure people are protected. We have put a timeline on this measure. We need to protect families and, most importantly, the young people because the vulnerability that arises from not being able to get a timely assessment of need is driving people to despair. These assessments are needed to ensure access to education and whatever else these children need access to. Nobody seems to want to let you access anything in this country if you do not have a preliminary diagnosis. We all know that healthcare is based on need but other parts of society are based on diagnosis. The HSE and I need to crack that particular nut with the support of all of the Members in here over the coming weeks. There are other ways of doing it. We need to bring in more people and clinicians such as family support workers, behavioural therapists and play therapists. It is not all about just one or two fields.

Courts Service

Deputy David Stanton: It was a bit of a shock to learn that the Courts Service office in Youghal is to close. I was disappointed that we were not briefed on this by the service. We have had a number of items of correspondence on this matter. One has to do with women who use the Courts Service to get protection orders. I got an email from one particular lady on this recently which I would like to mention for the record. She asked what the woman who cannot afford petrol because her husband controls all of the money is to do. If the Courts Service office in Youghal is closed, the nearest office will be in Cork city, which is an hour away. What about the woman whose husband tracks the kilometres on her car, the woman who has three small kids and no transport, the woman who simply cannot get away for that long without her partner being suspicious, the woman who has no childcare but whose children are old enough to understand what they might hear, the woman who is destroyed with bruises and is ashamed that other people might see, the woman who cannot go home because her partner is there busting up the place, the woman who works Monday to Friday and so on? The woman who sent me this

email begs us to keep this service in Youghal open.

There are other reasons as well. This lady says that taking away our clerk's office is taking away the only thing that makes women feel safe in this situation and that there is comfort in knowing that you can go straight to the office and apply for a protection order if you need to. She asks whether these women have not suffered enough and says that not enough noise is being made about this.

There are other issues of concerns in respect of this decision. Gardaí can lodge charge sheets in the court office. If the expected closure goes ahead, this will have to be done in Anglesea Street in Cork city, taking gardaí away from their duties. People who do not have access to online banking pay fines at the court office. Some kind of a temporary arrangement is being talked about. Do the people in Youghal and the surrounding areas have to check for a notice on the door as to whether a court office is available? The current court office allows people to attend with dignity and allows staff to deal with people's issues in a confidential way. If these new proposed plans come into force, people will have to queue up to wait for an opportunity to meet Courts Service staff. We ask that this decision be reversed.

Deputy Sean Sherlock: I am delighted to have the opportunity to raise this issue. The people of Youghal are very exercised about the decision of the Courts Service to close a service that is vital to people and to the administration of justice in Youghal, particularly as it relates to the victims of domestic violence. As my colleague, Deputy Stanton, said, this is about ensuring that we do not force women who are subject to domestic violence and who are seeking protection orders to go from Youghal to Cork. This decision takes a service further away from the people who are most vulnerable and most in need of it. I ask the Government to please intervene with the Courts Service to reverse this absolutely disgraceful decision. It is disgraceful given the fact that the Courts Service invested approximately €1.2 million in creating this facility in the first instance back in 2008. We have testimonials from three notable solicitors - David Keane, John Brosnan and Karen O'Shea - who are legal representatives in the town of Youghal. They are on the public record as saying that this is a Trojan horse for getting rid of the court in Youghal itself. We ask the Government to please reconsider this decision and to use its good offices to intervene with the Courts Service to ensure that the services people are entitled to as of right are provided. People must have good administration of justice without impediment. A situation cannot be created where vulnerable women who are subject to domestic violence will have to get on buses to go to Anglesea Street in Cork. It is absolutely disgraceful.

Deputy Anne Rabbitte: I am taking this matter on behalf of the Minister for Justice, Deputy McEntee. I will keep to the script. I thank the Deputies for raising this important matter and for the opportunity to provide clarity on some issues.

As both of them will be aware, management of the courts, operational matters and logistical functions are the responsibility of the Judiciary and Courts Service, which are independent in exercising their functions under the Courts Service Act 1998 and, given the separation of powers in the Constitution, the Minister has no role in the exercise of Courts Service functions. It is the Minister's understanding that the Courts Service senior management team and board have recently decided to close the court office in Youghal before the end of this year, mainly for health and safety and administrative reasons. The property at Quay Lane in Youghal where Courts Service staff are based is leased rather than owned by the Courts Service. Youghal District Court and Circuit Court sittings will continue as scheduled in the town hall. The District Court sits on the first and third Friday of the month and the Circuit Court sits each January

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and July. The Minister is advised that the staff in the Youghal court office will be involved in informing the new arrangements that will be put in place. The local judge, legal practitioners, support and representative groups and court office users will also be involved over the coming months to ensure the service continues to be supported.

In consultation with the Youghal court office, the work in Youghal will be transitioned to the two court offices in Cork city, which are the closest court offices to Youghal. All criminal matters will be managed by the court office in Anglesea Street and all family and civil matters will be managed by the court office in Washington Street. Following a health and safety risk assessment, the Courts Service has identified a space in Youghal Town Council from which a member of staff could provide a local customer service in the town every Friday, particularly in respect of family law services. This arrangement would also provide support to the District Court sittings scheduled for the first and third Friday of each month. Once implemented, this arrangement will be monitored by the Courts Service and reviewed after a six-month period.

Access to domestic violence services will be provided through three different options that will be available to service users. They may choose to contact the family law office in Washington Street courthouse by telephone, attend the courthouse in Washington Street in person, or attend Youghal Town Council on any Friday. Many family law court users prefer not to have their issues dealt with locally and to go instead to main centres to file their forms and have the matters dealt with in a secure and private setting.

On a broader note, family justice is a priority for the Minister and a major element in Justice Plan 2022. The programme for Government contains a commitment to enact a family court Bill to create a new dedicated family court within the existing court structure and provide for court procedures that support a faster and less adversarial resolution of disputes in specialised centres. Work is ongoing on the drafting of the Bill with a view to its publication as soon as possible in 2022.

Alongside the family court Bill, the Department of Justice is in the process of finalising a family justice strategy, which will set out a high-level vision and key medium- and more long-term objectives for the development of a national family justice system. The establishment of a dedicated family court structure as envisaged by the forthcoming family court Bill will form a core part of the strategy.

Deputy David Stanton: The Minister of State referred to the Courts Service identifying a space in Youghal Town Council to which people can go on any Friday if they need assistance. Reference was made to court users preferring to have their issues dealt with at a main centre rather than locally. However, people are being asked to go to a very public place to deal with a most intimate matter. The woman who contacted me said she was in no fit state to get a bus and try to navigate around the city. When her relationship ended, she was in so much debt because of her partner's behaviour, she did not have the money for a bus fare. Even if it was only €5, she did not have it.

This is an issue on which the Minister really must engage with the Courts Service. I was Minister of State in the Department of Justice and Equality long enough to know about the separation of powers and all of that. The Minister should have a chat with people in the Courts Service. Perhaps they will meet with the Deputies from the constituency and explain the rationale for the decisions made. That has not happened in this instance. It has happened in the past when this kind of thing went on, which was very useful. People are concerned and worried

about this, as are the practitioners who are using the service, as Deputy Sherlock noted. This is taking away a very important service from people, especially vulnerable people. Very little notice was given and very little rationale was offered. An *ad hoc* service has been put in place that requires people to check whether there is somebody there to help them and to line up with other people on a Friday to access the service, or else to attend the family law office in Washington Street. It is just not on.

Deputy Sean Sherlock: I respect the Minister of State and the fact she does not have policy responsibility for this area. The response by the Government is not adequate for the purposes of ensuring the administration of justice, as articulated by the concerns outlined by the law officers in Youghal, by the users of the service and by the citizens. We are in a situation where a service is being taken away, even though more than €1 million has been invested. To throw the health and safety argument back at women who have suffered the indignity and hurt of domestic violence is a weak response. I do not personalise that comment in any way.

I have received the same email as my colleague, Deputy Stanton. It states:

When we seek these protection orders, we are utterly broken. We have been gaslighted, manipulated, intimidated, financially abused, sexually abused, physically abused, lied to, cheated on, isolated from our friends and families - the list goes on. We're left questioning our sanity, asking ourselves, "What is wrong with me?"

An Leas-Cheann Comhairle: Thank you, Deputy. We are way over time and I have given extra time.

Deputy Sean Sherlock: We have to protect those women and those services.

Deputy Anne Rabbitte: I agree we must protect those women. Regarding Deputy Stanton's request that the Minister meet with all the local Deputies to discuss the concerns, I do not think that would breach any powers. It is about ensuring there is an informed opinion on the matter. I believe in the good work the Deputy and the previous Government did in regard to the understanding and knowledge of coercive control. The more information we have, the better. When it comes to removing services, I speak for myself, not for the Minister, in saying we need to have the conversation and we need to have that understanding. People are being empowered to know their rights and we must support them in an environment which they know they can have access at any time. We should not be diluting that access. I will ask the Minister for assurance in this regard.

Cuireadh an Dáil ar athló ar 9.37 p.m. go dtí 9.12 a.m., Dé Céadaoin, an 18 Bealtaine 2022.

The Dáil adjourned at 9.37 p.m. until 9.12 a.m. on Wednesday, 18 May 2022.